



VILLAGE OF SUFFERN
VILLAGE BOARD MEETING MINUTES
TUESDAY, SEPTEMBER 29, 2020

A Workshop Meeting of the Village Board of Trustees was held on Tuesday, September 29, 2020. A Public Hearing was scheduled to be held during the meeting and a Resolution was adopted to address property maintenance conditions at 27 Hillside Drive.

Due to the COVID-19 Pandemic, the meeting was held by teleconference.

Present: Edward Markunas, Mayor
 Steven Alpert, Trustee
 Charles Barone, Trustee
 Paul Girard, Trustee
 Jo Meegan-Corrigan, Trustee
 Robert Magrino, Attorney
 Richard Glickel, Attorney
 Amy Paffenroth, Village Clerk

CALL TO ORDER:

Mayor Markunas called the meeting to order at 7:01 p.m.

UPCOMING MEETINGS:

A Workshop Meeting is scheduled for Tuesday, September 29, 2020 at 7:00 p.m. (please note this meeting was rescheduled from Monday, September 28, 2020). The next regularly scheduled Village Board Meeting will be held on October 5, 2020 at 7:00 p.m. A regular meeting of the Village Board of Trustees is scheduled for Monday, November 2, 2020, at 7:00 p.m.

WORKSHOP MEETING AGENDA ITEMS:

Village of Suffern Department Heads provided updates to the Board of Trustees as well as items to be considered for adoption at the Regular Meeting to be held on Monday, November 2, 2020. A Public Hearing that was continued from the September 21, 2020, Special Meeting of the Board of Trustees was held during the Workshop Meeting.

PUBLIC HEARING:

A Public Hearing to authorize the Village to address property maintenance conditions at 27 Hillside Drive was scheduled for 7:15 p.m. A motion to open the Public Hearing at 7:45 p.m. was made by Steven Alpert, seconded by Charles Barone, and passed unanimously by the Board. Attorney Robert Magrino advised the Board that he had been in contact Mr. Anzelmo as well as Mr. Anzelmo's representatives. Mr. Anzelmo was logged into the meeting along with his advocates. Attorney Magrino provided a background of the property maintenance issues that exist at 27 Hillside Drive. Pursuant to an investigation by the Village of Suffern Building Department, and acting on complaints of residents of the Village, there was observed on the property litter, debris, rubbish, garbage, junk, junked vehicles and physical hazards.

Code Enforcer, Randy Ortiz, was asked by Attorney Magrino to review the procedures he followed to advise Mr. Anzelmo of the conditions that exist. On July 11, 2020, Mr. Ortiz served a Notice to Remove Violation by posting the Notice on the property pursuant to Village Code Section 205-6(A) for violation of §205-3 of the Suffern Village Code notifying Mr. Anzelmo that the property was in violation of the Village Code with respect to storage of vehicles, litter, debris, garbage and junk which constitute health, safety and physical hazards. The Notice advised that the violation was to be remedied on or before 5:00 p.m. on July 22, 2020, and that upon failure to do so, the Village reserved the right to take appropriate remedial action pursuant to Section 205-6 of the Village of Suffern Code.

When the condition was not remedied within the time frame set forth, the Village provided Notice of a Public Hearing to consider permitting the Village to undertake to remedy the property maintenance condition at the property and charge the cost thereof to the property owner on the next regular tax bill pursuant to Suffern Village Code §205-6(C). A Public Hearing was held on September 8, 2020, and continued on September 21, 2020 and September 29, 2020, wherein Mr. Anzelmo and other members of the community had public right to be heard. Mr. Anzelmo spoke on September 29, 2020 and objected to the actions that were under consideration by the Board.

At 8:15 p.m. a Motion to close the Public Hearing was made by Charles Barone, seconded by Steven Alpert and passed unanimously by the Board. Following the close of the Public Hearing, the following resolution was adopted:

RESOLUTION NO. 168 OF 2020 - AUTHORIZING THE VILLAGE TO ADDRESS PROPERTY MAINTENANCE CONDITIONS AT 27 HILLSIDE AVENUE, SUFFERN, NEW YORK

WHEREAS, pursuant to an investigation by the Village of Suffern Building Department, and acting on complaints of residents of the Village, there was observed on the property located at 27 Hillside Avenue, Suffern New York, Tax Lot Section 54.60 Block 3 Lot 7 litter, debris, rubbish, garbage, junk, junked vehicles and physical hazards on the property; and

WHEREAS, on or about July 11, 2020, Randy Ortiz, Code Enforcement Officer of the Village of Suffern served a Notice to Remove Violation on the last known owner and occupant of the property, namely John Anzelmo, by posting the Notice on the property pursuant to Village Code Section 205-6(A) for violation of §205-3 of the Suffern Village Code notifying the owner and occupant that the property was in violation of the Village Code with respect to storage of vehicles, litter, debris, garbage and junk which constitute health, safety and physical hazards and which Notice of Violation is annexed hereto and incorporated herein; and

WHEREAS, said Notice advised that said violation was to be remedied on or before 5:00 p.m. on July 22, 2020, and that upon failure to do so the Village reserved the right to take appropriate remedial action pursuant to Section 205-6 of the Village of Suffern Code; and

WHEREAS, the condition not having been remedied within the time frames set forth by statute or in the notice, the Village provided Notice of a Public Hearing to consider a resolution permitting the Village to undertake to remedy the property maintenance condition at the property and charge the cost thereof to the property owner on the next regular tax bill pursuant to Suffern Village Code §205-6(C); and

WHEREAS, said notice was published in the Journal News and posted at the property on August 17, 2020, a copy was sent via email on September 5, 2020 to Chana Weitz, Adult Protective Services, on behalf of John Anzelmo as to the date and time of the Public Hearing on the matter and a Public Hearing having been held on September 8, 2020, and continued on September 21, 2020 and September 29, 2020, wherein the owners/occupants and the public having a right to be heard and the property owner having been heard; and

WHEREAS, the Village Board has determined after said Public Hearing that taking action to remedy the conditions is desirable for the good government of the village, the protection of its property, the safety, health, comfort, and general welfare of its inhabitants, and the protection of their property.

NOW THEREFORE, BE IT RESOLVED, that the Village is hereby authorized to undertake to remedy the property maintenance condition at the property pursuant to §205-6 of the Village Code of the Village of Suffern to undertake appropriate action to remedy the condition by removing any such litter, garbage, junk or unregistered vehicles and instituting any other appropriate legal actions or proceedings to effect the remediation of this area; and

BE IT FURTHER RESOLVED, that the cost to the Village to undertake the remedying of this property condition pursuant to Village Code §205-6 shall be shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the Village, and said charge shall be due and payable by said owner at the time of payment of such bill; and

BE IT FURTHER RESOLVED that such remediation shall commence on or after October 1, 2020, and continue until completed, but in no event beyond October 23, 2020; and

BE IT FURTHER RESOLVED, that a copy of this resolution and a notice shall be posted at the property by the Code Enforcement Officer or his designee, providing the property owner with an opportunity to remove any items from the property or properly store same prior to the Village commencing its remedial measures; and

BE IT FURTHER RESOLVED, that as the Village has received estimates for the work necessary to remedy the condition from several private contractors, the Village hereby agrees to accept the estimate from 1800 Got Junk of \$11,235.00 as being in the best interests of the Village to ensure the work is completed at the lowest cost, and authorizes them to perform the work necessary, under the direction and with assistance as necessary of the Department of Public Works; and

BE IT FURTHER RESOLVED, that the Village of Suffern Police Department is authorized to tow unregistered and/or inoperable vehicles constituting junked vehicles located on the property; and

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to take such steps as is necessary to enforce this resolution.

A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Steven Alpert, and passed unanimously by the Board.

**VILLAGE OF SUFFERN
Building Department
61 Washington Avenue
Suffern, New York 10901
Tel. (845) 357-2603**

NOTICE TO REMOVE VIOLATION

To: **JOHN ANZELMO**
27 Hillside Avenue Suffern, NY 10901

RE: 27 Hillside Avenue Suffern, NY 10901 Tax Lot: 54.60-3-7

This is to notify you pursuant to §205-5 and §205-6 of the Code of the Village of Suffern that the above referenced property is in violation of the following Section of the Code of the Village of Suffern:

Village of Suffern Code Section 205-3(A)(4) Maintenance Standards

Yards, courts, vacant lots, and open areas shall be kept in a clean and sanitary condition free from litter, debris, rubbish, garbage, junk, vermin, rodent harborage and infestation and health, safety and physical hazards of any kind.

To Wit: The yard and open areas at the above referenced property contains litter, debris, rubbish, garbage, junk, and physical hazards located in the front yard, driveway, and rear yard areas including as follows:

Front Yard: Laundry Basket, Wheel Chock, Rubber Floor Mats, Fireplace Ash Bucket, File Cabinet, Mops, Broom, Gas Can, Rug, Coat Rack, Artificial Christmas Tree, Lawn Mower, Frying Pans, 2X4 Pieces of Wood, Plastic Pieces of Storage Shed,

Side Yard: Wooden Pallets, Pieces of 2X4 Wood, Plywood, Auto Service Creeper, Suitcase, Plastic Fencing, Plastic Storage Containers, Easter Basket, Exercise Bike, Water Cooler,

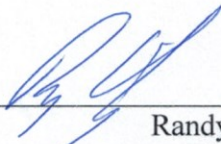
Driveway: 2 Vehicles in no condition for use upon the public highway

Rear Yard: Hot Tub Cover, Wooden Pallets, Bicycles, Plastic Shelving, Plastic Storage Containers, Tables, House Fan, Tarps, Roof Car Carrier, Air Mattress, Vacuum, 3 Trailers, 3 Vehicles in no condition for use upon the public highway,

TAKE NOTICE, pursuant to §205-5 and §205-6 of the Code of the Village of Suffern, that you are hereby NOTIFIED to remedy this violation and REMOVE the aforementioned on or before 5:00 p.m. on July 22, 2020.

TAKE FURTHER NOTICE, that upon you failure, neglect or refusal to act as directed herein, the Village may take all available remedial action pursuant to §205-6 of the Village of Suffern Code including but not limited to removal of the aforementioned items and charging the cost of the removal on the next regular tax bill. You may also be subject to the issuance of a violation and appearance ticket requiring your appearance in Court to answer same.

Dated: July 11, 2020
Suffern, NY



Randy Ortiz
Code Enforcement Officer
Village of Suffern Tel. No. (845) 357-2603

WORKSHOP MEETING AGENDA ITEMS:

Following the adoption of Resolution 168 of 2020, Village of Suffern Department Heads continued to provide updates to the Board of Trustees as well as items to be considered for adoption at the Regular Meeting to be held on Monday, November 2, 2020.

EXECUTIVE SESSION:

A motion to enter into Executive Session to discuss personnel matters was made at 9:11 p.m. by Steven Alpert, seconded by Charles Barone, and approved unanimously by the Board.

ADJOURNMENT:

A motion to close the Executive Session and reenter the Workshop Meeting was made at 11:16 p.m. by Steven Alpert, seconded by Jo Meegan-Corrigan, and passed unanimously by the Board. The meeting was adjourned at 11:16 p.m.