

CITY OF MIDDLETOWN
REORGANIZATION MEETING AGENDA
January 04, 2021
6:00PM

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. REMARKS OF THE MAYOR
4. REMARKS OF THE ALDERMAN
5. NEW BUSINESS (RESOLUTIONS)
 - Resolution establishing Standing Committees and membership
 - Resolution adopting Procurement policies and procedures
 - Resolution adopting Investment Policy
 - Resolution adopting the Fee Schedule
 - Resolution to extend the renewal to the 2021 assessment roll of certain exemptions on the 2020 assessment roll without the necessity of an application by the eligible recipient.
6. AUDIT OF CLAIMS AND ACCOUNTS
7. ADJOURNMENT

The agenda is tentative and established on all accessible information at this time.
Items may be eliminated at any time. Resolutions are added on an emergency basis.



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-04-21

Index No: _____

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

Resolved, that the Common Council of the City of Middletown hereby establishes the following committees and their membership as Standing Committees of the City of Middletown Common Council:

Finance
Planning & Economic Development
Public Safety
Recreation & Parks
Community Communication &
Historical Society

Legislative
Public Works, Traffic
Revenue
Recycling
Quality of Life/Code Enforcement City Wide

And be it further resolved, that the Common Council declares that the Treasurer, Donald Paris, and the Chairman of the Finance Committee, Joseph Masi, are hereby authorized and directed to sign all checks, drafts, acceptances, undertakings or other orders on bank accounts of the City of Middletown by personal or by facsimile signature.

**CITY OF MIDDLETOWN COMMON COUNCIL
COMMITTEE ASSIGNMENTS
2021**

FINANCE COMMITTEE Masi, Chairperson Johnson, Vice-Chair Burr Jean-Francois Green	LEGISLATIVE COMMITTEE Johnson, Chairperson Masi, Vice-Chair Burr Tobin Ramkissoon
PLANNING AND ECONOMIC DEVELOPMENT Green, Chairperson Johnson, Vice-Chair Jean-Francois Ramkissoon Burr	PUBLIC WORKS/TRAFFIC Jean-Francois, Chairperson Burr, Vice-Chair Green Ramkissoon Kleiner
RECREATION & PARKS Burr, Chairperson Tobin, Vice-Chair Ramkissoon Kleiner Masi	PUBLIC SAFETY Tobin, Chairperson Masi, Vice-Chair Ramkissoon Jean-Francois Burr
REVENUE Ramkissoon, Chairperson Masi, Vice-Chair Jean-Francois Burr Green	RECYLING Jean-Francois, Chairperson Green, Vice-Chair Kleiner Tobin Johnson
COMMUNITY COMMUNICATION AND HISTIOICAL SOCIETY Kleiner, Chairperson Tobin, Vice-Chair Burr Green Jean-Francois	QUALITY OF LIFE/CODE ENFORCEMENT ENTIRE CITY Entire Council on Committee

Updated: 01/04/21

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Whereas, New York State General Municipal Law, Section 104-b, states that a municipality should annually adopt a Procurement Policy, and

Whereas, the Corporation Counsel of the City of Middletown has advised the Council that it must look at, revise, if necessary, and adopt the Procurement Policy on an annual basis in accordance with New York State statute,

Now, therefore, be it resolved, that the Common Council of the City of Middletown does hereby adopt the attached written policies and procedures for procurement of goods and services for the City of Middletown.

Procurement Policy

§ 104-1. Adoption of procedures.

The following procedures are adopted for procurement of goods and services.

§ 104-2. Purchases.

For purchases, the following procedures are to be followed:

A.

For purchases of items costing over \$20,000, competitive bidding in accordance with applicable laws and regulations is required.

B.

For purchases of items costing between \$5,000 and \$19,999.99, three or more written price quotes from suppliers are required.

C.

For purchases of items costing between \$2,000 and \$4,999.99, three or more verbal quotes from suppliers are required.

D.

For purchases of items costing between \$0 and \$1,999.99, appropriate verbal quotes from suppliers, in the discretion of the department head undertaking the purchasing, are required.

§ 104-3. Public works contracts.

For public works contracts, the following procedures are to be followed:

A.

For contracts over \$35,000, competitive bidding in accordance with applicable laws and regulations is required.

B.

For contracts between \$5,000 and \$34,999.99, three or more written quotes from qualified contractors are required.

C.

For contracts between \$2,000 and \$4,999.99, three or more verbal quotes from qualified contractors are required.

D.

For contracts between \$0 and \$1,999.99, appropriate verbal quotes from qualified contractors, in the discretion of the department head who wishes to enter into the contracts, are required.

§ 104-4. Other services.

[Amended 2-5-2013]

A.

In the event it can be anticipated that a particular service (e.g., painting services) may be required by the City for various projects which, in total, are expected to exceed \$35,000 for the year, then the procurement of those services will be subject to competitive bidding.

B.

There are, however, certain types of services provided to the City that may be considered routine and delivered in the ordinary course of business that are not capable of precise cumulative monetary calculation but are necessary to be incurred promptly and/or locally to protect the health, welfare or safety of the residents of the City, employees of the City or structures and equipment owned by the City. Such services include, but are not limited to, repairs to City vehicles such as sanitation trucks or

trucks used in snowplowing or street repairs; repairs to City buildings and processes, such as electrical or plumbing work in or on the City's sewage treatment plant or water treatment plant; or assistance from outside companies for snow or garbage removal. In such cases, the cumulative payment to those companies may total more than \$35,000 per year, but it is impossible to know from year to year whether such costs will exceed \$35,000. In such cases, and in accordance with § 104-b, Subdivision 2g, of the New York General Municipal Law, it is the determination of the Common Council of the City of Middletown that the best interests of the City will not be served by competitive bidding in such cases but that the department head charged with such purchases may obtain such routine services as needed by the City in the ordinary course of business from time to time.

C.

Notwithstanding the foregoing, if the department head charged with such purchase determines that the anticipated service covered by that one purchase likely will exceed the cost of \$35,000 and such service is not the subject of any exception under this procurement policy (such as an emergency purchase or the purchase from a sole source supplier), then the procurement of such service will be subject to competitive bidding as set forth elsewhere in this chapter.

§ 104-5. Verbal quotes.

Whenever this policy allows for verbal quotes, the department head must maintain a written log which lists appropriate information from each supplier or contractor supplying such verbal quotes.

§ 104-6. Exceptions.

Exceptions to the above procurement processes are to be allowed in purchases or public work contracts which involve emergencies, true leases, and sole source purchases. In such events, the responsible department head must document the circumstances allowing the exception to the above procurement processes and should, whenever possible, attempt to make purchases and secure public works contracts at the lowest possible cost and should obtain at least three verbal quotes, to the extent possible under the circumstances.

§ 104-7. Requests for proposals.

Whenever possible, professional services are to be obtained through requests for proposals (RFPs) issued by the Board of Estimate and Apportionment. All responses to RFPs are to be reviewed by the Board of Estimate, which must make a recommendation to the Common Council for final approval.

§ 104-8. Award to other than lowest bidder.

Whenever any contract is awarded to other than the lowest bidder or proposer, the reasons are to be set forth in writing and filed with the appropriate department or board.

§ 104-9. Effect on other procedures.

Nothing in these procurement processes changes any administrative procedures required by the Charter of the City of Middletown, such as the approval of the Board of Estimate and Apportionment for purchases and contracts.

§ 104-10. Contracts awarded based on best-value analysis.

[Added 6-3-2014 by L.L. No. 2-2014]

Notwithstanding anything else contained in this chapter to the contrary, the Common Council, after approval of the Board of Estimate and Apportionment, may award purchase contracts and service contracts that have been procured pursuant to competitive bidding or otherwise under New York General Municipal Law § 103(1) or this chapter by either the lowest responsible bidder standard or the best-value standard.

A.

"Best value" is defined in State Finance Law § 163 to mean "the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the [New York] Executive Law to be used in evaluation of offers for awarding of contracts for services." For purposes of this section, the Common Council adopts the above definition of "best value," as the same may be modified from time to time by the State Legislature.

B.

Pursuant to New York General Municipal Law § 103(1), the best-value standard may be used for purchase contracts, including contracts for service work, but it excludes and may not be used for any purchase contracts necessary for the completion of public works contracts pursuant to New York Labor Law Article 8.

C.

If the monetary thresholds of New York General Municipal Law § 103 are increased or decreased in the future by the State Legislature, the monetary thresholds set forth herein will be deemed simultaneously amended to match the new General Municipal Law thresholds.

D.

Whenever any contract is awarded by the Common Council (after approval of the Board of Estimate and Apportionment) on the basis of best value instead of the lowest responsible bidder, the basis for determining best value will be thoroughly and accurately documented. Such documentation may include, but is not necessarily limited to, the cost of maintenance; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; quality of craftsmanship; or compatibility with existing City buildings or property.

§ 104-11. Standards for federal CDBG-DR procurement actions.

[Added 11-15-2016]

Notwithstanding anything else contained in this chapter to the contrary, eligible Community Development Block Grant – Disaster Recovery (CDBG-DR) expenditures and procurement actions undertaken on or after January 1, 2017, shall comply with the procurement standards as set forth in 2 CFR Parts 200.317 through 200.326, as the same may be amended from time to time. In the event of a conflict between state or local laws and regulations and the procurement requirements of 2 CFR Part 200, the more stringent requirements will apply.

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Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown does hereby adopt the attached Investment Policy for the City of Middletown.

Investment Policy

§ 65-1 Scope.

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

§ 65-2 Objectives.

The primary objectives of the City of Middletown's investment activities are, in priority order:

A.

Legal: to conform with all applicable federal, state and other local requirements;

B.

Safety: to adequately safeguard principal;

C.

Liquidity: to provide sufficient liquidity to meet all operating requirements; and

D.

Yield: to obtain reasonable rate of return.

§ 65-3 Delegation of authority.

The governing board's responsibility for administration of the investment program is delegated to the Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

§ 65-4 Prudence.

A.

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Middletown to govern effectively.

B.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

C.

All participants involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

§ 65-5Diversification.

It is the policy of the City of Middletown to diversify its deposits and investments by financial institutions, by investment, and by maturity scheduling.

§ 65-6Internal controls.

A.

It is the policy of the City of Middletown for all monies collected by any officer or employee of the government to transfer those funds to the Treasurer within one day of deposit, or within the time specified in law, whichever is shorter.

B.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

§ 65-7Designation of depositories.

The bank and trust companies authorized for the deposit of monies up to the maximum amounts are:

Depository Name	Maximum Amount
TD Banknorth	\$18,000,000
Sterling Bank	\$18,000,000
Orange Bank & Trust Company	\$18,000,000

§ 65-8Collateralizing of deposits.

In accordance with the provisions of General Municipal Law § 10, all deposits of the City of Middletown, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

A.

By a pledge of eligible securities with an aggregate market value as provided by GML § 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.^[1]

[1]

Editor's Note: Appendix A is included as an attachment to this policy.

B.

By an eligible irrevocable letter of credit issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of the deposits and the agreed-upon interest, if any, or 100% in the case of an irrevocable letter of credit issued in favor of the local government by certain federal home loan banks. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest

rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

C.

By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of the deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

§ 65-9 Safekeeping and collateralization.

A.

Eligible securities used for collateralizing deposits shall be held by a third party or trust company subject to security and custodial agreements.

B.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed-upon interest, if any, and any costs or expenses rising out of collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with the City of Middletown, or its custodial bank.

C.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution or release of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

§ 65-10 Permitted investments.

A.

As authorized by General Municipal Law § 11, the City of Middletown authorizes the Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

(1)

Special time deposit accounts authorized to do business in New York State;

(2)

Certificates of deposit;

(3)

Obligations of the United States of America;

(4)

Obligations guaranteed by the agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;

(5)

Obligations of the State of New York;

(6)

Obligations issued pursuant to LFL § 24.00 or 25.00 (with the approval of the State Comptroller) by any municipality, school district or district corporation other than the City of Middletown;

(7)

Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments.

(8)

Certificates of participation (COPs) issued pursuant to GML § 109-b.

(9)

Obligations of this local government, but only with any monies in a reserve fund established pursuant to GML § 6-c, 6-d, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

B.

All investment obligations shall be payable or redeemable at the option of the City of Middletown within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the City of Middletown within two years of the date of purchase. The designated depository will confirm all purchases and transactions in writing to the City of Middletown.

§ 65-11 Authorized financial institutions and dealers.

The City of Middletown shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credited worthy. Banks shall provide their most recent consolidated report of condition (call report) at the request of the City of Middletown. Security dealers not affiliated with a bank shall be required to be

classified as reporting dealers affiliated with the New York Federal Reserve Bank as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

§ 65-12Purchase of investments.

A.

The Treasurer is authorized to contract for the purchase of investments:

(1)

Directly, including through a repurchase agreement, from an authorized trading partner.

(2)

By participation in a cooperative program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

(3)

By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

B.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Middletown by the bank or trust company. Any obligations held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law § 10.

C.

The custodial agreement shall provide the securities held by the bank or trust company, as agent and of custodian for, the City of Middletown, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the City of Middletown a perfected interest in the securities.

§ 65-13Repurchase agreements.

Repurchase agreements are authorized subject to the following restrictions:

A.

All repurchase agreements must be entered into subject to a master repurchase agreement.

B.

Trading partners are limited to banks or trust companies authorized to do business in New York and primary reporting dealers.

C.

Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.

D.

No substitution of security will be allowed.

E.

The custodian shall be a party other than the trading partner.

§ 65-14 Operations, audit and reporting.

A.

The Treasurer, having custody of money, shall authorize the purchase and sale of all securities and execute contracts on behalf of the City of Middletown. Oral directions concerning the purchase, transaction, or sale of securities shall be confirmed in writing. The City of Middletown shall pay for purchased securities upon delivery.

B.

The City of Middletown will encourage the purchase and sale of securities through a competitive or negotiated process involving solicitations of at least three bids for each transaction.

C.

At the time independent auditors conduct the annual financial audit of the accounts and affairs of the City of Middletown, the auditors shall audit compliance with the investment guidelines.

D.

The legislative body of the City of Middletown shall review and approve the annual investment report at its annual reorganization meeting.

E.

The provisions of these investment guidelines, and any amendments hereto, shall take effect prospectively, and shall not invalidate the prior selection of any custodial bank or prior investment.

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Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown does hereby adopt the attached Fee Schedule for services for the City of Middletown.

City of Middletown, NY
Thursday, December 17, 2020

Chapter A490. Fees

[HISTORY: Adopted by the Common Council of the City of Middletown 12-7-2010.^[1] Amendments noted where applicable.]

[1] *Editor's Note: The Fee Schedule adopted by this resolution also superseded the Fee Schedule adopted 10-5-2010, prior to its inclusion in the Code.*

§ A490-1. City of Middletown Fee Schedule.

A. Department of Public Works.

Code Section	Description	Fee
A500-9	Plumbing permit	\$10 per fixture, minimum of \$25
389-14	Sewer permit [Amended 5-19-2015 by L.L. No. 3-2015]	
	Residential or commercial	\$300
	Industrial	\$400
389-45B	Connection by nonresident that doesn't use City water to City sewage facilities outside corporate limits [Added 5-19-2015 by L.L. No. 3-2015]	
	Residential use	\$5 minimum each quarter
	Business and industrial use	\$10 minimum each quarter
193-11	Building permit	\$10 per \$1,000 up to \$500,000 (projects over \$500,000 to pay inspection fee of 2%)
306-2	Junkyard permit	\$300 per year
193-11C	Demolition permit	\$200
193-11	Move a building	\$200
475-47	Certificate of occupancy (Ch. 193, Art. IX)	\$100 (\$25 if construction is under \$10,000)
112-4J	Abstract search	\$100
394-4A(4)	Sign permit	\$50
425-5	Swimming pool permit	\$50
112-4G	Housing inspection	\$100
112-4G	Reinspection	\$100
296-16	Rooming, lodging and multiple dwelling permit	\$100 per building, plus \$10 per unit
296-32A	Rental permit fee	\$100 per rental unit

Code Section	Description	Fee
296-32B	Renewal fee	\$100 per rental unit
	Copy of fire report	\$25
	Public improvement inspection	\$125 per hour, capped at 4% of estimated cost of such improvements
188-4	Remove weeds and vegetation	
	Single-family	\$100 minimum
	Two-family	\$250 minimum
193-52	Business	\$500 minimum
	Sewer/water recreational charge	
	City of Middletown	\$2,300 per dwelling unit (up to 12 fixtures per dwelling unit; for each fixture in excess of 12 fixtures per dwelling unit, an additional fee of \$10 per fixture)
416-22B	Outside the City of Middletown	\$2,300 per unit, and the Common Council shall have the discretion to charge a higher fee. ^[1]
	Street-opening permit	
	Ditch-mobilization charge	\$50 per ditch, \$3 per square foot of opening up to 50 square feet of opening, additional square footage over 50 square feet will be charged at \$2 per square foot.
	Septage/leachate rates [Amended 11-1-2016]	Taking rate to be set at \$0.105 per gallon
		Leachate taking rate to be set at \$0.105 per gallon
		\$0.05 will be charged to large single contracts of 500,000 gallons and more per year \$0.06 per gallon will be charged to others
	Operating permit	\$100, plus \$50 for every 50 occupants over 150 occupants in a public assembly
	Commercial garbage pickup monthly rates	
	2-yard Dumpster	\$95
	95-gallon trash can (or equivalent)	\$32
	Additional 95-gallon trash can (or equivalent)	\$10
359-7E	Emergency standing water sworn statement	\$100 minimum
166-8	Architectural Review Board job estimate	
	\$10,000 or under	\$10
	\$10,001 to \$100,000	\$25

Code Section	Description	Fee
	\$100,001 to \$500,000	\$50
	\$500,001 to \$1,000,000	\$75
	\$1,000,001 or higher	\$100
193-53	Connection charge, nonresidential inside and outside the City	Based on the estimated consumption of water and sewer services as compared with the average water and sewer consumption of individual units. All determined by Treasurer and Commissioner of Public Works

Industrial pretreatment program

Categorical user over 500,000 gallons per year	Application fee \$400; permit fee/annual renewal fee \$1,200
Categorical user over 500,000 gallons per year	Application fee \$400; permit fee/annual renewal fee \$1,000
Categorical user over 25,000 gallons per year	Application fee \$400; permit fee/annual renewal fee \$1,000
Noncategorical user over 25,000 gallons per day	Application fee \$400; permit fee/annual renewal fee \$800
Food service establishments (including fast food): grease traps (each)	Application fee \$300; permit fee/annual renewal fee \$300
Service gas stations: oil water separators (each)	Application fee \$300; permit fee/annual renewal fee \$300

[1] *Editor's Note: The fee for wastewater discharge permits, which immediately followed this entry, was removed pursuant to L.L. No. 3-2015, adopted 5-19-2015.*

B. Planning and Zoning fees.
[Amended 5-1-2018]

Code Section	Description	Fee
	Subdivision	
	Minor, 2 to 3 lots	\$250, plus \$500 escrow, if required
	Major, over 3 lots	\$500, plus \$100 per lot for each lot over 10 lots, and \$1,000 escrow (to be replenished as required)
	Planning Board	
	Industrial, commercial, mixed use	\$350, plus \$100 for every 1,000 square feet, of building floor area over 2,000 square feet, plus \$500 escrow if required (to be replenished as required)
	Single- or two-family residential	\$175
	Multifamily residential	\$550 plus \$100 for every dwelling unit over 10 units, plus \$500 escrow if required (to be replenished as required)
475-53N	Site plan of 500 units or more	\$50 plus \$50 for each multiple units of housing

Code Section	Description	Fee
	Zoning Board of Appeals	
	Area variance	\$150
	Zoning interpretation	\$150
	Use variance	\$400
475-51	Change of zoning	\$250

C. City Clerk.

[Amended 12-21-2010 by L.L. No. 3-2010; 4-16-2013; 8-3-2015; 11-2-2015; 2-4-2020]

Code Section	Description	Fee
A500-21	Plumbing license	\$200 per each application and additional \$200 if failed
A500-22	Duplicate of certificate	\$50
A500-22	Certificate of record	\$2; renewal shall be \$200 before January 1 of each year; renewed after January 1 charge will be \$250
412-5	Stationary engineer's license	\$50; \$5 for certificate and statement showing previous experience
412-6	License or certificate without exam	\$25; \$5 for certificate and statement showing previous experience
412-7	Renewal	\$1
	Electrical License	
235-5A	Class A	\$300
	Renewal	\$200
235-5B	Class B	\$300; \$750 per job for one-time-license
235-5C	Class C	\$300
	Renewal	\$200
235-5D	Special License	\$25
	Renewal	\$25
235-9B	Shelving of license	\$100
	Towing/storage fee	
440-5	Unrestricted license fee	\$150 for the first two vehicles and \$25 per year for each additional vehicle
440-6A	Towing	\$100 (6:00 a.m. to 6:00 p.m.) \$130 (6:01 a.m. to 5:59 p.m.)
	Winching and dolly work, maximum per vehicle/tow	\$100
	City administrative fee	\$30
	Dolly work, maximum per hour, per vehicle/tow	\$75
	Hazardous materials cleanup, maximum per hour, per vehicle/tow	\$85

Code Section	Description	Fee
	Removal of vehicle during recovery during unusual incidents where vehicle is located off roadway and requires more than standard tow work, per hour	\$75
440-6B	Event towing fee, not to exceed	\$125
440-7	Storage	\$60/day (outside) \$75/day (inside)
	Marriage license	\$40
	Copy of marriage license	\$10
	Copy of birth certificate	\$10
	Death certificate	\$10
	Copy of death certificate	\$10
	Genealogy search	\$22
	Collateral loan broker	\$200 with \$10,000 bond
	Going-out-of-business-sale permit	\$500; \$50 renewal for one month only
161-1	Dog license	
	Spayed female or neutered male	\$11 (includes state-mandated surcharge of \$1)
	Unspayed female or unneutered male	\$23 (includes state-mandated surcharge of \$3)
	For puppies under four months	\$10
353-13H	Street vendor	\$100
475-28C(3)	Sidewalk cafe permit	\$50
433-7B	Temporary taxi license fee	\$50
433-9A	Taxi license fee	\$100
433-9A	Renewal	\$100
439-9C	Duplicate or copy of lost license	\$10
433-14B	Taxi transfer license fee	\$500, no transfer in the month of March
433-14C	Transfer and reinspection fee	\$250, after passing inspection
433-14E	Medical transport taxicab license	\$300
433-15	License fee for vehicles	\$500
433-24A	Return of medallion, license and permit	\$200 deposit
433-24B	Reissuance of medallion replacement fee	\$100
182-16	Bingo and games of chance license fee	\$25
182-13	Additional fee	5% of net proceeds
	Entertainment Fees	
240-1A	Circus or exhibition	\$50 for first performance (\$25 for each additional performance)

Code Section	Description	Fee
240-1B	Temporary, exhibition	\$25 per day or \$50 per week
240-1C	Theatrical representation, concert, lecture	\$5 per performance
240-1D	Theaters and halls	
	500 persons or more	\$200
	Per month	\$25
	Per week	\$10
	Less than 500 not more than 150	\$100
	Less than 150 and more than 50	\$20
275-4	Astrology and phrenology fee	\$50
353-5	Solicitor's license	
	Annual fee	\$250
	Semiannual fee	\$150
	Replacement fee	\$75
	Badge fee	\$20
475-6	Zoning Map	\$15
384-4	Yard sale	\$10 (limit 2 per year)

D. Miscellaneous Fees.
[Amended 11-2-2015]

Code Section	Description	Fee
112-4L	Tax search	\$75
112-4M	Recording fee	\$150
152-4	Fire alarm hookup fee	\$150
152-13	Police alarm business license fee	\$75
152-23	Alarm hookup fee	
	Residential	\$75
	Commercial	\$125
	Annual maintenance fee	
	Residential	\$50
	Commercial	\$100
171-2	Auction license fee	\$100 per auction
367-4	Public transportation application fee	\$50
367-7	Additional vehicle fee	\$50
209-4	Cable TV permit	\$50

E. Economic Development Fees (§ 230-7).

Code Section	Description	Fee
230-7A	CDBG small business loan application fee	
	Loans under \$12,500	\$25

Code Section	Description	Fee
	Loans from \$12,500 to \$25,000	\$50
230-7B	SBA (Small Business Administration)	
	Loans under \$100,000	\$75
	Loans between \$100,000 and \$250,000	\$100
	Loans in excess of \$250,000	\$150
230-7C	JDA (New York Job Development Authority)	
	Loans under \$100,000	\$75
	Loans from \$100,000 to \$250,000	\$100
	Loans over \$250,000	\$150
230-7D	UDAG (Urban Development Action Grant)	
	Under \$250,000	\$150
	Between \$250,000 and \$500,000	\$250
	Over \$500,000	\$350
230-7E	Bond issues	
	Under \$500,000	\$250
	Over \$500,000	\$350
230-7F	CDBG rental rehabilitation applications	\$10
230-7H	Other resource programs	
	Under \$100,000	\$75
	From \$100,000 to \$250,000	\$100
	From \$250,000 to \$500,000	\$150
	From \$500,000 and up	\$350

F. Parks and Recreation fees.

[Amended 2-28-2011; 10-16-2012; 2-5-2013; 8-20-2013; 12-2-2014; 4-7-2015; 12-1-2015; 2-2-2016; 11-6-2017]

Programs/Facility Usage	Resident Fee	Nonresident Fee	Standard Fees
Programs			
Preschool 3-year-olds*	\$120/month	\$140/month	
Preschool 4-year-olds*	\$120/month	\$140/month	
Tennis clinics/adults	\$60	\$80	
Tennis clinics/children	\$40	\$60	
Sports camp/5-day session*	\$90	\$110	
Sports camp/4-day session*	\$80	\$100	
Sports camp latch key/5-day session			\$40
Sports camp latch key/4-day session			\$32

Programs/Facility Usage	Resident Fee	Nonresident Fee	Standard Fees
Cheerleading camp*	\$75	\$95	
Little People Playtime/4-day session*	\$65	\$85	
Little People Playtime/5-day session*	\$75	\$95	
Counselor in Training Program/4-day session*	\$65	\$85	
Counselor in Training Program/5-day session*	\$75	\$95	
Spring break program*	\$90	\$110	
Winter break program*	\$90	\$110	
After school sports academy			
There will be 3 sessions based on school district sport season			
There will be no program on 1/2 days of school, snow days or holidays			
Cost breakdown will be \$6 per day			
Youth basketball/clinic*	\$40	\$60	
All dance classes	\$40	\$60	
Cheerleading clinic	\$40	\$60	
Lacrosse clinic	\$40	\$60	
Volleyball clinic	\$40	\$60	
Security deposits for pavilions and park property. Deposit will be returned if:			\$100
All garbage is in or bagged around garbage receptacles			
No damage to property			
All signage, tablecloths and decorations removed from park property			
Ben and Paula Amchir Park			
Amchir pavilion rentals	\$45	\$67.50	
Fancher-Davidge Park Pavillion rentals			
Small shelter	\$45	\$67.50	
Lion's shelter	\$70	\$105	
Shelter No. 1	\$120	\$180	
Shelter No. 2	\$120	\$180	
Shelter No. 1 and No. 2	\$170	\$255	
Maple Hill Park Pavilion Rentals			
Maple Hill Pavilion No. 1	\$70	\$105	
Maple Hill Pavilion No. 2	\$70	\$105	

Programs/Facility Usage	Resident Fee	Nonresident Fee	Standard Fees
Kiwanis Pavilion	\$70	\$105	
Swimming pools, children			\$1/day \$23/month
Swimming pools, adult			\$3/day \$60/month
Swimming lessons*	\$40	\$60	
Program refunds			\$15 administrative fee
Travel team field usage, per day per field	\$50	\$100	
Tournament field usage, per day per field	\$150	\$300	
Adult league field usage, per month per field	\$150	\$300	
City park property usage, per day	\$150	\$300	
Gym and conference room fee, per hour	\$25	\$50	
PA system set-up			\$25

*Late fees:

Late registration fee, per session: \$20

Late pickup fee (10+ minutes late), per incident (two-incident maximum): \$25

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-04-21

Index No: _____

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

WHEREAS, on or about December 28, 2020, Governor Andrew Cuomo signed into law an enactment by the New York State Legislature, COVID-19 Emergency Eviction and Foreclosure Prevention Act (A11181/S9114), and

WHEREAS, this legislation extends the renewal to the 2021 assessment roll of certain exemptions on the 2020 assessment roll without the necessity of an application by the eligible recipient, and

WHEREAS, this legislation permits a local law or resolution requiring a renewal application in certain circumstances.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that the Middletown Assessor may in her/his discretion require a renewal application if she/he believes that a property owner that qualified for the 2020 subject exemption has since changed their primary residence, added another owner to the deed, transferred the property to a new owner, or died, and it is further

RESOLVED that the owner(s) connected to such renewal application shall not be required to appear in person to file such application.

STATE OF NEW YORK

9114

IN SENATE

December 24, 2020

Introduced by Sens. KAVANAGH, MYRIE -- read twice and ordered printed,
and when printed to be committed to the Committee on Housing,
Construction and Community Development

AN ACT establishing the "COVID-19 Emergency Eviction and Foreclosure
Prevention Act of 2020"; in relation to eviction proceedings; and to
provide for the expiration of certain provisions upon the expiration
thereof (Part A); in relation to foreclosure proceedings; and provid-
ing for the expiration of certain provisions upon the expiration ther-
eof (Subpart A); in relation to tax sales; and providing for the expi-
ration of certain provisions upon the expiration thereof (Subpart B);
to establish hardship declarations for owners of residential real
property; and providing for the expiration of such provisions upon the
expiration thereof (Subpart C); and to authorize every governing body
of an assessing unit and local assessor to extend to the 2021 assess-
ment roll, the renewal of the exemptions received on the 2020 assess-
ment roll; and to provide for the expiration of such provisions upon
the expiration thereof (Subpart D) (Part B)

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. This act enacts into law components of legislation relating
2 to eviction and foreclosure protections. Each component is wholly
3 contained within a Part identified as Parts A through B. The effective
4 date for each particular provision contained within such Part is set
5 forth in the last section of such Part. Any provision in any section
6 contained within a Part, including the effective date of the Part, which
7 makes reference to a section "of this act", when used in connection with
8 that particular component, shall be deemed to mean and refer to the
9 corresponding section of the Part in which it is found. Section four of
10 this act sets forth the general effective date of this act.
11 § 2. Short title. This act shall be known and may be cited as the
12 "COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020".
13 § 3. Legislative intent. The Legislature finds and declares all of the
14 following:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD17721-01-0

S. 9114

15

1 4. Prohibition on negative credit reporting. Notwithstanding any law
2 to the contrary, as provided for in this act, the granting of a stay of
3 mortgage foreclosure proceedings, tax foreclosure proceedings or tax
4 lien sales, or that an owner of residential real property as defined in
5 subdivision one of this section is currently in arrears and has filed a
6 hardship declaration with their lender shall not be negatively reported
7 to any credit reporting agency.
8 § 2. This act take effect immediately and shall expire May 1, 2021.

9

SUBPART D

10 Section 1. Notwithstanding any other provision of law, in the interest
11 of the health and safety of the public due to the novel coronavirus,
12 COVID-19 pandemic, every governing body of an assessing unit and local
13 assessor shall extend to the 2021 assessment roll, the renewal of the
14 exemptions received on the 2020 assessment roll pursuant to sections 467
15 and 459-c of the real property tax law, relating to persons age sixty-
16 five and older and for certain persons with disabilities and limited
17 income, and no renewal application shall be required of any eligible
18 recipient who received either exemption on the 2020 assessment roll in
19 order for such eligible recipient to continue receiving such exemption
20 at the same amount received on the 2020 assessment roll, except as here-
21 in provided. Provided however, that the local assessor shall make avail-
22 able renewal applications through postal mail or electronic means in
23 order for eligible recipients to file renewal applications in the event
24 that such eligible recipient determines his or her income has changed in
25 a manner that would grant him or her a greater exemption than what was
26 present on the 2020 assessment roll; and provided further that such
27 governing body may adopt a local law or resolution which includes proce-
28 dures by which the assessor may require a renewal application to be
29 filed when he or she has reason to believe that an owner who qualified
30 for the exemption on the 2020 assessment roll may have since changed his
31 or her primary residence, added another owner to the deed, transferred
32 the property to a new owner, or died; and provided further that no
33 governing body of an assessing unit or local assessor may require eligi-
34 ble recipients to appear in person to file a renewal application for any
35 reason.

36 § 2. This act shall take effect immediately and shall expire May 1,
37 2021. This act shall be deemed to have been in full force and effect on
38 and after March 7, 2020.

39 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
40 sion, section, item, subpart or part of this act shall be adjudged by
41 any court of competent jurisdiction to be invalid, such judgment shall
42 not affect, impair, or invalidate the remainder thereof, but shall be
43 confined in its operation to the clause, sentence, paragraph, subdivi-
44 sion, section, item, subpart or part thereof directly involved in the
45 controversy in which such judgment shall have been rendered. It is here-
46 by declared to be the intent of the legislature that this act would have
47 been enacted even if such invalid provisions had not been included here-
48 in.

49 § 3. This act shall take effect immediately provided, however, that
50 the applicable effective date of Subparts A through D of this act shall
51 be as specifically set forth in the last section of such Subparts.

52 § 4. Severability clause. If any clause, sentence, paragraph, subdivi-
53 sion, section or part of this act shall be adjudged by any court of
54 competent jurisdiction to be invalid, such judgment shall not affect,

S. 9114

16

1 impair, or invalidate the remainder thereof, but shall be confined in
2 its operation to the clause, sentence, paragraph, subdivision, section
3 or part thereof directly involved in the controversy in which such judg-
4 ment shall have been rendered. It is hereby declared to be the intent of
5 the legislature that this act would have been enacted even if such
6 invalid provisions had not been included herein.

7 § 5. This act shall take effect immediately provided, however, that
8 the applicable effective date of Parts A through B of this act shall be
9 as specifically set forth in the last section of such Parts.

S9114 KAVANAGH Same as A 11181 Rules (Dinowitz)

ON FILE: 12/24/20 Real Property

TITLE....Relates to eviction and foreclosure protections

12/24/20 REFERRED TO HOUSING, CONSTRUCTION AND COMMUNITY
DEVELOPMENT

12/28/20 REPORTED AND COMMITTED TO RULES

12/28/20 ORDERED TO THIRD READING CAL.1034

12/28/20 PASSED SENATE

12/28/20 DELIVERED TO ASSEMBLY

12/28/20 referred to judiciary

12/28/20 substituted for a11181

12/28/20 ordered to third reading rules cal.364

12/28/20 passed assembly

12/28/20 returned to senate

12/28/20 DELIVERED TO GOVERNOR

12/28/20 SIGNED CHAP.381

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE AUDIT OF THE COMMON COUNCIL

By Alderman Masi

Sec'd by Alderman

Date of Adoption: 01-04-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoo				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

**I MOVE THE ACCOUNTS BE AUDITED, THE CLAIMS ADJUSTED AND THE
TREASURER BE AUTHORIZED TO ISSUE WARRENTS FOR THEIR PAYMENTS**