

2017 Annual Report

Joseph A. Mihalko
Broome County Clerk



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Broome County Clerk

Honorable Jason Garner
Broome County Executive

Honorable Members of the
Broome County Legislature

Honorable Colleagues:

I hereby submit the 2017 Annual Report of the Broome County Clerk. The duties of the County Clerk are mandated by the New York State Constitution and by federal, state and local law. These duties are carried out by a dedicated staff that works diligently to serve the public.

The work of the Clerk's office impacts the lives of residents and businesses throughout the county. Each deed, mortgage, court record, judgement, and business certification or incorporation is filed and recorded in the Office of the Broome County Clerk.

The Clerk's Office collected \$9,425,206 in revenue in 2017, of which \$3,015,812 was retained by Broome County to be used by the General Fund, Office for Aging and Veteran's Affairs. More than two-thirds of the revenue our office collects in fees is passed on to numerous state and federal agencies.

I'd like to take a moment to recognize my predecessor, former County Clerk Richard Blythe. Rick served the people of Broome County as Clerk for the past 12 years. This report covers the final year of his tenure as Clerk. His presence and joyful personality will be missed by the staff and visitors to the office for many years to come.

I am confident that the County Executive and the County Legislature will continue to provide support to allow the Clerk's Office to meet our mandates and fulfill our fiduciary responsibilities on behalf of the residents of Broome County.

Respectfully submitted,

A handwritten signature in cursive script, reading "Joseph A. Mihalko".

Joseph A. Mihalko
Broome County Clerk

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Cover: Map of Broome County, 1866 Atlas of Broome County

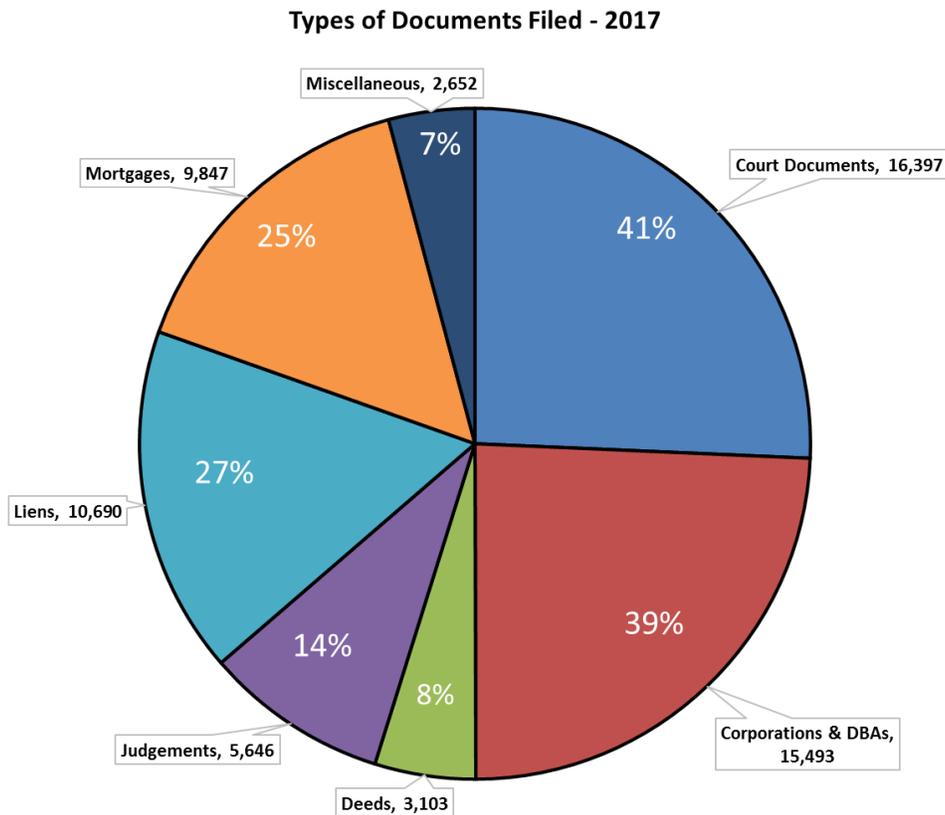
2017 By the Numbers

155,563	DMV Transactions
39,625	Documents Processed by Clerk's Office
16,176	Cubic Feet of Records Stored
330	Passports Issued
288	Newly Naturalized American Citizens
68%	of revenue passed to New York State or Federal Government
36	Departments that utilize the free storage of documents

I. Clerk's Office

The Clerk's Office oversees the processing, filing, scanning and storing of thousands of vital property, business and court documents every year. These documents must be maintained for the statutorily mandated length of time. Depending on the type of document this could range from 6 years to permanently. In addition, the County Clerk is responsible for safeguarding the vital history records of the County, as well as the records of other county departments, stored in our Records Center at the former Ramp Industries building in Binghamton.

In 2017, the Clerk's Office processed 36,625 documents for the residents and businesses of Broome County.



Our office moved to a mandatory E-filing of civil actions and E-recording of Deeds and Mortgages in 2016. This process has continued to be successful, while also cutting down on the number of paper documents we physically store on-site.

Additionally, all public record documents that are stored digitally by the Clerk's Office are available to the public on line through a contract with Info Quick Solutions (IQS). These documents can be downloaded, for a fee, from the County Clerk's website. As outlined in our contract, IQS retains 20%

of the revenue from these downloads as their fee for service. These documents can be downloaded for a fee of \$1.90 per document or by a subscription of \$250 per month for unlimited downloads. The County received \$76,298 in revenue from this service in 2017.

In addition to the variety of services that produce revenue for the County, the Clerk's Office also provides several no fee services to members of the public including Notarizations, processing of Income Executions, Oaths of Office, Veterans Discount Cards, Commissioners of Deeds and Naturalization Ceremonies.

While a large focus of the office has been to moving to digital documents, there are still thousands of volumes of documents that are located in Clerk's Office on the third floor of the County Office Building. In addition to processing new documents, our staff works to assist people searching for documents in-house. We have a number of members of the legal community and title searchers that are in the office several times a week working on various projects. Some firms have taken advantage of our option to rent a booth within the office so that they have a work space that is their own.

With the goals of digitization and preservation of older records and documents in mind, the Broome County Clerk's Office has submitted proposals for a quartet of Capital Projects for 2019.

First, to continue to digitize permanent inactive departmental records that are currently housed at the Records Center (Ramp Building at 1 North Floral Avenue). The plan is to continue to scan and digitize all permanent paper records. Previous capital projects from 2014, 2015, and 2017 have started this process however, we have thousands of more documents that require scanning.

Second, to resume the digitization of older land records. The Clerk's Office houses books of land records going back to 1806. Most of the land records back to 1964 have been scanned and indexed into our IQS system. Our office's stakeholders have requested that we resume the process of scanning and indexing land records past 1964. The 1964 cutoff date, which was set up years ago to allow for 40-year online title searches and abstracts, is often insufficient for land surveyors and law firms who need to research back 100 years or more.

Third, the completion of the digitization of survey and subdivision maps. The Clerk's Office houses various survey and subdivision maps. There is pending NYS legislation that would authorize County Clerks to set up electronic intake and storage survey and subdivision maps. In 2008, approximately 6,000 maps were scanned onto CDs. We would like to import those maps and their indexing information onto our online document system. Additionally, we would scan and index the 2008-2017 maps into the system. Upon the passage of the state legislation, future maps would be submitted electronically, eliminating the need to scan.

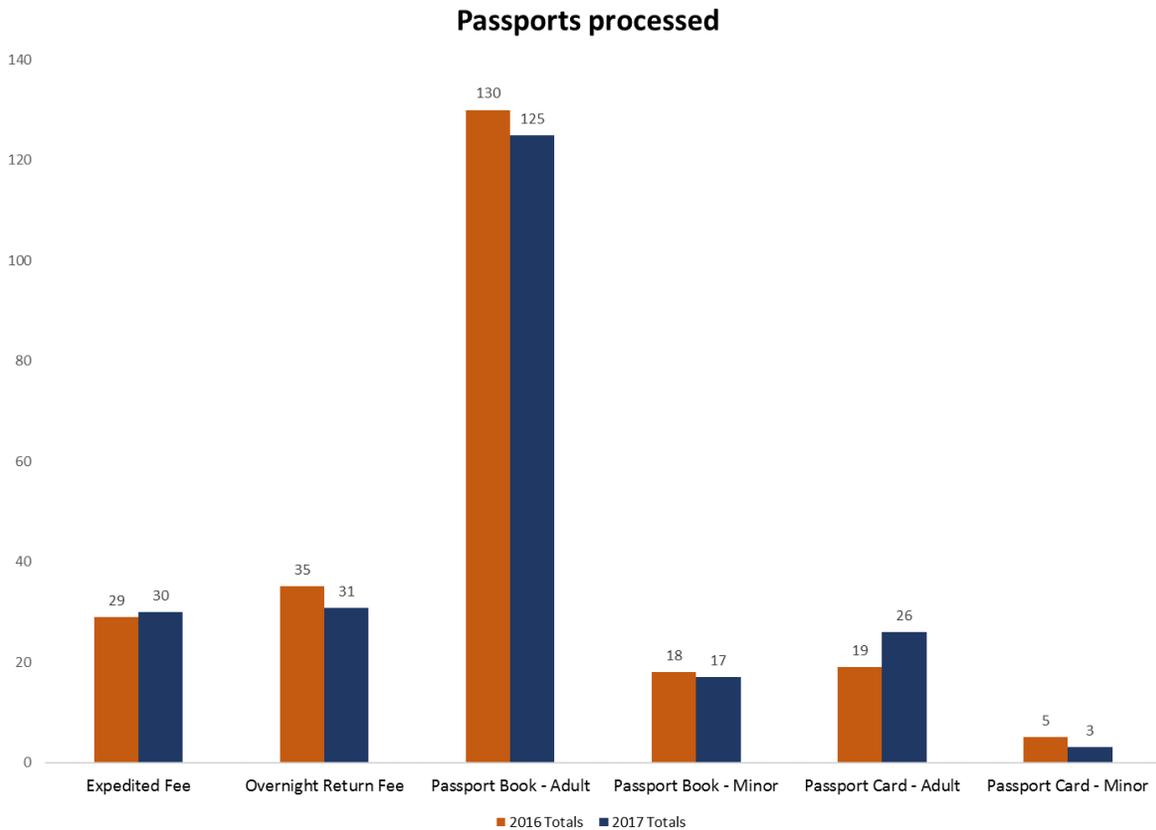
Lastly, our older books of land records are fragile after many years of use. While some of our books have been repaired and rebound, there are others still in need of repairing and rebinding. This has resulted in books being removed from general circulation. These fragile, older land records need to be repaired and returned to circulation to allow searchers to access the information they need.

I-a. Passports

The County Clerk’s Office acts as Passport Acceptance Agents for the Federal Government. All fees and requirements are set by Federal Law. Each Acceptance Agent within the Clerk’s Office is required to be certified as such, and their certifications must be renewed annually. In 2017, 8 out of 12 Clerk’s Office Employees, including County Clerk Blythe, were certified Passport Acceptance Agents.

The Clerk’s Office offers a number of optional services when processing a passport. Broome County is one of the few counties that offer the ability to pay for your passport application with a credit card. For a fee of \$10, the Clerk’s Office provides the convenience of paying with your credit or debit card and then the office issues a check to the Federal Government.

Only about half of the County Clerk’s Offices statewide offer passport photo services. Broome County also offers this service for the price of \$10. However, as the price of the passport camera film increases, the office may need to consider asking to raise this fee or canceling this service.

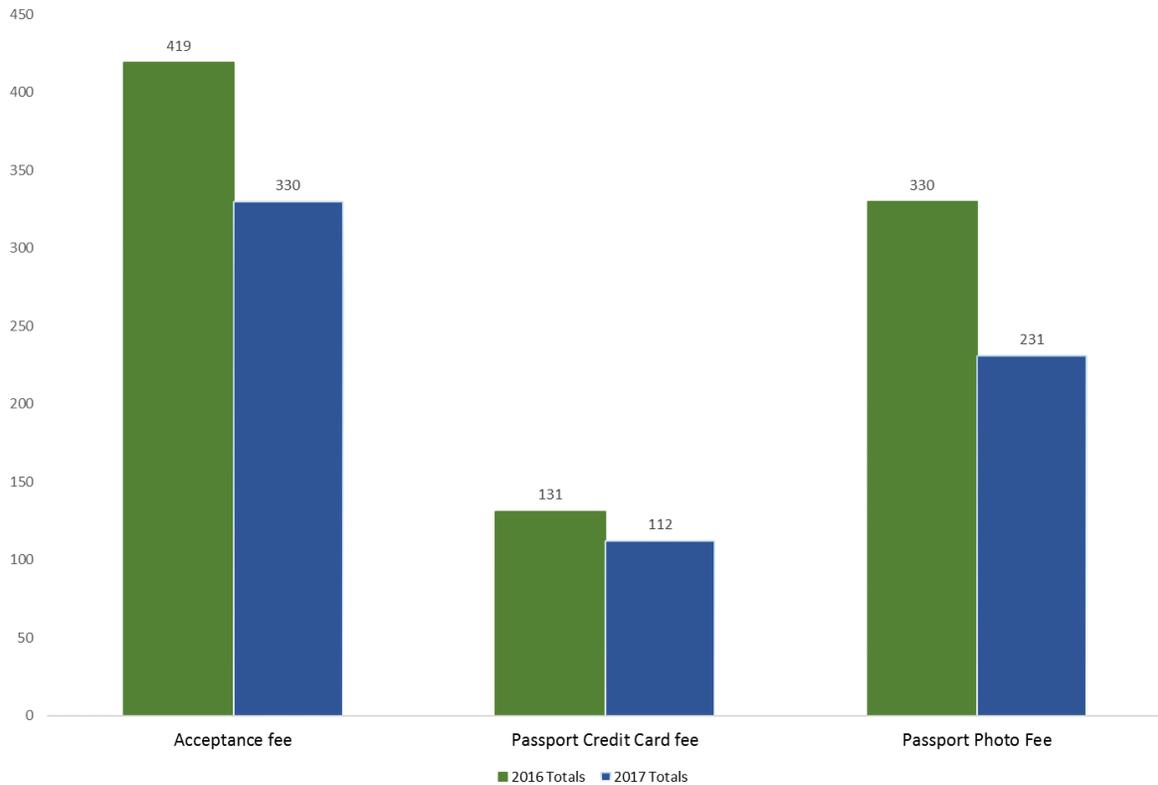


In October 2017, The Clerk’s Office provided services for a Passport Fair hosted by Binghamton University’s Office of International Education and Global Initiatives. During this fair, members of the Clerk’s staff assisted students who were planning on studying abroad in the Spring obtain their passports.

Federal Fees		Fee	2017 Revenue
	Expedited Fee	60.00	1,800.00
	Overnight Return Fee	15.89	489.37
	Passport Book - Adult	110.00	13,750.00
	Passport Book - Minor	80.00	1,360.00
	Passport Card - Adult	30.00	780.00
	Passport Card - Minor	15.00	45.00
Clerk Retained Fee	Acceptance fee	25.00	8,250.00
	Passport Credit Card fee	10.00	1,120.00
	Passport Photo Fee	10.00	2,310.00

In 2017, The Broome County Clerk’s Office processed \$18,682.82 in Federal Passport Fees. The County retained \$15,085 in acceptance, credit card transaction and photo fees.

Fees Retained by Broome County



I-b. Naturalization

Many people do not realize that one of the County Clerk’s duties is the welcoming of newly Naturalized Citizens through a Naturalization Ceremony. This ceremony is a deeply patriotic and meaningful occasion where the Clerk helps to welcome those seeking the American Dream. **In 2017, the Broome County Clerk’s Office participated in the Naturalization Ceremony of 288 new citizens from 76 different countries.** The County Clerk, or his designee, has the honor of administering the *Naturalization Oath of Allegiance to the United States of America* to all new citizens as part of the Ceremony.

These citizens undergo testing and background checks performed by the U.S. Department of Homeland Security, Citizenship and Immigration Services Division. Homeland Security, in conjunction with a New York State Supreme Court Judge, lead the ceremony and presents each new Citizen with their official documentation and credentials.

There were five Naturalization Ceremonies in 2017 held in February, April, July, September and November. County Clerk Blythe was present to administer the oath at three ceremonies and Executive Deputy County Clerk Sharon Exley administered the oath at the remaining two ceremonies.

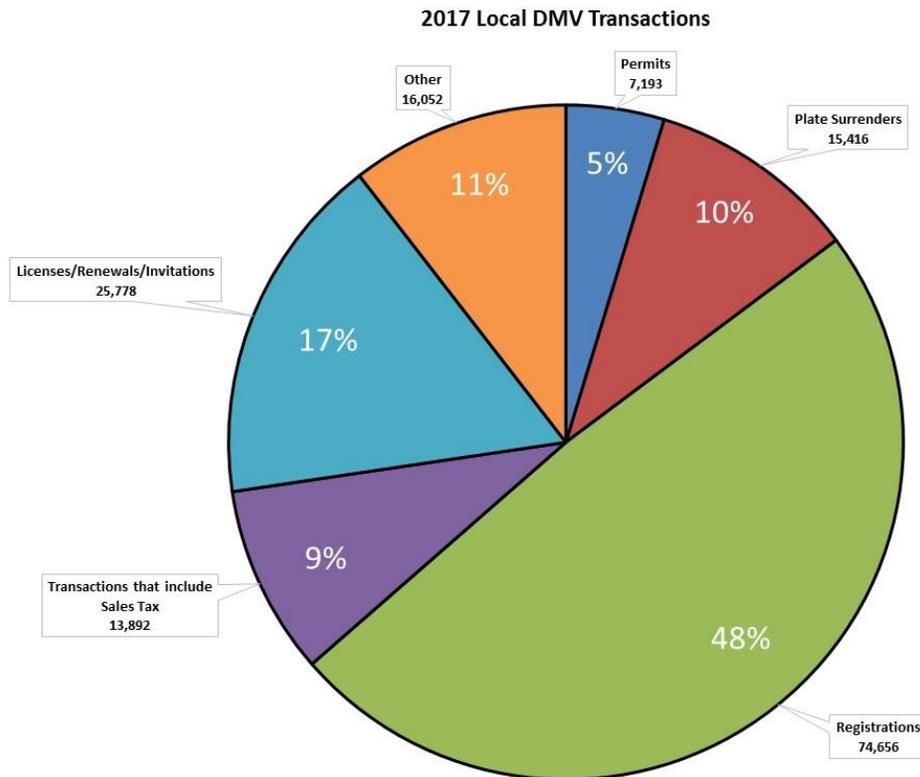
As part of this ceremony, citizens also have the option to *Petition for Name Change*. The County Clerk and Executive Deputy County Clerk certified 38 name changes for our newly naturalized citizens.

2017 Common Countries of Origin	
Country	# of Citizens
China, Peoples Republic of	20
Pakistan	20
India	19
Vietnam	19
Ukraine	16
Canada	12
United Kingdom	10
Poland	8
Iraq	7
Philippines	7
Thailand	7
Ghana	6
Guyana	6
Mexico	6
Nepal	6
Colombia	5
Haiti	5
Russia	5
Trinidad and Tobago	5
Turkey	5

II. Department of Motor Vehicles

Broome County offers two local Department of Motor Vehicles Offices, operating in Binghamton and Endicott. The Endicott DMV offers both weekday and Saturday hours, while the Binghamton office is open Monday - Friday. Additionally, each weekday there is a Satellite Office that is rotated throughout the rural areas of the county. While the Mobile Offices do offer most of the same services that the physical DMV offices offer, they are unable to offer the Enhanced Driver's License, CDL Exams or process Enforcement transactions, including the issuance of Conditional or Restricted Licenses.

Offering the Mobile Offices and Saturday hours has become increasingly important as a means of encouraging residents to visit their local DMV Office as opposed to using the internet or mail for their motor vehicle transactions. For all transactions performed at the local DMV Office, Broome County retains 12.7% of the transaction value. These funds are kept locally and help to keep County taxes down by offsetting County expenses. As opposed to transactions performed online or through the mail where revenues are retained 100% by the State. As more and more customers are turning towards online renewals this source of County revenue could be in jeopardy.



* Other includes: Abstracts, Boats, Duplicate Titles, Enforcement, Financial Security and Non-Drivers ID

In 2017, 49% of the DMV transactions were processed through the Endicott DMV. This is most likely a result of their Saturday hours. The Binghamton DMV processed 43% of the transactions and 8% were done in the Mobile Offices.

	Location	Hours
Binghamton DMV Office	81 Chenango Street, Binghamton	Monday - Friday 8am - 5pm
Endicott DMV Office	137 Washington Avenue, Endicott	Monday - Friday 8am - 5pm Saturday 8am - 1pm
Mobile DMV Offices	Eastern Broome Senior Center, Harpursville	Monday 10am - 3pm
	Conklin Town Hall	Tuesday 10am - 3pm
	Triangle Town Hall	Wednesday & Friday 10am - 3pm
	Windsor Town Hall	Thursday 10am - 3pm

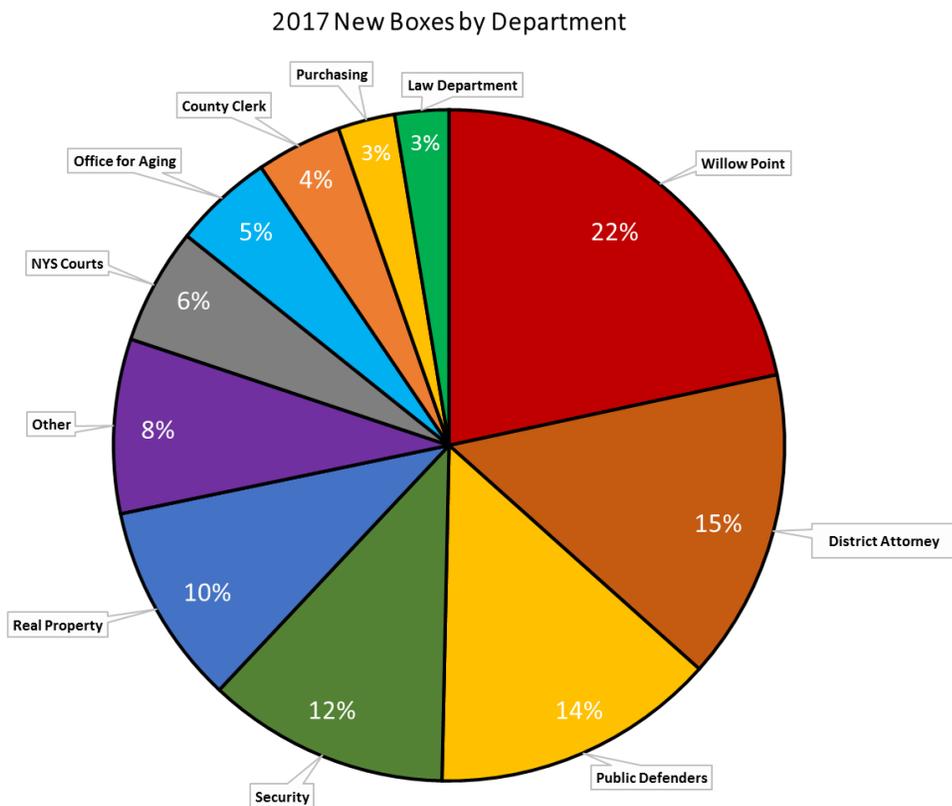
Moving forward, we will be exploring new opportunities to keep DMV transactions local and ensuring that the county retains a portion of our resident’s fees. These efforts could potentially include: drop boxes for license and registration renewals; outreach efforts to remind residents to renew locally; reminders included in resident’s property tax bills; and expanded DMV satellite office services in rural areas.

III. Records Management

The Records Center stores boxes of documents for county departments at the former Ramp Industries complex on Floral Ave in Binghamton. The records were moved to this location in 2016 and the space is shared with Board of Elections and the District Attorney’s Office; however, the County Clerk is responsible for the building utilities and facilities charges. The Board of Elections stores the county’s voting machines and conducts training of poll workers at the facility, while the District Attorney’s Office utilizes the space for evidence storage.

Moving forward, the Clerk’s Office will be exploring the viability of remaining at the Ramp Building. A number of issues have been brought to our attention including the presence of moisture and mold in the document storage area. With the preservation of documents being the Records Management Division’s primary role for the county, our office needs to be sure that these documents will remain unharmed from environmental threats.

The Clerk’s Office oversees the storage of over **14,800 boxes of records for the county from 36 different county departments**. In 2017, 874 new boxes were moved into storage from 15 departments. In addition to the storage of these boxes, our Records Manager responded to 466 requests for document retrieval from boxes stored at the records center.



* Other includes: Emergency Services, Office of Employment and Training, Health Department, Mental Health Department and Information Technology

In October 2017, The Clerk's Office began a scanning contract with Datrose Inc for scanning services. The contract allowed for in-house services for paper records to be scanned, indexed, proofed and destroyed. All of the documents are scanned into the county's OnBase system. This project has freed up 313.9 cubic feet of storage space in the Records Center. Through the contract, the Records Management division has had 2-3 full-time scanners on staff working out of the County Office Building since October. It is our goal that this project will be extended through the end of the year and into 2019 to continue these services in order to reduce the number of physical documents in storage.

In 2015 our office entered into a contract with SourceHOV for the scanning of documents. Unfortunately, the services provided by SourceHOV were inadequate resulting in the need for the Datrose contracted employees to rescan many of the documents. While the scanning projects scope of work will be focused on other documents in 2018, the bulk of the work performed in 2017 was the rescanning of these documents.

Budget

The Clerk's Office collects several taxes and fees on behalf of other Departments and Agencies. While the office may retain a portion of some of the fees, for the most part the office acts as a collection or pass-through department for these fees.

Real Estate Transfer Tax

In accordance with Article 31 of the New York State Tax Law, this tax is collected on Deeds filed with the Clerk's Office. The tax rate is based on the transaction price on the deed and is \$5 per \$1,000 of transaction price. This tax is split with 20% of the total annual collection being directed to the Broome County Veteran's Services Department and 80% of the total collection is sent to the State and is dedicated to the Environmental Protection Fund.

Mortgage Recording Tax

In accordance with Article 11 of the New York State Tax Law, this tax is assessed on mortgages for single and multi-family dwellings, commercial property and vacant land through private lenders, natural persons or Federal Credit Unions. The tax rate is based on the amount of the mortgage debt or obligation secured and is broken down as follows:

- "Basic Tax" = \$0.50 per \$100 borrowed – the revenue from the Basic Tax is passed to the Town
- "Special Additional Tax" = \$0.25 per \$100 borrowed – the revenue is mostly passed to New York State; however, the County does retain a small portion in an effort to cover the costs of administering this tax
- "Local Tax" = \$0.25 per \$100 borrowed – the revenue is dedicated to the Broome County Office for Aging

Equalization and Assessment

In accordance with §333(3) and §574 of the New York State Real Property Law, a fee of \$250 or \$125 is assessed on each RP-5217 form filed with the Clerk's Office. This fee is then passed to the State General Fund.

Notary Licensing

The Clerk's Office processes Notary Public Commissions on behalf of the New York State Department of State. All notary fees are collected by the Clerk's Office and then sent to the Department of State.

Passports

The Clerk's Office is a certified passport acceptance agency. The Office collects all passport fees and passes them along to the Federal government. The Clerk is able to collect an acceptance fee, for 2017 this fee was \$25.

2017 Funds Collected and Distributed	
County Clerk Fees	\$1,142,436
County General Fund	
Mortgage Tax	\$4,395,814
Towns	
Broome County Office for Aging	
New York State	
County General Fund	
Real Estate Transfer Tax	\$2,014,121
New York State	
Broome County Veterans Services	
Court Fees	\$824,001
New York State	
Commission for Education	\$367,725
NYS Records Management Improvement Fund	
NYS Cultural Education Account	
Passport Fees	\$18,224
Federal	
Equalization & Assessments	\$644,925
New York State	
Notary	\$17,960
New York State	
Total Funds Collected	\$9,425,206
Funds retained in the County General Fund	\$1,539,115
Total Funds passed to other entities	\$7,886,090

County Clerk Organization Chart

