

**STEBEN COUNTY AD HOC MUNICIPAL COORDINATION COMMITTEE**

*Tuesday, March 19, 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  
Laura Snow, Assessor, Towns of Canisteo, Dansville, Hartsville, Howard, Wheeler  
Frederick G. Potter, Legislator, District #10  
Jennifer Prossick, Deputy County Attorney

**ABSENT:** Katherine Gabrielle, Assessor, Towns of Cameron, Caton, Corning, Hornellsville, Prattsburgh

**OTHERS:** Richard Stewart, Howard Town Councilman  
Mary Perham

**I. CALL TO ORDER**

Mrs. Ferratella called the meeting to order at 10:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JANUARY 29, 2019, AND FEBRUARY 19, 2019, MEETINGS MADE BY MR. POTTER. SECONDED BY MRS. JORDAN. ALL BEING IN FAVOR. MOTION CARRIE.**

**III. GENERAL BUSINESS**

**A. Review of Action Items**

1. **Referendum** – Ms. Prossick stated the question was whether we could do a countywide reval without a referendum. She stated that she does not see how we can. There is a proposal in the State Legislature that would change the RPTL to create a new section of law where upon the adoption of a local law, you could force the towns to do revals within three years and then on a five-year cycle. Ms. Engler stated that change is proposed every year.

2. **Municipality Response to Survey** – Mrs. Ferratella stated at the last meeting there were still some municipalities that had not responded to the survey. Ms. Edwards stated after our last meeting, we did receive a few more responses. We still have not heard from five municipalities, but we did call and leave messages.

3. **Parcel Counts and Model of Costs for Municipalities that Indicated Yes/Maybe on Survey** – Mr. Wheeler distributed a handout that depicts the modeled participation and costs based on four scenarios. Given the percentage of parcels in the various municipalities or the assessed value, the City of Corning makes out better and it costs more for the other municipalities. The only way to find net potential savings for all is based on the percent of total current costs. He stated he estimated an Assessor at a Grade XII, although that may be a little low and we could have recruitment issues, but the salary is the starting salary. We could change the salary or appoint up to a Step 2, which would put the salary closer to \$50,000.

Mr. Wheeler stated Scenario #1 includes most of the municipalities that responded yes to the survey. This also uses one Assessor and includes the City of Corning. There would be almost \$100,000 projected savings with 60 percent fringe. These are the municipalities that had more of an interest in doing this. Scenario #2 has all the municipalities that responded yes to the survey and the City of Corning, which gives you enough parcels to go to two assessors. Scenario #3 has all the municipalities that responded yes to the survey, plus a few other municipalities that had responded maybe. This keeps you at two Assessors, with the addition of a Data Collector. With this scenario you would still see a potential savings. Scenario #4 includes all the municipalities that answered yes and maybe to the survey, plus a few other municipalities to get you up to three Assessors and a Data Collector. This is a more significant addition and is getting you closer to the analysis that we showed for countywide assessing. Mr. Wheeler stated we will keep working on this and there may be another way to do it.

Ms. Engler stated you also need to think about the commercial appraisals, which are more difficult. You have more commercial properties in the southwest quadrant of the County and around the lake. Those assessors are paid a little more in those areas. Mr. Potter asked do the utilities have a tendency to challenge assessments? Ms. Engler replied there is statewide compliance by the utilities, however, many feel the depreciation is not high enough.

Mr. Wheeler commented the towns presently do their own tax certiorari cases. That is a huge cost that the County would then incur. We would have to hire that out or have additional staff. Mr. Potter stated each town has their own grievance board. If assessing is done Countywide, how would you facilitate that? Ms. Prossick replied holding a grievance day would be a nightmare. Ms. Engler stated it could be done; you could have staff assigned during that day to collect all of the paperwork and information. Mr. Potter asked would it be prudent for the County to do it in sections? Ms. Engler replied before 2010, the City of Buffalo divided the city into six sections and looked at the major part of growth. Wherever the biggest change in growth was, that was where they would focus. In Steuben County, most of the County is doing a good job of having cyclical projects.

Mr. Potter commented Rathbone had said in the past they were not inclined to do an update, but looking at Ms. Engler's handout, he is glad to see they have decided to do so. Mrs. Ferratella stated based on this handout, we have six municipalities that are not at 100 percent. Ms. Engler stated these figures are as of last year and the equalization rates have not been published yet. Through this time of year, the municipalities have to have a level of assessment claimed. We measure the residential with the statistical, and the remainder gets trended. The assessor gives us an estimate and we come to an agreement. She stated that she knows that Corning and Hornell have dropped, and Bradford has dropped again. Canisteo, Caton and Cohocton are at 85 percent. Hornellsville is at 91 percent, which is a significant drop. They had done a project back in 2008 when there was a big increase in housing and now they are coming back down to a more realistic 100 percent.

Mrs. Ferratella asked looking at the municipalities who answered "no" on the survey, when was the last time they did a reval? Ms. Engler replied Jasper, Thurston and Tuscarora have not done a reval since we have kept record of it.

4. **Pros/Cons of Countywide Assessing and 1537 Agreements** – Mr. Wheeler stated we need to update the handout from the last meeting, but he just wanted to give this group time to think and see if there is anything else to add. Mrs. Jordan stated she wondered how many of the assessors received additional benefits such as health insurance, and if that is a factor. Mr. Potter stated our assessor does three or four towns. Our town only pays the retirement contribution. He cannot speak for the other towns.

Ms. Snow stated most of the towns do not pay benefits. Mrs. Ferratella stated she thinks the Town of Corning splits the cost of benefits for the assessor. Mr. Wheeler asked so that assessor has one municipality that sponsors the health insurance and then charges it back to the other municipalities? Mrs. Ferratella replied she thinks the cost of the health insurance is with the Town of Corning. Mr. Wheeler commented that is a \$20,000 benefit for a family plan at the County. He did figure that in with the scenarios he presented.

5. **Contact Dan Martonis from Cattaraugus County** – Mrs. Jordan distributed a handout outlining her discussion with Mr. Martonis, along with information from other RPTSA directors regarding municipality input. The common factor is that the towns came to the County for assistance. Mr. Martonis indicated in Cattaraugus

County they will try to do the revals a few towns at a time, starting with those that are close to 100 percent. The Schuyler County Director suggested piecing out the valuation and that two to three towns at a time is a good amount to handle. Cattaraugus County is charging back what the towns are currently paying. Once they get more involved in their program, they will evaluate and see if something different needs to be done. Ms. Engler stated she has been working with Cattaraugus County to get them familiar with what they need to be looking for when doing projects.

Mr. Potter commented doing a chargeback at the current rate is a good way to get the towns on board. Mrs. Ferratella stated that Mr. Martonis is focusing on doing the towns that are close to 100 percent first, but she would flip that around. Ms. Engler explained it has to do with getting new assessors trained.

B. Next Steps

Mrs. Ferratella asked what the next steps should be. Mr. Wheeler stated in his opinion, this group should be reaching a decision point soon. If you opted to want to present the countywide option, that would need to happen within the next couple of months. If you opt to go the contract route; to achieve that in the timeframe and have it ready to go in the fall, you would need to start the recruitment process. That process would involve creating the positions and enter into inter-municipal agreements with the municipalities.

Mr. Potter stated so we need to decide between doing a referendum for countywide assessing or doing contracts with the municipalities. Ms. Engler commented the 1537 agreements would have to be agreed to by all. Mr. Potter asked if the towns back out of the 1537 agreements, then we are back to where we started originally? Mr. Wheeler replied you hope for incremental improvement. If we can get a handful of towns to join, we can hire one assessor and get the ball rolling. For the County, we need to know how much staff will be required. The County assumes the risk of hiring staff. You would hope that when we see it is working, then there would be no reason for a municipality to drop out. Mr. Potter stated hopefully when the municipalities see it is working, others will be willing to jump in. Mrs. Ferratella commented proving the feasibility is key.

Mr. Potter stated he does not think a referendum would be successful. Mrs. Ferratella stated she would agree. Mr. Wheeler stated from a practical standpoint, we have the ability to staff and achieve the referendum if you want. If we can interrupt terms, you may be doing that for 2021. Mr. Potter asked how does the referendum work? It's not any individual town vote, but all of the collective votes and if the majority approves it passes? Mr. Wheeler replied yes and the cities as a whole would have to approve. If the vote failed in the combined cities, the referendum would fail. Ms. Prossick stated in order for a referendum to pass, both cities would have to approve as well as the collective vote of the towns. Mr. Wheeler commented some municipalities view the County almost like the County views the State.

Mrs. Jordan stated she had previously heard rumors that some of the elected assessors may not be running, and now the rumor is they are running. Some of the municipalities need new blood, but staffing may be a problem. She does think the system needs improvement. Mrs. Ferratella asked if Mrs. Jordan had any thoughts on the direction this group should take? Mrs. Jordan replied she sees the difficulty with staffing countywide, but there will be more uniformity if we go that way.

Mr. Wheeler stated the equalization rate, from the Chairman's standpoint, is the biggest issue. Without countywide assessing, we cannot force the municipalities to do revals. The best you can hope for is to incentivize the municipalities to want to do it. Ms. Engler stated is the concern with the three towns that are under 5 percent? Mr. Potter stated those would be the biggest concerns as they would be the most resistant. It is interesting that the lowest equalizations are in those towns with elected boards of assessors. As towns have gone to sole assessors, they have been more inclined to do revals. Ms. Engler asked how is the Legislature feeling.

Ms. Engler commented what frustrates her most is the rumors about what it could cost. She has talked with one assessor who said that their board does not want to hear from our office. We have not been afforded the opportunity to talk with the towns. Mr. Potter stated the towns do not want to have to deal with the pushback from the public. Ms. Engler stated it is all about redistribution.

Mr. Wheeler stated from the town's perspective, there is a sales tax benefit to get to 100 percent equalization. When Bath and Campbell did their revals, it helped their budgets. Mrs. Jordan stated the property owners generally do not understand whether they are over assessed or under assessed. Mr. Wheeler stated it is not necessarily about sale value, and it is about education. Ms. Engler explained assessors analyze the market and what is predicted and use a model for assessments. Mr. Wheeler stated we need to educate people that those with newer built homes are generally carrying a larger burden than their fair share.

Ms. Darling stated there is a lack of understanding and that is significant. In her office, in the City of Corning, approximately 30 – 40 percent of the people come in and say they have not done anything to their property. We hold public meetings after the disclosure; it is tough, but we are getting people better educated. With regard to a referendum, why would anyone do it? There is a lack of education. Mr. Wheeler replied when we did the referendum for the Charter, it was difficult to plan and educate. It was a significant hurdle to get people to understand. Ms. Darling stated with the senior citizen population, she worries about how they will fit into everything.

Ms. Prossick stated if you get the towns that have said they are willing, and get Thurston, that would be a start. The rest you would be maintaining. The policy is up to you; it seems like it would be a start to do the 1537 agreements. The education piece would be very difficult.

Ms. Engler commented in the 12 years that she has worked in Steuben County, about a half-dozen or more of the towns have gone to sole assessors. Mr. Potter stated he thinks the easiest way to implement this is to ease into it with the towns that are willing to go and get it started. Over time, hopefully it would grow.

Mrs. Ferratella stated if we can educate the towns that are anti-reval, we may be able to get some movement. Mr. Wheeler stated if you incentivize the towns and take the lead, you are doing something different than what is being done now. You will be moving in a more unified direction.

Mr. Potter stated there were three towns that have not done revals and that would be an additional cost to the County. Was that cost calculated in? Mr. Wheeler replied no. If you charge what they get now, the County may reap a little benefit. If you count everyone's time, maybe not. It is a question of how much of a burden the County is willing to bear or would you just charge that back.

Ms. Darling commented the County has never been an assessor or run an assessor office and that will be a huge transition for Mrs. Jordan's office. Starting small may be a safer method. Mr. Wheeler stated if we added six staff to achieve the countywide assessing, it would be difficult to find enough space. Ms. Engler asked is Mr. Martonis going toward countywide assessing or staying with the 1537 agreements? Mrs. Jordan replied he did not say, but the 1537 agreements seem to be going well. Ms. Engler stated the towns cannot afford to pay assessors what they need to live on. Mr. Wheeler stated we would have to really look at the salary and work with the Administration Committee to officially grade the position.

Ms. Edwards stated that she likes the sound of countywide assessing, but she does not think it will work right now. Mr. Wheeler stated if we did countywide assessing, you would have to do implementation for at least one year and that would be a lot of work for the Real Property Tax Office, in addition to everything else they need to keep doing. Ms. Darling stated the estimate of 7,500 – 10,000 parcels in her opinion is high. That might be in part due to the rural nature of the County.

Ms. Engler asked has there been any thought to de-politicizing the assessor office? We cannot seem to bring back that the job of the assessor is to put the values on property; not taxes. That would help the towns, down to the taxpayer and redirect the focus. It would also be more difficult for the assessors to argue. Ms. Darling stated one small thing would be changing the title to Municipal Appraiser. In our office, we do not talk taxes with the residents. Ms. Engler stated Tax Assessor is a misnomer. When a town falls below 85 percent equalization, they have to send out the disclosures. Steuben County averages 4 – 10 projects per year. If you do countywide assessing, you would have to come up with a cycle and would have to get the towns on board with each other to do that.

Mrs. Ferratella asked with regard to education of assessors, does it make sense to educate them on what they should be focusing on? Ms. Snow replied it depends on how much time they are willing to devote to the public. Overall, if the assessor has an attitude, then it turns the public off. Mr. Potter stated the elected assessors do not get paid a lot and the appointed assessors have more dedicated time. Ms. Engler stated the County used to distribute an annual report that showed the price per parcel that the assessors were getting paid. Mr. Potter commented for the towns with three-man boards, it would behoove us to work with them to show them the advantages of going to a sole assessor. Mr. Wheeler stated those are the towns we get calls about the County taxes when they are apportioned. Ms. Engler commented she gets the impression that the three-man boards are content to leave things as they are.

Mr. Wheeler stated so going back to the process, we would need a formal motion from this group, if you are ready to forward a proposal to the Legislature. He would encourage the group that April would be a good time to talk to the Legislature

**MOTION: FORWARDING A RECOMMENDATION TO THE LEGISLATURE TO MOVE AHEAD WITH ENTERING INTO 1537 AGREEMENTS WITH THE TOWNS TO DO ASSESSING MADE BY MRS. JORDAN. SECONDED BY MS. EDWARDS. MOTION CARRIES.**

Mr. Wheeler stated this will be presented to the Administration Committee at their April 9<sup>th</sup> meeting.

Ms. Engler stated she would love to see a presentation to those towns with three-man boards. We have presentations that we can provide to Town Boards. Mr. Potter stated the best way to approach it is to talk to the Town Supervisors individually and get them to convince the board to listen to a presentation. Mr. Wheeler stated under the Governor's Shared Services Initiative, he has to reconvene all the municipalities to put in another grant application. We have until the end of the year to do this. Last year we had discussed assessing and he plans on bringing it up and would like to use it in this year's plan. We also do highlights in the County Newsletter and could do that again. Maybe when we have our shared services meeting we could do a five minute informational presentation.

**IV. NEXT MEETING**

The next meeting has been scheduled for Thursday, April 11, 2019, at 10:00 a.m. in the Legislative Committee Room.

The meeting was adjourned at 11:10 a.m.

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature