

STEBEN COUNTY AD HOC MUNICIPAL COORDINATION COMMITTEE

Tuesday, January 29, 2019

10:00 a.m.

*Legislative Committee Room
Steuben County Office Building
Bath, New York*

****MINUTES****

PRESENT: Carol A. Ferratella, Chair
Wendy Jordan, Director, Real Property Tax Service Agency
Melissa Edwards, Assessment Data Supervisor, Real Property Tax Service Agency
Jack Wheeler, County Manager
Rae Ann Engler, New York State Office of Real Property Tax Service
Rhonda Darling, Assessor, City of Corning
Katherine Gabrielle, Assessor, Towns of Cameron, Caton, Corning, Hornellsville, Prattsburgh
Laura Snow, Assessor, Towns of Canisteo, Dansville, Hartsville, Howard, Wheeler
Frederick G. Potter, Legislator, District #10
Jennifer Prossick, Steuben County Deputy County Attorney

I. CALL TO ORDER

Mrs. Ferratella called the meeting to order at 10:00 a.m. and asked the committee members to introduce themselves.

II. GENERAL BUSINESS

A. Mrs. Ferratella stated the purpose of today's meeting is to start a conversation about options for municipalities to work together regarding county assessing, or portions thereof.

Mr. Hauryski stated one of his final tasks as a Legislator is to do something to improve the assessment system in the County. When he was first elected, 11 years ago, the County spent \$25,000 for a study. All of the Legislators that know me know that I have been an advocate of not spending money for studies and putting them on a shelf. That study was done and presented to the Full Legislature, and it was a good presentation. The report identified the weaknesses we have in the County. He stated that if we were still under an Administrator operation, this discussion would not be happening. With the Charter form of government, according to our legal staff, that changed things for us. He has asked for two things. First, the legal aspect of what we could do to change how we operate and second, looking toward countywide assessing.

Mr. Hauryski stated he has asked both Ms. Prossick and Mr. Wheeler to come up with questions and answers regarding important parts of how we implement this; for example appointed assessors versus elected assessors. He has charged Mr. Wheeler with the responsibility of coming up with some plans without trying to reinvent the wheel. Mr. Wheeler has come up with a few different options. That will give you a starting point.

Mr. Hauryski stated he would like to request the committee to start that process today, and he will give the committee until July 1, 2019, to come back to him with what you feel is a viable plan that we can present to the Administration Committee, and from there, to the Full Legislature. He is looking to put a proposal on the November ballot. Ms. Prossick stated in order to put it on the ballot for November, there would have to be notice in July, with adoption in August in order to make that deadline. Mr. Hauryski asked the committee to present him with something that you think is reasonable. Thank you for your time to participate in this and he is looking forward to the committee's final product.

Mr. Wheeler stated he and Ms. Prossick have been tasked with looking at the legal aspects. He has talked to his counterparts and there are only two counties in the State that have full countywide assessing. The other counties are contracts. We can talk about a contractual role. From the legal aspect, we want to look at the process and what we can

do. Another question in terms of timing, if this group and the Legislature votes for a referendum on the ballot, the terms of the assessors are October and the vote on the referendum would be in November. Does that trump the elective terms? His guess is probably. That is one of many questions that we have, and that will impact our discussion of how this rolls out. We are seeing a lack of resources and lack of people coming up to fill the gaps. Can the County be the conduit to help with that?

Ms. Prossick commented the County would have to adopt a local law at least 60 days before the general election. We can set forth how the transition with the dates can occur, or just do the final day of when everything transfers. That gives you leeway. There are a lot of departments in the County that would be affected, as well as the towns and cities.

Mr. Potter asked is this subject to permissive referendum? Ms. Prossick replied this would be a mandatory referendum.

Ms. Engler stated Cattaraugus, Wyoming and Orleans do this with contracts, not with formal countywide assessing. She has worked with Tompkins and they do it totally different from the other counties. She does not know how the towns are charged. Mr. Wheeler stated they don't charge, but they share some costs.

Ms. Engler stated all the rest of the counties do 1537 agreements. Cattaraugus is the newest to do this. They are looking to support those towns that do not have anyone to move up into the assessor position. They are looking to fill that gap. She believes the Southern Tier is primed for central assessing because the properties are disbursed. You are lucky to have Ms. Snow and Ms. Gabrielle, as combined, they do the assessing for ten of your towns.

Mrs. Ferratella asked will this encompass countywide assessing or parts thereof? Mr. Wheeler replied that is going to be the goal of this committee. What do you want to accomplish, can you accomplish it or is there something else? Whether you do it via countywide assessing or contracts; that is the key question for here. Mrs. Ferratella commented most of the information she has reviewed, it seems that most of the counties have done it piecemeal by contracts.

Ms. Engler asked do we have a cost analysis on the two approaches? Mr. Wheeler replied we do to a certain extent and have looked at a cost per parcel. He stated they can distribute that information to the committee. We have the budget expense for each of the municipalities, parcel and the potential re-val cost. The overall cost is \$1 million for 2019. We have looked at the averages and the averages without the cities. How many parcels per assessor should we have? We have not done a full cost of adding another whole section to the department.

Ms. Engler stated with regard to the number of parcels per assessor, 5,000 parcels per assessor, with a full-time assessor and staff is standard. Mr. Wheeler commented in talking with Schuyler and other counties, it looked like it was about 6,500 – 7,000 parcels per assessor. Ms. Darling commented the number depends on the municipality. If there is a lot of acreage, it is easier to set the values.

Mr. Wheeler stated having such low equalization rates and not doing re-vals for five generations is not a good policy. At the same time, how would this change be perceived locally? Ms. Gabrielle stated that for those outlier towns that have never done a project, and as long as the cost was reasonable, she feels as though it may be well received. The municipalities know they have a problem and they don't have the money to fix it. Mrs. Jordan commented some are afraid of not being re-elected. Ms. Gabrielle stated if this is coming from the County, it is not falling on the town board members.

Mr. Potter commented there are four towns, **one of which is in his district**, that have an elected board of assessors and he believes it would be a hard sell to those towns. Our assessor does at least two other towns.

Ms. Engler stated we have converted 7 towns from a 3-man elected board of assessors to appointed. It can happen, but it is a slow process. They think it is going to raise taxes, but that is not what this is all about.

Mr. Potter stated he was a town supervisor for 24 years, and we hired a consultant to do a re-val. We were led to believe that our school district's (Jasper-Troupsburg) percent of school taxes would be a little less, but it went up to 100 percent. The Town of Jasper tinkered with the full value and we paid a bigger share of taxes. For a long time, no one on the board

wanted to tackle it. That is the reason why they will not do anything about it. If we push that down their throat, then I may as well kiss my job goodbye. He stated that he believes Tuscarora is in the same situation.

Ms. Engler commented that is a good reason why to have countywide assessing. Mr. Wheeler asked how do you accomplish that? Ms. Engler replied generally the counties have a good focus on working with assessors. Orleans has most of their towns going at the same year. Mr. Wheeler asked so they only have a contract and then would chargeback the towns? Ms. Engler replied that is how Genesee does it. Ms. Gabrielle commented she would be interested in the chargeback.

Mr. Potter stated Troupsburg is finishing their re-val this year and it cost \$30,000 over three years. They just decided to finally do it. The State has drastically decreased the funds to the towns to do re-vals. Ms. Engler replied the State pays up to \$5.00 per parcel and the average is \$2.50 per parcel. Mr. Potter stated they used to pay more than that 20 years ago. Ms. Gabrielle commented the State would pay a fee per parcel for STAR administration.

Ms. Darling commented the City of Corning and the Town of Corning have a good inventory, but the municipalities that don't have any inventory, those could be extra expensive. In the 1980's the county did a countywide project that fell through because the towns could decide after the fact whether they wanted to accept it. This is a huge challenge and the municipalities are phasing out with retirements. If you could, do it like Schuyler and do bigger pieces.

Mr. Wheeler stated one of our challenges is the size of the County and the different discrepancies in each community.

Mrs. Ferratella stated we should talk about the best options and focus on countywide assessing and 1537 agreements. Ms. Engler asked did you have some ideas? Mr. Wheeler replied he has been coming up with averages and trying to figure out how many municipalities want in if we do not do countywide. What is the right number to hire the appropriate staff? He stated his suggestion would be to get all of the data we need. We need to get this committee as much data as we can for comparisons between 1537 agreements and countywide assessing. If you end up doing contracts and working on a countywide revaluation effort, that is very interesting. Mrs. Ferratella commented it takes the pressure off the Town Boards to do a re-val. Mr. Wheeler stated the only bad thing is it takes a local issue with local complaints coming to the Legislature voicing those concerns. Ms. Gabrielle stated if you are doing a countywide project, your assessors are still meeting with people and there is more of a partnership. Mrs. Ferratella stated that is how we would have to sell it. Ms. Snow stated there are many people in her towns that want that fairness and equity.

Mr. Wheeler explained the County lowered taxes by .2 percent and the levy decreased, but with the municipalities with low equalization, they saw a 10 percent increase. With a re-val the sales tax distribution becomes more equal.

Ms. Engler stated we need to write down all of the positive aspects of doing a countywide project.

Mrs. Ferratella stated a low equalization rate does not hurt the town, but it hurts the residents. Ms. Engler asked what do you mean? Mrs. Ferratella replied the towns are not penalized if they are not at 100 percent equalization because that is normalized for distribution purposes. Mr. Potter commented when you are looking at Jasper and Troupsburg comparable parcels and taxes, that does not translate into equality. Ms. Engler stated that is the reason for a re-val, to bring back the uniformity.

Ms. Engler stated that she wants to see land in similar regions broken down differently. For example, an acre of farmland in one region is valued at \$2,000, another at \$5,000 and another at \$10,000. Consistency in that approach would be wonderful.

Mrs. Jordan stated she did get some feedback from the Real Property Director in Schuyler County, along with some advice. He indicated that two assessors for 13,000 parcels is not enough and he would also not think of doing a countywide launch. Instead, he would look at doing an analysis relative to maintaining the assessment at 100 percent and looking at doing it quickly.

Mrs. Jordan distributed a handout from a round table on county assessment services. This has information relative to 1537 agreements and how numerous counties are using them for assessing. Typically these start with a town approaching the County for assessment. Some counties chargeback and other do not. The 1537 agreements are adapted to specific needs. Most counties collaborate with the towns when they interview assessors or potential candidates to keep the towns involved in the entire process. Doing countywide assessing would be big to start with. There are towns that are supportive of at least the 1537 agreements.

Mr. Wheeler commented another action item would be to reach out to the municipalities to find out where the assessors are phasing out and how many towns would be interested in 1537 agreements. Ms. Gabrielle asked who will you get? A lot of this hinges on finding someone who is qualified and someone who has a strong background with valuation and tax law. Beyond the 1537 agreements, that will be the biggest struggle. Ms. Engler commented Cattaraugus brought someone on as an assessor trainee and they still have not qualified.

Mr. Wheeler asked is civil service tied to the assessor position? Mrs. Jordan replied there is an assessor test. The Hornell City Assessor is a civil service position. Mr. Wheeler asked would you need the civil service title of Assessor or Appraiser? He is assuming you would get appraisers easier. Ms. Gabrielle replied that is true. RPTL exemption administration; if that is through an appraiser position, they would not have that experience, but they could be taught. Tompkins has an appraisal staff just for appraisals. Ms. Engler commented Amherst and Buffalo have multiple appraisers and assessors.

Ms. Darling stated the exemption administration component is huge. The exemptions are done during the first three months of the year. How would that work? The exemptions are permanent records, so where would they be housed? Ms. Gabrielle stated if you want that role, you would have to send someone out to the location. There is huge overhead in exemptions and you would need access to the records. The cities and towns would not have the space. Ms. Engler asked what about scanning? Ms. Darling replied the State needs to make changes to enable scanning and we are required to have the physical documents. Ms. Engler commented she believes you already have the ability to scan in the exemptions.

Mrs. Jordan stated some counties have the assessors go to the towns on certain days of the week. Ms. Darling stated if we are digitizing records, then the challenge is getting software from ORPTS. Ms. Engler stated they already have the software. You can scan and save 1537 agreement, etc. and create links to each individual parcel. Ms. Darling stated there are some limitations and it would be nice to be able to utilize modern technology.

Mr. Potter commented another aspect is the number of appointed assessors in the County. He is assuming that if an assessor is working in several towns, that is their primary source of income. If the County takes this over, you are also taking away the livelihood of those assessors and we need to address that. Mr. Wheeler stated he agrees and there would be the possibility that they could become County employees. Mrs. Ferratella asked how would that be received? Ms. Engler replied you would have to look at the price differential.

Ms. Gabrielle stated there is not an advantage for assessors that do four or more towns to become County employees. It is the same retirement and health insurance. With the municipality, they are paid \$10.00 per parcel and when you get into the larger parcel counts, it is a comfortable salary. There needs to be a balance with the salary and the ability to do more work. With working for multiple municipalities, there is flexibility in scheduling. Ms. Engler commented with Ms. Gabrielle and Ms. Snow, all of their towns are doing re-vals on a regular cycle. Ms. Gabrielle stated as County employees, she doesn't think you will have that kind of availability.

Mrs. Ferratella asked are there other assessors that have multiple towns? Ms. Engler replied David Oliver has three towns and there are at least two other assessors that do work for other counties.

Mr. Wheeler asked how would this work with regard to terms coming up in October? Is that a hard deadline, or can that evolve? Ms. Engler replied you can change the term or interrupt a term to say that there is no longer a need for a town assessor. Ms. Gabrielle asked how many towns have a hard deadline for assessor retirements? The other thought would be to talk with neighboring towns and encouraging municipalities to do inter-municipal agreements to share assessors.

Mr. Potter commented that is how we started. Ms. Gabrielle stated you would get the geographic benefit and the sales and market information would be pretty similar. It's a matter of who we have that is qualified.

Mr. Wheeler asked would it be possible for the County to have most of the agreements and have the towns work under that? Ms. Gabrielle stated with the inter-municipal agreements, one town would be the host for the assessor on payroll and other town would buy in for an expected cost. She stated she did this with Caton; they pay a monthly amount and she spends a portion of her time in Caton. With regard to exemption administration, if the contract is hosted by the County, the County ultimately would do the processing which would allow the assessors to focus on assessing.

ACTION ITEMS

- Explore countywide re-val without doing a referendum
- More data from counties that have done a countywide re-val
- Reach out to municipalities to find out where the assessors are phasing out and how many would be interested in 1537 agreements
- Hear from or get more information from Dan Martonis, Director of Cattaraugus County Real Property Tax Office
- Wendy Jordan to develop a list of towns who are losing their assessors
- List pros and cons of doing countywide assessing and having 1537 agreements with the towns
- Jennifer Prossick to investigate the Civil Service option
- Rae Ann Engler to provide documents relative to the interruption of assessor terms

III. NEXT MEETING

The next meeting has been scheduled for Tuesday, February 19, 2019 at 10:00 a.m. in the Legislative Committee Room.

The meeting was adjourned at 11:00 a.m.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature