

# Village of Suffern

61 Washington Avenue  
Suffern, New York 10901

---

Telephone: (845) 357-2600 • FAX: (845) 357-0649  
www.suffernvillage.com

---

## VILLAGE OF SUFFERN, NEW YORK


### NOTICE OF PUBLIC HEARING

**PLEASE TAKE NOTICE** that the Board of Trustees of the Village of Suffern proposes to adopt a Local Law amending the Code of the Village of Suffern establishing a new Chapter, Chapter 252, entitled "Vacant Buildings."

**PLEASE TAKE FURTHER NOTICE** that said Public Hearing on said proposed Local Law shall be held at the Village of Suffern Municipal Building, 61 Washington Avenue, Suffern, New York, on June 2, 2014 at 7:40 p.m.

**PLEASE TAKE FURTHER NOTICE** that copies of the full text of the proposed Local Law are available at the Office of the Village Clerk, 61 Washington Avenue, Suffern, New York, and that, at the aforesaid Public Hearing, all parties will be permitted to be heard.

Dated: Suffern, New York  
May 23, 2014

  
Virginia Menschner,  
Village Clerk

Terry Rice, Esq.  
Village Attorney

**VILLAGE OF SUFFERN**

LOCAL LAW NO. OF 2014

**A LOCAL LAW THE CODE OF THE VILLAGE  
OF SUFFERN ESTABLISHING A NEW CHAPTER,  
CHAPTER 252, ENTITLED "VACANT BUILDINGS"**

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows:

Section 1. The Code of the Village of Suffern is hereby amended by adding thereto a new chapter, "Chapter 252", entitled "Vacant Buildings", to provide as follows:

§ 252-1. Legislative findings and purpose.

It is the finding of the Board of Trustees that buildings which remain vacant are unsightly, unsafe and have a negative effect on their surroundings. The purpose of this chapter is to establish a program for identifying and registering vacant buildings; to determine the responsibilities of owners of vacant buildings and structures; and to speed the rehabilitation of the vacant properties.

§ 252-2. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

EMERGENCY SITUATION-Where the condition of a building, structure, or any part thereof is an imminent, immediate, and substantial danger to the health or safety of occupants, emergency responders, and/or the general public. Such conditions include, but are not limited to, fire hazards, falling or dilapidated buildings, structures, or any part thereof, loss of significant water, heat, ventilation, or a lack of sanitary conditions.

ENFORCEMENT OFFICER-A duly authorized representative of the Building Department, including the Building Inspector, Code Enforcement Officer and their assistants or designees.

OWNER-Those shown to be the owner or owners on the records of the Assessor's Office, those identified as the owner or owners on a vacant building registration form, a mortgagee in possession, a mortgagor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the premises. Any such person shall have a joint and several obligation for compliance with the provisions of this article.

SECURED BY OTHER THAN NORMAL MEANS-A building secured by means other than those used in the design of the building.

UNOCCUPIED-A building or portion thereof which lacks the habitual presence of human beings who have a legal right to be on the premises, including buildings ordered vacated by an Enforcement Officer. In determining whether a building is unoccupied, the Enforcement Officer may consider these factors, among other:

- A. Whether lawful residential or business activity has ceased;
- B. The percentage of the overall square footage of the occupied to unoccupied space or the overall number of occupied and unoccupied units;
- C. The building is substantially devoid of contents or the minimal value of fixtures or personal property in the building;
- D. The building lacks utility services;
- E. The building is subject to a foreclosure action;
- F. Duration of vacancy; and/or

G. The presence or reoccurrence of code violations.

UNSECURED-A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

VACANT BUILDING-A building or portion of a building which is:

- A. Unoccupied and unsecured;
- B. Unoccupied and secured by other than normal means;
- C. Unoccupied and an unsafe building as determined by an Enforcement Officer;
- D. Unoccupied and has multiple housing or building code violations;
- E. Illegally occupied.

§ 252-3. Vacant building registration.

A. The owner shall register with the Building Department no later than 30 days after any building that becomes a vacant building, as defined in § 252-2, or not later than 30 days after being notified by the Building Department of the requirement to register. The Department may identify vacant buildings through its routine inspection process as well as through notification by residents, neighborhood associations and other community groups that a building may be eligible for inclusion on the registry.

B. The registration shall be submitted on forms provided by the Building Department and shall include the following information supplied by the owner:

- (1) A description of the premises, including but not limited to square footage, number of stories, age of the building, and most recent use of the building.
- (2) The names and addresses of the owner or owners. If the owner is a corporation, limited liability company or partnership, the address for each director, manager, or

partner, as the case may be. The address must include a street address; a post office box is not acceptable.

(3) If the owner does not reside in Rockland County, the name and address of any third party with whom the owner has entered into a contract or agreement for property management. The address must include a street address; a post office box is not acceptable.

(4) The names and addresses of all known lienholders and all other parties with an ownership interest in the building. Each address must include a street address; a post office box is not acceptable.

(5) A name, address and telephone number where a responsible natural person (not a corporation, partnership, or limited liability company) can be reached at all times during business and nonbusiness hours. The address must include a street address; a post office box is not acceptable.

(6) A vacant building plan as described in Subsection C.

C. The owner shall submit a vacant building plan which must meet the approval of the Enforcement Officer. The plan, at a minimum, must contain information from one of the following three choices for the property:

(1) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition.

(2) If the building is to remain vacant, a plan for the securing of the building in accordance with standards provided in § 252-12, if applicable, along with the procedure that will be used to maintain the property in accordance with Article II, and a statement of the reasons why the building will be left vacant.

(3) If the building is to be returned to permissible occupancy or use, a rehabilitation plan for the property. The rehabilitation plan shall not exceed 365 days from the date of submission and will include progress bench marks at least every 90 days, unless the Board of Trustees grants an extension for good cause shown, upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, or building codes and must be secured in accordance with § 252-12, if applicable, during the rehabilitation.

D. The owner will comply with all applicable laws and codes. The owner shall notify the Enforcement Officer of any changes in information supplied as part of the vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must be in writing and must meet the approval of the Enforcement Officer.

E. The owner and subsequent owners shall keep the building secured and safe and the building and ground properly maintained as provided in Article II of this chapter.

F. Failure of the owner or any subsequent owners to maintain the building and premises as required herein will be grounds for the Village:

(1) To remediate the building and bill the cost of same to the owner as provided in Chapter 100;

(2) To revoke the rehabilitation plans; and

(3) The owner will be subject to fees and penalties as provided herein.

G. The owner will notify the Code Enforcement Office of any transfer of ownership within 15 days of transfer. The new owners shall comply with the approved plan and

timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Enforcement Officer.

G. Vacant building fees.

(1) The owner of a vacant building shall pay a registration fee of \$200. The registration fee is due and payable upon registration; that is, no later than 30 days after any building becomes a “vacant building,” as defined above, or no later than 30 days after being notified by an Enforcement Officer of the requirement to register.

(2) If the building is to remain vacant pursuant to §252-3C(2), the owner will also pay an annual vacant building fee of \$500 for the first year. This fee is due and payable together with the registration fee of \$200. Subsequent annual fees shall be paid as follows:

(a) For the second year that the building remains vacant: \$1,000.

(b) For the third year and each succeeding year, that the building remains vacant: \$1,500.

(c) Vacant building fees for structures 5,000 square feet or greater are double the foregoing fees.

(3) If the building is to be returned to a permitted use pursuant to §252-3C(3), the rehabilitation plan will not exceed 365 days and will include progress bench marks at least every 90 days, unless the Board of Trustees grants an extension for good cause shown upon receipt of a written statement from the owner detailing the reasons for the extension. If the rehabilitation has not been completed or extended by the Board of Trustees, then the owner will pay an annual vacant building fee in accordance with the rates established above until the building is properly demolished or rehabilitated. The

annual vacant building fee is payable either on each anniversary of the payment of the initial registration fee and on each anniversary thereafter until the building is demolished or rehabilitated.

(4) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in any vacant building. The owner will give the purchaser written notice that the building in question is a vacant building under this section.

(5) If the owner of a vacant building fails to register and pay the fees in a timely manner, then the owner will be subject to the penalty set forth in § 252-7.

(6) The vacant building registration fee and annual vacant building fee as set forth in § 252-31 are to be delivered, by mail or in person, to the Village Clerk's Office. A late charge of 1 1/2% per month, or any part thereof, will be assessed on any invoice which is unpaid after 30 days from the date of the demand for payment or an invoice.

§ 252-4. Exemptions.

A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of 90 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Building Department of Building. This request shall include the following information supplied by the owner:

- A. A description of the premises.
- B. The reason for an exemption.
- C. The names and addresses of the owner or owners. A post office box is not acceptable.



D. A statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

§ 252-5. Inspections.

The Building Department shall inspect any premises in the Village for the purpose of enforcing and assuring compliance with the provisions of this article. Upon the request of the Building Department, an owner may provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner's right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Building Department in order to enable such inspection, and the Enforcement Officer shall be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises after having been advised of his or her constitutional right to refuse entry without same. In the case of an emergency this section will not apply.

§ 252-6. Annual reports.

The Building Department annually shall submit to the Board of Trustees a list of all buildings in the Village declared vacant under the provisions of this chapter, as well as a list of all previously declared vacant buildings which are no longer subject to the provisions of this article. Such report shall also provide the fees collected, penalties assessed and an enumeration of buildings/properties known not to be in current compliance.

§ 252-7. Penalties for offenses.

Any person violating any provision of this chapter, including but not limited to failure to register, providing false information to the Enforcement Officer shall be subject to the following fines:

- A. Such person will be subject to a fine of \$1,000 or imprisonment not exceeding 15 days, or both.
- B. The term "person," as used in this section, will include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, administrator, trustee, lessee, agent or any other person, firm or corporation directly in control of the building or part thereof.
- C. Each week of violation will be deemed to constitute a separate offense.

**Article II. Maintenance of Vacant Buildings**

§ 252-8. Title.

This article shall be known as "Maintenance of Vacant Buildings" and is supplementary to applicable provisions of the New York State Uniform Fire Prevention and Building Code.

§ 125-9. Purpose.

This article provides standards governing the facilities and the condition and maintenance of vacant premises to safeguard the safety, health and welfare of the community.

§ 125-10. Applicability.

This article shall be applicable to the following:

- A. Lots, plots or parcels of land on which buildings designed for or developed for residential use or occupancy, mixed-occupancy buildings, nonresidential occupancy or accessory structures are located; and

B. Buildings designed for or developed for residential use or occupancy, including one- and two-family dwellings and multiple dwellings, mixed-occupancy buildings, nonresidential occupancy and accessory structures.

§ 252-11. Entry.

Provision for safe and continuous entry shall be provided to the interior of a building or structure from the exterior at a street or to a yard, court or passageway leading to a public open area at any time entry is necessary for purposes of required maintenance or inspection.

§ 252-12. Exterior protection.

A. The covering for doors and windows may not consist of any substance sprayed onto the window panes. All enclosures shall be properly fitted and be of such material and surface that they are neither unsightly nor will materially detract from the general appearance of the building or the neighborhood.

B. The covering for doors and windows may consist of replacement glass, plexiglass, or similar materials finished and maintained in a weather tight manner. The materials will be designed to blend in with the finish of the building and will, to the extent possible, provide an appearance that the building or store is not vacant. When the Enforcement Officer, in his judgment, deems it appropriate, the visual/aesthetic suitability and sufficiency of such coverings may be referred to the Planning Board for its review and approval.

C. In addition to the standards prescribed above, vacant commercial and retail buildings shall comply with the following standards:

(1) Any and all first-floor windows will be replaced by glass, plexiglass, an approved mural or announcement sign. Such covering must be maintained.

(2) Any and all window display areas shall be kept clean, free of hazard and free of debris.

(3) Any window covering shall have a clear opening equal to the existing window area.

D. If the owner shall fail to comply with the provisions of this section regarding exterior protection, the Building Department may, after notice of noncompliance and intent to remedy is mailed to the owner, perform or cause such work to be performed and may recover the expense either by action or by including the same on the tax bill of the owner, or both. This action shall be in addition to any other available remedy under this article.

§ 252-13. Interior protection.

A. The covering for doors and windows may consist of:

(1) Venetian or similar blind.

(2) Drapes, curtains or shades.

B. Unheated attics, spaces below flat roofs and crawl spaces shall be ventilated to minimize deterioration.

§ 252-14. Fuel gas.

Fuel gas pipe systems shall be maintained gastight, safe and operative under conditions of use or shall be disconnected at the main.

§ 252-15. Plumbing.

A. The water supply system of the building shall be connected to an approved source, shall not be subject to contamination and shall not be connected to unsafe water supplies or shall be disconnected at the main and the system completely drained.

B. Stormwater drainage systems shall be maintained so as to function properly and be kept free from obstructions, leaks and defects. Sewage systems shall be similarly maintained or shall be sealed so as to prevent accumulation of sewage gases in buildings.

§ 252-16. Electrical.

Electrical fixtures, devices, wiring and systems shall be maintained in safe working condition in a manner which will avoid a potential source of ignition or shock, or service shall be discontinued at the supply.

§ 252-17. Exterior property areas.

Any excavations or other attractive nuisance shall be filled in or secured to prevent access.

§ 252-18. Provisions not exclusive.

Notwithstanding the provisions of this chapter, all other applicable laws, local laws shall apply to any vacant building regulated by this chapter and in the case of conflicting requirements, the most restrictive and protective provision shall apply.

§ 252-19. Applicability.

This Chapter shall apply to any vacant building or covered property that becomes vacant after the effective date of this local law.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

# RED TRUCK SALES INTERNATIONAL, INC

1600 Deer Park Avenue  
Suite F  
Deer Park, New York 11729

March 31, 2014

Chief Michael Stark  
Sufferin Fire Department  
35 Washington Ave  
Sufferin, New York 10901

## Evaluation – 1989 Spartan Saulsbury Rescue

Dear Chief;

Per our conversation on Friday, we finished our evaluation of your 1989 Spartan Saulsbury Heavy rescue, and at today's market value we estimate the truck is worth \$45,000 (net to the department). It is also our understanding the truck will be marketed as-is, and will not be re-painted. As mentioned, we **do not** charge any fees or commissions to the selling department, and you are **not** obligated to sign a contract. All we ask is that if we do market your truck you give us a 120 exclusive and not list it on other sites, as we are covering the advertising costs. We present all legitimate offers for your consideration or rejection. Our clients are pre-qualified and must leave a refundable deposit before inspecting the truck.

Please indicate your acceptance of our evaluation by signing below and faxing this letter back to us at 631.940.8802. It is our understanding this truck is tentatively available January of 2015, if not please advise us. Also, please have the original Certificate of Origin or current NYS Title as well as any manufacturers manuals available to accompany the vehicle.

Best regards,  
*Joseph E. Bartlett*

Joseph E. Bartlett, President  
Red Truck Sales International, Inc.

---

Chief Michael Stark  
Sufferin Fire Department

504  
0798

Karen Colon-Rodriguez  
11 Center Street  
Suffern, NY 10901

**RECEIVED**

MAY 15 2014

**VILLAGE OF SUFFERN**

May 15, 2014

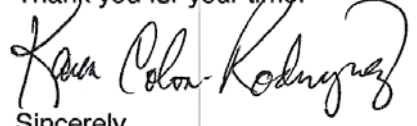
Virginia Menschner, Village Clerk  
Suffern Village Hall  
61 Washington Avenue  
Suffern, NY 10901

Dear Ms. Menschner,

I am writing to inquire about the possibility of doing a block party on our street. We are looking to do this on CENTER STREET on July 12th. Center Street has great bonds with the families that live here. A few of the neighbors and I thought it would be great if we can put together a block party. We hope to get activities for the kids and have potluck and BBQ's going.

Please let me know if this would be possible and if so, the requirements of getting a permit.

Thank you for your time.

  
Sincerely,

cc: Patricia Abato

Greater Suffern Chamber of Commerce  
PO Box 291  
Suffern, NY 10901

May 16, 2014

To the Village of Suffern Trustees:

The Suffern Chamber of Commerce wishes to thank you for your continued support.

Our next Street Fair is on Sunday, June 1<sup>st</sup>, featuring a theme which is in appreciation of the Artists of the Hudson Valley.

We would like to ask for your permission, for our third and final Street Fair on Sunday, September 14<sup>th</sup>, to have a theme of Wine and Food tasting.

We would like to ask several local wineries to participate.

We are asking for your support and approval so we can begin to put together this new theme.

Please be advised that we will be seeking the proper assistance to make sure that all legal ages, etc. will only to be served, ie: a wristband system.

We will keep you current as to our plans and progress, after we receive your initial approval.

Thank you for your time and support,

Board of Directors