



Village of Tupper Lake

Police Reform and Reinvention
Collaborative

March 30, 2021



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Letter from Village of Tupper Lake Mayor Paul A. Maroun

Dear Governor Cuomo:

I submit to you the enclosed Police Reform Plan for the Village of Tupper Lake. This plan was required by your Executive Order 203 dated June 12, 2020.

The Tupper Lake Police Department is directly responsible for the safety of approximately 4000 Village residents and approximately 2300 Town of Tupper Lake residents by contract. These numbers rise during certain times of the year due to guests, events and seasonal residence to as high as approximately 12,000 citizens.

The primary function of our police department is to protect the citizenry of Tupper Lake and their family and guests. We must also protect visitors to this unique part of New York State.

The committee I established to examine our Police Department and it's role consisted of the following members:

- A. The Mayor.
- B. The Deputy Mayor.
- C. The Chief of Police.
- D. Sr. Sergeant, Police.
- E. Tupper Lake Emergency Services Director.
- F. Rev. Richard Wilburn.
- G. Director of Franklin County Mental Health Services.
- H. Franklin County District Attorney.
- I. Franklin County Commissioner of Social services.
- J. Franklin County Director of Probation.

We examined the following areas:

- A. Discrimination:

There is to be no discrimination by, for, or to anyone or any group: by Race, Creed, Color or Sexual Orientation (LGBTQ, Lesbian, Gay, Bisexual, Transgender, Queer or Questioning) or Economic Status. This applies to the hiring of Police Officers or the arrest of suspects.

B. POLICE OFFICERS MUST BE PROTECTED WHILE PROTECTING OUR CITIZENRY.

Force Allowed.

Force not allowed.

C. HOW CITIZENS VIEW OUR POLICE

Ambassadors.

Foot Patrols.

SSO Officers.

Traffic Control after regular and special events where large numbers of people are gathered.

D. COUNTY AGENCY INTERACTION.

District Attorney.

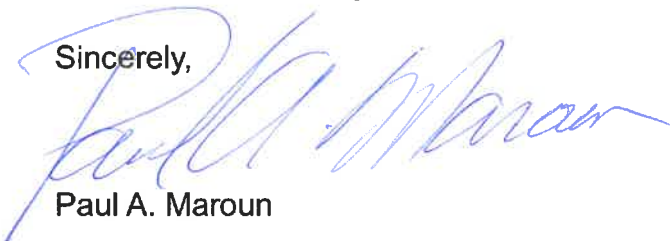
Social services.

Probation.

Mental Health.

The discussions were well rounded, with members offering suggestions and new ideas where deemed necessary . The Tupper Lake Police Department uses Lexipol as a guide. The Chief of Police regularly discusses issues with the Village Board. Policies are reviewed and are always open to discussion and change is implemented when determined necessary.

Sincerely,



Paul A. Maroun

Mayor

Introduction:

The Village of Tupper Lake (pop. 3,667) was founded in 1903 and is located in the Adirondack region of Upstate New York. It is located within the Town of Tupper Lake in the southwest corner of Franklin County.

The Village is a full-service municipality providing street and sidewalk maintenance, residential trash pick-up, code enforcement, and police services to Village residents and visitors along with public water, sewer, fire protection, and electric service to residents and customers in the Village and in the Town of Tupper Lake.

The Village is governed by a mayor and four trustees elected to two-year terms.

Police Department:

The Village of Tupper Lake currently operates a full time police department. The police department operates twenty four hours a day, seven days a week. The Police Department current staffing consists of the Chief of Police, two police sergeants, and five police officers who are all full time employees. The department also staffs three part time police officers. All members are sworn police officers who have attended and passed the basic school for police officers and are certified with the New York State Division of Criminal Justice Services. The Department has been in operation for approximately 100 years.

The Tupper Lake Police Department provides routine police protection to the residents of the Village of Tupper Lake as well as maintaining a contract with the Town of Tupper Lake for emergency response as needed, examples being emergency calls for persons in need of the local ambulance service, motor vehicle accidents, reports of fires, serious occurring incidents such as home invasion, domestic disputes and any other calls that may occur that are determined to be life or death situations.

The Tupper Lake Police Department provides a central repository for the citizens of the community to contact regarding any number of reasons. Calls for police services include but are not limited to domestic disputes, home invasion, theft, destruction of property, vehicle and traffic enforcement, assault, peace and good order complaints, parking enforcement and traffic control to name a few. The Police Department also serves as a contact for citizens to reach other Village of Tupper Lake Services such as the Department of Public Works, Electric Department and the Water and Sewer Department. The Police Department has acted many years as the after-hours contact for these services as well as many other services available in the community.

The Police Department provides the community with a K-9 officer, Bicycle officer and two school resource officers. The members of the department respond to almost all rescue calls and are trained in the administration of CPR and oxygen as well as equipped with AED devices in all patrol cars. The officers are also equipped with

naloxone as members respond to a number of calls each year to aid persons that have overdosed on any number of opiate based drugs and narcotics. The Village of Tupper Lake, as with any community, is affected by the ongoing opioid crisis that is prevalent across the country and department members are trained in aiding persons in distress as the result of an overdose.

Due to rural area of the Village and Town of Tupper Lake and the limited access people have to any number of services that are available to communities in urban and suburban areas, the Village Police Department is many times the first and only point of contact to receive any aid or information that may be needed. The Police Department is generally the only point of contact for immediate response during night time hours.

203 EXECUTIVE ORDER

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

WHEREAS, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

WHEREAS, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the Office of Governor; and

WHEREAS, beginning on May 25, 2020, following the police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to police-involved deaths and racially-biased law enforcement to demand change, action, and accountability; and

WHEREAS, there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

WHEREAS, this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

WHEREAS, these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and, in other states, include Oscar Grant, Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

WHEREAS, these needless deaths have led me to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; and

WHEREAS, government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

WHEREAS, recent outpouring of protests and demonstrations which have been manifested in every area of the state have illustrated the depth and breadth of the concern; and

WHEREAS, black lives matter; and

WHEREAS, the foregoing compels me to conclude that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

WHEREAS, the Division of the Budget is empowered to determine the appropriate use of funds in furtherance of the state laws and New York State Constitution; and

WHEREAS, in coordination with the resources of the Division of Criminal Justice Services, the Division of the Budget can increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, in particular Article IV, section one, I do hereby order and direct as follows:

The Director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:

Each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

Each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing.

Such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.

G I V E N under my hand and the Privy Seal of the State in the City of Albany this twelfth day of June in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor

Police Reform Committee:

With that being stated, the order has directed government agencies across New York State that operate a police agency to conduct a comprehensive review of the current policies, strategies, procedures and practices of the police department they operate. Upon this review, the government entity is directed to develop a plan to improve on these areas, particularly for the purposes of addressing particular needs of the community served and to promote community engagement that will foster trust, legitimacy, fairness, and address any racial bias and disproportionate policing of communities of color.

In response to this order, Village of Tupper Lake Mayor Paul Maroun convened a committee of stakeholders to review, discuss and devise a reform plan to address the operation of the Tupper Lake Police Department and ways to improve the efficiency of the Department as well as foster and promote community relations in a fair, professional and unbiased manner.

This review committee consists of the following members:

Paul Maroun, Mayor of the Village of Tupper Lake

Leon LeBlanc, Deputy Mayor of the Village of Tupper Lake

Eric Proulx, Chief of Police Tupper Lake Police Department

Geoffrey Carmichael, Sergeant Village of Tupper Lake

Craig Carriero, Franklin County District Attorney

Carl Steffan, Tupper Lake Emergency Preparedness Coordinator

Suzanne Lavigne, Director of Community Services, Mental Health Advisor

Denise McLane, Director of Franklin County Probation

Rev. Rick Wilburn, Tupper Lake Baptist Chapel

Michelle Mulverhill, Commissioner Franklin County Social Services

As outlined in the Mayor's letter the following areas were discussed. In reality, some subject areas are working well and need not be altered at this time. Ongoing monitoring is the norm, additional discussion and change will occur as deemed necessary.

The Tupper Lake Police Department will continue to fully implement a NO DISCRIMINATION POLICY by, for or to anyone or any group: by Race, Creed, Color, or Sexual Orientation. (LGBTQ, Lesbian, Bisexual, Transgender, Non-Binary, Queer or

Questioning) or Economic Status. The Tupper Lake Police Department does not Discriminate.

The use of force is determined by the balancing of interests relevant to the immediate situation. The Tupper Lake Police Department uses only the amount of force necessary to accomplish necessary Law Enforcement purposes. Deadly force should only be used in the most extreme situations. It may be used when an officer is protecting him/herself or a citizen from imminent threat of death or serious bodily harm. When possible, a verbal warning of this force should be given.

Spit Hoods are not in use by the Tupper Lake Police Department.

Taser devices are only issued to officers who have completed Department approved training. Verbal warnings are to be executed before Taser deployment.

The Tupper Lake Police Department does not effectuate Choke Holds (Choke Holds restrict the airway). A Carotid control hold is allowed. (This is a temporary blood flow restriction through the application of pressure to the side of the neck).

All Tupper Lake Police Officers are trained in these and other force and restraint areas at the Police Academy or in regulated and approved training sessions.

The only goal here is to protect our citizens and the police themselves.

The Tupper Lake Police Department is viewed by the community as ambassadors, for the most part. Arrests must and do occur. However, Tupper Lake Police go out of their way to assist residents and guests in matters not of a criminal nature. Some examples are as follows: they are normally first on scene at Emergency Health calls and have saved numerous lives over the years. Applying heart attack lifesaving procedures, administration of Narcan in drug overdose situations and other lifesaving situations. They assist motorists who may have run out of gas or nowadays electricity, or are locked out of their vehicles.

Foot patrols are beneficial to a community; we will strive to see more of that in our Main Street areas.

We have School Safety Officers embedded in our Elementary and Junior Senior High Schools. They have and will continue to integrate effectively with students, faculty, staff and parents. We continue to monitor this program.

Large scale event's especially in our tourist seasons are controlled and assisted by the Tupper Lake Police Department. Complaints are rare to none. These operations will continue.

The Tupper Lake Police Department regularly and routinely check the security of commercial buildings in our business districts. The business owners certainly appreciate this procedure.

The interaction between the Tupper Lake Police Department and County Agencies is a good work in progress.

The District Attorney enjoys an excellent relationship with the Department and believes the Tupper Lake Police Department is functioning in a proper and effective manner.

The Commissioner of Social Services works well with our Department in cases that are sensitive family related matters. The Commissioner and her Staff are in Tupper Lake regularly and assist with the Tupper Lake School System and our police. Both offices are constantly trying to eliminate fraud, abuse and neglect. The Department of Social Services maintains offices and staff in Tupper Lake.

The Director of Probation and the Tupper Lake Police Department have and maintain an excellent working relationship. Arrests and actions are effectuated routinely and in a professional manner. Parole Officers are in Tupper Lake routinely and the Department of Probation maintains a satellite office in Tupper Lake.

The Director of Community Services is an integral part of assistance to the Tupper Lake Police Department. With an increase in drug, alcohol and mental health related incidents in our and all communities across our state and nation; crisis intervention by therapeutic professionals is becoming all important.

The Director of Community Services will be working closely with the Chief of the Tupper Lake Police Department in providing adequate measures to defuse confrontational situations involving the above mentioned issues. This will involve measures such as but not limited to: more accessible on call trained staff in the above mentioned areas. The Director will assist the Department in securing and providing more training in the above mentioned areas. The assistance from programs and staff at St. Joseph's Rehabilitation Center will also be explored. The Director will also assist the Community in dealing with potential suicide issues. The importance of Community Services will continue to grow here and across the state and nation.

The Tupper Lake Village Board in conjunction with the Tupper Lake Police Department will strive to keep Tupper Lake a safe and friendly place to live, recreate and experience friendly experiences. It is not the simple task of days gone by. There are bad elements in our society. We must continually learn through education and updated awareness. That is the mission we shall strive for. Our plans are not set in stone!

The Village of Tupper Lake will continually monitor, assess and educate members of the Tupper Lake Police Department and effectuate change when deemed necessary and appropriate.

Police Reform Plan:

Item 1. Annual Department Training – The department will conduct annual department wide in-service training to include:

- Community Relations
- Cultural Diversity and Bias Related Incidents
- Defensive Tactics
- De-Escalation techniques
- Use of Force
- Firearms re-qualification
- Reality based simulation training as these courses become available

All training will include a review of the applicable policies pertaining to the area of training with all officers to insure the understanding and applicability of each policy while performing their duties on patrol and responding to incidents.

Item 2. Annual review of Policy and Procedure manual for the Tupper Lake Police Department. The Mayor of the Village of Tupper Lake will convene a committee of individual stakeholders to meet with the Chief of Police to review any or all of the Policies and Procedure of the Tupper Lake Police Department. These meetings will provide feedback regarding the addition, deletion, or modification of any policies and appropriate steps will be taken to address any issues, suggestions or requirements that need to be taken to modify the Policies and procedures at that time.

Item #3. A review of items discussed in the Governors workbook on Police Reform are addressed as follows:

- Stop and Frisk – The Tupper Lake Police Department does not now nor has it subscribed at any time to this practice. The Tupper Lake Police Department as well as members of the committee agree this type of practice has been shown through national research to disproportionately affect black and poor communities.
- Use of Chokeholds – The Use of Force Policy for the Tupper Lake Police Department prohibits the use of chokeholds.
- Retaliatory Force – There is policy in place that prohibits retaliatory force.
- Broken Window theory – (Every transgression no matter how small should receive a ticket or arrest should occur) The Tupper Lake Police Department does not subscribe to this theory and approach.
- Pretextual Traffic Stops – The department does not subscribe to this practice and will formulate specific policy to put in place regarding this practice.
- Quotas – The Tupper Lake Police Department does not have any quota requirement for any of its operating functions.
- Use of Conducted Energy Device (Taser) and Oleroresin Capsicum (OCspray, pepper spray) – The Tupper Lake Police Department utilizes both of these and has policy in place for their utilization.

- Body Cameras – The department utilizes body cameras for all of its officers and has policy for their utilization. Due to budgetary concerns, a limited number of reserve cameras are on hand as back-ups. Cameras break and at certain times officers may not have a camera for lack of an operating camera but replacements are obtained as soon as practically possible.

Item #4. Mental Health response and De-escalation Practices

The Tupper Lake Police Department is in agreement with all members of the committee as well as Director Lavigne that de-escalation is a core goal on every call the department receives. While many of the calls are not related to mental health situation, de-escalation is a valuable technique with all police response. To further this practice, the following is to be included:

- Officers receive 8 hours of instruction on this strategy at the Basic Course for Police Officers as well as included as side instruction in various other blocks of instruction at the basic school.
- Annual in-service training in de-escalation of at least 4 hours.
- At the time of this plan being submitted, the Tupper Lake Police Department is working with Suzanne Lavigne to establish procedures for the response of mental health professionals on calls for service that would better be served by a counselor than involvement and enforcement by the police. This may involve joint responses to calls for service with a police officer and a mental health counselor present.
- The department is also working with Suzanne Lavigne to formulate plans for annual in-service mental health awareness trainings for all members.

Item #5. Hiring Practices

The Village of Tupper Lake Police Department has policy in place for hiring new police officers. This policy designates what steps are to be taken as part of the background investigation of the possible candidates. Hiring of a new officer starts with obtaining a list of eligible candidates from the Franklin County Department of Civil Service. The Village of Tupper Lake has no control over what applicants they receive from the civil service department and the eligible applicants are provided based on their scoring of the police officer's exam administered by the Department of Civil Service.

Upon receipt of the list of eligible candidates, the Chief of Police and the Sergeants conduct extensive background investigations of the prospective candidates. Upon the conclusion of these investigations, personal interviews are conducted with the Village Board and consultation with the Chief of Police. The Village of Tupper Lake makes the selection of any new police officers based on the most qualified candidates resulting from the background investigations and the personal interviews. While the current process is more than adequate in selecting new police officers, the Village will explore the feasibility and cost constraints in prospective candidates submit to psychological

examination prior to employment as this is currently not a hiring practice for the Tupper Lake Police Department.

It is the policy of the Tupper Lake Police Department to not discriminate on the basis of race, color, national origin, religion, creed, ethnicity, disability, age, marital status, sex, gender, gender identity or expression, sexual orientation, veteran status, reproductive health decisions, economic status or any other legally protected status.

Item # 6. Community-based Outreach

There is strong support for the continuation of the community based outreach performed by the Tupper Lake Police Department. The police department is always available upon request to assist in any community events that are formulated in the community. The Village of Tupper Lake and the Tupper Lake Police Department will continue to be open for the utilization of the police department in community outreach and events and welcome suggestions and requests from the community for the services of the police department in a community outreach capacity.

The police department continues to provide community based outreach as follows:

- Family Fun day / bike rodeo every June. Attendance is over 1000 children and adults, all children receive bicycle instruction and safety procedures. All Children receive a free bike helmet, free food, giveaways and many other activities all provided by donations from local businesses and stakeholders as well as grants all secured by our Bicycle Patrol Officer.
- Touch A Truck every September. Attendance is generally 500-750 children and adults through the day. The event is free including food and other giveaways. The department secures heavy equipment and commercial vehicles from area highway departments and private contractors and holds the event in the Village Municipal Park
- The department hosts an annual K-9 golf tournament each summer to benefit the department's K-9 program. Numerous donations are made from local businesses as items to auction at a party following the golf tournament. While the golfing event is open only to participants that enter, the party afterwards and the auction are open to anyone that wishes to attend.
- Members of the department conduct foot patrols in our village parks every shift at various times throughout the day and night.
- Members check all local business doors at night for security purposes.
- Members direct traffic at local church services each weekend.
- Our School Resource Officer helps coordinate and pack food for our local Backpack program that currently provides food to 41 children each week to have meals through the weekend. Other officers also assist in packing food as well. This program is currently located at the community room at the Police/Fire station in our community.
- Members speak at various local organization meetings and functions whenever the request is made.

- The department operates a bicycle registration program for free to the community where people can register their bike with the department and a unique number tag is affixed to the frame of the bike. This program has been useful numerous times in the past in locating lost and/or stolen bicycles.
- The department provides numerous funeral escorts through the course of each year.
- The department conducts a pumpkin carving contest each year open to all children in the community in grades pre-k through 12. The department provides pumpkins for free to any child that may need one. Each entry is broken down by grade and a winner is chosen from each grade and presented a \$25.00 Visa gift card.

APPENDIX A.

- **SAMHSA Sequential Intercept Mapping Exercise (SIM)**
 - SIM Workshops are available through the Substance Abuse and Mental Health Services Administration’s GAINS Center for Behavioral Health and Justice Transformation. The Center is managed by Policy Research Associates Inc. The GAINS acronym stands for Gather, Assess Integrate, Network and Stimulate.
 - Franklin County Community Services and District Attorney will sponsor a series of workshops designed to assist jurisdictions to better understand how individuals with behavioral health conditions and intellectual/developmental disabilities come in contact with the criminal justice system.
 - Gaps in supports and services will be identified in the workshop series.
 - The workshops result in a “systems map” which allows for the identification of “priorities for change” and the creation of a strategic plan. The strategic plan will identify strategies and opportunities for improvement.
 - Law enforcement, key stakeholders and agency representatives will be invited to attend. The goal is to have representation from every jurisdiction and stakeholder group in the County.
 - The training will be offered in early 2021 and will be conducted through a virtual platform.

- **OMH Crisis Intervention Team Training for Law Enforcement (CIT)**
 - The Institute for Police, Mental Health and Community Collaboration is managed by Coordinated Care Services, Inc. (CCSI). The Institute was developed to create the Crisis Intervention Team (CIT) programs across New York State. The Office of Mental Health is a key partner in the curriculum.
 - The training provides education, develops skills and de-escalation strategies for law enforcement to be used in their response to behavioral health crisis in their communities.
 - CIT Training will be offered following Sequential Intercept Mapping and will be conducted through a virtual platform.

- **Non-Violent Therapeutic Crisis Intervention Training**
 - Franklin County Community Services will be sponsoring this training through its work with the Franklin County System of Care Initiative. The training is offered by certified facilitators through Cornell University.
 - The training provides participants with de-escalation strategies and the skills necessary to manage crisis situations without the use of physical restraint.
 - Once the initial training is completed, some participants will have the opportunity to participate in a train the trainer curriculum. Candidates will be vetted according to recommendations by the facilitator and their employer. Candidates will be required to offer the training and related activities to their agency’s workforce upon successful completion of the course.

- **Franklin County Community Services/Law Enforcement Collaboration & Consultation**
 - The Director of Community Services is available for consultation with any Police Reform Committee and law enforcement jurisdiction.
 - Specific strategies will be developed based on the needs of each jurisdiction.
 - Initiatives currently underway include:
 - Collaboration with behavioral health providers.
 - Increased law enforcement access to mobile crisis teams and licensed mental health professionals. Mobile crisis teams are available in the Malone and Saranac Lake areas.
 - Increased law enforcement access to the substance use disorder open access center (OAC) based in Saranac Lake. The center provides evaluation and referral services to individuals and families and peer recovery support services.