

Broome County Clerk

2019 Annual Report

Joseph A. Mihalko





Joseph A. Mihalko
Broome County Clerk

Honorable Jason Garnar
Broome County Executive

Honorable Members of the
Broome County Legislature

Honorable Colleagues:

I hereby submit the 2019 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 \$10,165,704 in revenue in 2019, of which \$1,120,658 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 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 black ink, appearing to read "Joseph A. Mihalko".

Joseph A. Mihalko
Broome County Clerk

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2019 By the Numbers

44,492.....Documents Processed by Broome County Clerk’s Office

14,446.....Cubic Feet of Records Stored

49.....Departments that utilize the free storage of documents

98,969.....Pounds of paper destroyed

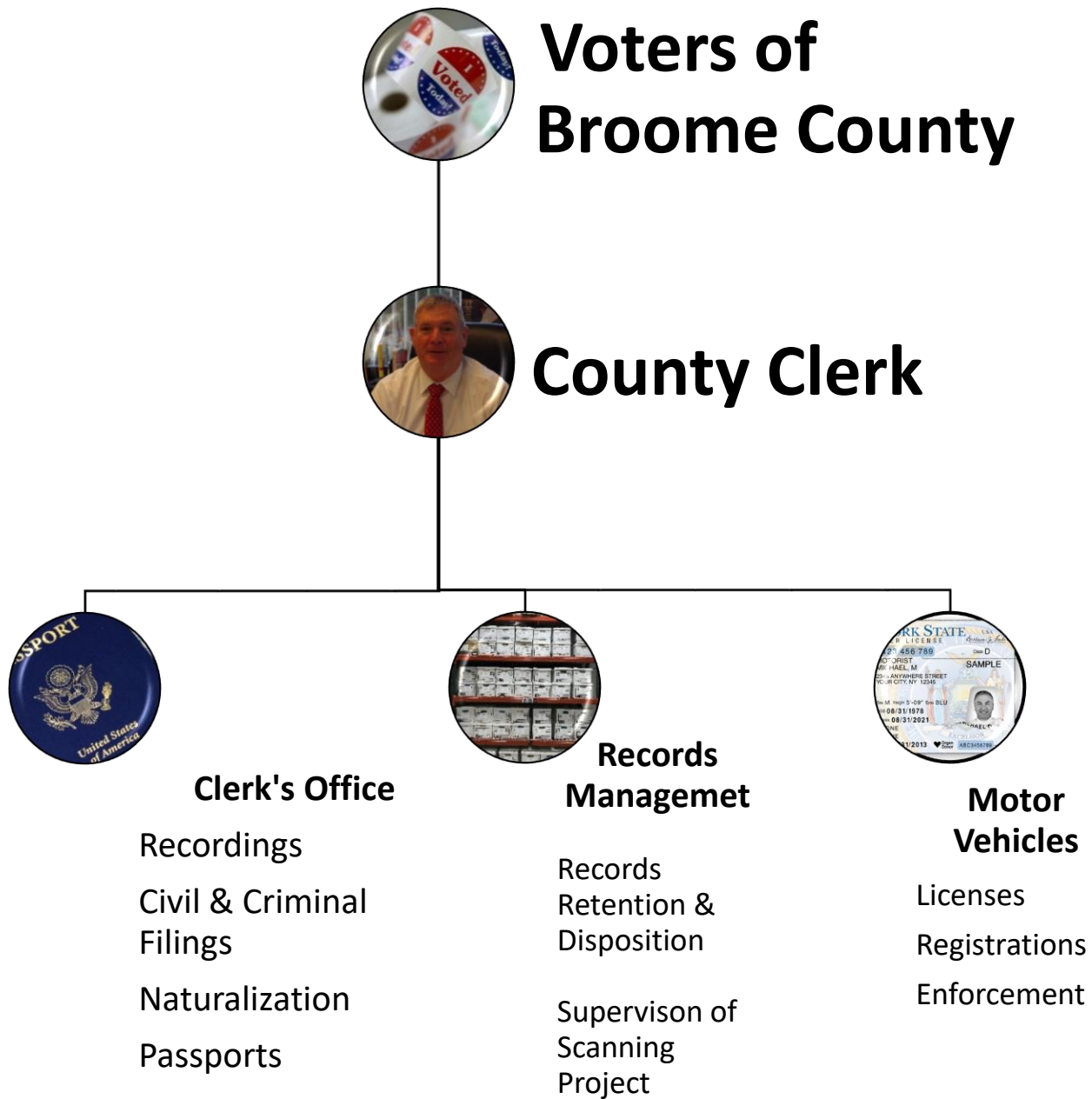
160,764.....DMV Transactions

328.....Passports Issued

282.....Newly Naturalized American Citizens

83%.....of revenue passed to New York State or Federal Government

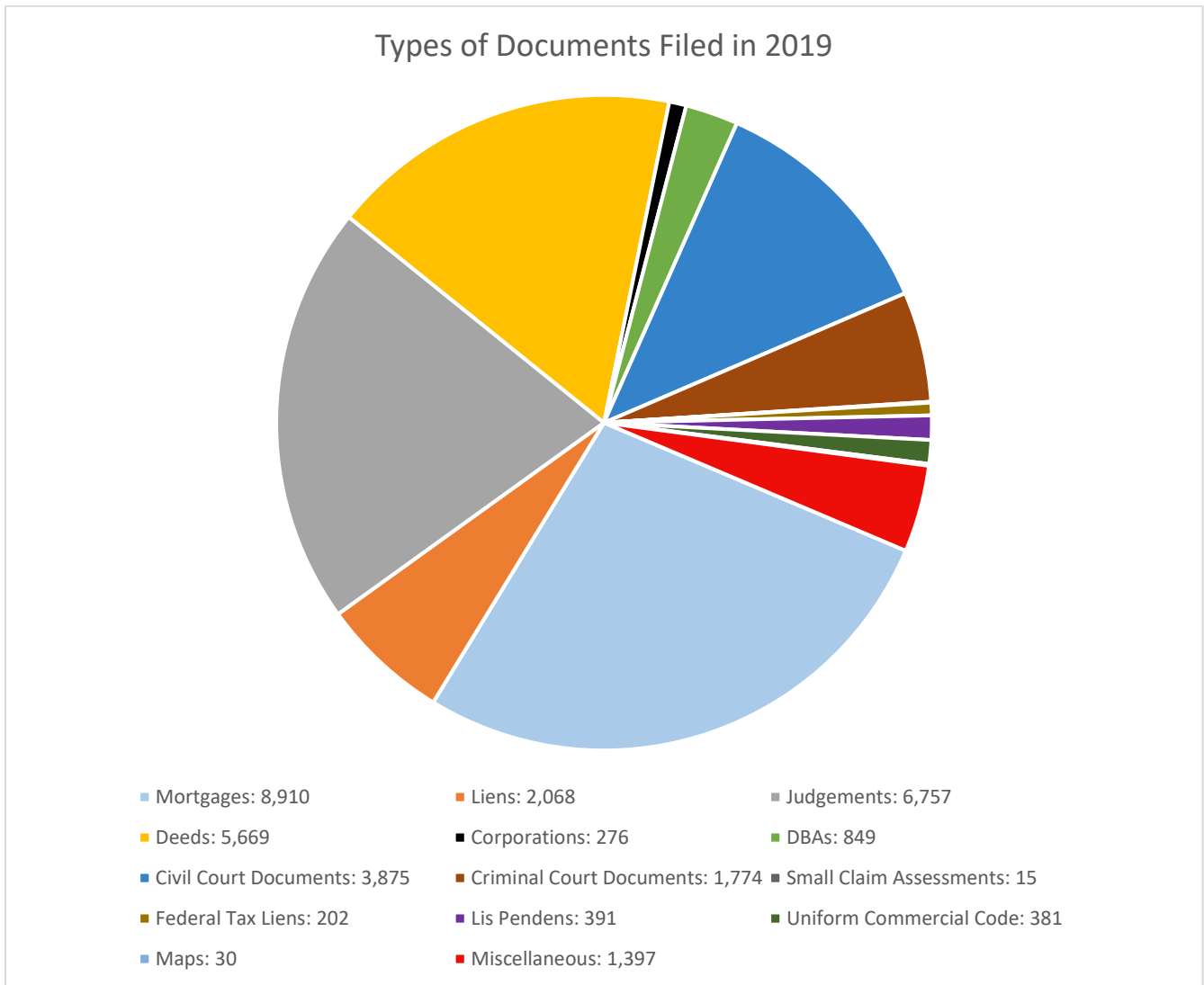
County Clerk Organization Chart



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 2019, the Clerk's Office processed 44,492 documents for the residents and businesses of Broome County; An increase of 5,097 documents from 2018.



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. NYS legislation also now authorizes the electronic submissions of survey and subdivision maps.

Additionally, all public record documents that are stored digitally by the Clerk's Office are available to the public online 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 2019.

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. This includes Notarizations, Oaths of Office, Veterans Discount Cards, and Naturalization Ceremonies.

While a large focus of the office has been to move towards 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. Members of the legal community and title searchers access the documents in our office throughout the week while working on various projects. Some firms have taken advantage of our option to rent a booth within the office, so they have a workspace that is their own.

With the goals of digitization, preservation and access of older records and documents in mind, the Broome County Clerk's Office is working on a set of Capital Projects:

First, to continue to the digitize permanent inactive departmental records that are currently housed at the Records Center (the 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, 2017 and 2019 have started this process however, we have thousands of more documents that require scanning.

Second, to expand our mobile DMV services. We are purchasing a second mobile DMV unit. Besides our two DMV offices in Binghamton and Endicott, we currently have a "mobile DMV" unit which is dispatched to underserved rural communities 5 days a week. Our office has a desire to increase our outreach to these underserved rural areas with a second "mobile DMV" unit. We have already begun discussions with possible host sites, including the Greater Binghamton Airport staff, to gauge their interest in hosting such the "mobile DMV" unit in 2020.

II. Boston Purchase Map

In October 2019, the Broome County Clerk’s Office discovered the *Boston Purchase Map*, a map from 1793 which depicts an agreement between New York State and 60 proprietors from the Boston, MA area for the settlement of what is now Broome and Tioga County. This map is a founding document of Broome County history and had been missing for 35 years. The map, unfortunately, was found in a warehouse with no temperature, humidity or light controls placed between plastic and two pieces of cardboard.

The future for the map is to restore to the best of our abilities, preserve it and frame it for safe keeping. Once the *Boston Purchase Map* is restored and preserved, it will be digitized, and hard copies will be created for educational and historical research purposes. We hope to start this process in July of this year.

Because the map had been missing for 35 years, we are unsure the level of demand for it. We know that historians and members of the public have inquired from time to time if the map had been found. Now that it has been located, we look forward to fulfilling viewing requests. Our recently retired County Historian described the map as “priceless” and the Clerk’s Office agrees. This is the sole copy of the map that granted our area to the proprietors who settled the land and made Broome County their home. They established many of the communities that are still here today.

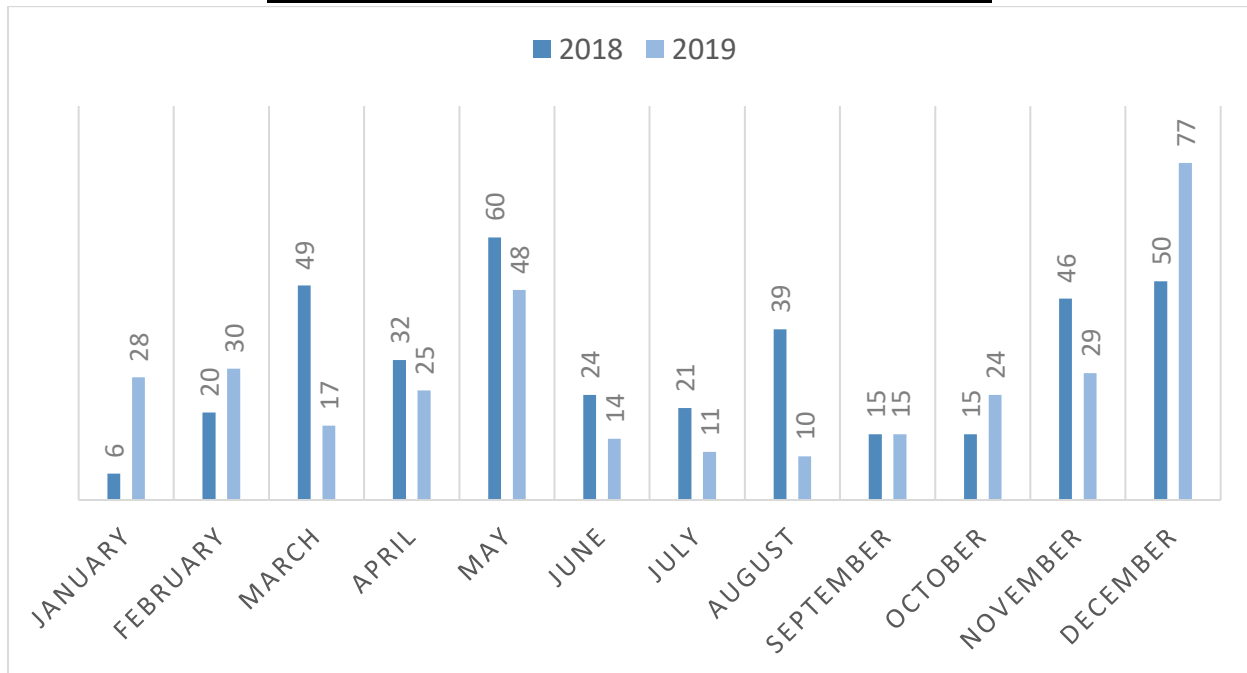


I-a. Passports

The County Clerk’s Office acts as a Passport Acceptance Agent 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 2019, 10 out of 14 of Clerk’s Office Employees, including County Clerk Mihalko, were certified Passport Acceptance Agents.

The Clerk’s Office offers several optional services when processing a passport. Only about half of the County Clerk’s Offices statewide offer passport photo services. Broome County offers this service for the price of \$10. This makes the Broome County Clerk’s Office a great resource for its residents.

Number of Passports by Month for 2018 & 2019



In 2019, The Clerk's Office traveled to six different locations and provided services for the convenience of residents and students who needed to obtain passports but were unable to visit our downtown Binghamton office during normal business hours. We held fairs at the Town of Union, AAA, Seton Catholic Central, Windsor High School, BOCES and the Vestal High School. During the fairs, the Clerk's office helped 113 people obtain their passports. We plan to continue to work with local schools, towns and groups in the community to provide this service for area residents.

Federal Fees		Fee	#	2019 Revenue
	Expedited Fee	\$ 60.00	35	\$ 2,100.00
Overnight Return Fee	\$ 16.38	34	\$ 556.78*	
Passport Book- Adult	\$ 110.00	268	\$ 29,480.00	
Passport Book- Minor	\$ 80.00	58	\$ 4,640.00	
Passport Card- Adult	\$ 30.00	20	\$ 600.00	
Passport Card- Minor	\$ 15.00	11	\$ 165.00	
			\$ 37,541.78	
Clerk Retained Fees				
	Acceptance Fee	\$ 35.00	330	\$ 11,550.00
Passport Credit Card Fee	\$ 10.00	2	\$ 20.00	
Passport Photo Fee	\$ 10.00	236	\$ 2,360.00	
			\$ 13,930.00	

*Overnight Return Fee changed from \$15.89 to \$16.48 Feb 2019

In 2019, The Broome County Clerk's Office processed \$37,541.78 in Federal Passport Fees. The County retained \$13,930 in acceptance, credit card transaction and photo fees.

I-b. Naturalization Ceremonies

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 welcomes those seeking the American Dream. **In 2019, the Broome County Clerk’s Office participated in the Naturalization Ceremonies of 282 new citizens from 72 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 ceremonies and presents each new Citizen with their official documentation and credentials.

There were six Naturalization Ceremonies in 2019 held in February, March, May, July, September and November. County Clerk Mihalko was present to administer the oath at each ceremony.

As part of this ceremony, citizens also have the option to *Petition for Name Change*. The County Clerk certified 51 name changes for our newly naturalized citizens last year.

10 Most Common Countries	India	28
	Pakistan	20
	Philippines	19
	China	16
	Canada	14
	Haiti	13
	Jamaica	11
	Iraq	10
	Dominican Republic	9
	Ukraine	9

I-c. E-ZPass

We are able to give our customers the option of purchasing an E-ZPass in our Binghamton and Endicott DMV Office's, as well as the Clerk's Office for private passenger vehicles for \$25. We accept cash, checks or credit cards. Upon purchase, \$25 is credited to the customer's online account. We're offering this service to make the tags more accessible to Broome County residents as New York State moves towards a cashless tolling system.

By the end of 2020, traditional toll booths throughout New York State will be replaced with large electronic overhangs equipped with cameras and scanners. Vehicles without E-ZPass tags that pass through these cashless tolling facilities will be photographed and a bill for the non-discounted toll will be mailed to the vehicle's registered owner. Drivers using E-ZPass typically save 30–50% on every toll.

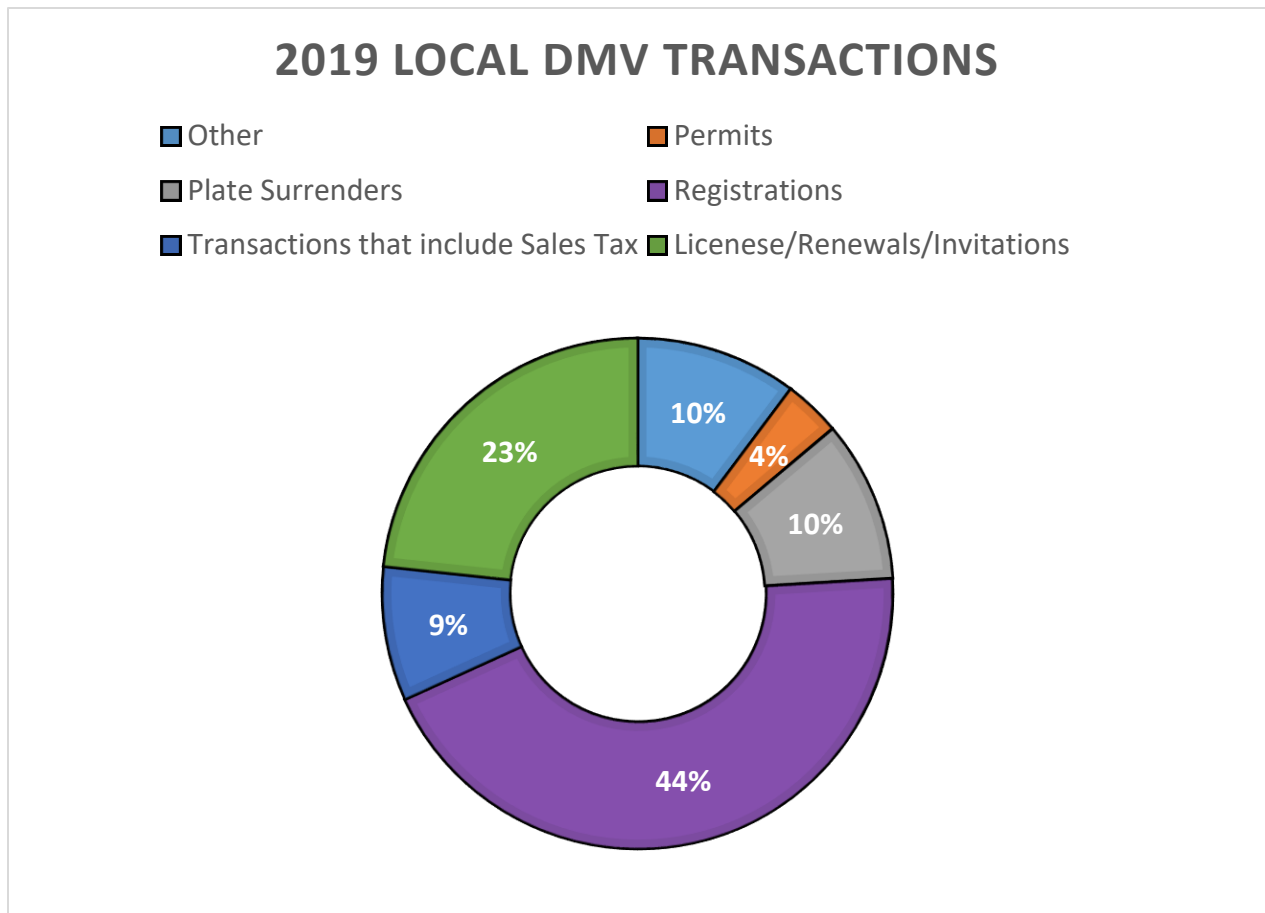


Last year, between the DMV Offices in Binghamton and Endicott, along with the Broome County Clerk's Office, 354 E-ZPass tags were sold. The Clerk's office alone sold 152 tags, where the two DMV offices collectively sold 202 tags. We offer the E-ZPass tags at the Passport Fairs we hold as well. The county retains \$4 of revenue for every tag sold, for a total of \$1,416 in new revenue to Broome County.

III. 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 Office does offer most of the same services that the physical DMV offices offer, it is unable to offer E-ZPass's, the Enhanced Driver's License, CDL Exams or process Enforcement transactions, including the issuance of Conditional or Restricted Licenses.

Offering the Mobile Office 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 2019, 44.50% of the DMV transactions were processed through the Endicott DMV. The Binghamton DMV also processed 44.50% of the transactions, while 11% 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

In 2018, the Broome County Clerk’s Office initiated a variety of outreach efforts to encourage the use of our local DMVs, especially by those in rural and suburban areas. For starters, we installed DMV “Drop Boxes” in 6 different locations throughout the county:

- Broome West Senior Center: 2801 Wayne Street in Endwell
- Eastern Broome Senior Center: 27 Golden Lane in Harpursville
- Northern Broome Senior Center: 12 Strongs Place in Whitney Point
- Johnson City Senior Center: 30 Brocton Street in Johnson City
- First Ward Senior Center: 226 Clinton Street in Binghamton
- Broome County Office Building: 60 Hawley Street in Binghamton

These Drop Boxes are a real timesaver for residents who want to renew their license and vehicle registrations locally but are unable to visit our Offices during normal business hours. In 2019, **45** renewals were collected in our Drop Boxes. That is up **19** from 2018. We strongly encourage residents to save their stamps and skip the lines by utilizing this convenient service.

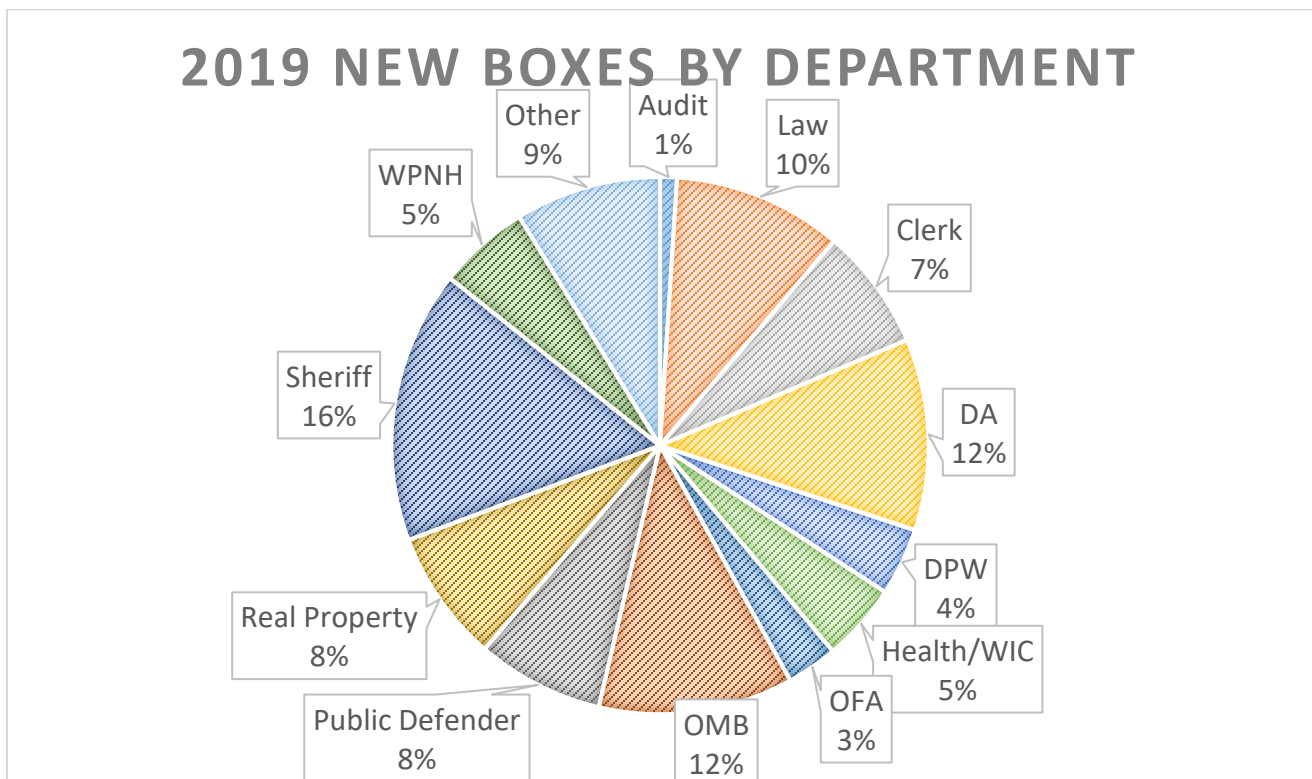
This year we also enclosed a flyer with each homeowner’s property tax bill reminding residents that they can help lower their county property taxes by using our local DMV services.

IV. 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 **14,446 boxes of records for the county from 49 different county departments**. In 2019, 982 new boxes were moved into storage from 19 departments. In addition to the storage of these boxes, our Records Management Staff responded to 523 requests for document retrieval from boxes stored at the records center.



* Other includes: Executive, Mental Health, Parks, Planning, IT, DDS/Legal and Personnel

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 the documents are scanned into the county's OnBase system. This project has freed up 224 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. In 2019, the scanners worked on projects for security, DSS, WPNH and the Clerk's Office. This project was approved to continue through 2020 through the County Capital Projects Budget.

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 2019 this fee was \$35 per application.

2019 Funds Collected and Distributed	
County Clerk Fees	\$1,115,449.57
County General Fund	
Mortgage Tax	\$5,148,981.22
Towns	
Broome County Office for Aging	
New York State	
County General Fund	
Real Estate Transfer Tax	\$1,994,952.00
New York State	
Broome County Veterans Services	
Court Fees	\$912,327.92
New York State	
Commission for Education	\$360,297.00
NYS Records Management Improvement Fund	
NYS Cultural Education Account	
Passport Fees	\$37,541.78
Federal	
Notary	\$17,920.00
New York State	
Total Funds Collected	\$10,165,704.99
Funds retained in the County General Fund	\$1,120,658.07(16%)
Total Funds passed to other entities	\$9,045,046.92 (83%)