

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Renew SLLDC Contract

DATE: 11-28-2022

DEPT OF ORIGIN: Trustee Scollin

BILL # 171-2022

DATE SUBMITTED: 11-22-2022

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED

AMOUNT
BUDGETED

APPROPRIATION
REQUIRED:

Resolution to renew contract with the Saranac Lake Local Development Corporation

MOVED BY: Scollin SECONDED BY: Catillaz

VOTE ON ROLL CALL:

MAYOR WILLIAMS

yes

TRUSTEE BRUNETTE

yes

TRUSTEE CATILLAZ

yes

TRUSTEE SCOLLIN

yes

TRUSTEE SHAPIRO

yes

**CONTRACT BETWEEN THE VILLAGE OF SARANAC LAKE
AND
SARANAC LAKE LOCAL DEVELOPMENT CORPORATION
FOR
COMMUNITY AND ECONOMIC DEVELOPMENT SERVICES**

THIS CONTRACT, entered this _____ day of _____, 20____ by and between the **Village of Saranac Lake** (herein called the “Village”) and the **Saranac Lake Local Development Corporation** (herein called “SLLDC”).

WHEREAS, the Village created the Saranac Lake Local Development Corporation to relieve and reduce unemployment; promote and provide additional and maximum employment; improve and maintain job opportunities; attract new industry; retain existing industries; and lessen the burdens of government; and

WHEREAS, the Village is engaged in a variety of revitalization efforts to support its residents and businesses and

WHEREAS, the Village seeks to support its residents and small businesses through a variety of methods and the SLLDC is uniquely suited to assist with this effort; and

WHEREAS, the Village wishes to engage the SLLDC to provide community and economic development services to fulfill the objectives of the Village’s Board of Trustees, adopted plans and strategies, advisory boards and task forces to improve the quality of life of village residents and support village businesses; and

WHEREAS, the SLLDC is in need of administrative support to carry out its duties because the Board of Directors consists of volunteers SLLDC does not have any staff.

NOW, THEREFORE, it is agreed between the parties hereto that:

I. SCOPE OF SERVICE

SLLDC will be responsible for providing economic development services for the Village of Saranac Lake as follows:

1. The SLLDC shall act as the review committee for the Energize Lake Flower Business District program including review and scoring of applications.
2. The SLLDC shall act as a fiscal sponsor for various improvement projects that the village is otherwise unable to facilitate.
3. The SLLDC will support the Village in accomplishing objectives of village plans and strategies and supporting the work of village advisory boards and task forces including but not limited to the Climate Smart Community Task Force, the Arts & Culture Advisory Board, Parks & Trails Advisory Board, Downtown Advisory Board, and Housing Task Force.
4. The SLLDC shall undertake other efforts to community community and economic development efforts in the Village including seeking funds through donations and grant and working to implement goals of village plans and strategies.

The Village of Saranac Lake will be responsible for providing administrative services for the SLLDC as follows:

1. Bookkeeping
2. Records management in accordance with SLLDC policies and NYS Law.

3. Meeting administration including preparing and publishing meeting notices and agendas and generating meeting minutes.
4. Regulatory compliance including but not limited to preparing required Authorities Budget Office reports for certification by the Board Chair.
5. Coordination with service providers and contractors including auditing and insurance
6. Organizational policy development
7. Grant writing and administration
8. Other administrative duties that assist the SLLDC with performing its mission in accordance with its policies and applicable regulations.

II. TERM OF CONTRACT

The period covered by this contract begins on the 1st day of January, 2023 and shall end on the 31st day of December 2023.

III. PAYMENT

The Village will provide 25 hours of administrative and clerical services at a flat rate of \$625. Any hours above the 25 hour bank will be billed at \$25/hr. The flat rate shall be payable on or before January 31, 2023. Any hours after the 25 hours bank is exhausted shall be invoiced monthly and paid within 30 days of receipt of said invoice.

It is expressly agreed and understood that the total amount to be paid by the Village to the SLLDC under this contract for the specified services shall be \$5,000, which amount shall be payable on or before January 31, 2023.

IV. COMMUNICATIONS

All communication and details concerning this contract shall be directed to the following contract representatives:

Village	SLLDC
Erik Stender Village Manager Village of Saranac Lake 39 Main Street Saranac Lake, NY 12983 Tel: (518) 891-4150 Fax: (518) 891-5928 Email: comdev@saranaclakeny.gov	Stephanie Bolduc-Mikesell Chair Saranac Lake Local Development Corporation 39 Main Street Saranac Lake, NY 12983 Tel: (860) 965-4733 Fax: Email: stephaniebmikesell@gmail.com

V. SEVERABILITY

If any provision of this contract is held invalid, the remainder of the contract shall not be affected thereby and all other parts of this contract shall nevertheless be in full force and effect.

VI. ENTIRE AGREEMENT

This contract constitutes the entire agreement between the Village and SLLDC for the use of funds received under this contract and it supersedes all prior or contemporaneous communications and proposals, whether electronic, oral, or written between the Village and SLLDC with respect to this contract.

Date .

IN WITNESS WHEREOF, the Parties have executed this contract as of the date first written above.

Village

SLLDC

By _____
Village Manager

By _____
Title

Berkeley Green

Restrooms building is framed and roof is complete. Paving and concrete work is complete. Above grade plumbing and electrical rough-in is in progress within mechanical room and bathrooms. All entrances will be secured when the project is put on hold for the winter. Work will resume in spring, including metal doors, brick veneer, wood soffits, guardrail, interior finishes, installation of toilet accessories, final plumbing fixtures and electric, bike rack, and plantings.



William Morris Park

Storm drain structures are installed and concrete walkways are poured. Construction fencing will be removed from the site for the winter except for the new entryway from Bloomingdale. The project will resume in the spring with installation of the fence, paver walkway, landscaping, amenities, and finishing of the entryways.



Ward Plumadore Park

This project has been on hold while the village waited for a DOT permit (now approved) and for utilities to be relocated. National Grid and Spectrum have moved their lines. Waiting for Verizon to schedule removal of their lines from the existing utility poles. Construction will begin next spring, starting with tree removal and demolition. One easement is needed for a tree planting on private property, across the street from the park.

Urban Forestry

The layout for the trees has been redesigned after the walk-through this summer. All new plantings will have tree grates and tree guards. The tree grates could not be delivered in time for the winter season so planting will take place next spring. The design team is still working on an engineering solution for replacing the sidewalk in front of 84 Main Street where a catacomb extends into the public right-of-way just under the existing concrete sidewalk. The work on the intersection of Main Street and Broadway is scheduled to coincide with the tree planting in spring 2023. One easement for a tree next to Verizon has been secured.

Woodruff Street East (Church St. to Bloomingdale Ave.)

Project is on hold until easements are secured from Nori's and Pendragon.

- An easement from Nori's is needed to move the curb back and add landscaping. They have the paperwork that needs to be signed and filed with the county.
- A landscape easement from Pendragon is needed for street trees
- A utility easement is needed from Pendragon to relocate two utility poles that would be in the middle of the new sidewalk. The preferred location for the poles is outside of the right-of-way on Pendragon property. If the easement cannot be secured then the poles would be relocated to the edge of the right-of-way, but they would be in the sidewalk.
 - The new Pendragon building is in conflict with the overhead utilities, so they are working on a plan to remove a span and relocate the telecommunications underground. They are submitting a request to National Grid to waive construction fees.
 - **A resolution is needed soon so that the poles can be relocated before the sidewalk is constructed.**

Riverwalk Extension

Construction of the Riverwalk Extension has been on hold while the village works to secure easements. The owner of 79 Woodruff St. (future Rivertrail Brewery) is willing to grant a recreation easement. The owner of 156 Church St. (Grand Union) has not agreed to grant an easement. The property owner is difficult to contact so no negotiations or discussions are in progress.

Unfunded Projects

The bids for construction of all DRI projects came in over budget – total cost exceeds the total DRI grant award. There are two projects that are not funded: Church Street Streetscape and Woodruff West (Broadway to Church St.). Construction documents for the Church Street project are complete. Construction documents for Woodruff West are still in progress. *The only way to construct any of the unfunded projects is to cancel one of the projects that are currently included in the Luck Bros. contract or identify other sources of funding.*

Section 2: Items for Board Action

1. Woodruff Street West Design & Construction Documents

Need to confirm the location of overhead utilities before finalizing these details:

- Add pedestrian lighting along north side of sidewalk
 - Narrow base light poles are identified
 - Village will own the light poles since they do not meet National Grid specs
 - May need to protect the base of the light poles depending on final width of the sidewalk
- Add decorative string lights between the light poles, parallel to the street
- Finalize width of sidewalk and snow storage area and finalize location of curb

Cost Estimate for Street Work

The estimated cost for the street work is \$560,370.00

- Estimate includes the light poles but not the string lights as that detail is still being finalized
- Estimate does not include public art installation within the curb extension at each end of the street, which is part of the approved DRI project
- Assumes VSL sewer/storm water work includes demolition of asphalt
- Estimate does include removal of sidewalk
- Estimate would increase if VSL work is not coordinated with street reconstruction
- Estimate assumes all work is put out to bid

2. Overhead Utilities

In February 2022 the Village Board decided not to move forward with underground utilities on Woodruff Street West (Broadway to Church St.) due to the cost. Therefore, the concept design was not advanced. The Village Board requested that underground utilities be revisited in case the Riverwalk Extension does not proceed. EDR and National Grid were asked to update the cost estimate. **There are 2 options for the Board to consider.**

Option A:

Relocate the overhead utility poles outside of the right-of-way, onto private property on the south side of the street.

Cost Estimate

Design & Construction by National Grid	\$0
Easements and filing fees for 1-2 properties*	\$120
TOTAL	\$120

**Not covered by DRI grant*

Considerations:

- National Grid would not charge anything for relocation of overhead facilities in public rights-of-way when required for a municipal street/highway project.
- The Village would be responsible for obtaining the 3rd party easements from the property owners for the relocated poles. If the easements cannot be secured, then the project can still proceed as designed but the poles will be at the southern edge of the snow storage area, within the right-of-way.

Option B:

Move all overhead utilities underground (National Grid, Verizon, SLIC, Spectrum).

Cost Estimate: \$ 964,875.00

DRAFT Cost Estimate

All estimates are approximate based on concept level design

\$	673,000.00	National Grid
\$	120,755.00	Nat Grid customer conversion
\$	100,976.00	Communications conversion
\$	52,145.00	Design fees for customer conversions
\$	5,000.00	C&S Estimating fee
\$	5,000.00	National Grid design fee
\$	5,000.00	Communication Companies design fee
\$	3,000.00	Easement Legal Fees*
	TBD	Parking Space Easement Fee*
\$	969,876.00	TOTAL

*Costs not covered by DRI grant

Considerations:

- The cost estimate for underground utilities is very preliminary and likely conservative; cost is likely to increase as the design is refined. The current design and cost estimate is only conceptual.
- In order to refine the cost estimate the village will need to commit funding to advance the design. DRI funds can be used for design.
- Currently, all DRI funds are allocated to other projects. If the village wants to cancel a project in order to fund the relocation of utilities, then the contract with Luck Bros. will need to be amended.
 - o The current contract sets forth the work to be done, and the price for the work. If the Village is looking to make changes to that contract, an amendment to the contract will be needed to formalize the change.
 - o In order to delete an entire project from the Luck Brothers contract, and substitute in a totally new/separate project that was not previously bid, the Village would need to put that separate project out to bid before awarding the work.
- Once the designs are finalized by National Grid and EDR, then National Grid would provide an estimate for their portion of the work. The work to convert the private connections will need to be put out to bid. **It is possible that the construction costs will exceed the available funding.** In that case the village would not be able to move forward with construction unless additional funds are allocated to the project.

- The village will need to coordinate the timing of village water/sewer project, National Grid crew, private utility conversions and street work.
- The utility companies require easements from the 11 customers whose utilities would move underground. The final designs will determine where the utilities will be located. All customers need to agree to convert their service and grant an easement. If any customer does not agree to these terms it could jeopardize the entire project.
- An additional easement is required for the transformer that would move from overhead to the ground (not underground). The proposed location for the transformer is in the Adirondack Bank parking lot. The bank will need to agree to give up a parking space in order for the project to proceed as designed in the concept plan.

3. Riverwalk Extension

The current status of the Riverwalk Extension is described above. **Options for the board to consider are outlined below.**

Option A:

Get an appraisal for the proposed Riverwalk area across the property at 156 Church Street (Grand Union) and offer to purchase the Riverwalk area or purchase an easement across the property.

Considerations:

- DRI funds cannot be used for securing easements
- The property owner may not respond to the offer
- If the property owner accepts the offer then the village can move forward with construction of the Riverwalk Extension

Option B:

Construct the Riverwalk Extension across the property at 79 Woodruff Street with DRI funds and continue to work towards securing a full easement across 156 Church Street property. Connect the two Riverwalk segments in the future.

Considerations:

- The village has a contract with Luck Bros. to construct the Riverwalk Extension.
- DRI funds will cover the cost of construction.
- The village can seek a contract amendment with Luck Bros. to reduce the contract amount to reflect the reduced scope of work. The balance of funds can be re-allocated towards the construction of Woodruff St. West road work, lighting and/or public art or to the Church Street Streetscape project.

Option C:

Cancel the Riverwalk Extension project and re-allocate all of the funds (\$1,050,000) to other DRI projects. Unfunded DRI projects include:

- Church Street Streetscape with pedestrian lighting
- Woodruff Street West Streetscape (Broadway to Church Street)
- Public art at Ward Plumadore Park and Woodruff Street West
- Underground utilities on Woodruff Street West [total cost likely to exceed \$1,050,000]

Considerations:

- There is nothing in the Luck Bros. contract about contingencies and no provision about canceling or changing projects. Luck Bros. will need to agree to any contract amendments.
- Any substitute project(s) will need to be put to bid.
- DRI grant contract term ends November 2024. A grant extension will likely be required given the scope of work and coordination of contractors needed to complete the project.
- The village will need to coordinate the timing of village water/sewer project, National Grid crew, private utility conversions and street work.