

START UP SUFFERN



Resources for Village of Suffern Merchant Business Reopening



**Village of Suffern
61 Washington Avenue
Suffern, New York**

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Ready to Reopen: A Playbook for Village of Suffern Merchants



The US Chamber of Commerce guide to helping businesses of all types and in all regions navigates the complex process of reopening and evolving post-coronavirus pandemic by the.

<https://www.uschamber.com/co/start/strategy/small-business-coronavirus-reopening-guide>

Assess your business needs

Once you've determined the new precautions and protocols your business will need to follow, it's time to consider your operational needs. From limited funding to supply chain disruptions, you may encounter a few challenges as you seek to ramp up your core business activities.

Ask yourself the following questions to help you get a better picture of what you might need to get things moving again:

What does my business need right now to survive?

The biggest obstacle most businesses are facing as they plan to reopen is financing. Even businesses that have remained partially open during the crisis have likely seen a hit to their revenue, and many now need help covering basic expenses like rent and utilities before they can ramp back up.

Look at your numbers and figure out the bare minimum you need to get things going again. Then, consider federal and state financial aid resources like the Paycheck Protection Program (PPP), disaster assistance loans from the U.S. Small Business Administration and the employee retention tax credit available under the CARES Act.

What will my initial staffing requirements be when I reopen?

If you're one of the many businesses that had to lay off or furlough employees during the crisis, you may not be able to bring them all back at their full capacity right away. Consider whether you can offer limited hours to the majority of your pre-pandemic staff, or whether it makes more sense to have a few key individuals on for their regular hours, while slowly re-expanding your employee base as business picks up again.

What employee concerns about workplace health and safety will I need to address?

As a small business, your staff will be a critical part of your recovery, so it's important to let them know you will take their safety seriously when you reopen. Clearly communicate all plans and policies you develop regarding PPE and employee health monitoring and take the time to answer any questions and concerns from your staff.

What will my customers' needs and demands look like now and in the foreseeable future?

Your customers' lives have all been impacted by COVID-19, and they may need different things from your business right now. Their disposable income is likely limited right now, so get creative and think of how you can help solve the challenges they're facing at this point in time. This may be as simple as changing your marketing messaging, but some businesses may need to reposition or update their core offerings to fill the needs of their market. Either way, Salesforce recommends rapidly innovating your products and services to better meet immediate customer needs.

What's possible for my business?

The reality is that most businesses will not simply be able to "pick up where they left off" when they reopen their doors. Based on your current available resources and potential funding sources through coronavirus aid programs, make a thorough, honest assessment of what might be feasible for your business in the following areas:

Your budget. How much capital can you access, and how can you best put that money to use?

Your space/location. Can your physical space be adapted to encourage social distancing?

Your supply chains. What do your supply chain vendor relationships look like right now? Would it make sense to look for any new vendors to help you meet short-term needs as you reopen?

Your products/services. How can you pivot your offerings to be relevant to your customers' needs right now?

Your revenue impacts. What is the scope of your coronavirus-related losses right now, and how much do you expect to recoup once you're fully operational again?

Communicate

Your business will likely need to communicate plans to several different audiences, and each one requires a tailored approach to ensure the right message is received. As part of your post-COVID-19 communications, you'll need to set clear and accurate expectations with those who interact with your business. Your employees, customers and vendors will need to know what to expect from you as you execute your reopening plan. Follow these tips to communicate with your business's various stakeholders throughout the process:

Employees

As the people who help you serve your customers, your employees need to be kept in the loop about your business's reopening plan. According to Cushman & Wakefield, your employee communication plan should provide thorough, accurate information about physical workplace changes and safety measures, as well as set appropriate expectations for following new procedures. Use multiple communication channels (email, chat, video, social media, physical displays in the workplace, etc.) and invite any questions they may have after you share your plan. A few important things to address:

- Details of the changes, including any actions taken in their absence to sanitize and prepare the workspace.
- New work practices and guidelines for health and safety.
- How you will transition policies such as remote work, time off and flexible schedules if they had been adjusted during the pandemic.
- Resources available to employees if they have questions or concerns.

Customers

During these difficult times, customers understand and expect that your business will be operating differently. However, they still expect transparency and timely updates as you establish a path forward.

Follow these best practices when communicating with customers:

- Use multiple channels to ensure your message is widely received and reinforced.
- Demonstrate that customer interests are a priority and address their concerns directly.
- Create and share an FAQ document outlining specific questions around your supply chain, your health and safety practices and potential risks to your customers if they continue to patronize your business.
- Reach out to affected customers and offer assistance where appropriate.

Vendors/partners

Take time to meet with each of your vendors and partners to review your agreements and contracts. If you plan to continue working together as your business reopens, let them know what (if anything) might need to change about your working relationship, and whether it's possible to adjust your arrangement. Salesforce recommends co-creating business continuity plans with your partners and suppliers to help both of you streamline operations. Regardless of your audience, make sure your message to each is consistent and clear across every touchpoint and channel.

Execute

With your planning and preparation complete, it's time to put your reopening strategy into motion. Follow these steps to set yourself on the right track for getting back to business.

Develop a time frame

Because states are rolling out their reopening plans in phases, it may be difficult to nail down a precise timeline for your reopening. According to the CDC, businesses should only consider reopening if they meet the following conditions:

- You are in a community that no longer requires significant mitigation.
- Reopening would be in compliance with your state and local orders.
- You are ready to protect employees at higher risk for severe illness.
- As you develop your time frame for reopening, here are a few steps you can take to make a smoother transition:

Get input from your team. If your business is customer-facing, ask your staff for their thoughts and concerns about interacting with customers in the near term, given the current circumstances in your state. Some staff may be eager to get back to work, while others may feel more comfortable waiting a week or two for an additional drop in COVID-19 cases.

Plan out an anticipated schedule of pre-opening tasks. From deep-cleaning and sanitizing to rearranging furniture to encourage social distancing, make a list of everything you'll need to do to get your business customer-ready.

Coordinate with your vendors. If you've been shut down, start reaching out to vendors re-establish your supply chain and administrative support. If you've been operating in a limited capacity, plan ahead for how your inventory needs may increase as business picks up.

Give your customers a heads up. Even if you don't have an exact date for reopening yet, stay in touch with your customers and let them know to stay tuned for an upcoming announcement.

Lay out your marketing strategy

Assess your competitors and how they're handling marketing. Study both local competitors and ones in other regions where the COVID-19 situation may be different. It's important to get a broad range of marketing and communications examples and gauge whether customers are reacting positively or negatively.

Create an updated marketing strategy that reflects your customers' current needs. Successful marketing in the COVID-19 era means shying away from overly promotional messaging and speaking to the current reality and experiences your customers are facing.

Use your marketing channels to communicate important reopening announcements, changes and information your customers will need to know. Stay on top of your website, blog, email lists, social media channels and other platforms to deliver a consistent message about your business's plans.

Be ready to adapt to any obstacles

Anticipate and prepare for challenges. No matter how prepared you are, you may find that some elements of reopening your business are more difficult than you expected. You may need to change directions quickly and make swift decisions to overcome obstacles.

Check in with your employees. During your first few weeks of operating "normally" again, frequently chat with your staff and see how they're feeling. See if there's anything you can do to make their jobs easier or give them greater peace of mind about their health and safety.

Know that you won't get it perfect on day one. Mistakes may happen as you execute your reopening plan, and that's OK. If something goes wrong, quickly acknowledge the situation and let employees and customers know how you're making it right.

Create formal and informal processes for getting feedback. Listening to your employees, customers, vendors and partners during this time is critical for your future success. Have one-on-one conversations, share polls on social media and send out anonymous surveys via email to encourage your stakeholders to share their thoughts.

Analyze your sales data, customer behavior and ROI. Your numbers likely won't bounce back right away, especially if you've changed your product or service offering. Keep an eye on your business analytics to understand what's working and what's not.

Gauge the overall community response. Pay attention to what customers are saying about you (and your competitors) as everyone adjusts to your industry's operational changes. Take customer suggestions seriously and always acknowledge anyone who mentions your business directly.

Respond and pivot your strategy accordingly

Make adjustments based on the feedback you receive. Your employees and customers may be feeling apprehensive and nervous right now, so it's more important than ever to meet their needs. Do what you can to adjust your operations in response to stakeholder feedback.

Communicate evolving changes in a timely, transparent manner. Let people know what's happening and why. If appropriate, give credit to the employee or customer who inspired the change, so your audience knows you're listening to them.

Continue mapping out your road back to normal. Normalcy is not going to happen overnight. In fact, "normal" for you moving forward may look very different from what it looked like pre-pandemic. Your journey back to the volume of customers you had before may take time, but all your business can do is keep learning, growing and evolving as new information becomes available.

New York Forward Business Reopening Frequently Asked Questions (FAQ) For All Village of Suffern Merchants

<https://esd.ny.gov/nyforward-faq> (As Updated on May 31, 2020)

How do I know if I am in an industry and a region that is permitted to reopen?

Answer: Please refer [HERE](#) to determine if your business is in an industry that is eligible to reopen and [HERE](#) to see if your region has met the criteria necessary to reopen. For help determining whether or not your business is eligible to reopen, use the reopen lookup tool [HERE](#).

Where do I get the Guidance for my industry?

Answer: Please review the Industry Guidance documents [HERE](#). Please note that these are subject to change. Additionally, please review information related to the state's regional control rooms [HERE](#), which are a resource to regions throughout the reopening process.

In which Phases will different types of businesses reopen?

Answer: Please see the Governor's current reopening plan [HERE](#). Note that this plan is subject to change and is evolving continuously.

My business was previously allowed to operate because I am providing a support function to an essential business. Am I allowed to continue operating, regardless of the Phase-related reopening of industries or regions?

Answer: Yes, your business is permitted to continue operations in support of an "essential" business designation, as previously permitted. You may be subject to additional health related requirements, to the extent you were not following such guidance prior. Please refer to the [Essential Business Guidance](#) and industry-specific documents [HERE](#).

My industry is not included in the newly posted Guidance, but my business, or certain parts of my business functions were "essential" under ESD's Essential Business Guidance. Am I permitted to continue operating?

Answer: Yes, if your business or business function is currently "essential" under ESD's Essential Business Guidance, you may continue to operate. Please continue to regularly check the [New York Forward](#) site for guidance that is applicable to your business or certain parts of your business functions. Once guidance is posted that is applicable, you should read and affirm that you are operating in accordance with the health and safety requirements designed to protect your employees and customers.

Due to special circumstances, I cannot fully comply with the Guidance, can I apply for a waiver?

Answer: No, due to health and safety concerns, waivers will not be issued.

If I am an essential business, am I subject to the new operating requirements detailed in the Guidance?

Answer: Yes. The increased measures detailed in the Guidance are in furtherance of public health and safety, and all businesses as well as units of State and local government are required to ensure this standard of safety.

Local Government operations were excluded from the essential business designation, does this mean all municipally owned sites can continue in counties that are still on PAUSE?

Answer: Municipal government operations should practice physical distancing and telecommuting as much as possible, however it is up to the individual municipality how they determine which functions are essential. All local governments are operating at a maximum of 50% in-person workforce presence.

What if my business cannot procure enough protective equipment for all workers?

Answer: If your business cannot procure the required protective equipment, then your business cannot operate safely. Your business can only reopen when you are able to fully supply adequate protective equipment and to help protect the health and safety of your workers. You may contact your county Office of Emergency Management for assistance in procuring PPE, to the extent it is available.

Do I need to create a reopening plan? If so, what should my plan include? Can I receive a template or checklist from NYS?

Answer: Yes. All businesses, including essential businesses, must develop a COVID-19 Health and Safety Plan. Plan information may be found [HERE](#). Your COVID-19 Health and Safety Plan should include the ways in which you intend to comply with the Guidance, to safely reopen. More information may be found [HERE](#) and as noted on the following page.

COVID-19 Reopening Health and Safety Plan

Each business or entity, including those that have been designated as essential under Empire State Development's Essential Business Guidance, must develop a written Safety Plan outlining how its workplace will prevent the spread of COVID-19. A business may fill out this template to fulfill the requirement or may develop its own Safety Plan. This plan does not need to be submitted to a state agency for approval but must be retained on the premises of the business and must be made available to the New York State Department of Health (DOH) or local health or safety authorities in the event of an inspection. Business owners should refer to the State's industry-specific guidance for more information on how to safely operate. For a list of regions and sectors that are authorized to re-open, as well as detailed guidance for each sector, please visit: forward.ny.gov. If your industry is not included in the posted guidance but your business has been operating as essential, please refer to ESD's Essential Business Guidance and adhere to the guidelines within this Safety Plan. Please continue to regularly check the New York Forward site for guidance that is applicable to your business or certain parts of your business functions and consult the state and federal resources at: https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYS_BusinessReopeningSafetyPlan_Template.pdf

How is in-store pick up defined?

Answer: In-store pickup is defined as a customer placing an order for specific item(s) by phone or internet in advance, then collecting such order at the retail location. The retail location must abide by physical distancing requirements which prohibit occupancy within the location to no more than 50% of the maximum occupancy, including both employees and customers. Customers are only allowed on the premise to retrieve their prearranged order; not to browse or place an in-person order. Customers must maintain 6 feet of space from others or wear an acceptable face covering, if unable to maintain such distance.

My business was not permitted to reopen in Phase 1. When can I open, and what must I comply with before I can lawfully reopen?

Answer: All businesses not included in Phase 1 will be included in future Phases. Please refer [HERE](#) to determine when your industry is likely to reopen. Prior to reopening, you must attest that you have read and are in compliance with the Guidance. Upon reopening, you must have your COVID-19 Health and Safety Plan posted on your place of business, and your plan must conform to the Guidance.

Do I need approval or confirmation from ESD, DOH or any State entity to re-open?

Answer: No. There are currently over 600,000 places of business in NYS, and the State is not able to provide confirmation to each business. Please review [and](#) acknowledge the requirements articulated in any guidance documents specific to your industry [HERE](#) to ensure that you are in compliance with the law.

I am an essential business, but my industry is not yet permitted to reopen, and therefore I'm not sure which Industry Guidance I should attest to following. Is there a general "Best Health and Safety Practices" that I could review and attest to in the meantime?

Answer: All essential businesses that do not yet have issued industry Guidance must continue to comply with the guidance and directives for maintaining a clean and safe work environment issued by the Department of Health (DOH) and every business, even if essential and without industry-specific Guidance, is strongly urged to maintain social distancing measures to the extent possible and require use of masks when social distancing cannot be maintained. As additional industry specific Guidance is published, your business will need to operate in conformance to all industry-specific requirements included in such Guidance.

If someone on my staff becomes sick, are we required to close the business? If so, for how long?

Answer: Businesses must comply with requirements for cleaning and disinfection if an employee is confirmed to have COVID-19, and therefore may be required to close the business until this process is complete. Additionally, businesses should be aware that they may need to close if they are unable to maintain necessary staffing levels for operations depending on the exposures to other employees that may have occurred in the workplace.

Is New York State enforcing the new reopening requirements?

Answer: Yes. Enforcement will occur at the local and state government levels.

My business is characterized as a food or beverage manufacturing business, which is allowed to reopen in Phase 1. However, I also have on-site dining or tasting operations. Given that my NAICS code relates to my manufacturing operations, can I reopen my entire business, including my dining or tasting room?

Answer: No. While your NAICS code is applied to the majority of your business operations, only the operations covered by the Phase 1 reopening are permitted. Any ancillary activities conducted by your business that are not authorized to reopen must remain closed.

Can I refuse entry to someone not wearing a mask on site?

Answer: Yes, businesses must refuse entry so long as the refusal is not on a discriminatory basis.

How will I know if there is change to the guidance?

Answer: Please continue to monitor [HERE](#) for changes to the Guidance. Additionally, for current information on the allowances permitted in your region, please contact your local Regional Control Room (see below for contact information).

Does my business need to procure protective equipment for on-site contractors and visitors, or only my employees?

Answer: Your business is required to provide protective equipment for your employees and contractors pursuant to [DOH guidance](#). To the extent that visitors are not complying, Executive Order 202.34, provides businesses “the discretion to ensure compliance with the directive in Executive Order 202.17 (requiring any individual over age two, and able to medically tolerate a face-covering, be required to cover their nose and mouth with a mask or cloth face-covering when in a public place), including the discretion to deny admittance to individuals who fail to comply with the directive in Executive Order 202.17 or to require or compel their removal if they fail to adhere to such directive.” [Guidance](#) requires you to assure that all employees, as well as customers and visitors are in compliance with the health requirements.

I do not have adequate space to allow employees to social distance during lunch breaks. Am I required to provide lunch/break space, or can I close this space off entirely?

Answer: Employers are strongly encouraged to locate sufficient space to allow employees to socially distance during lunch or break, to stagger shifts and break times, and to take other steps to limit the number of employees on break or lunch at the same time.

Can construction or rehabilitation activities be undertaken during Phase 1 of the State's reopening in tenant or owner-occupied housing units?

Answer: Yes, construction or rehabilitation activities can be undertaken in tenant or owner-occupied housing units if the following criteria are met. The owner must notify residents whose units will undergo construction and outline the safety precautions taken to minimize potential exposure to COVID-19. Such notice must include contact information for any concerns of non-compliance. Construction activity and cleaning protocols must follow Interim COVID-19 Guidance for Construction COVID-19 Guidance for Construction as well as all applicable CDC, DOH, EPA, and OSHA standards. For multi-family rehabilitation projects, Tenant Relocation Plans should be reviewed and modified for compliance with existing New York State guidance and laws, including a thorough cleaning of the unit each time before the resident re-enters. Owners should retain the updated plans. Any resident consent required for your project which was executed prior to March 27, 2020 should be re-executed.

Outdoor Dining

Frequently Asked Questions (FAQ):

OUTDOOR SERVICE BY LICENSEES

I understand that food and/or drink cannot be consumed under a fixed roof, and that I can only serve in open-air areas or under an awning or other temporary structure. What constitutes a fixed roof for this purpose?

Answer: A fixed roof for these purposes is any overhead structure covering an outdoor seating area that would not reasonably be viewed as temporary. This standard is from the Department of Health's interim guidance for outdoor food service and can be found [here](#). Any questions on the standard can be directed to the [Department of Health](#)

Can food and/drink be consumed while standing?

Answer: No, all consumption must be while seated at tables, bars, counters, or similar contrivances.

Are these outdoor guidelines limited to restaurants?

Answer: No, all licensed on-premises establishments (e.g. restaurants, bars, taverns, clubs, cafes, manufacturers with on-premises privileges, etc.) in Phase 2 regions may, subject to the guidance above, resume outdoor, on-premises service of alcoholic beverages and/or food.

Can food and/or drink be consumed on a golf course?

Answer: Only as provided in the Guidance, e.g., outdoors, by patrons seated at tables, 6 feet apart, etc.

Can a patron consume an alcoholic beverage on premises under this guidance without purchasing food?

Answer: Yes, as your on-premises service privileges require that you make food available, but do not require that food be purchased.

Can I conduct tastings?

Answer: A tasting is an on-premises service that must comply with all the rules in this Guidance and any other relevant guidance on food/drink service.

Can I have live entertainment in my outdoor dining area?

Answer: No, concerts and other similar forms of live entertainment are not yet permitted. Recorded music may be used in accordance with your SLA license conditions and any municipal ordinance. Where in conflict, the municipal ordinance shall govern.

Where can I find DOH and other additional guidelines on reopening?

The DOH guidance on outdoor dining can be found [here](#). Other relevant documents can be found, among other places, on the Governor's New York Forward page [here](#), and Empire State Development's COVID resource page found [here](#).

LICENSEE EXPANSION OF PREMISES

Should I file an alteration if I plan to use an expanded area permitted under this Guidance on more than a temporary basis?

Answer: Yes, you should file an alteration. You may still use that area in accordance with this guideline while the alteration application is pending by sending a diagram of the expanded area within 5 days.

If I am expanding with authorization of the municipality onto municipal property that is immediately adjacent to my premises (a sidewalk cafe), do I need to do anything?

Answer: Yes, you must within 5 days of beginning use of such area submit a diagram to the SLA incorporating this area into your licensed premises.

If I am expanding on to municipal property that is beside, but not immediately adjacent to my premises, do I need to do anything?

Answer: Yes, you must contact your municipality regarding its filing of a [Municipal Extension form](#) before any expansion is permitted by the SLA. You should also provide your municipality with the completed certification [form](#) required for municipal applications.

MUNICIPAL EXTENSIONS

Please be advised that Municipal Extensions do not apply to the Village of Suffern at this time.

As a municipality, what must we submit to the SLA to create outdoor dining areas (Municipal Extensions) for alcoholic beverage consumption on municipal property (e.g., streets and sidewalks) which are beside, but not immediately adjacent to, an SLA licensed establishment?

Answer: **This does not apply to the Village of Suffern at this time.** However, the SLA wants this to be as streamlined as possible for businesses, municipalities, and the SLA. We want businesses to be able to extend their footprint for food and beverage service quickly and safely and we want to work cooperatively with municipalities to address any related health and safety issues. To that end, we've created a simple application process to create a partnership with municipalities creating outdoor dining areas on municipal property which requires only three items: (1) a supervision and control plan from the municipality, (2) a simple block plot diagram, and (3) a certification from the licensed businesses intending to operate on municipal property. Review of Municipal Expansion forms will be prioritized and reviewed expeditiously.

As a municipality, can you tell us what you are looking for in the supervision and control plan we will be submitting to you?

Answer: **This does not apply to the Village of Suffern at this time.**

However, Some best practices include: a description of how patron safety will be ensured and noise will be controlled (for example, through regular directed patrols by police and/or other municipal agencies and the erection of barriers between dining areas and vehicular traffic); proper delineation of areas provided for each licensee; consideration of hours permitted for outdoor operation; consideration of how and whether outdoor music will be permitted, etc.

As a municipality, can we under our municipal extension plan make public lands available to a licensed on-premises business for alcoholic beverage service that are not in front of the licensed premises?

Answer: This does not apply to the Village of Suffern at this time.

However, No, any area of expansion for alcoholic beverage service must be in front, behind, or to the side of the licensed premises and within its property boundaries as extended straight out and perpendicular to the street or sidewalk fronting the building. A municipality may provide authorization to a licensee to use the public land immediately adjacent to the licensed premises (e.g. through a sidewalk cafe permit) without need to include such land in a municipal extension plan. However, any public land that a municipality authorizes a licensee to use that is not immediately adjacent (i.e., separated by a pedestrian thoroughfare), shall only be permitted by the SLA pursuant to a municipal extension plan. Please note the *only* area which may intervene between the public space being made available and the property line of the licensed premises is a pedestrian thoroughfare.

As a municipality, what should the diagrams for our Municipal Extension area(s) look like?

Answer: This does not apply to the Village of Suffern at this time.

However, A simple block plot diagram identifying the licensed establishments and the area(s) to which alcoholic beverage service would be extended for each licensed establishment will suffice.

As a municipality, if we want to add more licensed businesses to our approved or pending Answer: This does not apply to the Village of Suffern at this time.

However, you only need to submit the additional certification forms for those businesses, referencing the date the Municipal Extension plan was first submitted.

My municipality has granted me a sidewalk/street permit in an area which is beside but not immediately adjacent to my licensed premises, do I need to do anything else if I want to serve alcoholic beverages in this area?

Answer: This does not apply to the Village of Suffern at this time.

However, your municipality must submit a [Municipal Extension form](#) for approval to the SLA, which should include the space it has provided to you (and any other licensee) along with your completed certification [form](#).

New York State Liquor Authority Guidance on Outdoor Expansion of Licensed Premises in Response to COVID-19 Outbreak

Pursuant to the Governor's order, effective Thursday, June 4, 2020, all licensees in regions that have entered phase 2 of reopening and which have on-premises service privileges under the Alcoholic Beverage Control Law (ABC Law) may, subject to the guidance below, resume outdoor, on-premises service of alcoholic beverages and/or food. To aid in prevention of the spread of the coronavirus and assist businesses impacted by the current state of emergency, the Governor has ordered the Chairman of the State Liquor Authority (SLA) to promulgate guidance on a streamlined process for expansion of licensed premises for service of alcoholic beverages. This SLA Guidance shall continue until July 3, 2020 but may be extended or reduced depending upon the circumstances.

The State Liquor Authority offers the following Guidance

Outdoor Consumption in Phase 2:

- Any consumption of food and/or beverage must happen in outdoor, open-air areas, without a fixed roof (besides a temporary or seasonal awning or cover).
- Food and/or beverages can only be consumed while seated at a table, bar, counter, or similar contrivance.
- All tables must be 6 feet apart; any seat at a bar, counter, or similar contrivance must be 6 feet apart.
- All staff of the licensed business must wear face masks at all times.
- All customers must wear face masks at any time they are not seated.
- Any consumption shall be subject to all other relevant executive orders, guidance promulgated by the Department of Health, and/or any other relevant agency guidance.
- It shall be part of the Licensee's supervisory responsibilities under the Alcoholic Beverage Control Laws and Rules of the Authority to comply with this SLA Guidance and the Department of Health's Interim Guidance for Outdoor Service; if unable to comply, it is the licensee's obligation to discontinue outdoor service.

Outdoor Expansion of Premises in Phase 2:

- Section 99-d of the ABC Law, under normal conditions, governs the process for substantial alterations of a licensed premises. Pursuant to this Guidance, however, a licensee may, for the duration that this Guidance remains in effect, use any contiguous outdoor, open-air part of its existing premises for which it has control by deed, lease, management agreement, or other agreement of control (e.g., a municipal sidewalk cafe permit). Provided however that if a licensee's existing license operates with stipulations restricting the use of outdoor areas, through a municipality or other entity, such licensee must submit a letter from such stipulating counterparty approving such additional outdoor use of premises.
- Any licensee that expands its premises pursuant to the immediately foregoing paragraph shall, within 5 business days of doing, so submit an updated diagram to the SLA at temporaryalterations@sla.ny.gov - please include your license serial number in the subject line. Failure to do so shall subject a licensee to disciplinary charges for illegal extension of premises.
- Licensees are permitted to move any currently licensed point of sale as long as they note such movement on the diagram they submit pursuant to this Guidance; adding an extra point of sale (more than currently licensed) is not permitted without having an approved application to the SLA for an additional bar license.

- Municipal Extension does not apply to the Village of Suffern at this time. However, should any municipality elect to make available to licensees any municipally owned lands (e.g. sidewalks, streets, etc.) which are beside, but not immediately adjacent to, the licensed premises for service of food and/or beverages (a “Municipal Extension”), and should such municipality want or expect the SLA to have jurisdiction over a licensee’s operations over such Municipal Extension, such municipality must submit to the SLA a plan for municipal outdoor dining areas on the following [form](#) and deliver to the SLA the written acceptance of responsibility for such Municipal Extension from each implicated licensee by also including the following [form](#). Service that occurs in a municipal dining area for which a municipality has not submitted a form and licensee written acceptance shall be outside the jurisdiction of the SLA.
- Licensees are not permitted to move points of sale onto municipal property, even with an approved Municipal Extension, under any circumstances.

A Reminder: Outside of this Guidance, the restrictions put in place by Executive Order 202.3 (as continued by subsequent executive orders) remain in effect; any licensed business found to be operating in violation of the Governor’s orders restricting on-premises service of alcoholic beverages, including the SLA Guidance with respect to take out and delivery service, shall face a monetary penalty (retail maximum of \$10,000/manufacturer maximum of \$100,000), and/or suspension, cancellation, or revocation of its license.

For additional detailed information, please visit the [New York State Department of Health’s Interim Guidance for Outdoor Service](#)



Village of Suffern Permit Application Outdoor Dining on Village Sidewalks

PERMIT FEES: No Charge

APPLICANT'S INFORMATION:

Applicant: _____

Business Name: _____

Address: _____

Phone: _____

Email: _____

Sketch Plan For Outdoor Table and Chairs Planters/Containers Must Be Attached To The Permit Application
At a minimum, sketch and label the subject property, the surrounding buildings, and streets. Sketch, label, and provide the dimensions of the tables and chairs, or outdoor planters/containers that will be associated with this Administrative Permit. Based on these dimensions, label the sketch plan to indicate the distance between the farthest point the outdoor table and chairs and/or outdoor planters will extend in use. The distance between the farthest point the chair will extend in use and the curb must be at least 5 feet. If the distance is less than 5 feet, then the Permit Application will not be approved.

Page 2 – Permit Application – Outdoor Dining on Village Sidewalks

Outdoor Sidewalk Dining Questionnaire:

1. The applicant is the (check one) of the subject property.

Owner

Lessee

2. The Applicant is requesting approval for the use of Umbrellas:

YES

NO

If Yes, please indicate additional information on the Sketch Plan, such as the width of the extended umbrellas, how the umbrellas will be secured, and the fabric/material and design, to enable the Building Department to make an evaluation and recommendation.

3. The Applicant is requesting approval for seating to exceed eight (8) patrons:

YES

NO

If Yes, please indicate the additional information on the Sketch Plan necessary for the Building Department to make an evaluation and recommendation.

4. The applicant will be expanding table and chairs onto the sidewalk of an adjacent property owner:

YES

NO

If Yes, written permission from the Adjacent Property Owner is required on page 4 of the Application. The Adjacent Property Owner must be named as an additional insured on the insurance certificate and shall be considered a named insured on a non-contributory basis for the entire time granted by the permit.

Page 3 – Permit Application – Outdoor Dining on Village Sidewalks

Applicant Acknowledgments:

Please read and initial each statement:

Initial: _____ The UNDERSIGNED is applying for an Administrative Permit in accordance with the Administrative Permit provisions of the Village of Suffern and Village Board Resolution No. 107 of 2018.

Initial: _____ The UNDERSIGNED attests that all of the information herein provided and specifically included with the Administrative Permit Application as required to be furnished by the applicant are true, correct, and accurate to the best of the knowledge and belief. The applicant is, hereby notified, that any written materials, sketches, or illustrations submitted in support of this application and any specific representations made on this application will be binding on the applicant.

Initial: _____ The applicant agrees to defend, indemnify, and hold harmless the Village of Suffern from any and all claims, actions at law, liability or damages resulting from the permitted use of Outdoor Tables and Chairs and/or Planters as defined on this application.

Initial: _____ NO PERMIT SHALL BE ISSUED FOR THIS ADMINISTRATIVE PERMIT UNLESS THE APPLICANT FOR SUCH PERMIT PROVIDES PROOF OF INSURANCE COVERAGE AS FOLLOWS: LIABILITY INSURANCE IN THE AMOUNT OF NOT LESS THAN \$1,000,000 COMBINED SINGLE LIMIT. **THE VILLAGE OF SUFFERN** MUST BE NAMED AS AN ADDITIONAL INSURED ON THE INSURANCE CERTIFICATE AND SHALL BE CONSIDERED A NAMED INSURED ON A NON-CONTRIBUTORY BASIS FOR THE ENTIRE TIME GRANTED BY THE PERMIT.

Initial: _____ FOR APPLICANTS EXPANDING SIDEWALK TABLE AND CHAIRS TO AN ADJACENT PROPERTY, **THE VILLAGE OF SUFFERN AND THE ADJACENT PROPERTY OWNER** MUST BE NAMED AS AN ADDITIONAL INSURED ON THE INSURANCE CERTIFICATE AND SHALL BE CONSIDERED A NAMED INSURED ON A NON-CONTRIBUTORY BASIS FOR THE ENTIRE TIME GRANTED BY THE PERMIT.

Initial: _____ The applicant agrees and understands that the issuance of such a permit is at the discretion of the Village Clerk pursuant to Village Board Resolution No. 107 of 2018 and may be revoked at any time. The applicant further agrees and understands that the authority to issue permits shall be subject to approval by the Village Board every year, and the granting, holding or obtaining of a permit does not guaranty that permits will be authorized again or that if authorized, that the permit holder will be entitled to a renewed or additional permit.

Initial: _____ The applicant agrees and understands that if any permit granted hereunder is revoked, and/or if any items are placed on a sidewalk without a permit, the provisions of Village Code Section 235 shall apply.

Village of Suffern Permit Provisions

Outdoor Dining on Village Sidewalks Program

- No permit shall be issued until the applicant has submitted a completed application.
- Permits issued by the Village Clerk shall only be issued to businesses located in the Central Business and General Business zoning districts. Properties in other districts **may apply** for such permits, but same shall be issued only by Resolution of the Village Board upon application.
- The approval for the location of outdoor tables, chairs and/or planters permitted pursuant to this permit shall be determined upon the evaluation and recommendations of the Building Department.
- Outdoor table and chair seating and outdoor planters are permitted from June 9 through October 31. Following October 31, all outdoor table and chair seating and outdoor planters must be removed from the sidewalk.
- An outdoor table and chair seating area may be used by the permit holder only when the permitted business is open to customers and must not exceed the hours of 7:00 a.m. and 10:00 p.m. (Monday through Thursday), and 7:00 a.m. and 11:00 p.m. (Friday through Sunday and Holidays)
- The permit holder and the permitted business shall not operate outside the area specified in the permit.
- The building in which the permitted business operates must share a common boundary line with a public sidewalk in the business district.
- Outdoor table and chair seating area at corners must not extend to within sight triangles at street intersections or driveway entrances.
- Clear unobstructed height of six (6) feet must be maintained between the sidewalk surface and objects on the tables.
- The outdoor table and chair seating area must not block access to public amenities such as trash receptacles or street signage.
- The occupancy of an outdoor table and chair seating area will be considered on a case-by-case basis but shall not exceed eight (8) people. The maximum occupancy permitted in the outdoor table and chair seating area shall be posted on the exterior of the building in a conspicuous place. The permit holder shall ensure that the number of occupants in the outdoor table and chair seating area does not exceed the posted limit at any time.
- An outdoor table and chair seating area may be used only by the permitted business identified in the permit and only for the seating of patrons.
- Furniture must be made of durable material. No plastic, or unfinished or pressure treated wood furniture is permitted. No cash registers, tents, minibars or similar accessories shall be permitted. Furniture in an outdoor table and chair seating area shall be kept clean and in good repair.
- The permit holder shall keep the outdoor table and chair seating area and the adjacent seven (7) feet of public space surrounding it clean of any solid waste, including, food debris, paper, cups, bottles, cans, and other garbage associated with the operation of the outdoor table and chair seating area space on a daily basis. The public right of way within and adjacent to the outdoor table and chair seating area must be washed down with water and detergent when needed and cleaned on a daily basis. Any stains from spills must be removed. The Permit Holder must properly dispose of all waste and trash.
- Nothing shall be permanently affixed to a sidewalk or to other public property.
- Table Lighting must not cause glare to pedestrians or vehicular traffic.

Page 6 – Permit Application – Outdoor Dining on Village Sidewalks

- Planters may be used to define the outdoor dining space but are not required.
- Planters must be maintained in a healthy state, watered properly, and debris within the planter must be removed daily.
- Permit holders and operators shall keep all licenses and permits required for their business operations continuously in effect.
- Permit holders and operators shall ensure that the permitted business obeys all laws related to alcohol service and consumption.
- Patio space and tents shall not block fire department access.
- Must follow current NYS Governor’s Orders and Guidelines and must Affirm online prior to opening.
- Customers shall be served only when seated at tables. No standees.
- No outdoor food or beverage prep shall be permitted.
- Social distancing must be maintained.
- Must maintain clear path for pedestrians, a minimum of 6’.
- Maintain 6’ between tables, distance measures closest chair to closest chair.
- Failure to abide by the required criteria can be cause for the Building Inspector or his/her designee to revoke the right to have outdoor seating.

Assignment Prohibited; Effect of Ceasing Business Operations.

Any permit issued under this section shall not be transferrable or assignable. Any change in the ownership of a business after the issuance of this permit shall cause the permit to be immediately invalid and require the new owner to reapply for the permit. Administrative Permit holders shall notify the Village when business operations cease. If business operations cease at the business for thirty (30) calendar days or longer, the Administrative Permit shall automatically terminate.

Enforcement.

Any person who violates the terms and conditions of the permit shall be subject to an immediate revocation of the permit by the Building Inspector or his/her designee.

FOR VILLAGE OF SUFFERN USE ONLY

BUILDING DEPARTMENT REVIEW:

[] APPROVED

[] DENIED

Building Department Representative

Date

Village Clerk

Date

Permit Number: _____

Issued Date: _____

Temporary Outdoor Dining Permit Application For Expansion of Tables and Chairs into Adjacent Restaurant Owned Property



This Application is for a Temporary Outdoor Dining Permit for Expansion of Tables and Chairs into adjacent restaurant owner property, which has been authorized pursuant to Village Board Resolution 122 of 2020, dated June 8, 2020, as part of the economic recovery to the COVID-19 crisis. Any permit issued in accordance with this application shall be valid until December 31, 2020 or seven days after the State of New York authorizes restaurants to operate at 100% capacity, whichever is sooner. Approval of this application and issuance of a Temporary Outdoor Dining Permit does not bestow nonconforming use or structure rights for the use or the subject property. Any complete application may be approved, approved with conditions, or rejected.

All businesses must comply with the New York State Governor's Executive Orders' regarding phased re-opening and social distancing guidelines as applicable. NOTE: Restaurants with existing outdoor dining permits may operate under those permits provided that there is no expansion of either seat count or dining area, and operation is in full compliance with the Governor's Executive Orders' and Rules for Restaurants.

I am applying for the following application (check all that apply): Date: _____

Outdoor Seating Space

Number of seats originally permitted in existing restaurant: _____

Existing Square Footage: _____

Number of outdoor seats proposed _____ Size of Proposed Space in Sq. Ft _____

A Tent Over Seating Space

Size of Proposed Tent in Sq. Ft. _____ Proposed Date of Install: _____

Business Name: _____

Business Address: _____

Mailing Address: _____

Email: _____ Phone #: _____

Business Owner's Name: _____

Business Owner's Address: _____

Email: _____ Phone #: _____

Page 2 – Permit Application – Temporary Outdoor Dining for Expansion of Tables and Chairs into Adjacent Restaurant Owner Property

Property Owner/Landlord Name: _____

Mailing Address: _____

Email: _____ Phone #: _____

Guidelines for Outdoor Seating

- Patio space and tents shall not block fire department access.
- Must follow current NYS Governor’s Orders and Guidelines and must Affirm online prior to opening.
- 50% capacity of existing areas and new extension areas.
- Customers shall be served only when seated at tables. No standees.
- No outdoor food or beverage prep shall be permitted.
- Social distancing must be maintained.
- Must maintain clear path for pedestrians, a minimum of 6’
- Maintain 6’ between tables, distance measures closest chair to closest chair.
- Failure to abide by the required criteria can be cause for the Building Inspector or his/her designee to revoke the right to have outdoor seating.
- A temporary physical barrier shall be erected separating the dining area from the remaining parking and vehicular traffic in a manner that keeps patrons safe from traffic and ensure adequate parking remain for staff and patrons. Temporary physical barriers may include, but not be limited to, removable fencing, planters, hedges, or columns. Chain link, safety orange and silting fencing are not permitted to be utilized as temporary fencing.

Tent Requirements

All tents shall be shown on the sketch plan and require a physical inspection by the Fire Inspector and the Building Department prior to permit use. All tents must comply with the following:

- No Sides
- No heaters under the tent
- No cooking under the tent
- No smoking, fireworks or open flames of any kind shall be permitted in any tent or shelter.
- NO SMOKING signs shall be posted.
- No flammable liquids or gases (this includes LP gas) shall be brought into any tent.
- Fire extinguishers are required.
- Tents shall have at least TWO means of egress remote from each other.
- Means of egress shall have suitable exit indicating signs.
- Tents with center poles shall have them securely lashed (figure 8s) to ground driven stakes.
- Dining areas must be protected from vehicle traffic with an approved method (ex. Cement block/barrier) when appropriate but must not interfere with access for first responders.

Page 3 – Permit Application – Temporary Outdoor Dining for Expansion of Tables and Chairs into Adjacent Restaurant Owner Property

PLAN DETAIL PREPARATION:

Outdoor Dining Area Description (Please attached a photograph of the proposed area and a plan drawing to scale and dimensioned depicting with reasonable accuracy the outdoor area that is proposed to be used and what is proposed to be placed, built, or erected in the outdoor area.)

At a minimum, the following items should be identified as applicable:

- Table & Chair arrangement (6' spacing)
- Area enclosure specifications (fencing, planters, barricades etc.)
- Tent / shade structures (size, type, anchoring) system, dimensions to closest building & exit
- Routes of pedestrian and traffic flow

INSURANCE AND INDEMNIFICATION:

Applicant agrees to defend, indemnify and hold harmless the Village of Suffern from any and all liabilities resulting from suits, claims, losses, damages, costs (including reasonable attorney's fees), liabilities or judgments of any nature, including, but not limited to, injuries or alleged injuries to person(s), or to property, real or personal, sustained by any person while in the area where Applicant holds a permit for outdoor dining or in connection with any outdoor activities authorized by this permit. This duty to defend, indemnify and hold harmless shall not be affected by the Applicant's insurance coverage or limits, and shall survive the completion, expiration, suspension or termination of the Applicant's permit. The applicant, in consideration of the granting of any permit hereunder, agrees to name the Village of Suffern as an additional insured under its liability insurance policy and shall provide proof of such insurance and additional insured endorsement prior to the issuance of any permit hereunder.

Applicant Acknowledgement: _____

PERMIT OWNER SIGNATURE:

Permit holders acknowledge that they must adhere to all other applicable Federal, State, and County Executive Orders, statutes, laws, codes, rules and regulations with respect to business operations, including but not limited to State and County Health Department and State Liquor Authority regulations.

Permit Owners Signature _____ Date _____

PROPERTY OWNER SIGNATURE:

I acknowledge that the approval of this application and granting of a permit is contingent upon meeting the required Outdoor Seating and Tent specifications above and that the Building Inspector or his/her may revoke this permit at any time for any reason, including but not limited to if there is a failure to adhere by these guidelines.

Property Owner Signature _____ Date _____

FOR VILLAGE OF SUFFERN USE ONLY

BUILDING DEPARTMENT:

Section: _____ Block: _____ Lot: _____

Date Application Received _____

Receiver's Name: _____

Fire Inspector Approval _____ Date: _____

Building Inspector Approval _____ Date: _____

OFFICE OF THE VILLAGE CLERK:

Permit Issued by _____ Date: _____

Permit Number _____



Village of Suffern

RESOLUTION 122 OF 2020

AUTHORIZING MODIFICATIONS TO THE VILLAGE OF SUFFERN TABLE AND CHAIRS PROGRAM TO ASSIST LOCAL RESTAURANTS REOPEN IN ACCORDANCE WITH NYS EXECUTIVE ORDERS ISSUED BY THE GOVERNOR OF THE STATE OF NEW YORK

WHEREAS, on March 7, 2020, the Governor of the State of New York issued Executive Order No. 202 and declared a State disaster emergency for the entire State of New York with respect to the COVID-19 pandemic and to date has issued thirty-three Executive Orders as part of the State of Emergency; and

WHEREAS, on March 16, 2020, the County Executive of Rockland County issued a Local State of Emergency for the County of Rockland with respect to the COVID-19 pandemic; and

WHEREAS, on March 23, 2020, the Mayor of the Village of Suffern issued a Local State of Emergency for the Village with respect to the COVID-19 pandemic, which was continued pursuant to a declaration on April 23, 2020; and

WHEREAS, the Governor of the State of New York has, through the issuance of Executive Orders, authorized the opening and continued operation of businesses in the State, in Phases, depending upon the nature of the business, metrics related to infections, hospitalizations and deaths related to the pandemic; and

WHEREAS, businesses, employees and residents in the Village of Suffern, as around the State, have incurred financial hardship as a result of the pandemic and the necessity to close certain businesses and limit the workforce; and

WHEREAS, the Village of Suffern would like to assist local businesses in their efforts to re-open in accordance with directives from the Federal and State authorities in a safe and responsible manner, which would provide an economic benefit to the Village and its residents.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board, authorizes the Building Inspector, as a matter of prosecutorial discretion and enforcement, to waive, modify or adjust certain requirements of the zoning requirement or land use restrictions to obtain a Temporary Outdoor Dining Permit for Expansion of Tables and Chairs into Adjacent Restaurant Owner Property and maintain required off-street parking for outdoor dining at a lawful restaurant and food establishment, and to issue a Temporary Outdoor Dining Permit for Expansion of Tables and Chairs into Adjacent Restaurant Owner Property subject to the following conditions:

1. All restaurants, including those previously authorized to provide outdoor seating, may seek approval to create and/or expand outdoor seating areas. For purposes of this resolution, previously enrolled restaurants shall mean restaurants previously approved for interior seating and in-person dining and shall not include restaurants that are takeout only and have not received approval for indoor seating.

2. Subject to the approval of the proposed seating and area layout, at the sole and absolute discretion of the Village, restaurants shall be permitted to create and/or expand outdoor seating areas into the sidewalk and parking lot areas owned or leased by the restaurant, provided the owner of the property approves of same. Such areas shall be located within the property lines of the property owned or leased by the restaurant and allow for a minimum of six feet for pedestrian traffic.
3. Subject to the approval of the proposed seating and area layout, at the sole and absolute discretion of the Village, restaurants shall be permitted to create and/or expand outdoor seating areas into the sidewalk and parking lot areas adjacent to the restaurant owned by adjacent property owner, provided the owner of the adjacent property approves of same. Such areas shall be located within the property lines of the adjacent property and allow for a minimum of six feet for pedestrian traffic.
4. A permit application for Temporary Outdoor Dining For Expansion of Table and Chairs into Adjacent Restaurant Owned Property must be submitted by the restaurant operator, and a permit issued by the Building Inspector or his designee before outdoor dining is authorized. The applicant shall submit as part of the application a sketch plan based upon a survey (or existing site plan) of the property, showing the proposed location of outdoor tables and chairs, with the total previously approved indoor dining capacity indicated, the reduced indoor capacity and the proposed total outdoor occupancy indicated, as well as the areas on-site devoted to off-street parking. Sketch plan must also include the name of the business, address of business, name of preparer and date.
5. As to be shown on the sketch plan, tables and chairs of non-fixed seating shall maintain appropriate social distancing standards and requirements of re-opening, as directed by the State of New York.
6. Upon approval, such sketch plan shall be signed, stamped and dated “Approved” by the Building Inspector, and displayed on premises near the main entrance during operation.
7. No greater than 50% of the required on-site off-street parking area shall be obstructed. Monday through Thursday activities shall close at 10 p.m., and Friday through Sunday and Holiday activities shall close at 11 p.m. Amplified music is permitted until 10 pm and no outdoor live entertainment is permitted by individual restaurant owners without a Village of Suffern Live Entertainment Permit.
8. Temporary structures, such as tents, awnings, umbrellas and other structures, may be authorized by the Village. Applicants can apply for up to 50% of their approved interior occupancy but may be approved for a lesser amount.
9. An onsite inspection is required by the Building Inspector and the Fire Inspector or their designee prior to issuance of the Temporary Dining Permit.
10. Permits are not valid until the Governor permits restaurants to re-open pursuant to Executive Order.
11. All compulsory social distancing, and other applicable COVID-19 requirements for the opening and operation of any business under the Governor’s phased re-opening plan shall be observed.
12. Permittees must adhere to all other applicable Federal, State, and County statutes, laws, codes, rules and regulations with respect to business operations, including but not limited to State and County Health Department and State Liquor Authority regulations.

13. Any permits issued pursuant hereto, shall be revocable at the discretion of the Building Inspector or his or her designee, upon a finding that the permit holder has violated the terms of its permit or that the Outdoor Dining as may be authorized herein at a particular location constitutes a nuisance, or otherwise adversely impacts upon the health, safety and welfare of the community, and that upon such revocation, the applicant and any other interested parties may be given an opportunity to be heard by the Village Board in an effort to have such permit reinstated upon such conditions as the Village Board shall deem just and appropriate under the circumstances.
14. There shall be no fee for a Temporary Outdoor Dining Permit.
15. The possession or consumption of an alcoholic beverage while a patron at an establishment with a Temporary Outdoor Dining Permit issued pursuant to this resolution, while within the confines of the permitted outdoor dining area, shall not be construed as a violation of Chapter 193-4 of the Village Code regarding open containers.

BE IT FURTHER RESOLVED, that the Village Clerk, upon review and approval by the Building Inspector, by the authority vested in her by Village Board Resolution 107 of 2018, as herein extended, with respect to Permits for Outdoor Dining on Village sidewalks, is authorized to permit applicants to utilize the entirety of a public sidewalk adjoining their establishment for the purpose of placing tables and chairs, in accordance with an acceptable plan for same, provided the Village can safely provide for passage of pedestrians through adjoining on street parking spaces, which shall be marked and closed off from vehicles for that purpose. Any and all operations authorized by a permit issued pursuant to this resolution shall be in accordance with any and all directives from the State of New York regarding operations of the business pursuant to the phased re-opening requirements, including but not limited to the State Health Department and State Liquor Authority, as well as any other Federal, State, or County statutes, rules and regulations; and

BE IT FURTHER RESOLVED, the Village is authorized to execute any documents required by the State Liquor Authority to authorize the use of Village property adjacent to restaurants to which this resolution applies for the service, possession and consumption of alcoholic beverages in accordance with State guidelines in that regard; and

BE IT FURTHER RESOLVED, the Village shall have the right to suspend or terminate any Administrative Permit issued pursuant hereto in the event of a weather-related emergency, other emergency, or other event as determined by the Village to protect health and safety; and

BE IT FURTHER RESOLVED, administrative permits for Outdoor Dining on Village Sidewalks issued pursuant to this Resolution shall expire at 12:01 a.m. on November 2, 2020, or seven days after the State of New York authorizes restaurants to operate at 100% occupancy; and

BE IT FURTHER RESOLVED, that any permit issued pursuant to this Resolution shall be revocable at the discretion of the Building Inspector or his/her designee, upon a finding that the permit holder has violated the terms of its permit or that the Outdoor Dining on sidewalks as may be authorized herein at a particular location constitutes a nuisance, or otherwise adversely impacts upon the health, safety and welfare of the community, and that upon such revocation, the applicant and any other interested parties may be given an opportunity to be heard by the Village Board in an effort to have such permit reinstated upon such conditions as the Village Board shall deem just and appropriate under the circumstances.

A motion to approve the foregoing resolution was made by Trustee Barone and seconded by Trustee Meegan-Corrigan.

AYES: Mayor Edward Markunas
Trustee Steven Alpert, Trustee Charles Barone, Trustee Paul Girard, Trustee Jo Meegan-Corrigan

NOES: None

Adopted June 8, 2020



Village of Suffern

RESOLUTION NO. 107 of 2018

AUTHORIZING THE VILLAGE CLERK TO ISSUE ADMINISTRATIVE PERMITS FOR OUTDOOR DINING ON VILLAGE SIDEWALKS

WHEREAS, Section 235-7 of the Village Code prohibits the owners and/or occupants of property located within the Village from placing any encumbrances and/or obstructions on sidewalks adjoining their properties; and

WHEREAS, the Village Board has had requests from certain business owners within the Village to permit the placement of tables and chairs outside of their establishments, as well as seasonal outdoor planters, and

WHEREAS, the Village Board finds that the use of the Village sidewalks by the owners of adjacent properties for the placement of tables and chairs, and/or seasonal outdoor planters, would be in the interests of the residents of the Village and visitors to the Village to enhance their dining experience and the overall appearance of the Village; and

WHEREAS, the Village Board is desirous of permitting the placement of such items under certain conditions and pursuant to a permit to be issued by the Village Clerk; and

WHEREAS, the Village Board is desirous of permitting the placement of such items on a trial basis, with more formal and permanent provisions to be set forth depending upon the impact of permitting the placement of such items on the Village and its residents; and

WHEREAS, the Village Clerk's Office has prepared a proposed permit application for persons or business interested in applying for a permit for the placement of such items on the sidewalk under certain conditions.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Village of Suffern hereby authorizes the Village Clerk to issue Administrative permits for Outdoor Tables and Chairs, and Outdoor Planters and Containers, based upon the application for permit and the rules as set forth therein, in the form annexed hereto and incorporated by reference herein; and

BE IT FURTHER RESOLVED, that the applicant for a permit shall not be required to provide a formal site plan application to the Planning Board but must provide a sketch plan for its proposed use of the sidewalk for Outdoor Tables and Chairs, and/or Outdoor Planters and Containers, subject to review and approval by the Village Department of Public Works and Building Department, which sketch plan upon approval by the Village Clerk and issuance of the permit, shall be followed by the applicant, otherwise being subject to revocation of any permit issued based thereon; and

BE IT FURTHER RESOLVED, that the initial permit fee shall be \$50.00 per application, payable to the Village Clerk, and no cost for outdoor planter/container; and

BE IT FURTHER RESOLVED, that the permit holder shall agree to defend, indemnify and hold harmless agreement, and provide insurance coverage to the Village of Suffern in the amount of \$1,000,000.00, and provide proof that the Village of Suffern is a named but non-contributory insured under their policy of insurance, proof of same to be provided prior to the issuance of any permit; and

BE IT FURTHER RESOLVED, that any person or entity who otherwise places tables, chairs, planters, containers or any other object on or in the sidewalk shall be subject to the provisions of Village Code Section 235, without a permit, or after having a permit revoked, shall be subject to the enforcement and penalty provisions of Section 235; and

BE IT FURTHER RESOLVED, that any permits issued pursuant hereto, shall be revocable at the discretion of the Village Board, upon a finding that the permit holder has violated the terms of its permit, OR that the placement of Outdoor Tables and Chairs and/or Outdoor Planters/Containers at a particular location are a nuisance, or otherwise negatively impact upon the health, safety and welfare of the community, and that upon such revocation, the applicant and any other interested parties may be given an opportunity to be heard by the Village Board in an effort to have such permit reinstated upon such conditions as the Village Board shall deem just and appropriate under the circumstances; and

BE IT FURTHER RESOLVED, that this Resolution shall authorize the issuance of Permits by the Village Clerk for a period of one term, from April 15, 2018 through October 31, 2018, for the purposes of the Village evaluating the merits of the issuance of said permits; and

BE IT FURTHER RESOLVED, that all of the terms and conditions of the permit application and permit annexed hereto are incorporated by reference herein and shall be enforceable by the Village with respect to the issuance of said permits.

A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Joseph Russo.

AYES: Mayor Edward Markunas
Trustee Frank Hagen, Trustee Joseph Russo
NOES: None
ABSENT: Trustee Moira Hertzman, Vacant Trustee Position
Adopted April 16, 2018

The New York State Small Business Development Center



<http://nysbdc.org/>

The New York Small Business Development Center (NYSBDC) provides small business owners and entrepreneurs in New York with the highest quality, confidential business counseling, training, and business research at no cost. They work with real people and real businesses. Their assistance helps people like you achieve real success, as it has for more than 30 years.

The New York SBDC is but one of many organizations and companies that are working to assist small business owners during the challenges brought by the COVID-19 virus.

Advisors are available to help small business owners review and answer questions on loan and grant applications, developing business continuity plans, and many other business-related challenges. For New Yorkers, below are links to information on a) financial assistance options like the Paycheck Protection Program, the Economic Injury Disaster Loan, and other more local programs, and b) news & other resources that affect New York's small business community.

It is important for their centers around New York to work in ways that help keep their clients and their staff as safe as possible and not contribute to the potential spread of the virus. And, to do this while helping small businesses respond to unprecedented challenges across their local and national economies. They have undertaken several steps to achieve this:

- Working with the institutions where their centers are located to comply with new sanitation and cleaning procedures and personal contact policies.
- Expanding their use of technology (video conferencing, file sharing, enhanced phone conferencing, etc.) to continue advising their clients. Also, many of their seminars and workshops will transition to electronic formats so we can continue to deliver important information and updates to their clients.
- Continuing to follow the CDC's guidelines and recommendations on steps we can take to help prevent the spread of the virus and help small business communities respond in the best way possible.

Information about how New York-based small businesses can apply for a low-interest disaster loan through the U.S. SBA:

[SBA Coronavirus \(COVID-19\) Small Business Financial Assistance Programs](#)
(last updated 5/28/2020)

For frequent updates on news & other resources that affect New York's small business community, go here: [News and Resources for Small Business Owners](#) (last updated 5/28/2020)

New York State

Sector Specific Guidance

The pandemic has affected different industries differently — likewise, the reopening process will vary by sector. Listed is sector-specific guidance from some of the leading industry associations and government sources:

For restaurants: [CDC's Reopening Decision Tree for Restaurants and Bars](#) and [National Restaurant Association's Reopening Guidance](#)

For retailers: [National Retail Federation's Operation Open Doors](#)

For home service providers: [AIHA's Reopening Guidance for At-Home Service Providers](#)

For construction businesses: [AIHA's Reopening Guidance for Construction Environments](#)

For gyms and fitness facilities: [AIHA's Reopening Guidance for Gyms and Workout Facilities](#)

For office-based businesses: [AIHA's Reopening Guidance for General Office Settings](#)

For hair and nail salons: [AIHA's Reopening Guidance for Hair and Nail Salons](#)

For childcare programs: [CDC's Reopening Decision Tree for Childcare Programs](#)

Additional On-Line Resources

<https://forward.ny.gov/metrics-guide-reopening-new-york>

<https://esd.ny.gov/economic-recovery-covid-19-loans-small-businesses>

<https://esd.ny.gov/guidance-executive-order-2026>

<https://restaurant.org/downloads/pdfs/business/covid19-reopen-guidance.pdf>

<https://www.uschamber.com/co/good-company/launch-pad/anticipated-business-trends-after-coronavirus>

<https://www.uschamber.com/co/run/finance/how-business-owners-are-reopening-after-covid-19>

<https://www.uschamber.com/co/run/human-resources/managing-employees-through-crisis>

https://www.uschamber.com/sites/default/files/uschamber_reopen_guide.pdf