

2022 Budget Presentation

WESTCHESTER COUNTY CLERK



Timothy C. Idoni
Westchester County Clerk



WESTCHESTER COUNTY CLERK

Timothy C. Idoni
County Clerk

November 15, 2021

Dear Honorable Budget Committee Members:

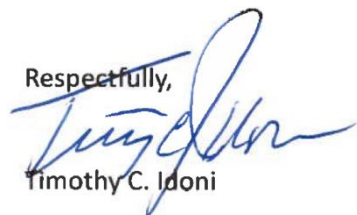
The Office of the Westchester County Clerk is proud to present a lean 2022 budget. The budget once again reduces expenses while maintaining all critical services. The budget presents conservative revenue projections which rely on current market indicators. Our spending estimates reflect an effort to cut or hold flat spending within our control.

Overall highlights

- Our 2022 revenue is projected at \$11,107,197 while 2022 expenses are projected at \$6,804,879 resulting in a departmental tax levy of *negative* \$4,302,318.
- Our staffing remains lean as our overall staffing has been reduced approximately 42% since I took office. Two positions are unfunded, pending permanency of promotions for 2022, resulting in a cumulative reduction in staffing of approximately 44%.
- Our 2022 budget will provide a high level of service to our customers including the continuation of electronic filing in our Legal Division where approximately 85% of our cases are started electronically, as well as the expansion of electronic recording in our Land Records Division where voluntary participation reached approximately 87% in 2021.

The Office of the Westchester County Clerk will continue to face the financial challenges all governments face head on. We remain committed to improving service while reducing costs to our residents.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Timothy C. Idoni', written over the printed name.

Timothy C. Idoni

Services Provided by the Office of the County Clerk

Land Records Division

- Recording land records, including deeds, mortgages, assignments, and satisfactions
- Collection and processing of New York State mortgage and transfer taxes
- Filing of maps, UCC statements, Federal tax liens, Notices of Common Charges, and other federal liens

Legal Division

- Fee collection and filing of court records for Supreme and Westchester County courts
- Administration of Notary Public and Commissioner of Deeds licenses
- Administration of the Domestic Partnership Registry
- Filing of Business Certificates and Incorporation records from New York State
- Filing of Small Claims Assessment Review petitions
- Filing of Veterans Military Discharge papers

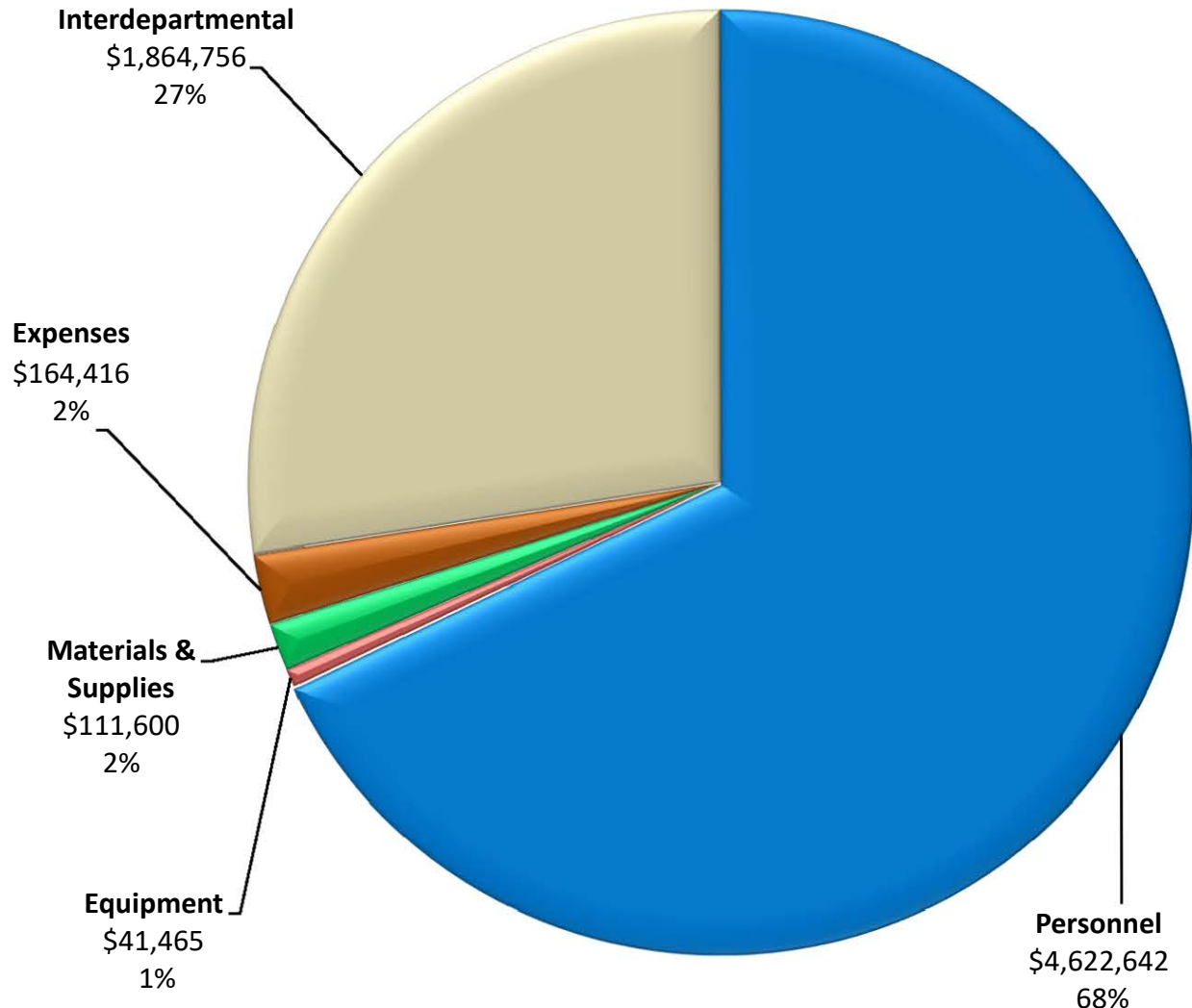
Licensing Division

- Processing of United States Passport applications
- Administration of Pistol Licenses
- Issuance of Westchester County Identification Cards
- Host and Administration of Oath of Allegiance to newly naturalized United States citizens
- Operation of Mobile Passport Office to bring services to municipalities and events throughout the County

Administration

- Subscription Service for WRO access to land and legal records, foreclosure lists, judgments, and other records
- Financial Reporting to partners in federal, state and county government
- Administering and Filing of Oaths of Office
- Provision of certified copies of all recordings and filings

2022 PROJECTED EXPENSES AT \$6,804,879



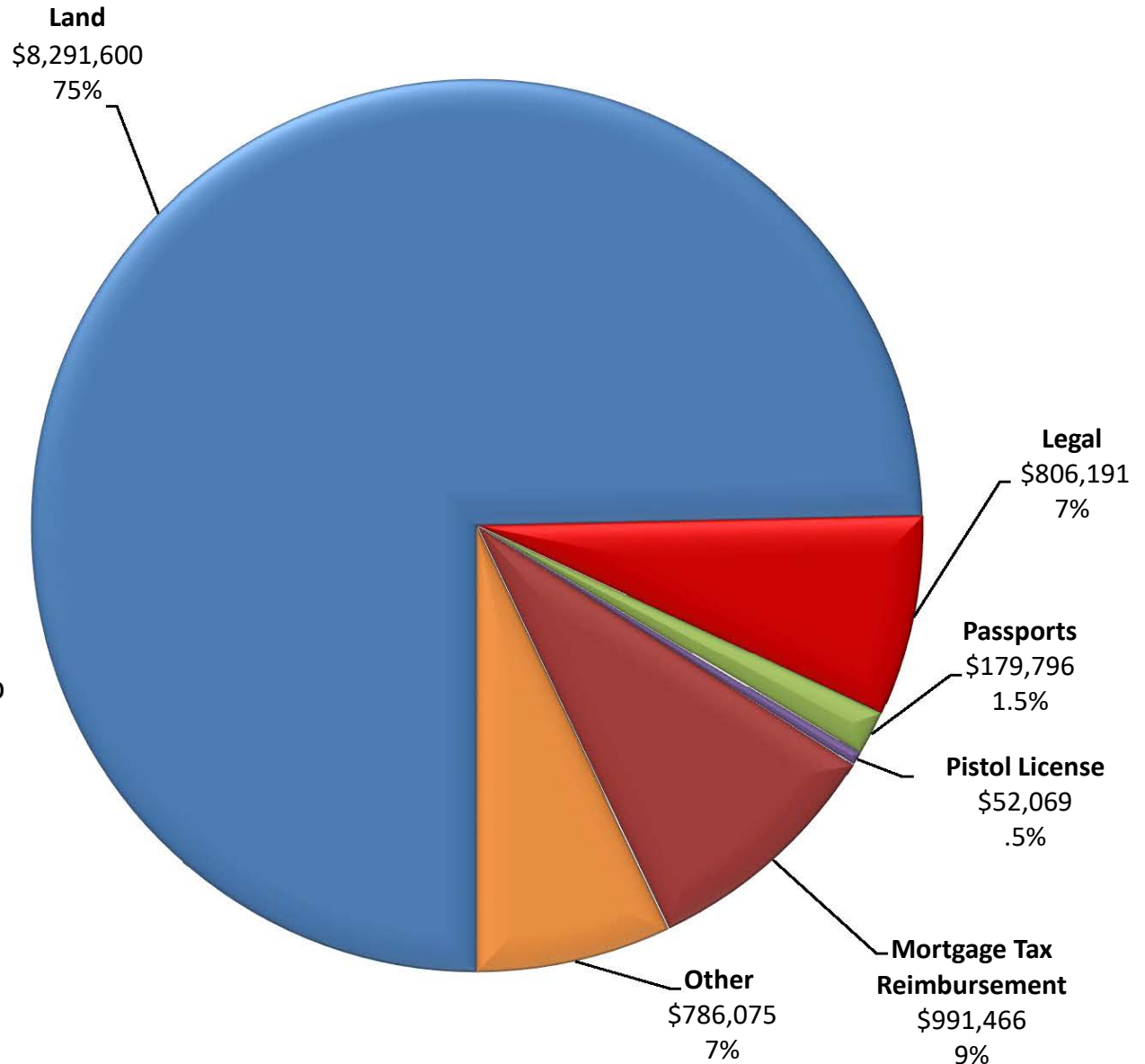
2022 Expenses

Our largest expenses, by far, are our personnel costs which represent 68% of our proposed expenses for 2022 and include salaries and overtime. Interdepartmental charges represent the next largest portion of our expense budget, with 27% of our budget funding items such as our DoIT support team, the Archives, DPWTR and the Law Department. Our general expenses, which make up 2% of our expense budget, include items such as scanning and equipment rental. Our materials and supplies budget continues to remain modest as our e-initiatives expand, coming in at 2% of our budget. Additional and replacement equipment continue to make up less than 1% of our budgeted expenses.

2022 REVENUE PROJECTED AT \$11,107,197

2022 Revenue

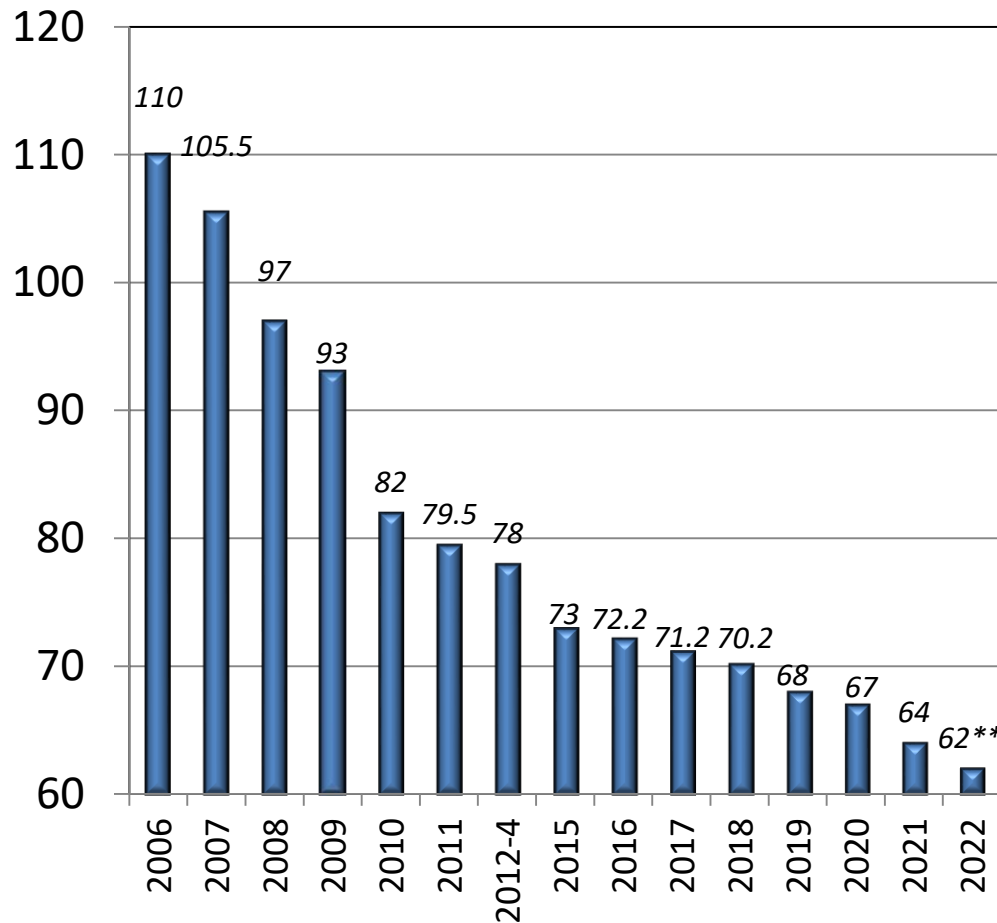
Fees paid in connection with the recording of land records such as deeds and mortgages make up the majority (75%) of our revenue. Court and legal fees provide an additional 7% of the revenue collected by our office. New York State reimburses us for expenses in connection with the processing of mortgage tax and this accounts for 9% of our revenue. Passports and pistol licenses make up 2%. The remaining 7% is comprised of equalization and assessment fees, interest income, table rentals, online access to records, transfer tax revenue, public copier and overpayment of fees.



REDUCTIONS IN STAFFING

Overall Staffing Reduced by approximately 44% since 2006

Number of Employees*



*Chart includes operating, grant, temporary and hourly employees.

Positions Eliminated:

26 Operating Positions Eliminated:

Assistant Deputy County Clerk
Chief Deputy County Clerk
Budget Specialist III/Services Supervisor
3 Staff Assistants
8 Clerks (County Clerk)
6 Senior Clerk (County Clerk)
Secretary I
2 Senior Messengers
Director Program Development II (Trades Licensing)
2 Second Deputy County Clerk

2 Grant Positions Eliminated:

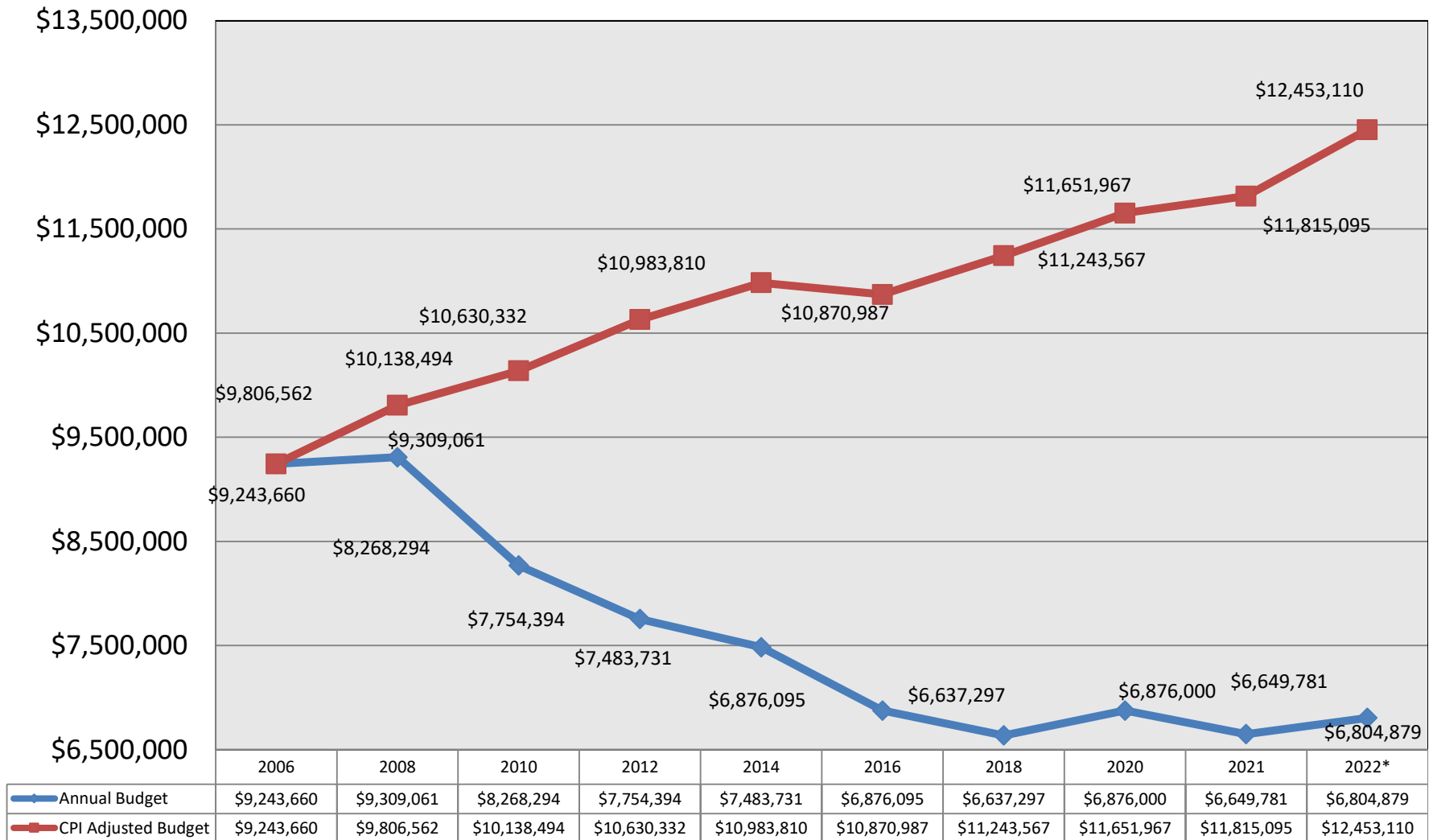
Senior Messenger
Messenger

18 Full-Time Temporary Positions Eliminated

****2 Full-Time Positions Unfunded-** due to promotions pending permanency

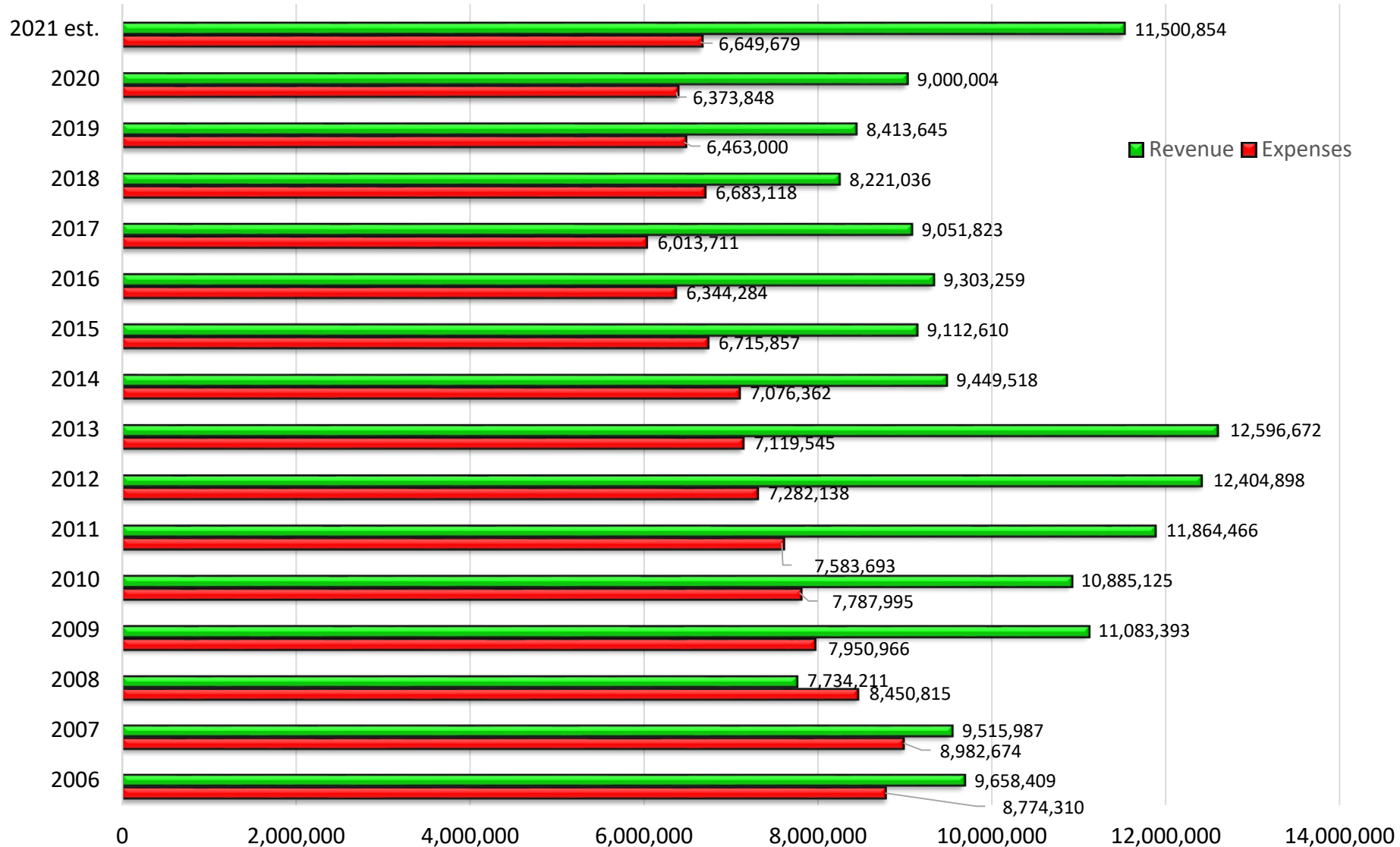
Expense Reduction

Annual Budget vs. Budget Adjusted for Consumer Price Index (CPI)



*CPI Adjusted Budget for 2022 Proposed Expenses was adjusted through September 30, 2021.

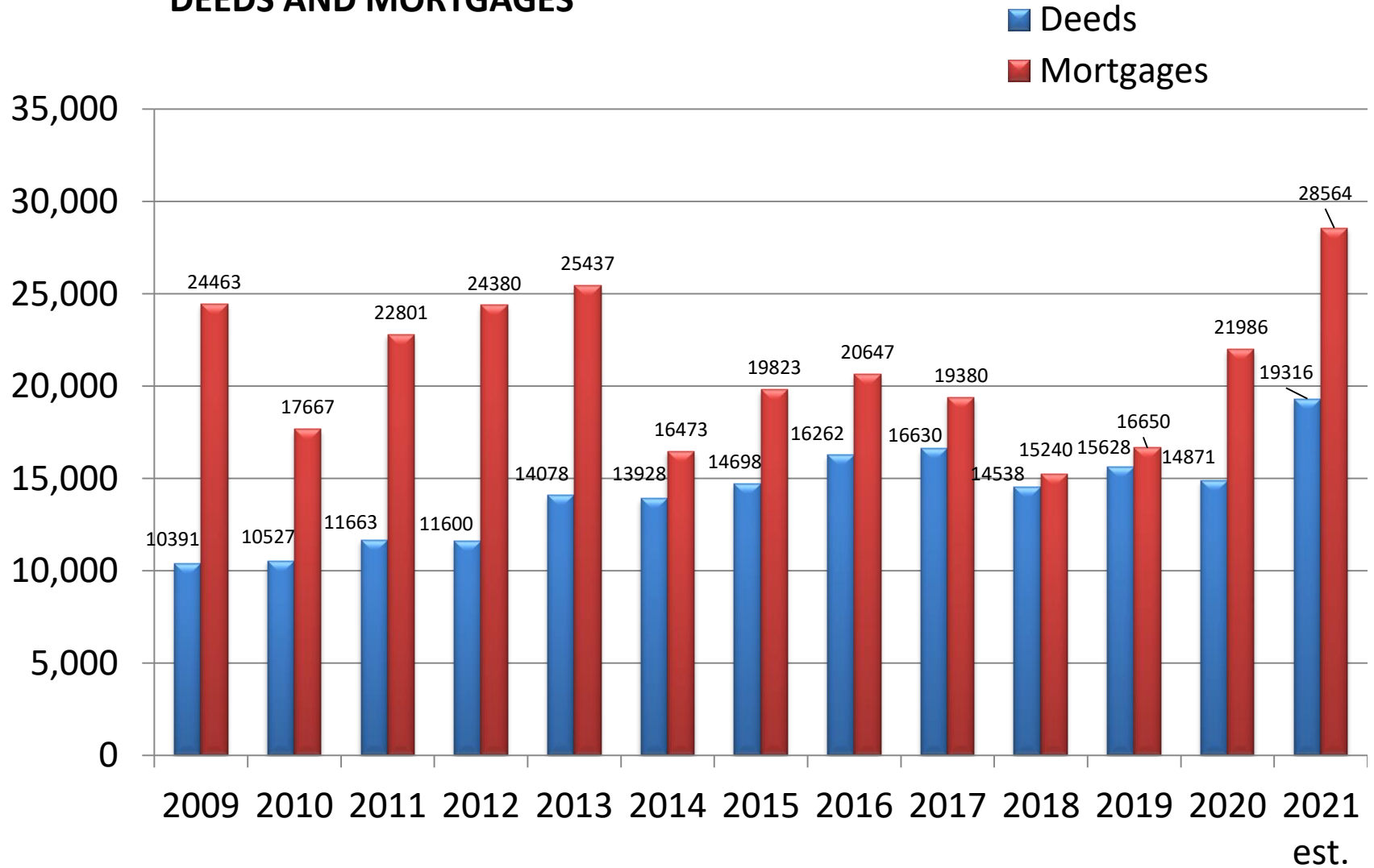
BUDGET ANALYSIS : REVENUE/EXPENSE



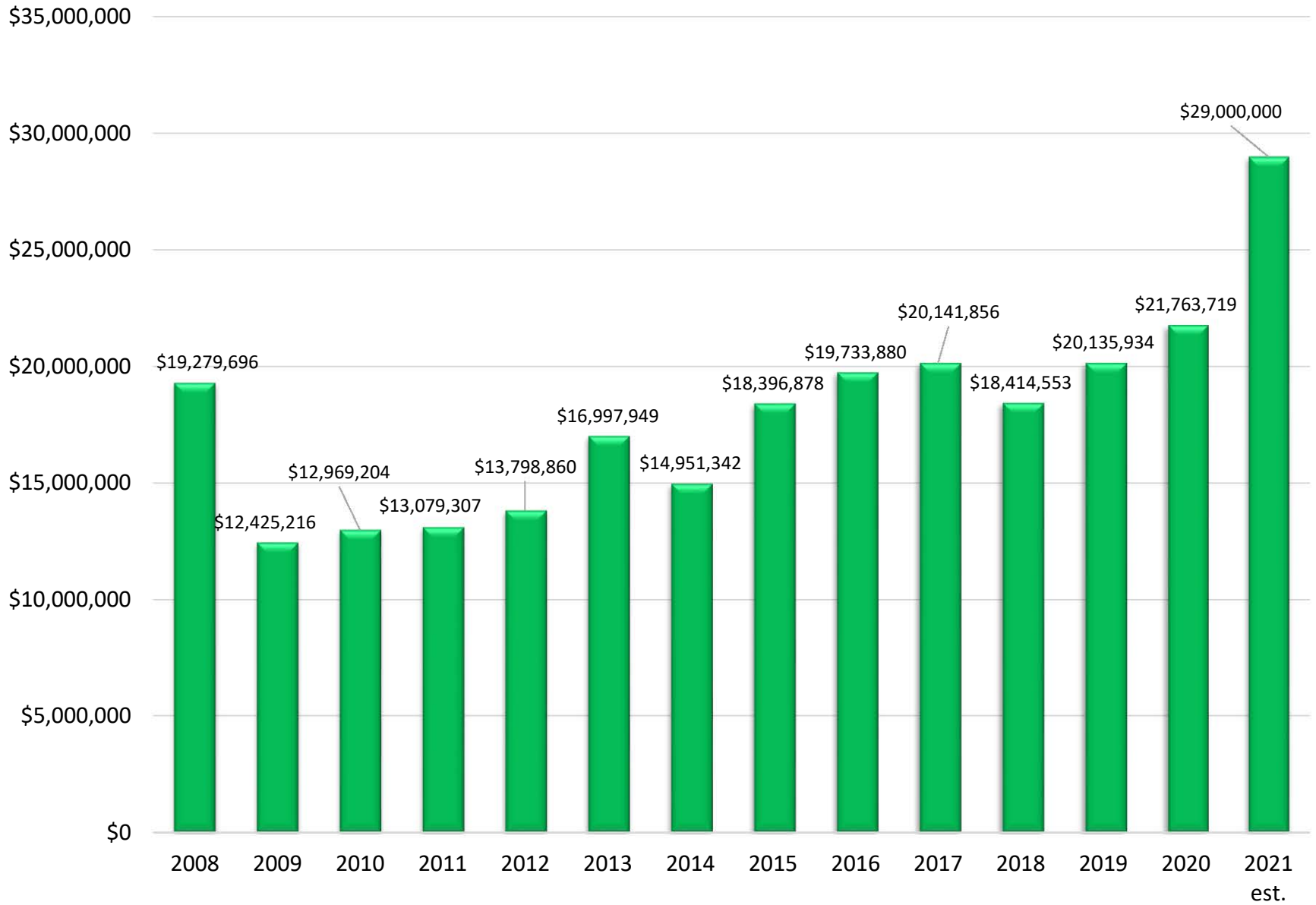
STATISTICS OF INTEREST

Indicators from our Land Records Division

DEEDS AND MORTGAGES



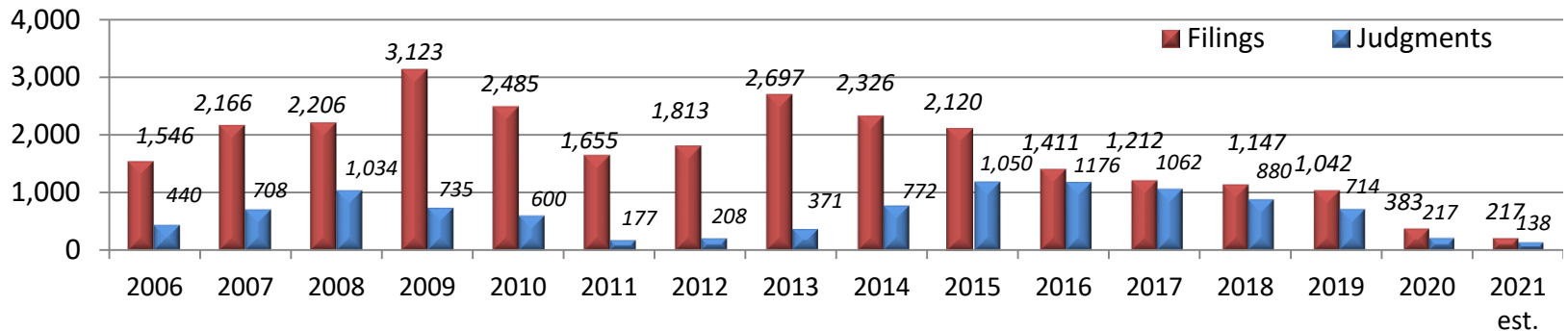
COUNTY MORTGAGE TAXES COLLECTED



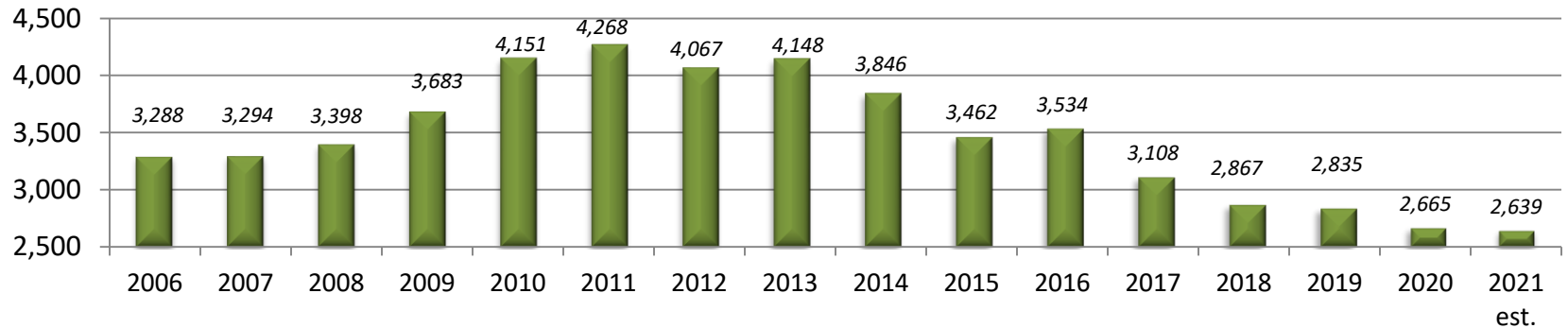
STATISTICS OF INTEREST

Indicators from our Legal Division

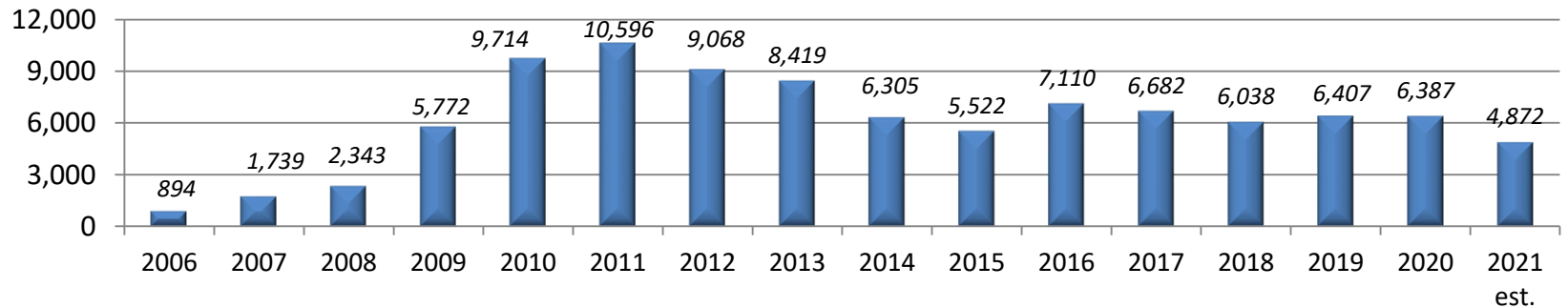
Foreclosure Filings and Judgments



Tax Certiorari Proceedings Commenced

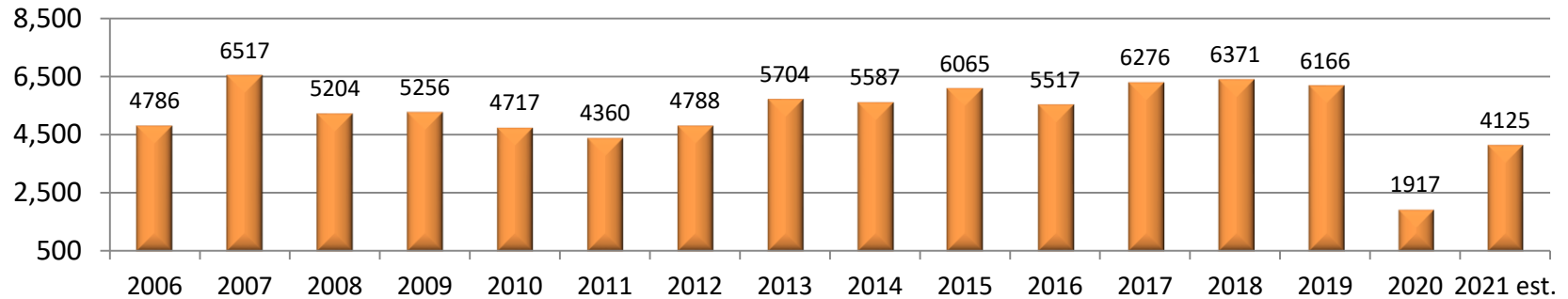


Small Claims Assessment Review Petitions Filed

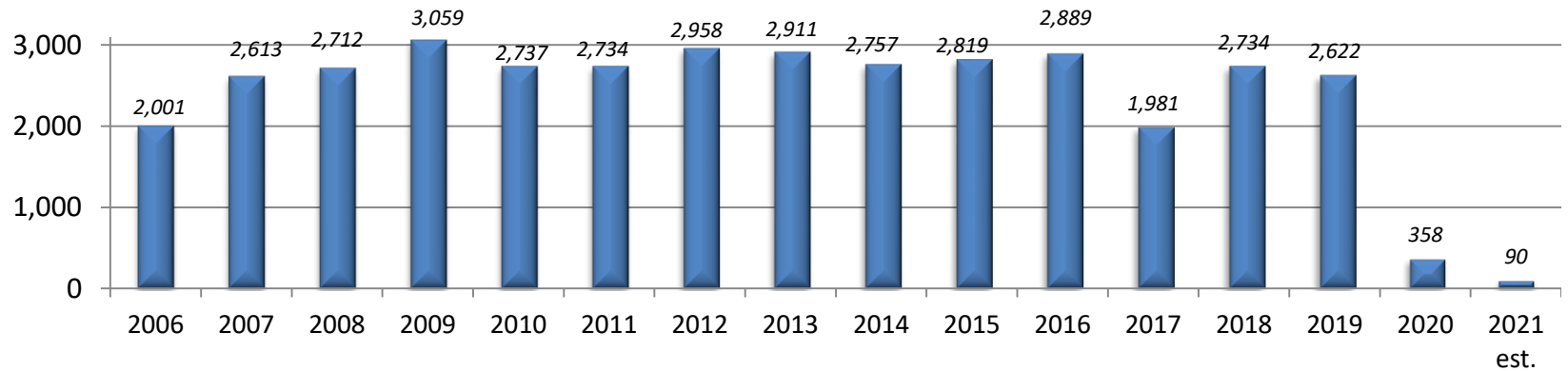


STATISTICS OF INTEREST *Indicators from our Licensing Division*

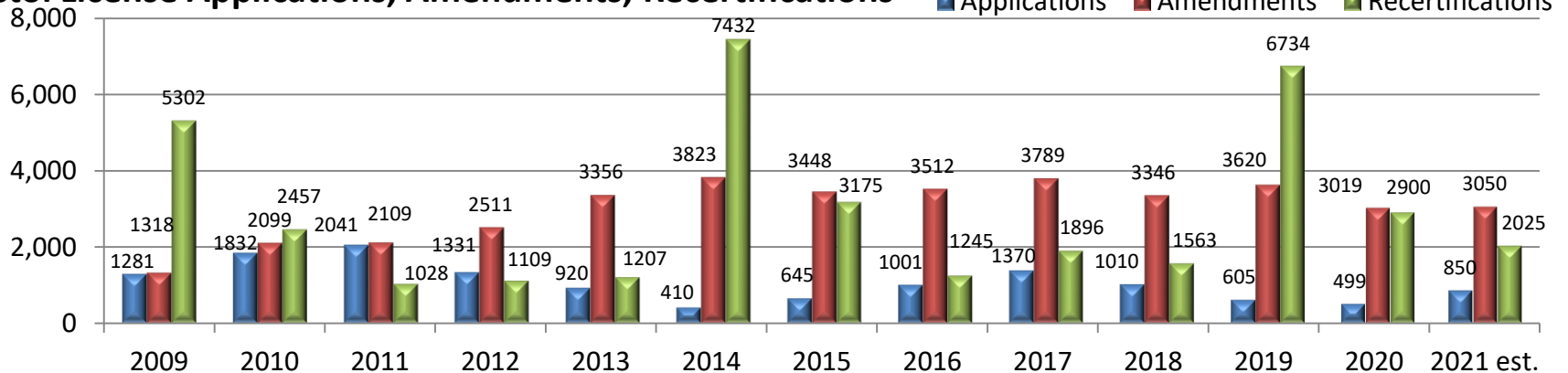
Passport Applications



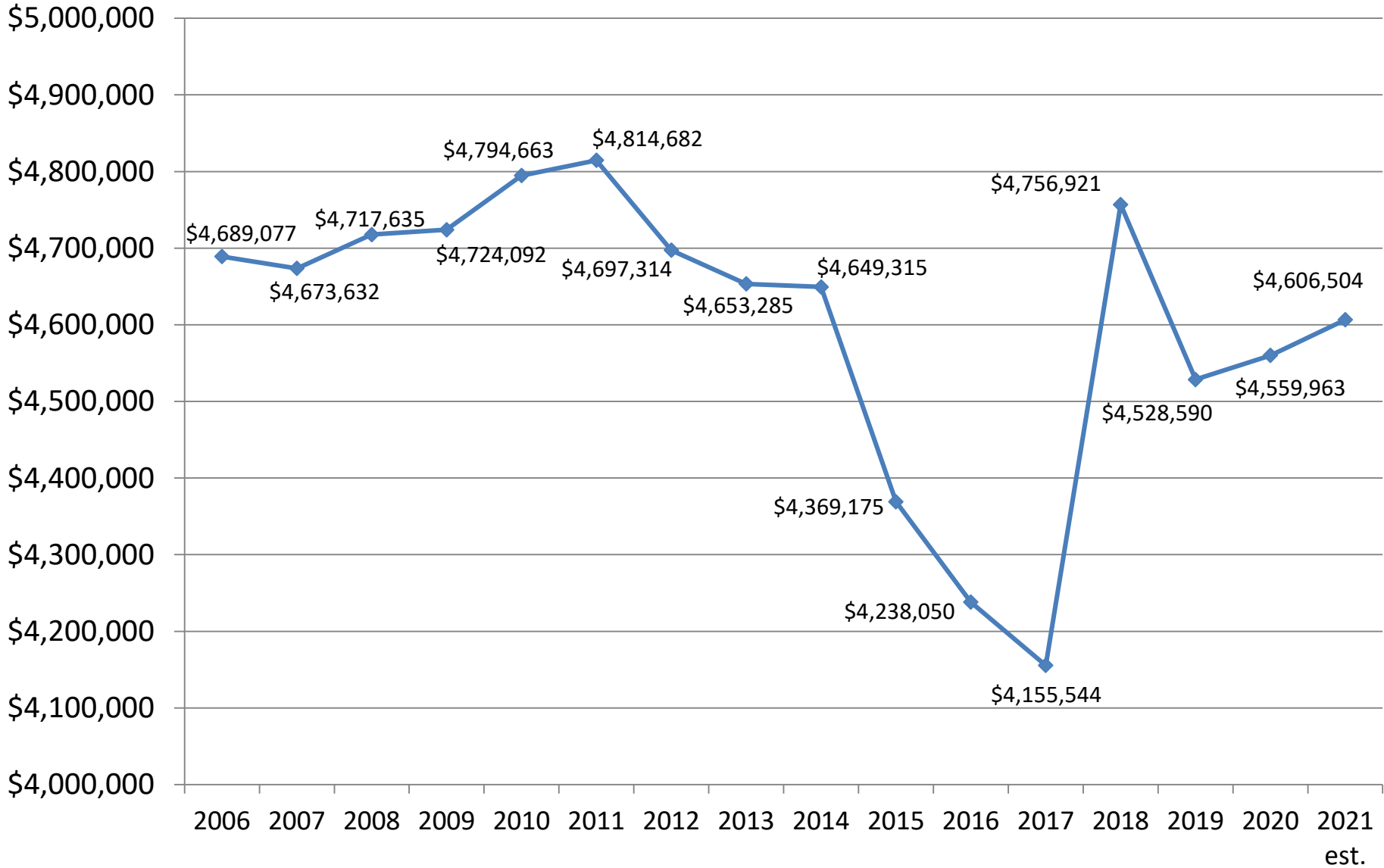
Naturalizations



Pistol License Applications, Amendments, Recertifications

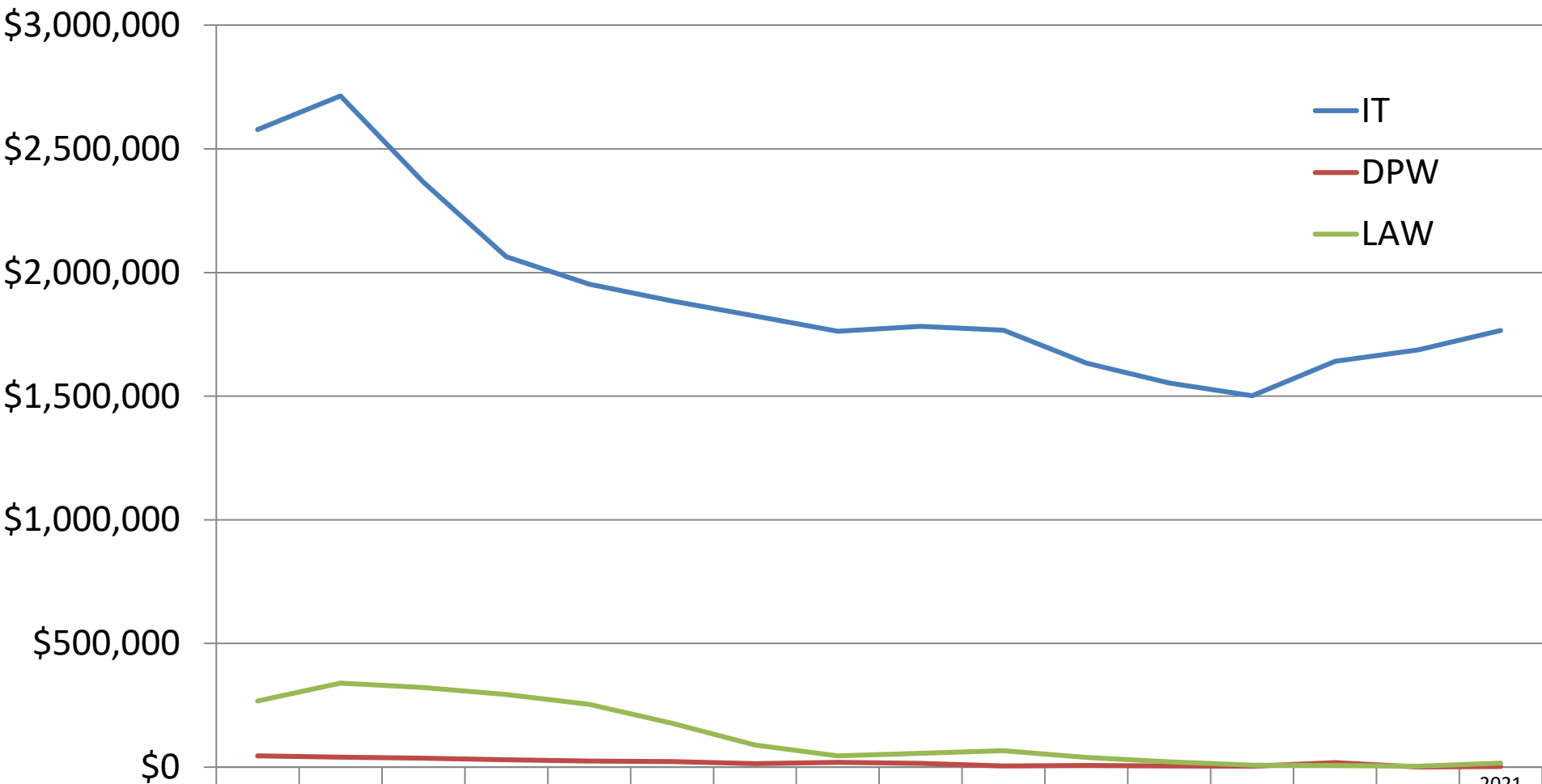


Salaries & Personal Services



*In accordance with the terms of the 2018 CSEA Contract, the salary expense increased in 2018 and thereafter to cover retroactive payments and the negotiated increase in salary of 2% in 2018 and 2019, and 2.25% in 2020 and 2021.

Inter-Departmental Charges

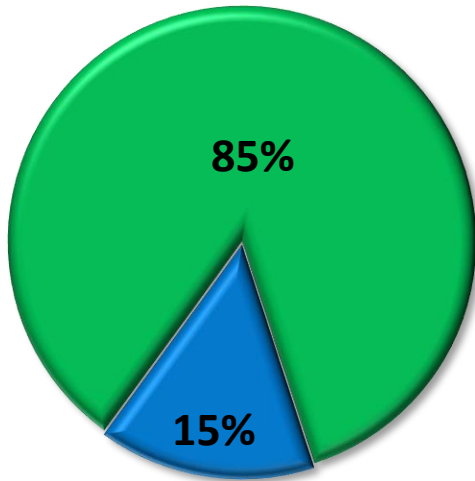


* IT charges include information systems support, telecommunications, data processing, and the records center

ELECTRONIC FILING AND RECORDING

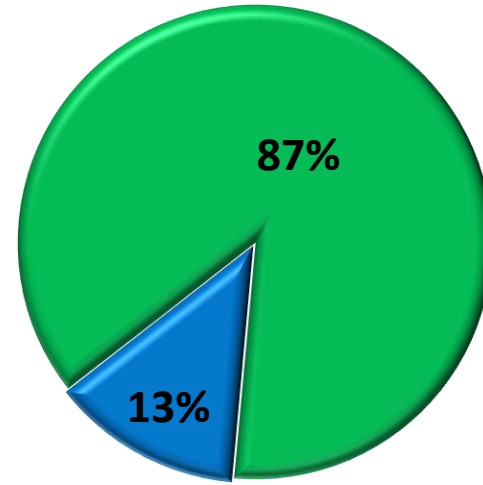
Civil Actions

Approximately **85%** of our civil actions are commenced electronically through the NYS Courts electronic filing system.



Land Records

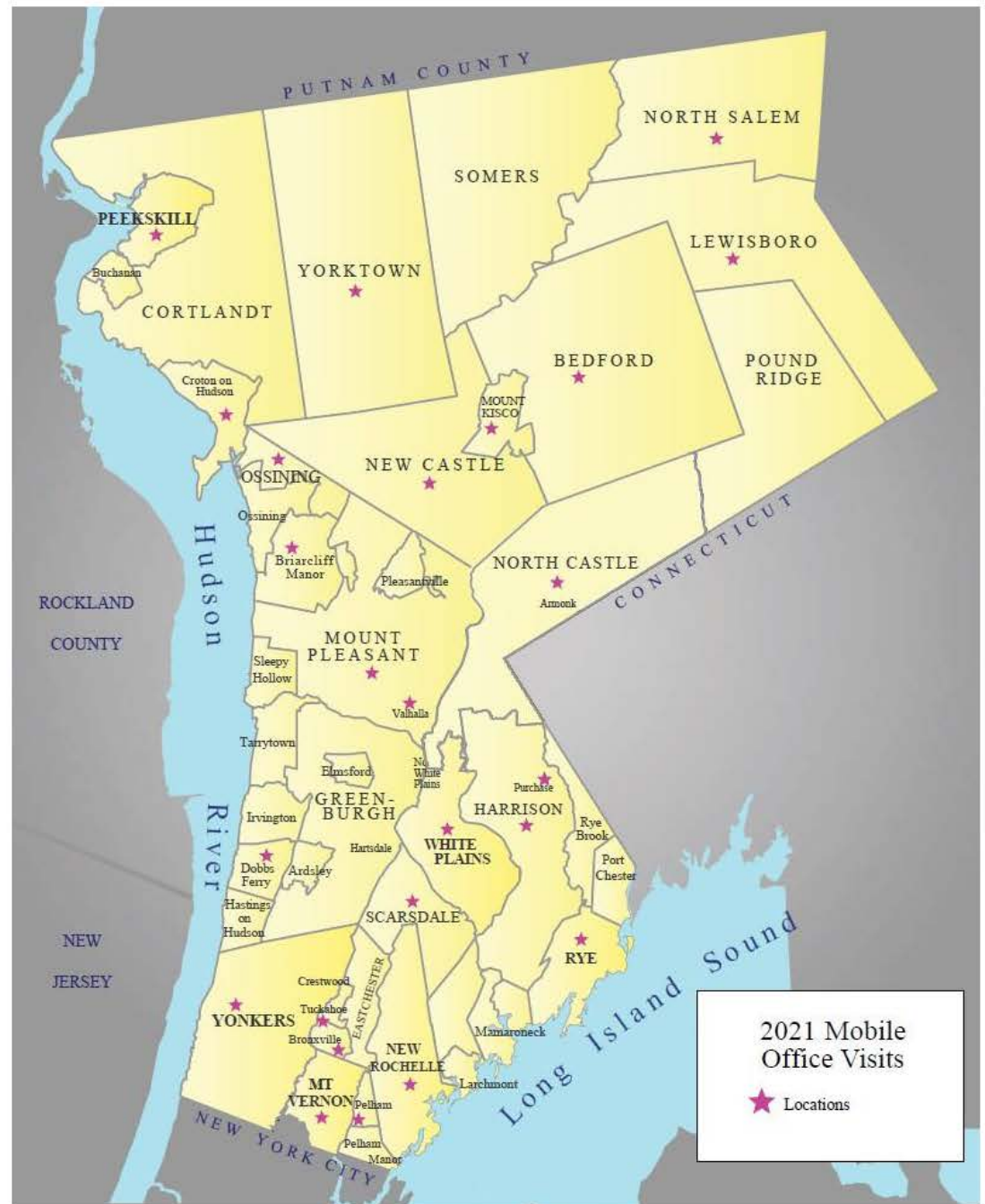
Approximately **87%** of the documents submitted to the Land Records Division are submitted electronically as part of a **voluntary** eRecording program.



County Clerk's Westchester Records Online Program ("WRO").

For the period of 1/1/21 to 10/31/21, **3,176,868** searches were conducted in WRO. Online reports of foreclosure filings and judgments have been made available to local municipalities as a "shared service" to assist in preventing zombie homes.

2021 COMMUNITY OUTREACH



OFFICE OF THE COUNTY CLERK

2022 Executive Proposed Budget

Core Programs and Functions of the Office of the County Clerk

Land Records Division

- Recording land records, including deeds, mortgages, assignments, and satisfactions
- Collection and processing of New York State mortgage and transfer taxes
- Filing of maps, UCC statements, Federal tax liens, Notices of Common Charges, and other federal liens

Legal Division

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Office of the Westchester County Clerk

Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2021 (as of October 31, 2021)

County Clerk Fees Collected		
Land Records Division		
Recording Fees	\$7,528,134.35	
Real Property Transfer Report Fee	\$137,160.00	
Administrative Fee, Refund Processing	\$3,035.00	
Legal Division		
Filing Fees	\$749,971.80	
DWI Surcharges	\$58,340.00	
Criminal Fines	\$27,909.33	
Licensing Division		
Filing Fees	\$200,189.01	
Interest	\$1,327.20	
Other (online access, copiers, workstation/phone, unclaimed funds)	\$476,729.05	\$9,182,795.74
Mortgage Tax Collected		
Paid to Westchester County		
Westchester County Mortgage Tax	\$23,001,549.39	
Local Mortgage Tax	\$51,895,993.29	
Yonkers Mortgage Tax	\$5,145,542.88	
Reimbursement for Processing Costs	\$826,220.99	
Interest, County Portion	\$ 6,741.46	
Paid to Metropolitan Transit Authority	\$53,459,181.41	
Paid to State of New York Mortgage Agency	\$2,555,496.03	\$136,890,725.45
New York State Real Estate Transfer Tax		
Paid to Westchester County		
Recording Officer's Fee	\$13,026.50	
Interest, County Portion	\$ 5,947.15	
Paid to the Department of Taxation and Finance	\$86,454,308.51	\$86,473,282.16
Court Revenue Paid to NYS Unified Court System	\$4,499,350.25	\$4,499,350.25
Notary Revenue Paid to NYS Department of State	120,600.00	\$120,600.00
Records Management Improvement Fund	\$490,608.50	\$490,608.50
Cultural Education Fund	\$1,471,740.00	1,471,740.00
Equalization and Assessment Paid to NYS Office of Real Property Services	\$1,910,590.00	\$1,910,590.00
Total Collected and Disbursed:		\$241,039,692.10

Budget Summary

ITEM	2021	2022
Operating Positions	64	64*
Trust Positions	0	0
TOTAL POSITIONS	64	64*
Personal Service	\$4,606,504	\$4,622,642
Equipment	\$2,410	\$41,465
Materials & Supplies	\$101,600	\$111,600
Contractual Expenses	\$155,967	\$164,416
Inter-Departmental Charges	\$1,783,300	\$1,864,756
TOTAL EXPENDITURES	\$6,649,781	\$6,804,879
*Includes 2 full-time unfunded positions pending permanency of promotions		

Budget Summary

ITEM	2021	2022
Inter-Departmental Revenue	\$0	\$0
Departmental Revenue	\$8,500,854	\$11,107,197
State & Federal Aid	\$0	\$0
TOTAL REVENUE	\$8,500,854	\$11,107,197
DEPARTMENT TAX LEVY	(\$1,851,073)	(\$4,302,318)

COVID-19 Response

Additional responsibilities and impact on department services

COVID concerns and restrictions have placed significant burdens on maintaining efficient and effective operations in the Supreme and County courts, as well as the county's entire real estate transactional business and licensing-type functions such as pistols, passports and business licenses, all while addressing the health and safety needs of staff and the public. Changes were made to the Office physical layout, including the installation of Plexiglas shields at the counters, occupancy at alternating work stations, moving our passport and County personal ID services to a socially distanced area in the land records unit, and implementation of an online scheduling software program. A locked drop-box was placed in the Courthouse lobby for document delivery other than USPS, FedEx, and UPS. Currently, with the exception of two medically exempt staff members, all staff members are reporting to work in the office. The safeguards against COVID implemented last year continue in place.

Toward the end of 2020 and throughout 2021, there has been and continues to be a significant increase in real estate sales and collection of mortgage taxes. This can be attributed in part to the migration of New York City residents as a result of COVID concerns, as well as the low mortgage interest rates. Competing offers have resulted in an increase in house prices, thereby increasing mortgage tax receipts. The number of mortgages in 2020 reflect an increase from 2019 of approximately 23% and that number is expected to increase 24% by year's end. The County mortgage tax receipts through October 2021 already exceed the 2020 receipts by approximately 3.2 million dollars.

The County Clerk's mobile outreach program was delayed in resuming its operations due to COVID restrictions. Yet the mobile office still managed to visit each of the 6 cities and 15 of the 19 towns in the county and has expanded its services to include notary, veterans, and business licensing services. Staff shortages due to COVID and the backlog of applications have resulted in unprecedented wait times for the US Department of State to issue passports. The lessening of COVID travel restrictions and the increased demand for passports has added to the workload of our staff.

Despite the challenges imposed by COVID-19, our staff has continued to meet the needs of the public and further expand on the accessibility of the office.

Initiatives & Highlights

- **Lifetime Achievement Award (New York State Association of County Clerk or “NYSACC”):** County Clerk Idoni was presented this award in 2021. In the announcement of the award, NYSACC stated, "Tim has been a leader in statewide efforts to allow for the electronic recording of land records. He has been a driving force behind the acceptance and the expansion of the electronic filing of court records through the New York State Courts Electronic Filing System." NYSACC also recognized County Clerk Idoni's recent appointment by Chief Judge Janet DiFiore to the prestigious "Commission to Reimagine the Future of New York's Courts" to explore and recommend regulatory, structural, and technological innovations to improve the delivery and quality of justice services by the courts.
- **Commission Appointment:** In June 2020 Chief Judge Janet DiFiore appointed the County Clerk to a distinguished group of judges, lawyers, academics and technology experts as a member of the “Commission to Reimagine the Future of New York’s Courts”. In 2021, the Commission’s Structural Innovations working group, led by Judge Leslie Stein and County Clerk Idoni, submitted its recommendations for expanded use of e-filing and enhanced remote court operations amid the COVID pandemic and beyond.
- **COVID-19 Initiatives:** Many of the COVID initiatives commenced in March 2020 continue to be implemented to ensure the health and safety of our staff and the general public. This Office has significant challenges insofar as it must provide administrative efficiency and effectiveness while handling all public interaction with the Supreme and County courts, the county’s entire real estate transactional business as well as a high volume of licensing-type functions such as pistols, passports and business licenses. Changes were made to the Office physical layout to allow for distancing of six feet between each staffer, to ensure distancing between staffers and the public at the counter, the passport counter has been moved to the Land Records division, and Plexiglass shields were installed at all public counters; appointments through the County Clerk’s scheduling software program are requested of visitors whenever practical; and a locked dropbox has been placed in the courthouse lobby for document delivery other than USPS, FedEx, and UPS.
- **Westchester County Personal Identification Card Expansion:** The Licensing Division had experienced a significant increase in the number of Westchester County Identification cards issued, with 30 cards issued in 2014 to an estimated 861 in 2021. These ID cards have opened doors to benefits by providing an option to Westchester residents who, due to citizenship status, poverty, or other circumstances, cannot obtain state-issued photo IDs. Obtaining “a certified copy of a birth certificate” as required by subdivision 2 of section 265.181 of the Laws of Westchester County has been a major obstacle in qualifying for the ID card. Proofs of identity and date of birth are expanded in New York State and New York City agencies to allow other documents, in lieu of or in addition to the birth certificate, to establish date of birth and identity. Accordingly, this Office has proposed an amendment to section 265.181 to eliminate the birth certificate requirement.
- **E-Filing and E-recording:** Approximately 85% of civil actions are commenced electronically through the NYS electronic filing system and approximately 87% of the land record documents are currently e-recorded. Electronic recording has significantly increased the efficiency of the filing and recording and reducing manual labor. Further reduction in paper filings is anticipated with the recent authorization of e-filing of election law cases, special proceedings under the Mental Hygiene Law, and name change applications. Once developed in coordination with the DA’s Office and the courts, e-filing of criminal cases could lead to a further estimated 5% reduction.
- **Renovation in Office Space:** Under the leadership of the County Executive and DPWTR, the complete renovation of the 32,000 square feet of office space currently occupied by the Clerk’s office is underway. With the automation of office functions and the resultant reduction in staffing needs, space will be opened up for adaptive reuse by the County District Attorney and Public Safety Pistol Licensing Unit. This will bring about efficiency in dealing with the daily visitors and generating savings in rental costs for the County.
- **Mobile Community Outreach Vehicle:** The new more efficient and ADA compliant mobile truck was in operation for the 2021 mobile office outreach cycle. Although the commencement of the community outreach program had a delayed start due to COVID restrictions, the mobile outreach vehicle made 23 visits, encompassing each of the 6 cities and 15 of the 19 towns in the county. Due to the significant increase in public need and usage of the mobile office services, the County Clerk increased the number of staff members working in the outreach unit and expanded the services to include notary, veterans, and business licensing services.