



TOWN OF ROYALTON

5316 Royalton Center Road
Middleport, New York 14105
www.townofroyalton.org
tel: 716-772-2431
fax: 716-772-2748

June 15, 2021

Dear Royalton Residents & Small Business Owners,

Pursuant to New York State Laws, the Town Board of the Town of Royalton is enclosing notices concerning changes in the Town's rules, regulations and laws for the collection of water and sewer charges. The Town Board adopted these changes by resolution at their Regular Board Meeting held on June 14, 2021.

Sincerely,

A handwritten signature in cursive script that reads "Daniel R. Bragg".

Daniel R. Bragg
Town Supervisor

Enclosures



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If you have experienced a change in financial circumstances due to the COVID-19 state of emergency, please complete, sign and return a copy of this Notice, with the below Self-Certification filled out, to the Town of Royalton.

If you do not return a signed Certification attesting that you have experienced a change in financial circumstances due to the COVID-19 state of emergency, the Town of Royalton will assume that you have experienced no such change.

Self-Certification for Residential Customer:

Name of Residential Customer: _____

Address of Residential Customer: _____

I attest that due to the COVID-19 state of emergency, which began on March 7, 2020, I have experienced a change in financial circumstances.

Signature of Residential Customer

Self-Certification for Small Business Customer:

Name of Small Business Customer: _____

Address of Small Business Customer: _____

I attest that due to the COVID-19 state of emergency, which began on March 7, 2020, the business that I own or am an officer of has experienced a change in financial circumstances;

I certify that my small business currently has twenty-five (25) or fewer employees;

I certify that my small business is not a publicly held company, or a subsidiary thereof; and

I certify that the business is not a seasonal, short-term, or temporary customer of the utility.

Signature of Small Business Customer

If you experienced a change in financial circumstances due to the COVID-19 state of emergency, the Town of Royalton will give you the right to enter into a Deferred Payment Agreement (DPA). You may be required to complete a financial statement and provide supporting documentation before a DPA will be offered to you.

If you have any questions, please contact the Supervisor's Office at 716-772-7531.



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NOTICE TO RESIDENTIAL AND SMALL BUSINESS CUSTOMERS OF THE TOWN OF ROYALTON

Section 32 of the Public Service Law has been amended to provide as follows:

6. No utility corporation or municipality shall terminate or disconnect services to any residential customer or small business customer with twenty-five or fewer employees that is not (a) a publicly-held company, or a subsidiary thereof, (b) seasonal, short-term, or temporary customer, (c) high energy customer as defined by the commission, or (d) customer that the utility can demonstrate has the resources to pay the bill, provided that the utility notifies the small business customer of its reasons and of the customer's right to contest this determination through the commission's complaint procedures, for the non-payment of an overdue charge for the duration of the state disaster emergency declared pursuant to executive order two hundred two of two thousand twenty (hereinafter "the COVID-19 state of emergency").

Utility corporations and municipalities shall have a duty to restore service, to the extent not already required under this chapter, to any residential or small business customer within forty-eight hours if such service has been terminated during the pendency of the COVID-19 state of emergency.

7. For a period of one hundred eighty days after either the COVID-19 state of emergency is lifted or December thirty-first, two thousand twenty-one, whichever is earlier, no utility corporation or municipality shall terminate or disconnect the service of a residential or small business customer because of defaulted deferred payment agreements or arrears owed to the utility corporation or municipality when such customer has experienced a change in financial circumstances due to the COVID-19 state of emergency, as defined by the department. The utility corporation or municipality shall provide such residential or small business customer with the right to enter into, or restructure, a deferred payment agreement without the requirement of a down payment, late fees, or penalties, as such is provided for in this article with such prohibition on down payments, late fees, or penalties applicable to all arrears incurred during the duration of the COVID-19 state of emergency.

8. Every utility corporation or municipality shall provide notice to residential and small business customers, in a writing to be included with a bill statement or, when appropriate, via electronic transmission the provisions of this section and shall further make reasonable efforts to contact customers who have demonstrated a change in financial circumstances due to the COVID-19 state of emergency for the purpose of offering such customers a deferred payment agreement consistent with the provisions of this article.

9. Implementation of the provisions of this section shall not prohibit a utility or municipality from recovering lost or deferred revenues after either the lifting or expiration of the COVID-19 state of emergency or December thirty-first, two thousand twenty-one, whichever is earlier, pursuant to such means for recovery as are provided for in this chapter, and by means not inconsistent with any of the provisions of this article. Nothing in this section shall prohibit a utility corporation or municipality from disconnecting service necessary to protect the health and safety of customers and the public.

Section 89-b of the Public Service Law has been amended to provide as follows:

8. No water-works corporation shall terminate or disconnect the supply of water to residential accounts or the account of a small business customer with twenty-five or fewer employees that is not a (a) publicly held company, or a subsidiary thereof, (b) seasonal, short-term, or temporary customers, (c) high energy customer as defined by the commission, or (d) customer that the utility can demonstrate has the resources to pay the bill, provided that the utility notifies the small business customer of its reasons and of the customer's right to contest this determination through the commission's complaint procedures, for the non-payment of water rents, rates or charges for the duration of the state disaster emergency declared pursuant to executive order two hundred two of two thousand twenty (hereinafter "the COVID-19 state of emergency"). Water-works corporations shall have a duty to restore service, to the extent not already required under this chapter, to any residential or small business customer within forty-eight hours if such service has been terminated during the pendency of the COVID-19 state of emergency.

9. For a period of one hundred eighty days after either the COVID-19 state of emergency is lifted or expires or December thirty-first, two thousand twenty-one, whichever is earlier, no water-works corporation shall terminate or disconnect the service of a residential or small business customer account because of defaulted deferred payment agreements or arrears owed to the water-works corporation when such customer has experienced a change in financial circumstances due to the COVID-19 state of emergency as defined by the department. The water-works corporation shall provide such residential or small business customer with the right to enter into, or restructure, a deferred payment agreement without the requirement of a down payment, late fees, or penalties, as such is provided for in article two of this chapter.

10. Every water-works corporation shall provide notice to residential and small business customers, in a writing to be included with a bill statement, or, when appropriate, via electronic transmission, the provisions of this section and shall further make reasonable efforts to contact customers who have demonstrated a change in financial circumstances due to the COVID-19 state of emergency for the purpose of offering such customers a deferred payment agreement consistent with the provisions of this section and article two of this chapter.

11. Implementation of the provisions of this section shall not prohibit a water-works corporation from recovering lost or deferred revenues after either the lifting or expiration of the COVID-19 state of emergency or December thirty-first, two thousand twenty-one, whichever is earlier, pursuant to such means for recovery as are provided for in this chapter, and by means not inconsistent with any of the provisions of this article. Nothing in this section shall prohibit a water-works corporation from disconnecting service when it is necessary to protect the health and safety of customers and the public.

12. The public service commission shall have the authority to adjudicate complaints and conduct investigations for violation of this section in the manner provided by the provisions of this article and shall have the authority to enforce the provisions of this section in accordance with section twenty-six of this chapter.

Section 89-1 of the Public Service Law has been amended to provide as follows:

3. No municipality shall terminate or discontinue service to, or place, sell or enforce any lien on the real property of, a residential customer, a non-residential customer whose account serves residential premises, or a small business with twenty-five or fewer employees that is not a (a) publicly held company, or a subsidiary thereof, (b) seasonal, short-term, or temporary customer, (c) high usage customer as defined by the commission, or (d) customer that the utility can demonstrate has the resources to pay the bill, provided that the utility notifies the small business customer of its right to contest this determination through the commission's complaint procedures, for the nonpayment of bills, taxes, or fees, and no bills, taxes, or fees charged to such customers shall otherwise become a lien on real property, for the duration of the state disaster emergency declared pursuant to executive order two hundred two of two thousand twenty (hereinafter the "COVID-19 state of emergency") or at any time when a customer is in compliance with the terms of a deferred payment agreement entered into pursuant to subdivision four of this section. Every municipality shall have a duty to restore service to any residential customer, non-residential customer whose account serves residential premises, or small business customer within forty-eight hours of the effective date of this subdivision if such service has been terminated during the pendency of the COVID-19 state of emergency.

4. For a period of one hundred eighty days after either the COVID-19 state of emergency is lifted or expires or December thirty-first, two thousand twenty one, whichever is earlier, no municipality shall terminate or discontinue the service of, or place, sell or enforce any lien on the real property of, a residential customer, a non-residential customer whose account serves residential premises or small business customer because of bill arrears, taxes, or fees owed to the municipality when such customer has experienced a change in financial circumstances due to the COVID-19 state of emergency, as defined by the department. The municipality shall provide a residential customer, a non-residential customer whose account serves residential premises, or small business service customer that has experienced a change in financial circumstances due to the COVID-19 state of emergency with the right to enter, or restructure, a deferred payment agreement without the requirement of a down payment, late fees, or penalties, as such is provided for in article two of this chapter. The duration of a deferred payment agreement entered into or restructured pursuant to this subdivision shall be determined as such is provided for in article two of this chapter and shall not be limited to the period described in the first sentence of this subdivision. A deferred payment agreement entered into or restructured pursuant to this subdivision shall remain subject to the provisions of article two of this chapter until the termination of the agreement as such is provided in article two of this chapter.

4-a. No municipality shall terminate or discontinue service to, or place, sell or enforce any lien on the real property of any residential customer, non-residential customer which serves residential premises, or a small business customer for the nonpayment of bill arrears, taxes, or fees after either the COVID-19 state of emergency is lifted or expires or December thirty-first, two thousand twenty-one, whichever is earlier, unless at least thirty days previously it sent to that customer a notice of its intention to do so together with a notice of rights under this section in the form set forth in subdivision five of this section.

5. Every municipality shall provide notice, in the same frequency that the customer receives a regular bill, to residential customers, non-residential customers whose accounts serve residential premises, and small business customers in a writing to be included in a bill statement or, when appropriate, via electronic transmission the provisions of this section and shall further make reasonable efforts to contact customers who have demonstrated a change in financial circumstances due to the COVID-19 state of emergency for the purpose of offering such customers a deferred payment agreement consistent with the provisions of this section and article two of this chapter.

5-a. Notwithstanding the provisions of subdivision one of this section, for the purposes of subdivisions three, four, five, and six of this section, a "municipality" shall also include a public water authority established pursuant to article five of the public authorities law. Every municipality shall be subject to the jurisdiction of the commission for the purposes of enforcing the provisions of subdivisions three, four, four-a, five-a, and six of this section pursuant to sections twenty-four, twenty-five and twenty-six of this chapter.