VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES
REGULAR MEETING AGENDA 5:30PM
Tuesday October 9, 2018
Roberts Rules of Order will be in Effect for this Meeting

A. CALL TO ORDER PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. AUDITING

a. Pay Vouchers
b. Approve Minutes 9-24-2018 with clarification that
Bill 99-2018 Adopt Law Amending Chapter 10 and
Bill 102-2018 Development Code Amendment Brewpub
had not been given proper public notice and will be reconsidered

D. PUBLIC COMMENT PERIOD

E. CORRESPONDENCE – Saranac Lake Police Report, Letter NYSDEC regarding Brandy Brook, Letter NYS Homes and Community Renewal, Funding Request Saranac Lake Volunteer Rescue Squad, Inc.

F. ITEMS F0R BOARD ACTION

BILL	**105**	**2018**	**BOCES Agreement**
BILL	**106**	**2018**	**Travel and Training Nik Pelletieri**
BILL	**107**	**2018**	**Support Historic Preservation Tax Credit for 20-22 Broadway**
BILL	**108**	**2018**	**Approve Request for RFQ for LED Streetlight Conversion Project**
BILL	**109**	**2018**	**Call for a public hearing Chapter 10 10-22 at 5:30pm**
BILL	**110**	**2018**	**Call for a public hearing to amend Development Code Brewpub 10-22 at 5:30pm**

G. OLD BUSINESS

Rescue Contract
17 Main Street Rental
Process for public projects related to the DRI
Brandy Brook

H. NEW BUSINESS

I. ITEMS FOR DISCUSSION

J. MOTION TO ADJOURN

RULES FOR PUBLIC HEARING COMMENTS AND PUBLIC COMMENT PERIOD OF MEETINGS

1. **Anyone may speak to the Village Board of Trustees during the public comment period of a public hearing or the public comment period of the meeting.**
2. **As a courtesy we ask each speaker to give their name and address.**
3. **Each speaker must be recognized by the chairperson before speaking.**
4. **Individual public comment is limited to 5 minutes and may be shortened by the meeting chairperson.**
5. **When a meeting is attended by a group of people who share the same or opposing views on a public comment topic, the chair may require that the group(s) designate not more than two spokespersons and limit the total time public comment to 5 minutes for each point of view or side of an issue.**
6. **Individual time may not be assigned/given to another.**
7. **A public hearing is meant to encourage resident comment and the expression of opinion, not a direct debate, nor should a commenter be intimidated by a village board rebuttal, therefore public hearings are limited to public comment and should a village response be asked by individuals the response shall be generally given after the public hearing during the village board regular meeting, or subsequently, by telephone or letter, unless factual in nature where the facts are fully known by staff, in which case a village official may respond.**
8. **All remarks shall be addressed to the board as a body and not to any individual member thereof.**
9. **Interested parties or their representatives may address the board at any time by written or electronic communications.**
10. **Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.**

Please note- During the course of regular business, discussion and commentary is limited to board members and village staff only. We ask for this courtesy, for the board and staff to conduct their business and discussion without interruption. All village board members and staff are available after the conclusion of a meeting for one on one discussion.

REGULAR MEETING OF THE BOARD OF TRUSTEES
September 24, 2018

ROLL CALL FOR REGULAR MEETING: Present: Mayor Clyde Rabideau
Trustees: Melinda Little, Paul Van Cott, Richard Shapiro and Patrick Murphy.

Also present: Village Manager, John Sweeney, Village Treasurer, Elizabeth Benson, DPW Superintendent, Jeff Dora and Village Clerk, Kareen Tyler.

Everyone stood for the pledge of allegiance.

SPECIAL GUESTS : Franklin County Legislator, Melinda Ellis thanked community members for the beautiful flowers though the village. Franklin County resolution is attached and made part of these minutes.

PUBLIC HEARING
Chapter 10
Brewpub
No one from the public made comment on either proposed law.

AUDITING:
Chair Rabideau called for a motion to approve payment for the 2019 budget
$ 224,481.97 voucher number 11039784 to 11039886
complete detail of these vouchers is attached and made part of these minutes.
Motion: Rabideau Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

APPROVAL OF MINUTES:
Chair Mayor Rabideau called for a motion to approve minute of 9-10-2018.
with a minor change.
Motion: Van Cott Second: Litlle
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

PUBLIC COMMENT PERIOD:
ElizabethKochar and Susan Arnold spoke regarding plowing on Petrova Avenue.
Attached and made part of the minutes is the letter they present the board.

CORRESPONDENCE: Letter- Eleanor Sweeney and Police Department August Report
Chair Rabideau called for motion to accept and place on file the above referenced correspondence.
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

ITEMS FOR BOARD ACTION:

Bill 95-2018 Declare 400 Broadway Properties Supply, Set Auction Date and Minimum Price.

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Van Cott
Motion to Amend: Murphy Second: Little
Amend to allow sealed bids the day of the auction if no minimum bid is received.
Roll Call to Amend: Little yes Murphy yes Shapiro yes Van Cott yes
Roll Call on Amended Motion: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 96-2018 Begin Hiring Process for Water Sewer Worker

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Shapiro
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 97-2018 Declare Surplus Equipment

A copy of the bill is attached and made part of these minutes
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 98-2018 SEQR Unlisted Action Negative Declaration Chapter 10

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Van Cott Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 99-2018 Adopt Law Amending Chapter 10

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Van Cott Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 100-2018 LWRP Determination Brewpub

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 101-2018 SEQR Type 1 Negative Declaration Brewpub

A copy of the bill is attached and made part of these minutes
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 102-2018 Development Code Amendment Brewpub Adoption
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Roll Call: Little yes Murphy yes Shapiro no Van Cott yes

Bill 103-2018 Hire Jay Bradish Water Sewer Maintenance Helper
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 104-2018 Set Fee for Electric Charging Station
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Motion to Amend: Murphy Second: Little
Amend to charge 10% over the current kilowatt hour rate to be established at the discretion of the Village Manager
Roll Call to Amend: Little yes Murphy yes Shapiro yes Van Cott yes
Roll Call on Amended Motion: Little yes Murphy yes Shapiro yes Van Cott yes

OLD BUSINESS:
Trustee Murphy- LED Street Lights

NEW BUSINESS:
Mayor Rabideau- Street Reserves for surplus land revenue

MOTION TO ADJOURN
Chair Mayor Rabideau called for a motion
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Respectfully submitted, Kareen Tyler, Village Clerk

Saranac Lake Police Department

1 Main Street
Saranac Lake, NY 12983-1795

Telephone: (518) 891-4428
Fax: (518) 891-6321

SARANAC LAKE POLICE DEPARTMENT – ACTIVITY REPORT

10/01/18

September 2018

Total Calls for service:	218*
Total Arrests:	19
Mental Hygiene Law Arrests: (Included in total)	1
Accident Investigations:	9

Administrative:

New 7B373-Dodge Charger-arrived being prepared for service
DARE program initiated for school year
Training regarding the new Raise the Age legislation starting 10/01/18
Attended Franklin County Traffic Safety Meeting Malone
Policed 90 Mile Canoe Race
Attended Blue Mass Plattsburgh, NY
Provided Color Guard for NYS Court Clerk Conference Lake Placid, NY
Interviewed four viable candidates to replace Patrolman Farmer

Interesting Cases:

Assisted the Lake Placid Police Department with the execution of a search warrant on Park Avenue. The case culminated in an arrest for Assault in the first degree and a Weapons possession charge.

*Calls for service do not include walk-ins at the station, traffic stops, parking tickets, other interaction with the public which does not necessitate documentation.

ConferenceDirect®

Chief Potthast + Color Guard.

Thank you so much for agreeing to be a part of our very successful conference at the Crowne Plaza in Lake Placid.

Our members certainly enjoyed your very professional presentation of colors.

So sorry that we could not get you to stay for dinner.

Thank you for everything that you do to protect and serve our community!

It is because of your dedication to the force that this area is a safe one.

Thank you for being a part of this community your hard work does not go unnoticed

- Saranac Lake
Student Government

Thank you to the family of the dedicated men and women who sacrificed their lives to save others

X oxo

Thank you for your service and dedication.

Larry McFeddin

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of Environmental Quality, Region 5
1115 State Route 86, PO Box 296, Ray Brook, NY 12977
P: (518) 897-1241 | F: (518) 897-1245
www.dec.ny.gov

RPOF & Old Business

Send Via Email Only

September 24, 2018

Honorable Clyde Rabideau
Mayor, Village of Saranac Lake
39 Main Street, Suite 9
Saranac Lake, NY 12983
mayor@saranaclakeny.gov

RE: Brandy Brook Sewer – April 2018 Schematic Design (Revised 9/24/2018)
NYS EFC CWSRF No. C5-5516-00
SPDES Permit No. NY0021733
Saranac Lake (V), Essex County

Dear Mayor Rabideau:

The New York State Department of Environmental Conservation (Department) has reviewed the above-referenced plans, dated May 31, 2018, and revised September 24, 2018. These plans include portions of the Brandy Brook sewer reconstruction that will coincide with the Department's ongoing remediation of Brandy Brook.

Sheet C103 of the plans revised by AES Engineering and submitted to the Department via e-mail on September 24, 2018, depict a replacement sewer between stations B1+00 and B5+10 that is at a slope less than the minimum slope allowed by the Recommended Standards for Wastewater Facilities 2014 Edition. This slope is due to the existing sewers in this section being at less than the minimum slope recommended by the standards. This section of the sewers will require additional maintenance to prevent blockages or overflows to the environment.

The revised plans are hereby approved. 6 NYCRR Part 750-2.10(b) allows for the approval of a portion of a sewer system to allow for design and construction of sewer systems to proceed at the same time. This approval is limited to only the portions of the sewer identified in the approved plans and the remaining portions of the sewer reconstruction will require separate approval.

If you have any questions regarding this approval, please contact Robert Streeter at (518) 623-1221 or by email at robert.streeter@dec.ny.gov.

Sincerely,

Joseph M. Zalewski, P.E.
Regional Engineer

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

JMZ:bk

ec: R. Streeter. Regional Water Engineer, NYSDEC
G. Swart, AES Northeast, gregoryswart@aesnortheast.com
R. Huyck, NYSDEC
J. Geiger, EFC
J. Denno, EFC

RFOF

NEW YORK STATE OF OPPORTUNITY. | Homes and Community Renewal

ANDREW M. CUOMO
Governor

RUTHANNE VISNAUSKAS
Commissioner/CEO

September 17, 2018

Hon. Clyde Rabideau
Mayor, Village of Saranac Lake
39 Main Street, Suite 1
Saranac Lake, NY 12983

Dear Mayor Rabideau:

Re: Final Contract Extension Request - Approved
NYS HOME Program SHARS ID # 20133150

The NYS Office of Community Renewal (OCR) is in receipt of your request for an extension beyond the current end date of **June 30, 2018**. The decision to extend the program completion date is based on, but not limited to, several factors such as HUD requirements, past performance of the recipient, deobligated funds returned to NYSHCR, the nature of the delay, and whether the program can be completed within a reasonable extended timeframe.

Based on our review and careful consideration, the request for an extension has been granted, and your revised program completion date is now **December 6, 2018**, at which time the grant agreement will terminate. No new setups will be approved beyond the sites already in progress.

Please be advised that any costs incurred after the revised program completion date will be ineligible for NYS HOME reimbursement. Per NYS HOME policies, the Village of Saranac Lake will have up to 30 days after the revised completion date to submit a final reimbursement request for costs incurred up to the completion date. Following the submission of the final request for funds, all remaining NYS HOME funds for this program will be de-obligated.

Please contact Richard Baldwin at 315-478-7179 x206 if you have questions or need additional assistance. We share your goal of successfully completing your program.

Sincerely,

Ann M. Petersen

Ann M. Petersen, Director
NYS HOME Program
NYS Office of Community Renewal

cc: Stephanie Galvin-Riley, Assistant Director, NYS HOME Local Program
Richard Baldwin, HOME Program Manager, Office of Community Renewal
Alex Smith, Manager of Finance and Compliance, Office of Community Renewal
Jamie Konkoski, Community Development Director of Saranac Lake

SARANAC LAKE VOLUNTEER RESCUE SQUAD, INC.
P.O. Box 431 • 110 Broadway
Saranac Lake, NY 12983
Phone (518) 354-8395 • Fax (518) 354-8374

2018-19 FUNDING REQUEST
SARANAC LAKE VOLUNTEER RESCUE SQUAD INCORPORATED

The Saranac Lake Volunteer Rescue Squad has been operating independently since October 2010. We continue to operate four fully functional ALS trucks and one BLS truck to serve our community. Currently, there are 10 full time employees and 15 part time or per diem employees. As you know, we have a unique situation in that the SLVRS service territory covers parts of 2 counties, a village, and 6 towns. This is unheard of anywhere else in NYS. Some may look at this as a problem; I look at it as a benefit because the cooperation of our village and towns has made it possible to improve our service and to insure that no one village or town has to shoulder the financial burden of having their own rescue squad.

In last year's funding request, I discussed the nationwide shortage of EMS providers. This past year has been a real struggle for SLVRS as we have been short 3 Advanced Level Providers for most of the year. We have been trying everything we can think of to hire additional providers and finally succeeded in hiring two, due to reworking our schedule, and offering a sign on bonus for new employees.

Leaders in the EMS field are acutely aware that we have a big problem that we need to solve right now. Here is what is happening locally to mitigate our provider shortage.
-Elizabethtown hospital has started its first Paramedic program. SLVRS sponsored Ryan Thompson, our Administrator, for that 18 month class. This will move him up to the highest level of EMS provider.
-NCCC has started an annual EMT class. They have made the commitment to teach one EMT and one AEMT class a year to help train new individuals. SLVRS has 4 individuals in the current class. We see this as an important piece in a long-term solution to regional staffing problems.

For some other good news, SLVRS is in the process of buying the building we are currently in. After much searching and deliberation we have decided that we should stay where we are. Our current location allows us a quick response to calls and allows us to continue to utilize the SL fire drivers. By purchasing the building we can concentrate on upgrades to make the facility more functional and comfortable. The money we save not paying rent will help us to make those improvements. We also intend to keep H&R Block as a renter so we will have some additional financial assistance.

SLVRS continues to support our surrounding agencies through ALS link ups, and Mutual Aid calls. In a 12 month period 2018 (8/1/17 to 7/31/18) we assisted our neighbors a total of 89 times. SLVRS did 10 ALS link ups to Tupper Lake and handled their entire call 36 times. We also did 30 runs for Lake Placid and stood by for them while they had all their rigs tied up another 8 times. We also did 5 ALS Intercepts with Saint Regis Falls.

I would like to let you know of an issue that has recently come to light. As you know, we do not send patients to collections for the inability to pay for a 911 call. The only ones we do send to collections are those who have received the check from their insurance company, and kept it instead of turning it over to rescue as they are instructed to do. The latest figures I just requested for a 12 month period were shocking to me. We had 62 people sent to collections for a total of over $65,000. We recovered $15,000 of that but a $50,000 a year loss is significant. Please keep this in mind when you see legislation which requires insurance companies to send the check directly to the rescue squads instead of the patient.

In June of 2013 SLVRS began to expand our role in community health care by taking on a contract to do transports with Adirondack Health. We continue to contract with Adirondack Health to move patients from AMC SL to other facilities when our rural hospital cannot meet the needs of the patient. All of our paid providers are cross trained so that they can be utilized wherever they are needed at the time. This cross training has benefited us time and again by having a second crew in house to pick up second calls. This has helped strengthen our depth in coverage, improve our financial stability, and provide steady employment for several more individuals.

We plan to continue to utilize the SLVFD drivers for the coming year. By sharing the expense of the paid drivers, we not only provide an immediate response to calls but we eliminate the need to hire additional drivers to drive just for Rescue Calls. This year's funding request of $232,533.61 includes $197,533.61 for a 45% share of the drivers' salaries and benefits and $35,000 for the working expenses of the Rescue Squad. The village figures have been obtained for the drivers and it is an increase of over $13,000. I was informed that this increase is due to the fact that there was no increase last year and there is an anticipated increase in the forthcoming SEIU settlement.

Below is the summary of fees for the Village and 6 Towns; this is the same method used for the last several years.

Municipality	**Equal split of driver contribution**	**2 rate method**	**Rescue operating**	**2019 contract sums**
Village of SL	$28,219	36.25%	$12,688	$40,907
Harrietstown	$28,219	36.25%	$12,688	$40,907
Santa Clara	$28,219	5.50%	$ 1,925	$30,144
N. Elba	$28,219	5.50%	$ 1,925	$30,144
St Armand	$28,219	5.50%	$ 1,925	$30,144
Brighton	$28,219	5.50%	$ 1,925	$30,144
Franklin	$28,219	5.50%	$ 1,925	$30,144
	$197,533		$35,000	$232,534

The SLVRS Board strongly believes that this is the best option we have available at this time. We remain open to suggestions for future discussion of alternative methods to distribute the funding request for the Rescue Squad. I would be glad to meet with anyone to discuss alternatives or to answer any questions you may have.

The contracts will be completed and mailed to you by November 15 so that you will have time to sign and return them for a January 1, 2019 start date. Again I thank you for your patience and continued support and willingness to work towards the best solution for our unique multi-town Rescue Squad. If you have concerns or questions please feel free to call me directly and discuss them.

Sincerely,

Julie Harjung
President
(518) 810-3985 cell
rangerncats1@gmail.com
slrs@centralny.twcbc.com

Saranac Lake Call Location Report
08/01/2017 - 07/31/2018

	calls rcv'd	resident	Amount billed	collected	% return	Insurance adjusted	Tax subsidized	Net outstanding	Total Claims Billed	Total Claims Paid	% of calls 12 months
Village of SL	540	486	$399,396.40	$182,748.22	45.76%	$155,541.64	$24,053.34	$61,106.86	540	471	56.25
N. Elba	46	8	$36,018.80	$10,997.16	30.53%	$12,651.99	$110.00	$12,369.65	46	30	4.79
St Armand	37	27	$30,235.40	$9,240.50	30.56%	$14,258.29	$2,517.92	$6,736.61	37	29	3.85
Tupper Lake	28	1	$32,892.81	$15,769.28	47.94%	$14,659.85	$0.00	$2,463.67	28		2.92
Brighton	54	36	$49,950.60	$16,399.71	32.83%	$21,867.84	$1,558.45	$10,669.05	53	42	5.52
Franklin	60	51	$60,101.20	$19,500.74	32.45%	$28,262.38	$4,853.29	$12,338.08	60	50	6.25
Harrietstown	179	140	$129,923.20	$48,541.51	37.36%	$56,181.32	$6,644.40	$25,218.81	176	143	18.33
Santa Clara	3	2	$3,373.20	$662.24	19.63%	$671.96	$35.00	$2,039.00	3	2	0.31
unspecified	1	0	$1,362.00	$703.28	53.30%	$658.72	$0.00	$0.00	1	1	0.10
ALS link up	17	1	$10,800.00	$3,205.83	29.68%	$4,726.99	$35.00	$2,867.18	16	10	1.67
	965	752	$754,053.61	$307,768.47	ave 36.36%	$309,480.98	$39,807.40	$135,808.91	960	778	99.99

Note: These figures are from Medex Billing company and reflect the most accurate data available. Residents from any of our service district are documented because they are not charged a copay. The Tax Subsidized figure includes resident copays, high insurance deductibles, patients with no insurance, and claims that get denied. The tax subsidized figure added together with the Insurance adjusted rates is the amount we do not collect. Accounts are open for 4-6 months on average, so these numbers are constantly changing. Remember, we currently have the billing company send 3 letters and if they do not pay they are not sent to collections. The only ones sent to collection are those whom are paid directly by the insurance company and then keep the check instead of forwarding it to us. Tupper Lake calls are Mutual Aid calls. Our actual call volume for 911 calls for 2016 was 1133, and 1100 in 2017. Not all calls are billable.

Business of the Village Board
Village of Saranac Lake

SUBJECT: BOCES AGREEMENT

Date: 10-9-2018

DEPT OF ORIGIN: Village Manager

Bill # 105 -2018

DATE SUBMITTED: _

EXHIBITS: _____

APPROVED AS TO FORM:

_____
Village Attorney

_____
Village Administration

EXPENDITURE REQUIRED	AMOUNT BUDGETED:	APPROPRIATION REQUIRED:

The Village Board gives authorization to the Village Manager to enter into an agreement with BOCES.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE VAN COTT _____

TRUSTEE LITTLE _____

BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SOLE SUPERVISORY DISTRICT
FRANKLIN-ESSEX-HAMILTON COUNTIES

MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made this 20th day September 2018, between:

The **Franklin-Essex-Hamilton Board of Cooperative Educational Services**, hereinafter known as **BOCES** and the **Village of Saranac Lake,** hereinafter known as the **Village**, agree as follows:

WITNESSETH:

WHEREAS, the **BOCES** operates a Natural Resource Science program for local high school students that includes work-based learning experiences.

WHEREAS, the **Village** owns and operates recreational facilities at Mount Pisgah Park, as well as other Village owned property

WHEREAS, within Mount Pisgah Park exists forest lands of substantial value to the Village and the community. (as well as other Village owned property)

WHEREAS, the aforesaid forest lands and the wildlife contained therein would benefit from comprehensive study and management.

WHEREAS, BOCES students are trained in the use of **New York State Logger Safety and Silviculture Management Guidelines**.

NOW, THEREFORE, the **Village of Saranac Lake** and the **BOCES**, agree upon the terms and conditions hereinafter set forth, as follows:

SCOPE OF WORK:

1. **BOCES** shall be responsible for:
    a. Defining "plots" within the park to serve as Silviculture plots. Each plot will subsequently be managed using the aforementioned New York State Guidelines.
    b. A complete silviculture analysis of each plot will be completed. This analysis will be based on industry approved forest mensuration calculations which will contain recommendation for both short-term and long-term remediation to best ensure forest and wildlife health.
    c. Identifying trees that are unsafe, due to disease of other health issues and where applicable, provide a risk assessment using a format developed by the **International Society of Arboriculture** of any trees that pose a risk to roads or trails.

    d. The **BOCES** agrees not to assign this Agreement or sub-let the premises in whole or in part without prior written consent of the **Village**.

    e. During the term of this Agreement, the **BOCES** will maintain Workers' Compensation for all BOCES employees, and Public Liability insurance having a minimum coverage of ONE MILLION DOLLARS and 00/cents ($1,000,000.00) for personal injury and property damage for each occurrence. **BOCES** agrees to defend and indemnify the **Village** against any suit for or award of damages

resulting from the negligence of the **BOCES**, its employees, contractors, subcontractors or agents.

f. Provide the Village annually, by July 1st, the results of the aforementioned silviculture analysis including recommendations resulting from any risk-assessments conducted.

2. **Village** shall be responsible for:

a. The **Village** warrants and guarantees that it is the owner of the subject premises and agrees to defend the title to said property against all claims of others at **Village's** expenses.

b. The **Village** agrees to grant and insure access to the premises.

c. At the end of the lease term, the **Village** will accept the property in the condition that it is in at the end of the lease term without any obligation of any kind on the part of the **BOCES** to undertake any work or incur any expenses in connection with the same.

d. The **Village** shall be responsible for any and all real estate taxes and other assessments with respect to the leased premises.

BOTH PARTIES AGREE:

a. It is agreed and understood that **BOCES** intends to use the land, which is subject of this Agreement, to provide educational experiences for the students enrolled in its Natural Resource Conservation Program.

TERM:

The term of this lease shall be a period of Twenty-one (21) months beginning on **September 20, 2018 through June 30, 2020**, both dates inclusive. The both parties shall have the right and option to cancel this Agreement upon giving sixty (60) days written notice.
This Agreement constitutes the entire understanding between the parties hereto.

IN WITNESS WHEREOF, this agreement has been duly executed on this 20th day September 2018,

FRANKLIN-ESSEX-HAMILTON BOCES
P.O. Box 28, 23 Huskie Lane
Malone, New York 12953

By: _____
DENNIS J. EGAN, BOARD PRESIDENT

Date Signed: 9/20/18

VILLAGE OF SARANAC LAKE
3 Main Street
Saranac Lake, New York 12983

By: _____
JOHN SWEENEY, VILLAGE MANAGER

Date Signed: _____

Business of the Village Board

Village of Saranac Lake

SUBJECT: Basic Operations Training for Nik Pellitieri

FOR AGENDA OF 10/8/18

DEPT OF ORIGIN: WWTP

BILL # 106-2018

DATE SUBMITTED: 09/27/2018

EXHIBITS: _____

APPROVED AS TO FORM:

_____ Village Attorney

_____ Village Administration

EXPENDITURE REQUIRED:	AMOUNT BUDGETED: $4,400.00	APPROPRIATION REQUIRED: 0
Course: $ 975.00		
Meals: $410.00		
Lodging: $750.00		
Total: $2,135.00		

SUMMARY STATEMENT

RESOLUTION AUTHORIZING OVERNIGHT TRAVEL FOR ONE (1) WWTP EMPLOYEE TO ATTEND SUNY MORRISVILLE BASIC OPERATIONS TRAINING COURSE DECEMBER 3rd-14th, 2018.

RECOMMENDED ACTION

APPROVAL OF RESOLUTION

MOVED BY:_____ SECONDED BY:_____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE MURPHY _____

TRUSTEE SHAPIRO _____

TRUSTEE LITTLE _____

TRUSTEE VAN COTT _____

RESOLUTION AUTHORIZING OVERNIGHT TRAVEL FOR VILLAGE EMPLOYEE TO ATTEND SUNY MORRISVILLE BASIC OPERATIONS TRAINING DECEMBER 3rd-14th , 2018.

WHEREAS, the Village of Saranac Lake encourages its employees to attend and participate in schooling, training, and correspondence courses that will increase their knowledge, skills and job performance,

NOW THEREFORE BE IT RESOLVED, Nik Pellitieri, WWTP Operator Trainee is hereby approved to register and attend the Basic Operations Course at SUNY Morrisville from December 3rd – 14th, 2018; and,

BE IT FURTHER RESOLVED, the registration fee of $2135.00 which includes registration, training, lodging and meals will be taken from 005-8130-0406 sewer fund budget, travel and training line item.

Business of the Village Board
Village of Saranac Lake

SUBJECT: Historic Preservation Tax Date: 10-9-2018

DEPT OF ORIGIN : Trustee Van Cott BILL #107-2018

DATE SUBMITTED: EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED: $ AMOUNT BUDGETED: $ APPROPRIATION REQUIRED:

SUMMARY STATEMENT

The Village of Saranac Lake Board of Trustees respectfully urges the US Department of Interior to reconsider and approve this project for the historic preservation tax credit.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE LITTLE _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE VAN COTT _____

Whereas, the Village of Saranac Lake's Berkeley Square Historic District is on the National Register of Historic Places; and

Whereas, the Ledger Block involving 20-22 Broadway, is one of the contributing resources to the Berkeley Square Historic District; and

Whereas, the recent rehabilitation of the Ledger Block was a significant undertaking that represents major improvement of the façade for this property at significant expense to the owner; and

Whereas, the project has significantly contributed to the historic appearance of Saranac Lake's downtown; and

Whereas, the owner of the property worked with Historic Saranac Lake and the New York State Office of Parks and Historic Preservation (SHPO) in order to comply with grant guidelines and to utilize the historic preservation tax credit; and

Whereas, the Village's Planning Board approved the owner's planned rehabilitation as consistent with the Village's historic guidelines and SHPO requirements; and

Whereas, the Village of Saranac Lake has every reason to believe that the owner of the Ledger Block has acted in good faith to and made every effort to comply with the guidelines necessary to qualify for a historic preservation tax credit; and

Whereas, we understand that the owner's application to utilize the historic preservation tax credit was denied, and that he is appealing that decision; and

Whereas, having followed this project closely from its inception, and having reviewed the owner's application for appeal, we are in full agreement with the reasons stated for appealing the decision; and

Whereas, the Village of Saranac Lake is confident that the rehabilitation that was performed and the materials that were used comply with U.S. Department of the Interior guidelines.

Now therefore, be it resolved that the Village of Saranac Lake Board of Trustees hereby resepectfully urges the U.S. Department of Interior to reconsider and approve this project for the historic preservation tax credit.

Business of the Village Board
Village of Saranac Lake

SUBJECT: RFQ for LED Streetlight Conversion Date: 10-9-2018

DEPT OF ORIGIN: Village Manager Bill # 106-2018

DATE SUBMITTED: - EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED	AMOUNT BUDGETED:	APPROPRIATION REQUIRED:

The Village Board gives authorization for a request for qualifications for LED Streetlight Conversion Project

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE VAN COTT _____

TRUSTEE LITTLE _____

Village of Saranac Lake
39 Main Street
Saranac Lake, NY 12983
Phone (518) 891-4150
Fax (518) 891-1324
www.saranaclakeny.gov

VILLAGE OF SARANAC LAKE
Request for Qualifications (RFQ) for LED Streetlight Conversion Project

Introduction

The objective of this RFQ is to solicit proposals for an energy project to assist the Village to conserve energy and reduce energy costs through energy conserving measures, including but not limited to the buyback and LED conversion of utility owned street lighting systems. Energy performance contracts will be considered but are not required. From the list of qualified firms, the Village will select the firm that is best suited to assist the Village in accordance with the Village of Saranac Lake Procurement Policy. The RFQ is available on the Village of Saranac Lake website at www.saranaclakeny.gov.

It is currently planned that the Village will purchase, finance and own any new equipment installed as a result of this project. Proposals are expected to include the Proposers services in connection with such arrangements. Proposers may wish to propose alternative arrangements (as long as they are permitted under New York State laws and regulations) for acquisition, financing and ownership of such equipment.

Responses are due by **Friday, November 2nd, 2018 at 3PM.** Please provide one original and two copies of the response and one electronic copy by email to:

Kareen Tyler, Village Clerk
Village of Saranac Lake
39 Main Street
Saranac Lake, NY 12983
Tel: (518) 891-4150
Email: clerk@saranaclakeny.gov

Project Description/Scope of Work

Proposals are requested for the provision of services for the reduction of energy consumption and for maintenance and operational services on Village street lighting facilities currently owned by the utility. Specifically, the firm selected as a result of this RFQ will be expected to:

A. Provide comprehensive energy services for street lighting facilities serving the Village, including but not limited to:
   a. Performance of a comprehensive forensic streetlight infrastructure audit.
   b. Purchase of system from the utility and approval through the PSC.
   c. Services in connection with the design and specification of equipment and systems to be used in providing energy efficiency services.
   d. Procurement and installation of new equipment and refurbishing existing equipment.
   e. Commissioning of the equipment.
   f. Preventive and emergency maintenance and servicing of the equipment
   g. Services in connection with arrangement of financing of the equipment.
   h. Identification of available financial incentives or rate reductions.

Submission Instructions

For Contractors responding to this RFQ:

- Utilize the format provided below. Please number and re-state each subheading and question, followed by your response.
- Number all pages.
- Please limit your response to the size limits provided for each subheading as indicated.

Responses shall include the following components in sequential order:

a. An introductory Letter of Interest (1-page maximum)
b. General firm information (1-page maximum)
    i. Type of Firm: Corporation, partnership, sole proprietorship, joint venture
    ii. Year Firm Established
    iii. Other Firm Names: Indicate all other names by which your organization has been known and the length of time known by each name.
    iv. Parent Company: If applicable, state name, address, former name if applicable, tax identification number.
    v. Participating Division or Branch Offices: State division or branch offices that will participate in the development of the proposal, in its evaluation process, and/or in the conduct of any services provided (office name, and address).
    vi. Resumes of key members of the firm that would be involved with the project.
c. Experience of Firm (2 pages maximum)
    i. State the number of years your firm has been involved in the energy-efficiency related business.
    ii. Describe two projects that best exemplify the range of technical and financial services for a project similar to this one.
    iii. Identify references related to the projects and include contact information.
d. Scope of Services (2 pages maximum)
    i. Types of Services: Summarize the scope of services (auditing, design, construction, monitoring, operations, training, financing, etc.) available from your firm.
    ii. Materials supplier
    iii. Expertise in Systems: Describe your ability to offer services to upgrade street lighting systems, incorporate advanced controls, and procurement of facilities from the current utility.
    iv. Summary of maintenance options available, including cost estimates.
    v. Provision of Financing: Describe general ability and approach to help with financing. Describe ability to ensure low rates.
    vi. Provision of Insurance: Generally describe your capability to secure insurance policies.
    vii. Summary of available incentives.
e. Technical Approach to Auditing (2 pages maximum)
    i. Technical Site Analysis: Describe your general approach to forensic streetlight auditing. What is involved? What structures are included in audits? How is customer involved? Methodical approach? Level of expertise involved? Information and resources needed from customer? Are you willing to accept a 3rd party audit/design and if so, list required criteria.
f. Benefits (1-page maximum)
    i. Differentiation of Your Firm: Describe the particular characteristics of your firm and how they can benefit Saranac Lake. Is your firm and ESCO? Does the firm offer Performance Contracts? Does your firm have a unique approach to performance contracting? Does your firm provide other unique financial benefits?
g. Quote for Services (National Grid Net Book Value $363,249)
    i. Total project including audit, design, implementation and project oversight
    ii. Number of lights converted
    iii. Cash Flow Analysis
        1. 20-year standard broken down by year
        2. No electricity escalator
        3. No maintenance allowance in the cash flow analysis (should be addressed in Scope)
        4. Purchase price only (do not include grants or other incentives)
        5. Standard interest rate of 3%

6. Energy cost savings per year and kWh savings per year (include kWh cost and any other assumptions used in your calculation)

iv. Cost for withdrawal after design phase.

Ensure responses address Evaluation Criteria.

Submission Deadline and Requirements

Responses shall meet all submission requirements as described below:

- Responses shall be submitted in portable document format (.pdf);
- Responses shall be able to be reproduced or printed on portrait-oriented 8 ½ x 11-inch standard paper;
- Responses shall be received by **Friday, November 2nd, 2018 at 3PM**; and
- Responses shall include one original and two plus one electronic copy by email to:
-

Kareen Tyler, Village Clerk
Village of Saranac Lake
39 Main Street, Suite 9
Saranac Lake, NY 12983
Email: clerk@saranaclakeny.gov

Conditions Governing Responses

Only those proposals which contain complete information and are responsive to the RFQ will be considered. The Village of Saranac Lake reserves the right to:

- Accept or reject any or all submissions associated with this work;
- Request qualified respondents to consider contracting for only certain elements of the project or to consider partnering with other qualified respondents;
- Require respondents to clarify aspects of their understanding of and approach to the project in person or by telephone;
- Waive or modify minor irregularities in responses received;
- Negotiate with respondents to best serve the interests of the Village of Saranac Lake;
- Amend specifications after their release, with due notice given to all consultants to modify their proposals to reflect changed specifications;
- Award a contract for any or all parts of the project including award of specific project components to one or more qualified respondent.

Selection Procedure

Responses will be reviewed by a committee of Village staff. Respondents will be assessed against the following criteria

Component	**RFQ Score**
Responsiveness to the RFQ	5 points
Previous experience in similar projects	20 points
Understanding of project scope and requirements	20 points
Budget	25 points
Expertise of key personnel	10 points
Response from references/past projects	20 points
Total	**100 points**

From the list of qualified firms, the Village will select the firm that is best suited to assist the Village in accordance with the Village of Saranac Lake Procurement Policy. Presentations may be required of qualified finalists. If required, presentations will be held at a time, date, and location chosen by the Village.

The selected firm will be notified in writing and be asked to meet and submit their prospective scope of services, schedule and a fee proposal. If, after negotiation and consideration, the Village is unable to reach an acceptable agreement with the firm, the Village will terminate negotiations with the firm and, at its sole discretion, may enter into negotiations with another qualified firm and/or withhold the award for any reason and/or elect not to proceed with any of the proponents and/or re-solicit via a new RFQ.

Inquiries

All inquiries should be directed to:

John Sweeney
Village Manager
(518) 891-4150
manager@saranaclakeny.gov

Additional Considerations

- The Village is not responsible for responses that are not received or that do not arrive by the submission deadline.
- Expenses incurred in the preparation of responses shall be borne by the respondent(s) with the express understanding that the respondent(s) may not apply to the Village for reimbursement for these expenses.
- By submitting a response, the respondent agrees that it will not make any claim for or have any right to damages because of any lack of information or misinterpretation of the information provided in the response.
- If respondent provides material(s) of a confidential nature for disclosure to third parties, the respondent should clearly indicate the specific material(s) it considers confidential. Subject to the provisions of FOIL and any other applicable laws, the Village of Saranac Lake may agree to maintain confidentiality of such material(s) if requested. The Village of Saranac Lake assumes no responsibility for any loss or damage resulting out of any determination requiring disclosure of information pursuant to FOIL.
- The Village of Saranac Lake is not liable for any costs incurred by any individual or firm for work performed to prepare its response or for any travel and or other expenses incurred in the preparation and/or submission of its response or participation in subsequent interviews or presentations. Further, the Village of Saranac Lake is not liable for any costs incurred prior to approval of the contract.

Business of the Village Board
Village of Saranac Lake

SUBJECT: Call for a public hearing Chapter 10 Date: 10-9-2018

DEPT OF ORIGIN: Village Manager Bill # 10-2018

DATE SUBMITTED: _ EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED	AMOUNT BUDGETED:	APPROPRIATION REQUIRED:

Call for a public hearing for Chapter 10 on October 22, 2018 at 5:30pm.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE VAN COTT _____

TRUSTEE LITTLE _____

Village of Saranac Lake Code
Chapter 10 Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code

SECTION 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Village. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures and premises, regardless of use or occupancy, are subject to the provisions of this local law. This local law also repeals Chapter 10 of the Code of the Village of Saranac Lake, "Building Code" adopted on October 10, 1997 and adopts and substitutes in its place a new Chapter 10 of the Code of the Village of Saranac Lake, "Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code".

SECTION 2. DEFINITIONS

In this law:

"Building Permit" shall mean a permit issued pursuant to section 4 of this local law. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Certificate of Occupancy" shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Compliance Order" shall mean an order issued by the Code Enforcement Officer pursuant to _____ subdivision (a) of section 15 of this local law.

Comment [P8]: Change all references to "Compliance Order" to "Order To Remedy"

"Energy Code" shall mean the State Energy Conservation Code, as currently in effect and as hereafter amended from time to time.

"Inspector" shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

"Operating Permit" shall mean a permit issued pursuant to section 10 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Temporary Certificate" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

"Village" shall mean the Village of Saranac Lake, 5 Main St., Saranac Lake, NY 12983.

Comment [PB2]: Delete physical address in case of future address change.

"Village Board" shall mean the Board of Trustees for the Village of Saranac Lake.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications;

(2) upon approval of such application, to issue Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits, and to include in Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;

(3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 15 (Violations) of this local law;

(7) to maintain records

(8) to collect fees as set by the Village Board of this Village;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this Village's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Village Manager. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Village Manager to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more inspectors may be appointed by the Village Manager to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for Code Enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

Comment [PB3]: Insert "by"

Comment [PB4]: Add t to correct spelling error

(e) The compensation for Code Enforcement Officer and Inspectors shall be fixed from time to time by the Village Manager .

SECTION 4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit.

No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

(b) Exemptions. No Building permit shall be required for work in any of the following categories:

(1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);

(2) installation of swings and other playground equipment associated with a one or two-family dwelling or multiple single-family dwellings (townhouses);

(3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) installation of fences which are not part of an enclosure surrounding a swimming pool;

(5) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(6) construction of temporary motion picture, television and theater stage sets and scenery;

(7) installation of window awnings supported by an exterior wall of a one- or two- family dwelling or multiple single-family dwellings (townhouses);

(8) installation of partitions or movable cases less than 5'-9" in height;

(9) painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information, as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the proposed work

(2) the tax map number and the street address of the premises where the work is to be performed;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (1) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as party of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

Comment [PBS]: Edit to remove blank line

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 12 months following the date of issuance. Building Permits shall expire 15 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provision set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTION.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

Comment [P86]: Edit to remove blank lines

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

(1) work site prior to the issuance of a Building Permit;

(2) footing and foundation;

(3) preparation for concrete slab;

(4) framing;

(5) building systems, including underground and rough-in;

Comment [PB7]: Add (6) Electrical inspections for installation of service, rough-in wiring and final inspections shall be performed by an approved third party electrical inspector. Change the following numbers as necessary.

(6) fire resistant construction

(7) fire resistant penetrations

(8) solid fuel burning heating appliances, chimneys, flues or gas vents;

(9) Energy Code compliance, and

(10) A final inspection after all work authorized by the Building Permit has been Completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with provision set forth in section 16 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall serve, or cause to be served, the Stop Work Order, or a copy thereof, on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to serve, or cause to be served the Stop Work Order, or a copy thereof, on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 15 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. Certificate of Occupancy

(a) Certificate of Occupancy required. A Certificate of Occupancy shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy.

(b) Issuance of Certificate of Occupancy. The Code Enforcement Officer shall issue a Certificate of Occupancy if the work which was the subject of the Building Permit was

completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy, shall be provided to the Officer prior to the issuance of the Certificate of Occupancy.

(1) a written statement of structural observations and/or a final report of special inspections, and

(2) flood hazard certifications.

(c) Contents of Certificate of Occupancy. A Certificate of Occupancy shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name, address and tax map number of the property;

(4) if the Certificate of Occupancy is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the assembly occupant load of the structure, if any;

(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required.

(9) any special conditions imposed in connection with the issuance of the Building Permit; and

(10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code

Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may place special conditions on the Temporary Certificate as appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed [6] months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

Comment [PB8]: Insert space

Comment [PB9]: Insert "place special conditions on the Temporary Certificate"

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy or for a Temporary Certificate.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION

The chief of any fire department providing fire fighting services for a property within this Village shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 9. UNSAFE BUILDING AND STRUCTURES

Unsafe structures and equipment in this Village shall be identified and addressed in accordance with the procedures established by Chapter 43 of the Code of the Village of Saranac Lake, "Buildings, Unsafe", as now in effect or as hereafter amended from time to time.

Comment [PB10]: Change to "The Uniform Fire Prevention and Building Code;"

SECTION 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled Fire Code of New York State" and incorporated by reference in 19NYCRR section 1225.1;

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Village Board.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstances in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consisted with local considerations. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provisions of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time or submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every 36- months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspection. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by the OFPC.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 15 (violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received

(7) all investigations conducted;

(8) all other features and activities specified in or contemplated by sections 4 through 12, inclusive, of this local law, including; and

(9) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period as required by the State law and regulation.

SECTION 14. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to Village Board a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 13 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Village, on a form prescribed by the Secretary of State, a report of the activities of this Village relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this Village is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this Village in connection with administration and enforcement of the Uniform Code.

SECTION 15. VIOLATIONS

Comment [PB11]: Replace entire section to reflect Orders to Remedy Unsafe as outlined in 19 NYCRR 1203.5, dated January 12, 2015. Attached separately

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served in any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part of assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than $200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court of in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 16: FEES

A fee schedule shall be established by resolution of the Village Board of this Village. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificate of Occupancy, Temporary Certificates, Operating

Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 17. INTERMUNICIPAL AGREEMENTS

The Village Board may, by resolution, authorize the Code Enforcement Officer and Building Inspector of this Village to enter into an agreement, in the name of this Village, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Pert 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 18. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 19. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

SECTION 15: VIOLATIONS

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer may issue an Order to Remedy. The Order to Remedy shall be in writing and shall contain the following:

1. The date of issuance of the Order;

2. The signature of the Code Enforcement Officer;

3. A statement specifically identifying the condition or activity that violates the Uniform Code, the Energy Code or this Local Law;

4. Reference to the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity;

5. A statement substantially similar to the following: "The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____, which is thirty (30) days after the date of this Order to Remedy."

In addition, an Order to Remedy may direct:

1. That the person or entity served with such Order (1) begin to remedy the violation(s) described in the Order immediately, or within some other specified period of time which may be less than 30 days; to continue diligently to remedy such violations until each such violation is fully remedied, which may include a timetable for completion of specific tasks, and/or

2. That the person or entity served with such Order take such other protective actions (such as but not limited to vacating the building or barricading the area where the violations exist) which are authorized by the Code Enforcement Officer, this Local Law, or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied.

The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part of assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Order to Remedy. An Order to Remedy shall be served personally or by certified or registered mail within five (5) days of the date of the Order. For the purposes of this section:

a. if an Order to Remedy is served personally by any authorized means that requires more than one action by the person effecting service (such as service by "delivery and mail" similar to that authorized by CPLR 308(2)), the Order shall be deemed to be served on the date on which the last required action is taken; and

b. an Order to Remedy served by certified or registered mail shall be deemed to be served on the date it is mailed.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil penalties. In addition to those penalties prescribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than $500 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an

order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

Business of the Village Board
Village of Saranac Lake

SUBJECT: Call for a public hearing Brewpub Date: 10-9-2018

DEPT OF ORIGIN: Village Manager Bill # 10-2018

DATE SUBMITTED: _ EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED	AMOUNT BUDGETED:	APPROPRIATION REQUIRED:

Call for a public hearing for Development Code Amendment for Brewpub on October 22, 2018 at 5:30pm.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE VAN COTT _____

TRUSTEE LITTLE _____

Exhibit "A"

Village of Saranac Lake Development Code amendments

1. Section 106-6; New Definition - Brewpub
2. Section 106 attachment 1:1, 1:2 and 1:3; Amend Schedule 1 Allowed Uses to add Brewpub Use

§ 106-6 Definitions

New Definition:

BREWPUB

An establishment where beer and malt beverages are made on the premises in conjunction with a restaurant or tavern use and where 40% or more of the beer produced on site is sold and or consumed on site.

Village of Saranac Lake - **Unified Development Code:**
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	16 District D-3	17 District E-1	18 District E-2	19 District E-3	20 District F-1	21 District F-2	22 District G	23 District H-1	24 District H-2	25 District H-3	26 District I	27 District J-1	28 District J-2	29 District K-1	30 District K-2	31 District K-3	32 District K-4	33 District L-1	34 District L-2	35 District L-3
	Residential																																			
1	Community House																	S	S	S									S							
2	Dwelling, Manufactured Home	A																					A													
3	Dwelling, Multi-Family					SP	S		S			S	SP	SP	SP			SP	SP[1]	SP	S	S	SP	S			S	SP	S		S		S		SP	SP
4	Dwelling, Single Family	P	P	P	P	P			P		P	P		P	P	P				S	P	P	SP	P	S	P	SP	P	S	P	P	P		P	P	SP
5	Dwelling, Townhouse	SP	S	S		SP	S	SP	S		S	S	SP	SP	SP	S		SP	SP[1]	SP	S	SP	SP	SP			S	SP	S	S	S				SP	SP
6	Dwelling, Two Family	A	A	A		A	A	A	A		A	A	A	A	A	A				A	A	A	A	A	S	S	A	A	A	A	A	S		A	A	A
7	Group Home	P	P	P	P	P			P		P	P		P	S	P				S	P	P	SP	P		P	SP	P	S	P	P	P		P	P	SP
8	Manufactured Home Community	S																																		
9	Rooming House					SP	SP		S	SP		S	SP	SP	S			SP	SP[1]	SP		S	SP	S				S			S				S	S
	Public/Institutional																																			
1	Assisted Living Residence					SP		S	S	S	S			S	S			SP	SP[1]	SP			SP						S				S			S
2	Athletic Facility					SP				S	S		S	S				SP	SP	SP	SP		SP				SP		S				S			SP
3	Cemetery														SP																					
4	Club/Lodge		S			SP	SP						SP	SP	S			SP	SP	SP		S	SP						S				S		SP	SP
5	College, Private					SP	S				S		S	S	S			SP	SP	SP									S						SP	SP
6	Community Garden, Up to One (1) Acre	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P
7	Community Garden, Over One (1) Acre	SP	SP	SP	SP	SP				SP	SP	SP	SP	SP	SP	SP	SP				SP	SP	SP	SP		SP	SP	SP	S	SP	SP	SP	SP	SP	SP	SP
8	Garage, Public Parking					SP												SP	SP	SP																
9	Government Office					SP							S					SP	SP	SP	SP		SP						S						SP	SP
10	Hospital																	SP	SP	SP			SP						S						SP	SP
11	Library						S	S	S	S	S		S	S	S	S		SP	SP	SP	SP		SP						S				S			SP
12	Multi-Modal Trail	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
13	Museum					SP	S	S	S	S			S	S	S	S		SP	SP	SP			SP						S						SP	SP
14	Nursing/Convalescent Home					SP					S	S	S	S	S			SP	SP[1]	SP			SP						S				S		SP	SP
15	Park	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	S	SP	SP	SP	S	SP	SP	SP
16	Parking Lot, Public					SP	SP											SP	SP	SP							SP		S							
17	Place of Worship					SP	SP	SP		SP	SP		SP	SP	SP	SP		SP	SP	SP	SP	SP	SP					SP	S							SP
18	Public Utility Facility	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
19	Railroad Depot																	SP																		
20	Railway					SP				SP			SP	SP	SP	SP		SP	SP				SP													
21	Recreation Facility, Public					SP	SP			SP				SP				SP	SP	SP	SP		SP	SP			SP	SP	S							SP
22	Rehabilitation Center					SP							S		S			SP	SP	SP	S							S	S				S		S	SP
23	School																	SP	SP	SP	SP		SP						S						SP	SP

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

Notes: 1. Residential uses in buildings within the E-2 District are not allowed on the first floor.

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	District D-3	16 District E-1	17 District E-2	18 District E-3	19 District F-1	20 District F-2	21 District G	22 District H-1	23 District H-2	24 District H-3	25 District I	26 District J-1	27 District J-2	28 District K-1	29 District K-2	30 District K-3	31 District K-4	32 District L-1	33 District L-2	34 District L-3
	Commercial																																			
1	Amusement and Recreation Services						S	S		S								SP	S				S				S		S							S
2	Antique Shop						A	A	A	A								A	SP	A			A				S		S						A	A
3	Agri-Business						SP	S		S													SP				S		S							S
4	Artisan Workshop	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	A	SP	S	S	S	SP	S	SP	SP			S	A	A
5	Arts Spaces	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	A	SP		S	S	SP	S	SP	SP			S	A	A
6	Automotive Dealer									SP													SP						S							
7	Automotive Repair/Service									S													S						S							S
8	Bank						A	A	SP	A								A	SP				A						S							S
9	Bank, Drive-Through						SP	SP	SP	SP								SP	S				SP						S						S	S
10	Bed and Breakfast	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP		A	SP[1]	A	SP	SP	A	SP		S		SP	S	SP	SP	S		S	SP	SP
11	Boat Storage, Commercial							SP		SP													S													S
12	Brewpub						SP	SP	S	SP								SP	SP	SP			S													S
13	Building Material Supply									SP							S	S	S				SP						S							S
14	Car wash									SP								S					SP						S							S
15	Cinema						SP	SP	SP	A								SP	SP	SP			SP						S							S
16	Driving Range																						S						S							S
17	Farmer's Market						SP	SP		SP								SP	SP	SP			S					S	S							S
18	Funeral Home						S		S									SP	SP	SP			S					S	S							S
19	Gasoline Station									SP													S						S							
20	Gasoline Station/Auto Repair/Service									SP													SP						S							
21	Gasoline Station/Retail Sales									SP								S					SP						S							
22	Greenhouse, Commercial						S	S		SP			SP				S	S	S	S			S					S	S							S
23	Hotel/Motel						SP	SP	S	SP					S			SP	SP	SP		S	S					S	S							S
24	Housekeeping Cottage	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP		A	SP[1]	A	SP	SP	S	SP		S		SP	SP	SP	SP			S	SP	S
25	Kennel																S	SP					S					S								S
26	Marina, Type I		SP				SP	SP																												
27	Marina, Type II		SP				SP	SP	SP	SP																										
28	Medical Clinic						A	A	S	A								A	SP	A			SP					S	S				S			S

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

Brewpub use inserted at line 12

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	District D-3	16 District E-1	17 District E-2	18 District E-3	19 District F-1	20 District F-2	21 District G	22 District H-1	23 District H-2	24 District H-3	25 District I	26 District J-1	27 District J-2	28 District K-1	29 District K-2	30 District K-3	31 District K-4	32 District L-1	33 District L-2	34 District L-3
	Commercial (continued)																																			
28	Mixed Use						A	A	S	A								A	SP	A			A					S	S				S		S	SP
28	Multi-Use Building						SP		S	SP								SP	SP	SP			S					S							S	S
29	Office						A	A	S	A								A	SP	A			A					S	S						SP	SP
30	Outdoor Storage, Type II									S							S						S													S
31	Personal Services						A	A	A	A								A	SP	A			A						S						SP	SP
32	Recreation Facility, Private						SP	SP		SP							S	SP	SP	SP			SP					SP								SP
33	Research and Development Facility						A	A	A	A							SP	A	SP	A			A					S	S							SP
34	Restaurant						A	A	A	A								A	SP	A			A						S							SP
35	Restaurant, Drive Through									SP													S						S							
36	Restaurant, Fast Food						A	SP	SP	SP								SP	SP	SP			SP						S							S
37	Retail Sales, Type I						A	A	A	A								A	SP	A			A					S	S						SP	SP
38	Retail Sales, Type II						S			S								S	S				S						S							S
39	Retail Sales, Outdoors						S	S	S	S							S	S	S				S						S							S
40	Retail Store, Convenience						SP	SP		SP								SP	SP				SP													S
41	Sawmill																						S													
42	Self-Service Storage Facility																S						S													
43	Shopping Center									SP													S						S							
44	Tavern						SP	SP	S	SP								SP	SP	SP			S						S							S
45	Tourist Attraction						SP	S	SP	SP								SP	SP	S			SP						S							S
46	Veterinary Clinic/Hospital						SP	SP	S	SP								SP	SP	S			SP						S							SP
	Industrial																																			
1	Chemical and Petroleum Storage																						S													
2	Contractor Storage Yard																S						S													S
3	Heavy Equipment Repair																S						S													
4	Industry, Type I																S	S					S					S								S
5	Industry, Type II																S						S													S
6	Mining					SP																	S													
7	Transfer Station																						S													
8	Warehouse																S						S													S
	Accessory Uses																																			

For All Districts and Sub-Districts: Allowed accessory uses are those uses that are customarily subordinate and incidental to allowed principal uses.

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required **Note: Blank cells indicate use is not permitted.**

law. The expenses incurred for pursuing revenue recovery shall be borne by the **RESCUE SQUAD** and the **RESCUE SQUAD** may contract with a vendor(s) to supply revenue recovery services.

B. The **RESCUE SQUAD WILL NOT** seek to collect co-pays or deductibles from residents of **THE VILLAGE**; for 911 services. A portion of contractual payment to the **RESCUE SQUAD** from **THE VILLAGE** shall be used to reimburse the **RESCUE SQUAD** for the **RESCUE SQUAD'S** waiver of collection of insurance co-payments and deductibles from **THE VILLAGE'S** residents. The **RESCUE SQUAD** will seek payment of insurance co-payments and deductibles from non-residents of **THE VILLAGE** to whom services are provided.

5. OPERATING BUDGET OF RESCUE SQUAD

The proposed operating budget for the **RESCUE SQUADS** 2019 fiscal year will be submitted to **THE VILLAGE** for consideration of **THE VILLAGE** for its 2019 budgetary review September 1, 2018. The proposed budget shall identify and particularize detailed operating expenditures and shall identify revenue sources including the amount projected to be raised from insurance revenue recovery and the amount requested from **THE VILLAGE** to be raised by property taxes for the **RESCUE SQUAD** to be able to provide service to **THE VILLAGE** in 2019.

6. AUDIT AND FINANCIAL CONTROL.

RESCUE SQUAD recognizes that **THE VILLAGE** has a fiduciary responsibility to monitor the financial reporting and transactions associated with the provision of ambulance services, given that the contract for services is funded with tax dollars, and given the