

# Cayuga County Clerk

## Monthly Report – NOVEMBER 2021

### COUNTY CLERK’S RECORDING OFFICE

Data from OCTOBER 1-31

Report by Sue Dwyer, County Clerk and Dawn Wolff, Deputy Clerk

#### REVENUE

The County Clerk’s Recording Office YTD revenue and fees collected for Court & Real Estate taxes has increased again in October when comparing this month’s figures with 2020 and 2019. Annual increase is \$1,150,000, which results in \$82,000 additional revenue remitted to the County Treasurer’s Office from our office.

Comparing Jan. – Oct. 2021: \$5,148,092    2020- \$3,996,002    2019 - \$3,941,320

Total remitted to the County Treasurer for all Departments: \$128,726

includes Revenue from: DMV, Records, Building Rent, Mortgage Tax Expense & Interest

County Clerk Revenue Budget: \$640,000

Revenue for the Month of: OCTOBER \$70,538    YTD: \$598,744

<u>Mortgage Tax Collected:</u>	<u>Month</u>	<u>YTD</u>
Paid To: TREASURER	\$129,397	\$1,248,608
SONYMA	\$ 56,323	\$542,678
CENTRO	\$ 62,192	\$588,954

#### TRANSACTIONS

- 789 Land documents: Deeds, Easements, Mortgages, Mortgage Discharges & Assignments (includes electronically submitted recordings).
- 119 DBA/Partnership/Corporation – new, amendments, discontinuances
- 616 Judgments/Liens Filed and docketed, or Satisfied from Supreme Court , New York State, Lower Courts, Federal Agencies, etc.
- 32 Notary filings: new and renewals (does not include the many documents notarized by staff as free service mandated by NYS).
- 94 Supreme Court Index Numbers Issued: Supreme Court cases started this month
- 4 Criminal Court cases filed (no fee transactions)
- 19 Survey maps filed

- 25 Uniform Commercial Code Transactions: new, continuation, termination, search
- 1 Military Discharge filed (Clerk does not charge any fee to veterans for copies)
- Online Records Revenue: \$7,091(generated quarterly); YTD \$31,759
- \$1,737 Passport Processing: 26 – Passport Applications processed

52 - Passport Photos for new and renewals

#### PASSPORT APPTS

New and under 16 year old passport applicants require an appointment: Go to:

<https://cayugacountyclerk.setmore.com> ;

**Routine Processing time: Up to 8-11 weeks at this time; Expedite: 5-7 weeks**

## County Clerk's Activities:

October 1: Presented our budgets for all 4 departments to the Chair of the Legislature, Lynn Marinelli, Budget Director, and Ways & Means Chair Keith Batman

October 7 and 21: – Meetings with Michael McNeill, Records Retention Manager to update the DREAMS Project (a digital solution) and to discuss our strategy when writing the LGRMIF Grant in January/February 2022. After providing information about this digital solution for the past year, we are now waiting to see if the County Legislature will support this multi-year, multi-phase solution by allocating funds for it from the American Rescue Funds.

October 15: I have sat on the Legislative Committee of the New York State Association of County Clerks (NYSACC) for 16 years. Here is the list of **NYSACC's 2022 Legislative Priorities and Position Statements that I will be contacting our local and State Representatives to support:**

- **Increase the DMV retention fee from 12.7% to 15%.**: *What this means:* This shared service with NYS retaining 87.3% of revenue was negotiated 23 years ago and have not *What this means* been changed since! Since the County Clerk's offices assisted the State DMV during the pandemic, (the state closed their offices down for months), it should be even more apparent that the State approves an increase for the hard work that was done to keep customer's transactions up to date. In addition our local offices ensure every New Yorker has the type of photo ID they need --Licenses/Non-Driver ID (Enhanced etc) so they can carry on activities for housing, business, travel etc. Local DMV's have maintained a high level of service that our residents deserve. We support an increase in 15% in the County share of DMV in-office and internet revenue.
- **Support legislation amending Article 81 of Mental Hygiene Law;** *What this means:* We support limiting disclosure of court records to the parties and their counsel to prevent personal sensitive information to be viewed by the public. This change will not impair the orderly and sound administration of justice.
- **Amend Judiciary Law Section 89 to allow for a Uniform and Effective Records Keeping System;** *What this means:* Presently County District Attorney records are governed by State Appellate Courts. To better manage, preserve, and access these records, they should be placed under the jurisdiction of the NYS Archives and be included in the Retention and Disposition Schedule for NY Local Government records. (presently the majority of the County Records are presently kept this way)

- **Amend CPLR to authorize County Clerks to retain motion fee for the processing and entry of “Clerk Entered” default judgments.** *What this means:* In 2003, NY CPLR was amended to institute a fee to be charged upon the filing of various motion papers with the Clerk of the Court. One document type, “motion” requires the submission of the fee is the “clerk entered” default judgment for “sum certain” which is usually filed in consumer credit transactions. *What this means:* The NYS Court System does not perform any duties on these applications; rather the County Clerk, as Clerk of the Supreme Court who processes, enters and maintains these judgments. In addition, the new rules implemented by OCA (Office of Court Administration) regarding these judgments in Consumer Credit transactions has created a new layer of tasks to be undertaken by the County Clerk. We believe that the motion fee collected on these judgments should be retained by the County Clerk for the work performed by their office on each of these judgments.

#### **POSITION STATEMENTS:**

- **Increase ATV Registration weight:** Allow the registration for All Terrain Vehicles (ATV’s) and Utility Task Vehicles (UTV’s) weighing up to 1,800 pounds; currently the weight limit is 1000 pounds.
- **Judicial Reform:** Support more efficient and effective court system and allow County Clerks to continue their role supporting the court in an effective manner. We are asking that NYSACC be at the table during these discussions/negotiations and to be part of the legislative process going forward.
- **Expansion of E-Filing:** With the assistance of the County Clerks, judges and local Bar Associations, the Office of Court Administration has done a great job of developing successful E-Filing applications. We specifically recommend that legislation be promulgated to allow for approval of mandated e-filing in Matrimonial, Mental Hygiene, and Article 78 cases and to eliminate the sunset clauses.
- **County –level Transparency of Limited Liability Corporations (LLC):** County Clerks across NYS file and issue Business Certificates and the NYS Dept of State shares their files of the Corporations and Assumed Business Names, as well as the Amendments and Discontinuances of these same entities. These records in the County Clerks offices relate back to the creation of each county! Unlike General Business Law that requires the County Clerk to maintain an alphabetical index of all Corporations, Assumed Business Names, etc., the Limited Liability Company Law does not require the LLC or Limited Partnerships to be indexed by the County Clerk. County Clerk’s offices are frequented by people who wish to obtain these records for proof of business to open bank accounts, process DMV transactions, etc. We support an amendment to require County Clerks to file and index LLC’s and LL Partnerships that have been filed with the NYS Department of State.
- **Reform the Local Government Records Management Fund:** For the past three decades, the NYS Local Government Records Management Fund (LGRMF) has helped facilitate many projects helping counties maintain records. These funds are collected by County Clerks from Real Property and Court transactions. Recently, this program has expanded to include many more eligible entities applying for funds. As a result, the current grant award structure places many counties at a disadvantage when applying for the funds. NYSASCC support legislation reforming this process and encourages legislation that will bring equity to the funding formula.

October 20: Deputy Clerk Shelley Patterson and I completed our Annual Passport Audit (done remotely this year) by the U S. Dept. of State. After it was completed they immediately told us that our Passport Facility passed the audit with no concerns, and they thanked us for following all of their requirements including annual passport training.

October 30: The County Clerk's Recording Office is the repository for specific documents from all of the towns and villages within county. Examples of the types of documents are oaths of office from judges and registrars, budgets, and local laws. Many New York State organizations are also required to send us many different types of notices for us to timestamp and post for the public to view. Up until now we kept paper folders for all of the above. Due to an update, we now have the capacity to accept electronic documents, and index and scan hard copies of all of the paper we previously managed for each municipality. Searching will be faster and easier, and less paper means less office space needed to do our duties. Thank you to Deputy Dawn Wolff for initiating the upgrade, and for IQS, our vendor, for making it happen!

October: Several planning meetings with Deputies and DMV Supervisor to discuss updates, promotional initiatives, upcoming issues and projects.

October: Staff person John Bohall made updates to our website several times this month for the following reasons;

-Passport processing times were updated twice (see above)

-We expect to see an increase in Veterans coming home, so he added a newsflash on our website to encourage them to file their DD214 (Discharge Papers) in the County Clerk's Office. We encourage all separated military people to do so they will be able to get a certified copy here, free of charge, if they ever need it.

- The U S Passport application updated their policies regarding gender markers on U S Passports and Consular Reports of Birth Abroad to better serve all U S citizens regardless of their gender identity.

## **DEPARTMENT OF MOTOR VEHICLES**

### **Data from October 1 – October 31**

#### **Report by Shereen Androsko, DMV Supervisor & County Clerk Sue Dwyer**

Our DMV Office is open for Walk-In service for Cayuga, Onondaga, Oswego, Seneca, Tompkins and Wayne County residents only; limiting the amount of people in our office at one time to 20.

Hours of Service: Staff arrives at 8:45 a.m. Doors open at 9 a.m.; we close from 12-1:00 for lunch; Doors open from 1:00 p.m. and doors close at 4:30 p.m. and staff continues to process transactions for any customers remaining in the office.

We will continue to accept transactions from ALL New York State residents by mail or by using our Drop Off bin in front of building during the above business hours.

While our DMV no longer has a public phone number, there is an email that gets answered quickly so customers will be prepared for their visit, and to get questions answered about dropping off their transactions. **DMV EMAIL: [insuredmv@cayugacounty.us](mailto:insuredmv@cayugacounty.us)**

## **REVENUE & DATA**

Total Retention to the Clerk's Office from DMV Transactions in OCTOBER: \$39,954

(YTD) \$454,317

Total YTD DMV Retention (includes in-office and online sharing): \$499,243

Total transactions processed in our DMV in OCTOBER: 4,775; YTD 49,144 (includes dropped-off, mailed-in and dealer work).

Total NYS Sales Tax Collected (and paid to the NYS Dept. of Taxation and Finance): \$181,690

Total online transactions conducted by Cayuga County residents in OCTOBER: 2,075; YTD 27,032

Total Online Sharing Revenue for OCTOBER: \$4,355 (YTD) \$44,926

## RECORDS RETENTION CENTER

### Records Management Department Report, by Michael McNeil

#### October 2021 Records Management Department Report:

##### 1. Projects:

- 1.1. Scanning project work continues, e.g. Environmental Health, Treasurer ledger books, Marriage records, Social Services, Sherriff, etc.
- 1.2. The DREAMS Project (Digital Records Electronic Access Management System), a project intended to move Cayuga County towards a 21<sup>st</sup> Century Records Management and Operations Solution:
  - 1.2.1. Moving forward on next steps in project plan:
    - 1.2.1.1. Resolution submitted for approvals.
    - 1.2.1.2. NYS grant funding on hold presently, awaiting their guidance on when to proceed with submissions. All signs presently point to 2022 as being Cayuga County's first opportunity to apply. We will apply to the Shared Services classification.

##### 2. Operations:

- 2.1. 5,821 total documents scanned
- 2.2. 142 records requests
- 2.3. 2021 Third Quarter revenue generated servicing authorized Cayuga County abstract companies = \$203.90 [down 33% from FY2020-Q3 total revenue in this area]
- 2.4. County shredding services:
  - 2.4.1. DSS – 5 bins, \$284.50 in revenue
  - 2.4.2. Ad hoc shredding—bins, boxes, etc.--continues for other county departments as respective departments continue to digitize, convert (i.e. NYS Archives LGS-01), and reorganize their records, and export content to Records for destruction (see chart below).
  - 2.4.3. As of the end of October, Records has seen a **35% increase** in content destruction requests compared to 2019 (Year 2020 totals are exempt from this analysis due to COVID-19 effects). This encompasses all requests, such as traditional annual records purge, DSS and ancillary departments, etc. We anticipate this trend to continue for the foreseeable future.

Since the current volume trend and levels exceed the traditional destruction model output capacities, beginning in 2022, the County will have to explore an alternative way to dispose documents that need to be destroyed.

- 1.1.1. methods of shredding outsourcing in the interim as the department considers alternatives to catch up.

## **HISTORIAN'S OFFICE**

### **Historian's Report by Ruth Bradley, County Historian**

County Historian's Office: Monthly Report October 2 – November 7, 2021

We are following current COVID safety protocols.

23 in-person visitors

11 queries through phone, email and letter requests

Some highlights:

- Jessica Armstrong did a comprehensive deed search for the Town of Victory's historian, verifying the probable construction date (1840s) of the Town's History Center (that is in jeopardy of demolition).
- We aided County Legislator Trish Kerr and Habitat for Humanity, providing historical information about a recent Habitat project house in Auburn.
- Staff assisted out-of-state researchers who came in person to the office, from Vermont, Ohio, and North Carolina.
- Ruth Bradley gave a talk on community cookbooks as historical resources at Opendore, part of the Howland Stone Store Museum in Sherwood.
- We helped connect the Frontenac Museum in Union Springs with the County's Planning Department, that in turn provided large-scale scanning of maps at low cost for a Frontenac Museum exhibit.

**Respectfully Submitted,**

**Sue Dwyer, Cayuga County Clerk**