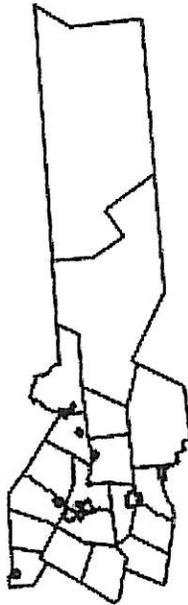


*Countywide Collaborative
Assessing Considerations
For
Herkimer County*



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I Introduction

In the autumn of 2007, the New York State Office of Real Property Services (ORPS) established the Centralized Property Tax Administration Program (CPTAP) to encourage county and municipal officials to study reform opportunities for their local real property assessment systems.

Compared to almost all other states, New York's property tax system is complex and confusing, particularly for taxpayers. New York is one of only 3 states that doesn't have a statewide standard of assessing. It is one of 12 states that doesn't mandate a reassessment cycle. Meanwhile, it has nearly 700 school districts that criss-cross 1,128 assessing units (compared to a national median of 85 assessing units).

The intent of the grant program is for counties to chart their own paths to reform. The program does not presuppose a one-size fits all approach to such improvements. By analyzing the data of their county, local officials are determining what will work best for their taxpayers and the taxing jurisdictions, alike.

The system must uniformly affect every parcel within the County and must result in the following performance standards:

- A common level of assessment for all of the 19 Towns and 1 City within Herkimer County.
- A common database of assessment, inventory, pictures, and valuation data for all the assessing units within the County.
- A single assessment for every parcel in the County
- Consistent Assessment Administration Standards (i.e., regular reassessment cycles; timely verification, correction and transmittal of sales data; current and accurate inventory collection and maintenance; etc) for all assessing units within the County.

The goal of this study is to identify a system (or systems) that provide a mechanism for obtaining and maintaining equitable assessments, that is understandable to taxpayers, and that functions efficiently and consistently. The study includes (1) analysis of the current assessment system in Herkimer County; (2) a description of several options available to achieve a common level of assessment and a common reassessment cycle for all municipalities within the County. **It should be noted that this study is not intended to identify every operational detail of the options described, and that any decision to implement or further explore options will require additional analysis, which I would be pleased to explore with you in the future.**

The study includes a comparative analysis of current and projected costs in personnel, equipment, and services/supplies for one or more of the options as compared to the present system. The option(s) studied will use the staffing requirements as if the system were operating under the standards of the International Association of Assessing Officers. The study will include an analysis of the pathway and timetable for migrating from

the current assessment system to an alternative system, and give specific suggestions for easing the transition functionally, financially, and legislatively. The final section of this Study will be dedicated to suggestions as to how the State might better utilize its resources to assist in the transition for Towns and Counties.

II Executive Summary

The following Study gives the Herkimer County Legislature the current status of their City and Town assessing units and some various options that are available to consolidate all or part of this important function.

It is important for the reader to understand the fundamentals of the Real Property Tax System. Property owners are taxed based upon their perceived wealth which is demonstrated by the value of their real property. This is why it is absolutely essential that assessments are kept current and accurate each and every year. In fact, the Real Property Tax Law (RPTL 305) requires assessments within each assessing unit to be maintained at a "uniform percentage of market value."

Definition - RPTL §305
Standard of Assessment

"All real property in each assessing unit shall be assessed at a uniform percentage of value..."

Value is defined as "market value"

May assess at any percentage of full value (a/k/a "Level of Assessment", or LOA)

Assessors sign an oath each year that all assessments are uniform
This would include County Assessing Units

The duties of the assessor include discovering, listing and valuing all real property within their assessing unit.

The goal of this Study is to define an assessment system that will achieve common treatment for all parcels in Herkimer County. The goals listed below are worthy of attainment regardless of which option is pursued.

- Transparency - "Is it simple enough for taxpayers to understand?"
- Equity - "Does it treat every parcel the same way?"
- Efficiency - "Is it the lowest cost for a given level of service?"

The following two models with five options have been described in some detail. The one important consideration for all of these assessment models is that in order to achieve equity and a 100% level of assessment throughout the County is that those Towns that are not at that level will need to complete a town-wide revaluation. The estimated added cost of that process using assessors or outside contractors for data collection/verification and valuation is as follows:

Costs of Meeting the Performance Standards		
Within the Current Assessment System		
Herkimer County's Current Assessment System Costs		
County Budget for Real Property Tax Services (Net)		\$706,495
Town Budgets for Municipal Assessing (Net)	+	\$446,773
Total Current Costs of Assessing Within the County	=	\$1,153,268
Additional Costs To Comply Under Current System		
Cost of Bringing All Parcels Up To The Performance Standards (100%)		
23,793 Parcels x \$40/parcel*		\$951,720
Total Initial Costs:		\$951,720
Offsetting Available State Aid Incentives		
Reassessment Aid of up to \$5 x 23,793 Parcels	-	\$118,965
Net Initial Cost To Attain Countywide Equity Within		\$832,755
Herkimer County's Current Assessment System		
*This figure represents either an "in house" or contracted data verification and reassessment of 23,793 parcels. The cost of such a project would depend on the condition of the data in the various Towns and the size of the project. If some Towns joined together for an RFP or did this "in house", then the costs could be reduced.		
This figure is for data reverification and valuation services. Projects from scratch without reasonable inventory data to work from could run as high as \$60-\$80/parcel. For purposes of this Study we will use an average figure of \$40/parcel.		
As eleven of the Towns are not on Annual or Triennial Reassessment Cycles or contracting with the County under 1537 agreements, the Towns that would need to plan for revaluations would be: Fairfield, German Flatts, Herkimer, Little Falls, Manheim, Norway, Ohio, Russia, Schuyler, Stark, Warren, and Webb in order to meet performance standards.		

The cost of providing all Herkimer County property owners with an assessment system that is equitable, transparent and efficient could be a one-time cost of up to \$35/parcel after subtracting the \$5 State Aid. But when coupled with some of the structural modifications described in this report and the various financial incentives for re-structuring, together with incentives for maintaining the assessments, there are annual cost savings which can be achieved and eventually offset this initial up front expense.

We are looking at two major types of Assessing Systems: Single Unit Models and Multiple Unit Models. They are further broken out into five options:

Single Assessing Unit Models

- Option #1 – County Run Assessing
- Option #2 – Coordinated Assessing with one County Run CAP

Multiple Assessing Unit Models

- Option #3 – Implementing Coordinated Assessing Programs (CAPs) Where Possible and Binding all Assessing Units to Common Performance and Standards with an Inter-Municipal Agreement.
- Option #4 – City and Towns Contracting with the County
- Option #5 – A revolutionary hybrid option that would require the State to pass

a Cycle Bill that would provide financial aid for municipalities to meet the common LOA of 100% and then have the Valuation Date frozen every 3 years to avoid further Equalization Rate Studies and the need for Annual Reassessment.

As mentioned above, once all of the parcels in the County are being treated the same, there will be savings realized along with fair taxation for all of your constituents. By subtracting the annual operational costs of the various options from the current costs of assessing within the County, which is \$1,153,268, you arrive at a range of savings that will be ongoing, which can offset the initial start-up costs for establishing an equitable assessment program for your taxpayers. In the case of Single Assessing Units, the overall savings to the County's taxpayers under the County-Run option should run approximately \$396,748 a year from what is currently being paid. In the County-Wide CAP option there would be an approximate savings to the taxpayers of \$95,104. In the case of Multiple Assessing Units models, the overall savings to the County's taxpayers should run between \$91,503 to \$396,748 from what is currently being paid for Assessment Services throughout the County.

For Herkimer County, based on data collected and analyzed, the emphasis of the study will be to do an in-depth view of the County-Run and the Multiple Assessing Unit Model using 1537 Agreements to contract with the County. Only 6 out of the 19 Towns and 1 City have recently conducted a State supported reassessment project or contracted with the County through 1537 agreements to move forward in that direction. Any consolidation of the Assessing function into a single unit is something that may be considered when all of the Towns attain a 100% Equalization Rate. When this is achieved the other individual goals of transparency, equity, and efficiency will automatically be attained. The costs of accomplishing this task (as shown on the table on the following page) to bring all parcels within the County into conformance with the following standards:

- Common Level Of Assessment at 100%
- Common reassessment cycle for all municipalities
- Common inventory and sales verification practices
- Each parcel has only one assessment.

For purposes of this Study and to make the Assessment System more understandable, equitable, and cost effective we are recommending to the State to introduce legislation to accomplish these goals. At the very least, there should be a mandatory cycle bill. This would mandate that all assessing units in the State must reassess all parcels on a regular basis (most likely every three years). The other critical piece that would be needed is some type of funding mechanism to help municipalities offset some of the initial costs. For Towns that have not reassessed in some time the cost of completing a data re-verification and reassessment project could run \$40 per parcel. If done by an outside contractor the typical costs run about \$30 for the data collection and about \$30 for the valuation portion. If they are required to do the data mailers, impacts and informal meetings, as well as grievance and support, the total package can total \$70 per parcel or more. If the Assessor does some or all of this work these costs can be less. All levels of government are

facing difficult budget situations, and without some State assistance, it would be a serious burden on local municipalities to fully fund these initiatives. The top portion of the table below will give you an overview of the cost comparisons less the State Aid available, of the different options for the initial one-time start-up costs (savings). The lower portion then shows the ongoing annual operational costs for maintaining all parcels in the County at a uniform assessment standard with their Annual Savings after State Aid is subtracted.

Herkimer County Assessment Models Cost Savings & Aid Comparisons	Single Assessing Unit Models			Multiple Assessing Unit Models		
	Option #1: County-Run Assessing	Option #2 County CAP	Option #3 Current Structure w/additional consolidation & inter-municipal agreement	Option #4 All Munic contract w/County under RPTL 1537	Option #5 Current Structure, Reassessment Cycle w/matching Valuation Data	
Start-up Costs:						
Current Structure that is in place - modified to provide equitable assessments to all properties.						
Establish Equitable assessments at a common level throughout the County (Reassess 11 Towns & the City or 23,793 parcels @ \$40)	\$951,720	\$951,720	\$951,720	\$951,720	\$951,720	\$951,720
Available State Aid for reassessment (23,793 parcels @ up to \$5) (Town Aid for 11 Towns)	-\$118,965	-\$118,965	-\$118,965	-\$118,965	-\$118,965	-\$118,965
State Consolidation Aid (31,044 parcels @ up to \$7 - one time payment)	\$0	\$0	Varies	Varies	Varies	Varies
State Consolidation Aid for County Run Assessing, RPTL 1537, 41,366 parcels @ up to \$7	\$0	\$0	\$0	\$0	\$0	\$0
State Aid for County Run Assessing Referendum Approval, 41,366 parcels @ \$2 (http://www.oprs.state.ny.us/crapp/applications.cfm)	-\$289,662	\$0	\$0	\$0	\$0	\$0
State Consolidation Aid for County providing services, RPTL 1537, 41,366 parcels @ \$1	-\$82,732	\$0	\$0	\$0	\$0	\$0
State Aid (if County Managed County-Wide CAP, 41,366 parcels @ \$2 (http://www.oprs.state.ny.us/crapp/applications.cfm))	\$0	-\$41,366	\$0	-\$41,366	\$0	\$0
Total One Time Start-up Costs:	\$632,755	\$460,461	\$632,755	\$791,389	\$932,755	\$932,755
Operational Costs:						
City/Towns Assessment Office Costs (Net)	\$706,495	\$0	Varies	\$0	\$2,119,485	\$2,119,485
County Real Property Tax Dept Costs (Net)	\$446,773	\$446,773	\$446,773	\$875,773	\$1,340,319	\$1,340,319
Cost of a County Consolidated Assessing Unit (CAP)	\$0	\$703,222	\$0	\$0	\$0	\$0
Additional cost of annually maintaining assessments at a common level of Assessment throughout the County.	\$115,327	\$115,000	\$115,327	\$87,577	\$136,392	\$136,392
State Aid for Annual Reassessment (41,366 parcels @ up to \$5)	-\$206,830	-\$206,830	-\$206,830	-\$206,830	-\$620,480	-\$620,480
Current Annual Operational Costs:	\$1,163,268	\$1,163,268	\$1,163,268	\$1,163,268	\$1,163,268	\$1,163,268
Total Annual Operational Costs vs Options	\$1,061,765	\$1,066,165	Varies	\$756,520	\$992,569	\$992,569
Total Annual Savings:	\$91,503	\$396,748	Varies	\$396,748	\$180,699	\$180,699

Notes:
 1 Cost of County Dept estimated by adding 11 staff @ \$30,000/yr plus 30% fringe benefits= \$420,000 to the current budget (Net) of \$446,773 which then totals \$875,773.
 2 Estimated \$17/parcel based upon similar costs in Herkimer County and other counties.
 3 Assumes a 3 year cycle. Operational Costs are based on a 3 year program, then computed to an annual cost.
 4 Partially built into staffing cost estimate; 10% added for additional expenses, i.e. appraisal assistance, printing, postage, mileage, BAR, etc.
 5 Partially built into staffing cost estimate; 10% added for additional expenses (same as #4 above), then because it is a 3 year program 40% was attributed to a given year.

III Existing System

A) Description of the Duties and Responsibilities of County Directors and Assessors.

As in all Counties in New York State, with the exception of Tompkins and Nassau where they have Countywide Assessing, there are two public officials that carry out the work of coordinating the assessment process: the County Director and the local Assessors.

In Herkimer County there is a County Real Property Tax Service Office comprised of a Real Property Tax Director, two data collectors, a Tax Map Technician, a Senior Tax Map Technician, two Real Property Aides, and three full time Assessors.

The duties and responsibilities of the Real Property Tax Office include:

Statutory

- Prepare tax maps, maintain them in current condition, and provide copies to assessors
- Provide advisory appraisal to towns
- Advise assessors on procedures for the preparation and maintenance of assessment rolls, property record cards, appraisal cards, and other records and documents relating to real property assessment and taxation
- Provide appraisal cards in such form as shall be prescribed by the state board in quantity needed for use in the preparation of assessment records
- Cooperate and assist in the training programs provided by the state board
- Provide administrative support, cooperation, and assistance to acting boards of assessment review
- Provide the county equalization agency with information that may be useful in the operation of that agency
- Prepare and furnish an annual report to the legislative body of the County, a copy of which shall be sent to the State Board which report shall contain at least such information required by the legislative body of the County and the State Board and prepare such additional reports as may from time to time be required by the legislative body or the State Board.
- Conduct Board of Assessment Review Training
- Conduct Assessor Orientation Training

When Authorized By The County Legislature

- Assist in the disposition and sale of real property acquired by the county as a result of tax sale.
- Perform the duties imposed upon the recording officer of the county in relation to reports of transfers of real property.
- Supply towns with assessment rolls or other forms for use in connection with the preparation of assessment rolls or the collection of property taxes.

General

- Responsible for RPS computer file maintenance and processing
- Perform computer systems maintenance and initiation of new computer programs with responsibility for overseeing systems
- Produce town and county, school and village tax bills, tax rolls, X-ref lists, and collector's lists by the statutory deadline for each taxing jurisdiction.
- Establish and maintain a comprehensive real property tax service program to assist in the development of equitable assessment practices
- Maintain a variety of records and statistical data for control and reporting purposes most of which are computerized
- Maintain ownership information of each parcel on the assessment roll
- Direct and train field and office staff
- Prepare and submit annual reports
- Assist assessors on unique valuation problems
- Prepare annual budget for real property tax services department
- Prepare apportionments, rate and warrants
- Perform corrections of errors as allowed by real property tax law
- Assists town, county, school, state officials, and others in matters pertaining to real property taxation

The County is currently using a mixture of methods to maintain a current database at the County. Five Towns and the City of Little Falls are maintained "in house" on the County Server. The Towns of Newport and Norway maintain their files on the County Server using Remote Services. The balance of the Towns bring or mail CD's into the County in order to maintain a centralized current and common database.

Some of the duties and responsibilities of a City or Town Assessor include:

- Locate property and collect inventory data
- Determine ownership of property
- Maintain ownership information of each parcel on the assessment roll
- Notify owners where and when data is available for inspection
- Value all real property at a uniform level of assessment
- Process exemptions
- Mail notices of increased assessment or other changes
- File a Tentative Assessment Roll
- Answer questions regarding tentative roll
- Defend values
- Attend meetings of the Board of Assessment Review
- File a Final Assessment Roll
- Attend required continuing education and professional conferences
- May manage assessment office
- May meet with property owners, media, and other government officials
- Analyze local data such as market sales, interest rates, and market trends.
- Prepares challenge for equalization rate if necessary

1) Existing Collaborations

For many years the New York State Office of Real Property Services has provided additional aid monies (currently up to \$7/parcel) to groups of municipalities who consolidate their assessment functions, share an assessor and achieve a common level of assessment. Besides the obvious municipal cost benefits related to consolidation, the Coordinated Assessing Program (CAP) reduces the number of assessment officials who need to be trained and certified and reduces the number of individual equalization rates that need to be computed by the State.

Assessors With Multiple Jurisdictions – Of the 10 appointed and 3 elected assessors in Herkimer County, there are 4 that assess for multiple jurisdictions within the County. See Table A-1 below:

Table A-1

MUNICIPALITIES		ASSESSMENT OFFICES		EXISTING COLLABORATION		
SWIS	Municipal Name	Type of Assessor	Assessor Name	Part of CAP?	Assessor Works for Multiple Municipalities?	Contract with County for Asmt Services?
210900	City of Little Falls	Appointed	Joy Presta		No	Under 1537's
212000	Columbia	Appointed	Denise Reska	CAP 2	Yes	Under 1537's
212200	Danube	Appointed	Denise Reska		Yes	Under 1537's
212400	Fairfield	Appointed	Daniel Maxwell		Yes	No
212600	Frankfort	Appointed	James Fresco		No	Under 1537's
212800	German Flatts	Appointed	Susan Meeker		Yes	No
213000	Herkimer	Appointed	John Macri		No	No
213200	Litchfield	Appointed	Denise Reska	CAP 2	Yes	Under 1537's
213400	Little Falls	Appointed	Susan Meeker		Yes	No
213600	Manheim	Appointed	Daniel Maxwell		Yes	No
213800	Newport	Appointed	David McKerrow		Yes	No
214000	Norway	Appointed	David McKerrow		Yes	No
214200	Ohio	3 - Elected	Rosanne Wright, Chr.		No	No
214400	Russia	Appointed	Bruce Weakley		No	No
214600	Salisbury	Appointed	Joann Boyer		No	No
214800	Schuyler	Appointed	George Haskell		No	No
215000	Stark	Appointed	Daniel Maxwell		Yes	No
215200	Warren	Appointed	Susan Meeker		Yes	No
215400	Webb	Appointed	Jean Murdock		No	No
215600	Winfield	Appointed	Denise Reska	CAP 2	Yes	Under 1537's
Green hi-lited municipalities are maintained through a County contract. Frankfort joins in January, 09.						
RPTL Section 1537 agreements are dicussed later in this study.						

Office Hours – In many of the smaller municipalities, the assessors are available by phone, and during active periods they do keep regular office hours. In the larger Towns the Assessors or their staff are available during regular hours on a year-round basis. It should be noted that the assessor's job is very cyclical due to New York State's Assessment Calendar and that time dedicated to working in the office should only be necessary during certain times of the year especially around the end of February just before Taxable Status Date. During other times meetings by appointment work out quite well for smaller municipalities. The hours listed below are calculated as weekly averages for a full calendar year. It should also be noted that these hours do not reflect the total hours that an assessor works, but only the hours in the office. The Assessor's duties and responsibilities take them outside of the office and into the field doing data collection, review of building permits, and valuation work. The breakdown of each office, the hours covered, along with any additional staff is shown below at Table A-2:

Table A-2

MUNICIPALITIES		ASSESSMENT OFFICES			
SWIS	Municipal Name	Type of Assessor	Assessor Name	Accessibility to the Assessor on a Weekly Basis	# Other Staff (excluding Assessors)
210900	City of Little Falls	Appointed	Joy Presta	Full Time	
212000	Columbia	Appointed	Denise Reska	Full Time	
212200	Danube	Appointed	Denise Reska	Full Time	
212400	Fairfield	Appointed	Daniel Maxwell	Part Time	
212600	Frankfort	Appointed	James Fresco	Full Time	
212800	German Flatts	Appointed	Susan Meeker	Full Time	1.0
213000	Herkimer	Appointed	John Macri	Part Time	
213200	Litchfield	Appointed	Denise Reska	Full Time	
213400	Little Falls	Appointed	Susan Meeker	Part Time	
213600	Manheim	Appointed	Daniel Maxwell	Part Time	
213800	Newport	Appointed	David McKerrow	Part Time	
214000	Norway	Appointed	David McKerrow	Part Time	
214200	Ohio	3 - Elected	Rosanne Wright, Chr.	Part Time	
214400	Russia	Appointed	Bruce Weakley	Part Time	0.5
214600	Salisbury	Appointed	Joann Boyer	Part Time	
214800	Schuyler	Appointed	George Haskell	Part Time	
215000	Stark	Appointed	Daniel Maxwell	Part Time	
215200	Warren	Appointed	Susan Meeker	Part Time	
215400	Webb	Appointed	Jean Murdock	Full Time	2.5
215600	Winfield	Appointed	Denise Reska	Full Time	

Green hi-lited municipalities are maintained through a County contract. Frankfort joins in January, 09.

Current Town and County Costs – The average costs of performing the various assessment functions at the Town level run about \$17.00 per parcel, and about \$11.00 per parcel for the County Real Property Tax Office. The total annual cost of the current system using 2008's Town Assessor's and County Real Property Tax Service Office's budgets were \$1,153,268 and when divided by 41,366 parcels is \$27.88/parcel. The percent of residential parcels run from 38% in the Towns of Ohio and Stark to 75% in the Town of German Flatts. The Town of Webb has the largest number of parcels and represents over 15.11% of all of the parcels within Herkimer County. There are no assessing unit villages remaining in the County. See Table A-3 below for specific details of the Town and County costs:

Table A-3

SWIS	Municipal Name	MUNICIPAL CHARACTERISTICS									
		Muni. Budgets for Assessment Function	Muni. Budgets Include County Charge-backs for Assessment Services	County RPTS Agency Charge-backs for Supplies, Fees, Mileage, & IS	Total Costs for Assessing	Total Number of Parcels	Number of Residential Parcels	Percent of Residential Parcels	Budget Per Parcel		
210800	Little Falls, City of	\$18,500	\$21,732	\$3,886	\$22,486	2,297	1,572	68%	\$9.79		
212000	Columbia	\$20,000	\$16,400	\$1,822	\$21,822	1,054	523	50%	\$20.80		
212200	Danube	\$25,300	\$11,973	\$1,433	\$26,733	770	347	45%	\$34.72		
212400	Fairfield	\$6,148		\$1,766	\$8,914	1,010	520	51%	\$8.82		
212600	Frankfort	\$33,810		\$6,882	\$40,692	3,948	2,452	62%	\$10.31		
212800	German Flatts	\$83,776		\$9,263	\$93,038	5,426	4,064	75%	\$17.15		
213000	Herkimer	\$49,408	\$1,560	\$7,762	\$57,170	4,420	2,908	66%	\$12.93		
213200	Litchfield	\$17,300	\$14,384	\$1,743	\$18,043	956	515	54%	\$19.92		
213400	Little Falls, Town of	\$6,000		\$1,710	\$8,710	881	547	58%	\$9.90		
213600	Manheim	\$10,062		\$3,183	\$13,245	1,857	1,130	61%	\$7.13		
213800	Newport	\$19,000	\$10,482	\$2,259	\$21,259	1,278	755	59%	\$16.62		
214000	Norway	\$6,720		\$1,227	\$7,947	862	303	35%	\$12.01		
214200	Ohio	\$19,000		\$4,134	\$23,134	2,361	887	38%	\$9.80		
214400	Russia	\$14,358		\$3,281	\$17,639	2,161	1,168	54%	\$8.09		
214600	Salisbury	\$17,824	\$2,053	\$3,104	\$20,928	1,799	894	49%	\$11.63		
214800	Schuyler	\$16,500		\$2,881	\$19,381	1,593	836	52%	\$12.17		
215000	Stark	\$6,422		\$1,145	\$7,567	639	245	38%	\$11.84		
215200	Warren	\$9,200		\$1,533	\$10,733	831	361	43%	\$12.92		
215400	Webb	\$227,455	\$95,430	\$10,885	\$238,040	6,252	3,211	51%	\$38.07		
215600	Winfield	\$24,000	\$19,680	\$1,813	\$25,913	1,050	622	59%	\$24.68		
	City & Town Totals:	\$634,782	\$183,675	\$71,713	\$706,495	41,366	23,860		\$17.08		
	County Budget (Net):	\$712,161	(\$193,675)	(\$71,713)	\$446,773	41,366			\$10.80		
	Overall Cost of Assessment:				\$1,153,268	41,366			\$27.88		

Green Hillied municipalities are currently maintained through a County contract.

¹Frankfort joins in January, '09 & ²Webb's payment of \$30,664 was for the 2008 reval. and will go on it's own in January, '09

³The Towns of Herkimer & Salisbury pay the County for data collection services only. ⁴Newport's last payment of \$10,482 was for '08 reval.

Property Types Within the County

With 19 Towns and the 1 City, Herkimer County has a mix of urban, suburban, and rural properties with a large percentage of residential, and vacant land parcels as can be seen from Table A-4 below:

Table A-4

Property Class Codes	County-wide Statistics	Number of Parcels
100	Agricultural	1,657
200	Residential	23,852
300	Vacant Land	10,065
400	Commercial	1,625
500	Rec. & Entertainment	151
600	Community Service	522
700	Industrial	155
800	Public Service	952
900	Forest	2,387
	Totals:	41,366

Real Estate Trends in Herkimer County

While nationally we are hearing of a significant downturn of the real estate market, here in Herkimer County, like much of upstate NY, according to the analysis performed by ORPS and others, properties here have continued to appreciate at a rate of 3% to 6% over the last three years.

Within the Towns various types and qualities of properties appreciate at varying rates however. Higher valued homes tend to increase in value at a faster rate than lower, less desirable homes. Because property assessments are based upon the current market value of these properties, when assessments are not kept current, in many cases the lower value properties, which are typically least able to pay, shoulder part of the tax burden that should be paid by the higher valued properties. The best way to approach this inequity is through frequently completed reassessments. In Herkimer County about half of the Towns have completed a reassessment project within the past three to four years. If a cycle bill is passed in the next year or two it would be a good plan to start preparing for that event and begin field reviewing the inventories and keeping up the sales file so everyone would be prepared to update their assessed values.

Complex Properties within the County

There are a few complex properties such as Remington Arms, Enchanted Forest – Water Safari, which could be appraised by ORPS during a reassessment, if requested.

B) Indicators of Assessment Equity

Real Property Tax Law, Section 305, requires that assessing jurisdictions treat all parcels the same by assessing all real property at a uniform percentage of market value. The following statistical measures depict how consistently assessors are treating all parcels uniformly.

COD's - Coefficient of Dispersion

The Coefficient of Dispersion (COD) is a common statistical measure of uniformity. The lower the COD is, the more uniformity there is. According to the International Association of Assessing Officers (IAAO, www.iaao.org), an international association who sets the standards for assessment administration, for residential properties the relationship between assessed value and market value should have a COD of 15% or less. The description below should help clarify the acceptable ranges of these percentages:

The IAAO standards for uniformity when indicated by a COD are:

Single-family residences	COD of 15% or less
Newer, more homogenous areas	COD of 10% or less
Income-producing property	COD of 20% or less
Larger, urban jurisdictions	COD of 15% or less
Vacant land and other unimproved property	COD of 20% or less
Rural residential and seasonal properties	COD of 20% or less
Newer mobile homes	COD of 15% or less
Older mobile homes / on acreage	COD of 20% or less
Mixed use properties	COD of 15% to 20%

In a municipality that is assessing at full market value and has a COD of 15%, a home worth \$100,000 is equally likely to have an assessment that is somewhere between \$85,000 (15% low) and \$115,000 (15% high). So even a municipality with a 15% COD can have disparities on individual property owner's tax bills. But, the lower the COD, the more uniformly the assessments are related to market value and the more fairly property owners are being treated.

As can be seen from Table A-5 below, the 2008 equalization rates run from 5.82% to 100.00%, with the 2007 COD's running from 11.88% to 24.89%. According to IAAO standards for Herkimer County, a COD of less than 15% would be acceptable for residential parcels and less than 20% for all other types of property such as income properties, farms, and vacant land. This statistical data suggests that a few of the Towns in Herkimer County (highlighted in yellow) need to consider preparing for a reassessment project in the upcoming years regardless of the passage of a cycle bill.

Table A-5

MUNICIPALITIES		INDICATORS OF ASSESSMENT EQUITY						
SWS	Municipal Name	Latest 2008 Eq. Rate	Latest LOA of Various Property Types	Residential CODs for 2007	Latest Reassessment	Latest State Aid	Type of Aid	Next Planned Revaluation
210900	City of Little Falls	21.50%	21.50%	18.87	None			
212000	Columbia	95.00%	95.00%	N.A.	2004, 1997			
212200	Danube	100.00%	100.00%	N.A.	2007, 2000	\$3,380 (2000)	Triennial	
212400	Fairfield	90.00%	90.00%	N.A.	2005, 1996	\$4,780 (2005)	Triennial	
212600	Frankfort	79.59%	79.59%	11.88	1991			
212800	German Flatts	74.40%	74.40%	20.08	1991			
213000	Herkimer	100.00%	100.00%	N.A.	2006	\$20,780 (2007)	Annual	
213200	Litchfield	95.00%	95.00%	N.A.	2004, 1997			
213400	Little Falls, Town of	69.40%	69.40%	12.15	1999	\$4,435 (1999)	Triennial	
213600	Manheim	70.00%	70.00%	N.A.	2004, 2000	\$8,555 (2004)	Annual	
213800	Newport	100.00%	100.00%	16.18	2008, 1991	(2008) Pending	Triennial	
214000	Norway	71.50%	71.50%	14.59	2000	\$2,890 (2000)	Triennial	
214200	Ohio	5.82%	10.00%	24.89	1991			
214400	Russia	64.41%	92.00%	19.86	2000	\$10,155 (2000)	Triennial	
214600	Salisbury	100.00%	100.00%	N.A.	2008	\$8,710 (2007)	Annual	2009
214800	Schuyler	92.50%	92.50%	N.A.	2006, 1999	\$7,345 (2006)	Triennial	
215000	Stark	64.00%	64.00%	20.75	1998			
215200	Warren	68.60%	68.60%	14.84	2000, 1991	\$3,565 (2000)	Triennial	
215400	Webb	74.00%	74.00%	N.A.	2005, 1996	\$31,815 (2005)	Annual	
215600	Winfield	95.00%	95.00%	N.A.	2004, 1997	\$14,775 (2007)	Annual	Total/CAP
The amount of aid may be slightly less than \$5/parcel depending on the State Budget.								
Green hi-lited municipalities are maintained through a County contract. Frankfort joins in January of '09.								

PRD's – Price Related Differential

Another indicator of assessment equity is the statistic known as the Price Related Differential (PRD). The IAAO standard for the PRD is 0.98 to 1.03. PRDs below 0.98 indicate assessment progressivity, the condition in which low-value properties are under-assessed relative to high-value properties. PRDs above 1.03 indicate assessment regressivity in which high-value properties are under-assessed relative to low-value properties. See Table A-6 for the individual Town figures. Those highlighted in yellow are numbers that are outside the acceptable range.

Is the PRD for the individual Towns in an acceptable range? From the data currently

available from the State as of this writing there are only three Towns that fall just outside the acceptable ranges and lean towards being regressive. As of this writing 10 of the Towns do not have PRDs as they are still being studied. **In the case of regressive assessment rolls the lower valued properties are shouldering more than their fair share of the tax burden relative to higher valued properties.**

SWIS	Municipal Name	Residential PRDs for 2007
210900	City of Little Falls	1.01
212000	Columbia	N.A.
212200	Danube	N.A.
212400	Fairfield	N.A.
212600	Frankfort	1.02
212800	German Flatts	1.08
213000	Herkimer	N.A.
213200	Litchfield	N.A.
213400	Little Falls	1.03
213600	Manheim	N.A.
213800	Newport	1.01
214000	Norway	1.02
214200	Ohio	1.15
214400	Russia	0.98
214600	Salisbury	N.A.
214800	Schuyler	N.A.
215000	Stark	1.06
215200	Warren	1.01
215400	Webb	N.A.
215600	Winfield	N.A.

Reassessment Activity

According to ORPS, 11 Towns have conducted reassessment projects within the past four years and currently there is one scheduled for 2009 in Herkimer County. This type of reassessment activity working with the County demonstrates that the majority of your assessment offices are working to maintain equity in your County. To better understand what a reassessment means, please read definition below:

Definition - Reassessment (RPTL §102)

Reassessment: "a systematic review of the assessments of all locally assessed properties, valued as of the valuation date of the assessment roll containing those assessments to attain compliance with the standard of assessment"

It is synonymous with the terms "revaluation" and "update"

Systematic review-or "systematic analysis": a methodical, thorough and regular review/examination of a municipality's assessments on an annual basis

- Maintain current inventory data
- Maintain current sales and market data
- Monitor and analyze the market
- Update assessments to maintain uniformity

Re-inspection means, at a minimum, observing each parcel from the public right-of-way to ascertain that the physical characteristics necessary for reappraisal are complete and accurate.

Reappraisal means developing and reviewing an independent estimate of market value for each parcel by the appropriate use of one or more of the three accepted approaches to value (cost, market, and income).

Data Quality

Over the last three years, the total number of arm's length residential real property sales in Herkimer County has averaged 740. The City and the majority of the Towns do verify sales information but most only check the physical description data for non-sale properties in preparation for revaluations.

Building permits are used as a primary source for new construction information within each Town, and the records are maintained at both the Assessor's Offices and in the Building or Code Officer's Office. The Assessors also drive the roads within their Towns to look for new structures that may not have had a building permit issued or that may not have required one in the case of some agricultural structures.

Most of the Towns have photos for each improved parcel either in property record folders or on their computer file or both. Some of these in the files are the older black & white or color Polaroid's that were used in the 1960's. Today almost all assessors have gone to the less expensive, yet fine quality digital images, which can be easily uploaded and stored on their local stand-alone RPS computers.

C) Real Property Administration System

Much to the credit of the County Real Property Tax Office and the Assessors within the County all Towns are currently on the most current version of the State's Real Property System (RPS) software, which is annually paid out of the County Real Property Tax Office Budget and subsequently charged back to the Towns. RPS is a

software package produced by NYSORPS and is in use in the majority of municipalities Statewide to maintain assessments, sales and inventory data, and perform market analysis with the assistance of the staff at the County and in some cases the Northern Regional Office, if requested.

The municipalities maintain the assessment files by mailing or hand delivering backup CD's or by having access to the County Server at the County Real Property Tax Office. All reports to ORPS; assessment rolls, tax rolls, and bills, are produced by the County and all data inventory mailers, valuation sheets, cross-reference sheets, and special reports for the Assessors are also handled by the County. See Table A-7(a) & Table A-7(b) below:

Table A-7 (a)

MUNICIPALITIES		ASSESSMENT ADMINISTRATION SYSTEM					
SWIS	Municipal Name	System Used:		Annual Cost	Processing Responsibility		
		Assessment & Inventory	Analysis/ Valuation		ORPS' Reports	Rolls & Bills	Analysis/ Valuation
210900	City of Little Falls	RPSV4	RPSV4	\$1,200	RPTD	RPTD	RPTD
212000	Columbia*	RPSV4	RPSV4	\$447	RPTD	RPTD	RPTD
212200	Danube	RPSV4	RPSV4	\$850	RPTD	RPTD	RPTD
212400	Fairfield	RPSV4	RPSV4	\$1,000	RPTD	RPTD	RPTD
212600	Frankfort	RPSV4	RPSV4	\$1,300	RPTD	RPTD	RPTD
212800	German Flatts	RPSV4	RPSV4	\$1,500	RPTD	RPTD	RPTD
213000	Herkimer	RPSV4	RPSV4	\$1,500	RPTD	RPTD	RPTD
213200	Litchfield*	RPSV4	RPSV4	\$407	RPTD	RPTD	RPTD
213400	Little Falls	RPSV4	RPSV4	\$850	RPTD	RPTD	RPTD
213600	Manheim	RPSV4	RPSV4	\$1,000	RPTD	RPTD	RPTD
213800	Newport	RPSV4	RPSV4	\$1,000	RPTD	RPTD	RPTD
214000	Norway	RPSV4	RPSV4	\$850	RPTD	RPTD	RPTD
214200	Ohio	RPSV4	RPSV4	\$1,200	RPTD	RPTD	RPTD
214400	Russia	RPSV4	RPSV4	\$1,200	RPTD	RPTD	RPTD
214600	Salisbury	RPSV4	RPSV4	\$1,000	RPTD	RPTD	RPTD
214800	Schuyler	RPSV4	RPSV4	\$1,000	RPTD	RPTD	RPTD
215000	Stark	RPSV4	RPSV4	\$850	RPTD	RPTD	RPTD
215200	Warren	RPSV4	RPSV4	\$850	RPTD	RPTD	RPTD
215400	Webb	RPSV4	RPSV4	\$1,650	RPTD	RPTD	RPTD
215600	Winfield*	RPSV4	RPSV4	\$446	RPTD	RPTD	RPTD
Total RPS Software Licensing Fees for the Towns:				\$20,100			
*For CAPed Towns, the total parcel count of all towns determines the RPS fee and then is apportioned.							
Green hi-lited municipalities are maintained through a County contract. Frankfort joins in January, 09.							

*RPTD – Stands for the Real Property Tax Director's Office

Table A-7 (b)

MUNICIPALITIES		ASSESSMENT ADMINISTRATION SYSTEM					
		Databases		Communication		Use of GIS	Who Handles IT Support
		Location	How Updated	Speed	Capacity		
210900	City of Little Falls	County	At County	Network	Adequate	Often	County
212000	Columbia (CAP #2)	County	At County	Network	Adequate	Often	County
212200	Danube	County	At County	Network	Adequate	Often	County
212400	Fairfield	Local/Cnty	CD's	Modem	Adequate	Often	County
212600	Frankfort	County	At County	Network	Adequate	Often	County
212800	German Flatts	Local/Cnty	CD's	Modem	Adequate	Often	County
213000	Herkimer	Local/Cnty	CD's	Modem	Adequate	Often	County
213200	Litchfield (CAP #2)	County	At County	Network	Adequate	Often	County
213400	Little Falls	Local/Cnty	CD's	Modem	Adequate	Often	County
213600	Manheim	Local/Cnty	CD's	Modem	Adequate	Often	County
213800	Newport	County	Remote Desktop	Modem	Adequate	Often	County
214000	Norway	County	Remote Desktop	Modem	Adequate	Often	County
214200	Ohio	Local/Cnty	CD's	Modem	Adequate	Often	County
214400	Russia	Local/Cnty	CD's	Modem	Adequate	Often	County
214600	Salisbury	Local/Cnty	CD's	Modem	Adequate	Often	County
214800	Schuyler	Local/Cnty	CD's	Modem	Adequate	Often	County
215000	Stark	Local/Cnty	CD's	Modem	Adequate	Often	County
215200	Warren	Local/Cnty	CD's	Modem	Adequate	Often	County
215400	Webb	Local/Cnty	CD's	Modem	Adequate	Often	County
215600	Winfield (CAP #2)	County	At County	Network	Adequate	Often	County

Green hi-lited municipalities are maintained through a County contract. Frankfort joins in January, 09.

IV Two Models with Five Consolidation Options That Are Being Described

A) Single Assessing Unit Models

The following two models address the goals of this study by moving Herkimer County to a single assessing unit. In so doing, in order to comply with the RPTL 305, assessing units would maintain a uniform level of assessment throughout the County, and apply common valuation standards.

Definition - RPTL §305
Standard of Assessment

"All real property in each assessing unit shall be assessed at a uniform percentage of value..."

Value is defined as "market value"

May assess at any percentage of full value (a/k/a "Level of Assessment", or LOA)

Assessors sign an oath each year that all assessments are uniform
County Assessing Units

Option #1 – County Run Assessing

By definition county assessing removes the responsibility of property assessment for tax purposes from the municipalities and places it with the county. In this scenario the county would have to pass a local law and put the issue to a countywide referendum. To be approved there would need to be a double referendum where it would need to pass by a majority of the votes in all of the Towns together and also in the City as a whole.

Provisions for County Assessing - Article IX, §1(h)(1) of the State Constitution provides that where a transfer of functions to the county occurs, it must be approved by a majority of the votes cast in a referendum.

- In towns considered as a single unit
- In cities considered as a single unit
- In assessing villages considered as a single unit
- If no cities or assessing villages, only a simple majority is required

Currently only Nassau County and Tompkins County carry the countywide assessment responsibility.

If county assessing were adopted, the county would become a single assessing unit with a single equalization rate calculation based on the aggregate assessed value to market value ratio of the entire county (RPTL §1214). The County Legislature would determine the revaluation schedule. In addition, "once a full value revaluation has been implemented, RPTL 305 (3) authorizes the governing body of an assessing unit to direct the assessor to assess all property at a uniform percentage of value", which may be fractional market value. (Opinion of Counsel 7-96 – see Appendix) Currently, State aid monies paid in support of assessment administration are paid only when the assessing unit has achieved full market value which is verified by the State.

Historically this has been placed on the ballot a number of times in various Counties since 1991 and has been defeated. This option, as well as the next Single Assessing Unit Option #2, would need to be carefully considered as the City and

Towns within the County are served by a group of qualified assessors who have established themselves within the communities they serve at a salary that is commensurate with their expertise and workload. In a County-Run system Civil Service rules come into play and those details would need to be explored if this option is considered.

If the County were to decide to implement County-Run Assessing, the following is an example relative to eventually going to County-Run Assessing with the intent to maximize the State Aid received within a 5-year timeline:

- Year #1: Some Towns reassess - all achieving the same LOA. They get \$5/parcel aid. They CAP for that roll year. They get \$7/parcel aid. The County hires/subcontracts with an Assessor. They contract with the County for assessment services. The County gets the \$1/parcel RPTL 1537 aid.
- Year #2: Some other Towns reassess - all achieving the same LOA. They get \$5/parcel aid. They CAP for that roll year (a different CAP than formed in Year #1). They get \$7/parcel aid. The County hires/subcontracts with an Assessor. They contract with the County for assessment services. The County gets the \$1/parcel RPTL 1537 aid.

Both CAPs enter into an inter-municipal agreement to maintain the same LOA.

- Year #3: Some other Towns reassess - all achieving the same LOA. They get \$5/parcel aid. They CAP for that roll year. They get \$7/parcel aid. The County hires/subcontracts with an Assessor. They contract with the County for assessment services. The County gets the \$1/parcel RPTL 1537 aid.

The new CAP enters into the inter-municipal agreement to maintain the same LOA.

- Year #4: The three CAPs transition to a single CAP that is managed by the County. The County gets the \$2 aid for a County managed CAP.
- Year #5: County run assessing is put on the ballot, and if passed entitles the County to the \$7 and the \$2 aid.

This is an example on how to maximize the current Aid programs that are offered and arrive at a County-Run program. There are many alternative paths available to arrive at the type of program your County Legislature may want to ultimately pursue. If you would like to learn more about any of these paths to equitable Countywide assessments, please feel free to contact your local Northern Regional Office of Real Property Services representative or me to give you further assistance.

Once everyone reaches a 100% LOA, the County would be the single assessing unit for Herkimer County. As a result there would be Town costs, but there would be a need for additional staffing at the County level. Using I.A.A.O. standards of one staff person for every 2,500 parcels that would require an addition of 14 full-time employees in the Real Property Tax Office. A lot of the expertise would probably

come from the existing local assessment offices.

Option #2 – Coordinated Assessing With One Countywide C.A.P.

This option has much of the same structure as having County Run Assessing by referendum (Option #1) but without having to place it on the ballot and in this case it cost is higher than what is currently in place.

There would be one appointed assessor for the entire County, and other current assessors may well be brought into the Countywide CAP for appraising, data collection, exemption, and valuation work. The City and all Towns would need to be brought up to a uniform level of assessment before this could be put into place. This CAP could be formed at the County by agreement with the City and all Towns or by any Assessor that the City and all of the Towns would be willing to appoint to handle this consolidated system. A more detailed explanation of this program can be found in the Appendix at the end of this Study.

To implement this option the following actions would need to take place:

Phase 1. Towns and City agree to the plan, which is to work toward a Countywide CAP. They realize they will need to select ONE assessor, but that others may be brought into the system to assist that assessor. That assessor could be a County employee, or could be an independent contractor. Maybe the City and Towns would form an assessment administration committee charged with selecting and overseeing the assessor throughout their 6-year term.

Phase 2. The assessor is selected and the first group of Municipalities are CAPed with him/her as the assessor. These would be the towns that are all at 100% at the time. At that same time he/she would be named assessor in all of the other towns and retain some of the existing assessors as staff to administer the roll.

Phase 3. The assessor and staff would reassess each of the non –100% towns and bring them into the CAP. The assessor and staff would be paid by the Towns based on an agreed upon formula included in the inter-municipal CAP agreement.

Other staff would be selected through the Civil Service process. The cost savings of this option is shown on Table A-8 below:

Herkimer County Assessment Models Cost Savings & Aid Comparisons

Table A-8

Single Assessing Unit Models

	Current Structure that is in place - modified to provide equitable assessments to all properties.	Option #1:	Option #2
		County-Run Assessing	County CAP
Start-up Costs:			
Establish Equitable assessments at a common level throughout the County [Reassess 11 Towns & the City of 23,793 parcels @ \$40]	\$951,720	\$951,720	\$951,720
Available State Aid for reassessment [23,793 parcels @ up to \$5] (Town Aid for 11 Towns)	-\$118,965	-\$118,965	-\$118,965
State Consolidation Aid [31,044 parcels @ up to \$7 - one time payment]	\$0	\$0	-\$217,308
State Consolidation Aid for County Run Assessing, RPTL 1537, 41,366 parcels @ up to \$7	\$0	-\$289,562	\$0
State Aid for County Run Assessing Referendum Approval, 41,366 parcels @ \$2 [http://www.orps.state.ny.us/cptap/applications.cfm]	\$0	-\$82,732	\$0
State Consolidation Aid for County providing services, RPTL 1537, 41,366 parcels @ \$1	\$0	\$0	-\$41,366
State Aid IF County Managed County-Wide CAP, 41,366 parcels @ \$2 [http://www.orps.state.ny.us/cptap/applications.cfm]	\$0	\$0	-\$82,732
Total One Time Start-up Costs:	\$832,755	\$460,461	\$491,349
Operational Costs:			
City/Towns Assessment Office Costs (Net)	\$706,495	\$0	\$0
County Real Property Tax Dept Costs (Net)	\$446,773	\$875,773 ¹	\$446,773
Cost of a County Consolidated Assessing Unit (CAP)	\$0	\$0	\$703,222 ²
Additional cost of annually maintaining assessments at a common Level of Assessment throughout the County.	\$115,327 ⁴	\$87,577 ⁴	\$115,000 ⁴
State Aid for Annual Reassessment [41,366 parcels @ up to \$5]	-\$206,830	-\$206,830	-\$206,830
Current Annual Operational Costs:	\$1,153,268	\$1,153,268	\$1,153,268
Total Annual Operational Costs vs Options	\$1,061,765	\$756,520	\$1,058,165
Total Annual Savings:	\$91,503	\$396,748	\$95,104

Notes:

- 1 Cost of County Dept estimated by adding 11 staff @ \$30,000/yr plus 30% fringe benefits= \$429,000 to the current budget (Net) of \$446,773, which then totals \$875,773.
- 2 Estimated \$17/parcel based upon similar costs in Herkimer County and other counties.
- 3 Assumes a 3-year cycle. Operational Costs are based on a 3-year program, and then computed to an annual cost.
- 4 Partially built into staffing cost estimate; 10% added for additional expenses, i.e. appraisal assistance, printing, postage, etc.
- 5 Partially built into staffing cost estimate; 10% added for additional expenses (same as #4 above), then because it is a 3-year program 40% was attributed to a given year.

B) Multiple Assessing Unit Models

The following three options achieve efficiency in differing ways. They do not attempt to consolidate the assessing units into one, but for the most part leave the current assessing structure in place. They utilize inter-municipal agreements to establish the common performance standards. Their implementation costs vary, as do their annual savings when compared with the current structure. The table at the end of these three descriptions sets forth the cost comparison of these Multiple Assessing Unit Models.

The goal of the program is to achieve common treatment (including a common level of assessment/equalization rate) for all parcels in a county that will benefit taxpayers in the following ways:

- Transparency - "Is it simple enough for taxpayers to understand?"
- Equity - "Does it treat every parcel the same way?"
- Efficiency - "Is it the lowest cost for a given level of service?"

These next three models all fulfill the requirements of transparency and equity once they have all achieved:

- Common LOA at 100%, also in order to qualify for up to \$5 annual maintenance aid
- Common reassessment cycle for all municipalities
- Common inventory and sales verification practices
- Common Centralized database that is frequently updated

The question that remains is that of efficiency. As these systems have been in place for many years and the taxpayers have become accustomed to the levels of service, as well as the expertise of their local Assessors the costs may be slightly higher than in those Single Assessing Unit Models that follow more of the I.A.A.O. standards.

As with all of these many options, you may want to consider others in greater detail once all of the individual assessing units have achieved the equitable standards set forth in this Study. These following three options do not consolidate all of the assessing units into one, but in most cases leave the assessing units in place and have them enter into intermunicipal agreements to establish the common assessment standards. Their implementation costs vary as do their annual savings on maintaining these standards. The Table A-9 at the end of these three descriptions sets forth the cost comparison of these Multiple Assessment Models vs. the costs of the current structure once all parcels reach the equitable standards. Keep in mind that the annual costs of our current system is \$1,153,268.

Option #3 – Implementing Coordinated Assessing Programs (CAPS) Where Possible, And Binding All Assessing Units To Common Performance Standards With Inter-Municipal Agreements.

New York State Real Property Tax Law §579 allows two or more assessing units to

establish a coordinated assessment program (CAP) by adopting identical local laws without referendum. All municipalities that enter into a coordinated assessing agreement are then considered one assessing unit and are issued one Equalization Rate. Once all of the possibilities of combining more Towns into new or existing CAPS are considered, then all assessing units would enter into an umbrella agreement that would bind all CAPs and individual Towns to maintain the same level of assessment and the same valuation standards. This option is very useful in rural areas where the number of qualified assessors is limited. By two or more Towns joining forces, they can hire a professional assessor that, as separate municipalities, they could not afford.

Option #4 – Towns Contracting With The County

New York State Real Property Tax Law §1537 allows an assessing unit to enter into a joint services contract with the county to perform some or all of the assessing functions. Under §1537 agreements assessing units remain autonomous. The town still retains its appointing authority. Each one is individually analyzed for equalization rates, residential assessment ratios (RARs), reassessment aid, and STAR State aid. Immediate value may be recognized by the availability of such agreements to provide assistance in the event an assessor is unable or unavailable to fulfill their obligations. If a majority of towns wish to enter into such agreements, the County Real Property Tax Services Office would have the financial and staffing resources through these §1537 agreements, to not only continue to maintain tax maps, calculate the tax levy, provide information to taxpayers, train Board of Assessment Review members, and coordinate assessment revaluation schedules and advisory efforts, but also maintain the towns at the performance standards that will provide the transparency sought by your taxpayers.

If full services are not required the individual or CAP Towns could still contract with the County for whatever services they felt they needed. Please see explanation below:

How Do Towns Contract For County Services - RPTL §1537

Optional County Services

- An assessing unit and a county shall have the power to enter into, amend, cancel and terminate an agreement for appraisal services, exemption services or assessment services
- Considered an agreement for provision of "joint service" under Article 5-G of General Municipal Law

Agreements

- Agreement approved by both the assessing unit and the county, by majority vote of each governing body
- Assessing unit -a resolution subject to permissive referendum submitted at least 45 days prior to vote

Assessing Services

- Agreement shall provide for a person to be selected by the assessing unit to perform assessing services in accordance with such agreement
- Such person shall be deemed the assessor of the assessing unit and shall be subject to all provisions of law pertaining to assessors

Other County Services

Appraisal services

- County to appraise all real property in assessing unit for assessment purposes
- Appraiser must meet minimum qualification standards established by the State Board

Exemption Services

- County to review exemption applications and determine eligibility of applicants

Under this option the County and Towns would need to understand that in order to fulfill the goals of a Countywide uniform level of assessment with equity and transparency to the taxpayers, certain inter-municipal agreements would need to be drafted. Using this method to bring all of the Towns up to the same equitable standards offers both the County and the Towns the opportunity to plan for the transition with the least impact on budgets and manpower.

In Herkimer County there are already 6 Towns that have entered into 1537 agreements with the County Real Property Tax Service Office. This shows a real commitment on both the County and Town's part to establish equity, transparency, and standard valuation practices for their taxpayers

Option #5 – This Option would require the State to pass a Cycle Bill that will provide some financial aid for Towns to meet the common LOA of 100% and then have the Valuation Date frozen every 3 years to avoid further Equalization Rate Studies and the need for Annual Reassessment.

The key to this option is having a three-year Cycle Bill passed and also having the Valuation Date frozen every three years. Once all Assessing Units within the County comply with the requirements of the assessment performance standards the Assessors will only need to reassess all properties to 100% LOA once every three years. During the intervening years they would value all new construction using the base year established by the Valuation Date. The State Aid Program could also be modified whereby the Towns would still receive up to \$5/parcel during the

revaluation year and perhaps up to \$5 per parcel during the other two years for keeping up with inventory and sales verification, building permits, and the review of roughly 1/3 of the parcels within the Town each year. In this manner there would be an Equalization Rate of 100% each and every year that would result in the following:

- A real cost savings to ORPS in avoiding having to do further Equalization Rate Studies.
- An opportunity for the Assessors who are working hard to maintain 100% Equalization Rate every year through Annual Reassessment to reorganize and take the time needed to prepare for the next revaluation.
- An opportunity for the Taxpayers who feel that it is unfair that they are subjected to these Annual Updates to become more acquainted with the principles of real property taxation and what it will mean to them by having their property only revalued every three years.
- A system that would eventually have all parcels within the State being reassessed on the same schedule every three years and an annual Statewide Equalization Rate of 100%.

This is a revolutionary idea, but one that would meet the needs of the Taxpayers, the Assessors, the local Legislators, and the State Office of Real Property Tax Services.

In addition to meeting the requirements of:

- Transparency - "Is it simple enough for taxpayers to understand?"
- Equity - "Does it treat every parcel the same way?"
- Efficiency - "Is it the lowest cost for a given level of service?"

As can be seen from the Table A-9 below once the Towns reach a uniform level of assessment of 100% then there will be a total reassessment aid of \$206,830 given each year by the State to assist in maintaining this equitable standard. If the Towns that have not joined into CAPs decide to do so, they will receive a one-time payment of up to \$7 per parcel with a total for the County coming to \$217,308.

It should be noted that if this legislative concept were coupled with previously described options in this study, such as County-Run Assessing, further, and very dramatic cost savings can be realized.

Herkimer County Assessment Models Cost Savings & Aid Comparisons

Table A-9

Multiple Assessing Unit Models

		Option #3	Option #4	Option #5
	Current Structure that is in place - modified to provide equitable assessments to all properties.	Current Structure w/additional consolidation & Inter-municipal agreement	All Munis contract w/County under RPTL 1537	Current Structure, Reassessment Cycle w/matching Valuation Date
Start-up Costs:				
Establish Equitable assessments at a common level throughout the County [Reassess 11 Towns & the City or 23,793 parcels @ \$40]	\$951,720	\$951,720	\$951,720	\$951,720
Available State Aid for reassessment [23,793 parcels @ up to \$5] (Town Aid for 11 Towns)	-\$118,965	-\$118,965	-\$118,965	-\$118,965
State Consolidation Aid [31,044 parcels @ up to \$7 - one time payment]	\$0	Varies	Varies	Varies
State Consolidation Aid for County Run Assessing, RPTL 1537, 41,366 parcels @ up to \$7	\$0	\$0	\$0	\$0
State Aid for County Run Assessing Referendum Approval, 41,366 parcels @ \$2 [http://www.orps.state.ny.us/cptap/applications.cfm]	\$0	\$0	\$0	\$0
State Consolidation Aid for County providing services, RPTL 1537, 41,366 parcels @ \$1	\$0	\$0	-\$41,366	\$0
State Aid IF County Managed County-Wide CAP, 41,366 parcels @ \$2 [http://www.orps.state.ny.us/cptap/applications.cfm]	\$0	\$0	\$0	\$0
Total One Time Start-up Costs:	\$832,755	\$832,755	\$791,389	\$832,755
Operational Costs:				
City/Towns Assessment Office Costs (Net)	\$706,495	Varies	\$0	\$2,119,485 ³
County Real Property Tax Dept Costs (Net)	\$446,773	\$446,773	\$875,773 ¹	\$1,340,319 ³
Cost of a County Consolidated Assessing Unit (CAP)	\$0	\$0	\$0	\$0
Additional cost of annually maintaining assessments at a common Level of Assessment throughout the County.	\$115,327	\$115,327	\$87,577	\$138,392
State Aid for Annual Reassessment [41,366 parcels @ up to \$5]	-\$206,830	-\$206,830	-\$206,830	-\$620,490 ³
Current Annual Operational Costs:	\$1,153,268	\$1,153,268	\$1,153,268	\$1,153,268
Total Annual Operational Costs vs Options	\$1,061,765	Varies	\$756,520	\$992,569
Total Annual Savings:	\$91,503	Varies	\$396,748	\$160,699

Notes:

1 Cost of County Dept estimated by adding 11 staff @ \$30,000/yr plus 30% fringe benefits= \$429,000 to the current budget (Net) of \$446,773, which then totals \$875,773.

2 Estimated \$17/parcel based upon similar costs in Herkimer County and other counties.

3 Assumes a 3-year cycle. Operational Costs are based on a 3-year program, and then computed to an annual cost.

4 Partially built into staffing cost estimate; 10% added for additional expenses, i.e. appraisal assistance, printing, postage, etc.

5 Partially built into staffing cost estimate; 10% added for additional expenses (same as #4 above), then because it is a 3-year program 40% was attributed to a given year.

Currently Available State Aid

RPTL §1573 State Aid for Consolidation

Consolidation Incentive Aid:

- One-time payment of up to \$7 per parcel payable to new county assessing units
- One-time payment of up to \$7 per parcel payable to each participating assessing unit in a CAP
- 10 year commitment

State Aid for Reassessments

Reassessment Aid:

- Assessing units are eligible to receive state assistance for implementing a reassessment roll at 100% of value
- Annual aid -up to \$5 per parcel annually
- Requires annual review of all parcels to maintain uniform assessments
- Triennial aid -up to \$5 per parcel no more than once every three years (through 2011)
- Requires complete re-inspection and reappraisal of all parcels

One-time payment of up to \$1 per parcel payable to a County providing services in accordance with RPTL §1537

V Implementation of Countywide Assessment Uniformity

For this collaborative assessment program to work and benefit all of its participating Towns, everyone must be able to agree that there is a need for assessment equity within and between all Towns. There is little cost benefit in this program if the Towns are not willing to take the necessary steps to avail themselves of the various maintenance aid programs. To do this they need to bring their assessment rolls into compliance with the aid program's requirements that include a Town-wide revaluation or update. With only about half of the nineteen Towns and one City in the County having completed a State supported revaluation fairly recently, this initial step could be a financial and in some cases a staffing hurdle towards implementation especially if the State does not tie enough funding to any mandatory cycle bill. But let's assume for now they do.

If the City, Towns, and the County are interested in pursuing Countywide Uniform Assessment Standards the following steps would need to be taken over the next few years or however long a timeframe is stated in any possible future legislation.

Starting as soon as practicable the Towns that have not had recent revaluations or updates should begin a data collection or verification project looking towards a

revaluation for some future agreed upon assessment roll year in order to have their potential triennial plan coincide with all of the other municipalities within the County.

Once these Towns complete their revaluation, they should consider maintaining their assessments at or near 100% through a Triennial Assessment program until a definitive cycle bill is passed and then all of the Towns and the City will be ready at the same time.

All that would be needed to coordinate a future date on which they all agree to complete revaluations and enter into an intermunicipal agreement to that effect and they would be well on their way to meeting the assessment standards.

By each assessing unit formulating a realistic plan to achieve the goals of this program in a reasonable timeframe, all those involved with Assessment Administration can look at the State Aid programs that might be available, and any new legislation that may pass and determine how they want to proceed to maintain their rolls in an equitable and efficient manner.

Once everyone has reached their 100% LOA and met the uniform assessment standards of the I.A.A.O., they can consider any of the options set forth in this Study to maintain their equitable assessments from that point on and save money doing it.

VI Some Suggestions for the State Office of Real Property Services

Regarding the Equalization Rate Process

- This idea is referred to in Option #5. Have the State enact a mandatory triennial cycle bill and freeze the Valuation Date statewide every three years. As the cycle bill would be a "mandate", certain aid payments like we have now would be anticipated, but the savings realized by ORPS in avoiding much of the Equalization Rate process would certainly offset most, if not, all of this cost. Perhaps up to a \$5/parcel payment during revaluation years and up to \$5/parcel payments during the off years for sales verification, building permits, reverifying 1/3 of the parcels, etc. In this manner the State would eventually have 100% Equalization Rates every year with revaluations being conducted on either an Annual, Biannual or Triennial Statewide basis. This would relieve the stress on the taxpayers, the assessors, ORPS, and the system as a whole.
- If the trends in various towns demonstrate the need for reassessments on an Annual, Biannual, or Triennial basis then a law giving them a 100% Equalization Rate during the intervening years should be considered. Many Town Boards do not want to see their rates ever drop below this level. During these uncertain economic times conducting annual

reassessments to avoid even a slight drop from 100% Equalization Rate is an undue burden on the taxpayers, the assessors, the Town budgets, and the Regional Office support staff. Further, if all towns within a County agreed to conduct reassessments on the same cycle, be it Annual, Bi-Annual, or Tri-Annual, then the burden on the valuation staff at the State would be significantly reduced as would the costs to the Towns and the State. In consideration of these savings and to incentivise these cyclical programs, some form of aid should be put into place for Towns opting into one of these programs.

Regarding Towns With No or Outdated Inventory

- In 1977 (Article 15-B, §1572 of the Real Property Tax Law) the State enacted a program that was referred to as "Attainment Aid." Attainment Aid was payable in incremental amounts totaling up to \$10 per parcel. That was dropped many years ago. With the State's new initiatives for improved assessing standards a new Aid program should be considered to help those towns that have opted not to conduct any revaluation projects. For the few towns that do not have adequate or even any inventory records, a new realistic State Aid program geared to help funding a data collection project and tied in with a mandatory reassessment cycle might move these towns to 100%.

The Real World Problem of Civil Service for County Assessing

1. One item that also needs to be considered for any assessment position created at the County level is Civil Service. As the author of this study, when I was reappointed in October of 2007 by my four towns in Schuyler County, I immediately recognized some common rules that needed to be addressed:
 - a. Once an assessor is provisionally appointed by the County, they are subject to Civil Service rule and law, and a test is required for that position. This test may have assessment questions on it, or it may contain strictly management questions on it depending upon the salary level they are started at. Their State certifications do not release them from this test. Although they are still appointed by the Towns, if they do not reach the top 3 on the results of the Civil Service exam, they may not be considered for the position.
 - b. When an assessor is hired by most Counties, the Human Resource Office will tell you that full-time is typically 35 hours/week. Anything over this is amount is often considered "comp time". For most counties this must be used within the month that it is earned or it is lost. The problem with this is that the assessor's job is extremely cyclical in nature. During the weeks that fall between January 1 and May 1 it is

not unusual for an assessor to work 50–65 hours each and every week. During this period there is no realistic way for an assessor to use that comp time until perhaps after their tentative roll is completed on May 1. There needs to be some flexibility given to these positions in order for assessors to provide the same level of service to the Counties as they currently provide to the Towns.

Elimination of Assessing Unit Villages

- In the case of Assessing Villages, having taxpayers pay for two assessing units, one in the Town and another one in the Village is not only a duplication of services, but confusing when it comes time for revaluations or Grievance Days. If we are looking to save and consolidate services this would be an obvious one to consider. Herkimer County is one of the few Counties where I have not found any assessing unit villages remaining.

Loss of Experienced Assessment & ORPS Officials Due to Retirement

- Every Assessor or ORPS Staff member I have talked with knows of some key person that is retiring within the next year or two. The Assessment profession is fairly unique and you can't find qualified or interested replacements as easily as you can with some positions. To help offset this loss of much needed expertise, I would suggest that ORPS look into the reasoning behind the NYS Retirement rule that allows someone to retire at age 55-62 and draw a maximum salary of \$30,000, but once they attain the age of 65 they can earn as much as they want. Our depleting ranks can ill afford to lose these qualified individuals during this critical transition phase. In Herkimer County the Director, Mary Ann Barbuto, has been encouraging her assessor aides to become certified assessors in anticipation of more towns turning to the County for assistance as it becomes more difficult to find qualified assessors.

A Town Assessment Report Card Much Like the School Report Card

- It was suggested many years ago that the State issue a Town Assessing Report Card that would be available to the news media and now on the Internet as well. This document would not make any judgment on any municipality, but would set forth the statistical data and the meaning of that data and leave it up to the taxpayers to decide for themselves the quality of their assessment rolls. It is important that our local legislators read studies such as this one to gain a better understanding of where things stand in their communities. But the taxpayers should also have the information made available to them so they can be part of the decision making process.

Restructuring the Board of Assessment Review

- Many assessors feel that the BOAR process needs to be restructured. As a cost savings and as an improvement for property owners, the State should adopt legislation enabling municipalities to pass the responsibility of the BOAR to the County and allow for a County BOAR.

The Key To All Of These Recommendations

- We all recognize that the timing of these State initiatives, given the current condition of the State and local budgets, is less than optimal. However, the State also needs to recognize that if they want to make this work with local, town, and county budgets facing similar budget dilemmas, a realistic funding program will need to be put into place to help offset the costs of maintaining any cyclical assessment program. Any unfunded State mandates, such as the much needed cycle bill, during our current economic crisis would meet with much local resistance especially those towns with fractional assessing. One suggestion that has been made is to take the STAR refund monies and put them to better use by making everyone's' assessments more equitable. By investing that large sum of money into these initiatives for only one year would go to the real heart of the problem rather than covering it up by throwing money at it.

Appendix

Definition - Reassessment (RPTL §102)

Reassessment: "a systematic review of the assessments of all locally assessed properties, valued as of the valuation date of the assessment roll containing those assessments to attain compliance with the standard of assessment"

It is synonymous with the terms "revaluation" and "update"

Systematic review-or "systematic analysis": a methodical, thorough and regular review/examination of a municipality's assessments on an annual basis

- Maintain current inventory data
- Maintain current sales and market data
- Monitor and analyze the market
- Update assessments to maintain uniformity

Re-inspection means, at a minimum, observing each parcel from the public right-of-way to ascertain that the physical characteristics necessary for reappraisal are complete and accurate.

Reappraisal means developing and reviewing an independent estimate of market value for each parcel by the appropriate use of one or more of the three accepted approaches to value (cost, market, and income).

Definition - RPTL §305

Standard of Assessment

"All real property in each assessing unit shall be assessed at a uniform percentage of value..."

Value is defined as "market value"

May assess at any percentage of full value (a/k/a "Level of Assessment", or LOA)

Assessors sign an oath each year that all assessments are uniform and this would include County Assessing Units

Provisions for County Assessing

Article IX, §1(h)(1) of the State Constitution provides that where a transfer of functions to the county occurs, it must be approved by a majority of the votes cast in a referendum.

- In towns considered as a single unit
- In cities considered as a single unit
- In assessing villages considered as a single unit

If no cities or assessing villages, only a simple majority is required

Definition of a Coordinated Assessment Program - RPTL §579

Two or more assessing units may establish a coordinated assessment program (CAP) by entering into an agreement meeting certain criteria. A sample agreement is available on ORPS' website in the State Aid section.

Establishment of a CAP

CAP Agreement

- Approved by majority vote of voting strength of each governing body (local law not required)
- At least 45 days before taxable status date (usually March 1 of each year)
- Copy of agreement filed with State Board by taxable status date

Type of Agreements

Without direct County involvement

- Enter into a municipal cooperative agreement providing for a single assessor to be appointed in all of the participating assessing units

With direct County involvement

- Enter into an agreement with the county to provide assessment services to all of the participating assessing units (RPTL §1537)

Additional Criteria

Single Appointed Assessor

- Same individual shall be appointed to hold the office in all of the participating assessing units
- Effective no later than 60 days after the date on which the agreement is effective

Standard of Assessment

- Effective with the first assessment roll...all real property shall be assessed at the same uniform percentage of value in all of the assessing units participating in the coordinated assessment program throughout the term of the agreement
- Same assessment calendar

Modifications to Program

Addition of New Participants

- Agreement may be amended to add one or more assessing units to program

Withdrawal of Participants

- Assessing units may withdraw from program

Termination of Program

- By at least 50% of assessing units
- By County if involved

Statutory Deadlines Apply for All Modifications

Equalization Rates

- Common market value survey (considered a single survey unit)
- Identical equalization rates established for all of the participating assessing units

Rate Complaints

- Towns may file individual complaint (copy to others)
- Other towns may support, object or comment
- Any change will apply to all towns

Judicial Review (copy to other towns)

- Any change will apply to all towns
-

Establishment of State Equalization Rates for Counties. – RPTL § 1214

The state board shall annually establish a state equalization rate for each county in the state and determine the full valuation of taxable real property therein. The state equalization rate established for any county assessing unit, other than a special assessing unit, shall also be established as the state equalization rate for each city, town and non-assessing unit village within such county.

How Do Towns Contract For County Services - RPTL §1537?

Optional County Services

- An assessing unit and a county shall have the power to enter into, amend, cancel and terminate an agreement for appraisal services, exemption services or assessment services
- Considered an agreement for provision of "joint service" under Article 5-G of General Municipal Law

Agreements

- Agreement approved by both the assessing unit and the county, by majority vote of each governing body
- Assessing unit -a resolution subject to permissive referendum submitted at least 45 days prior to vote

Assessing Services

- Agreement shall provide for a person to be selected by the assessing unit to perform assessing services in accordance with such agreement
- Such person shall be deemed the assessor of the assessing unit and shall be subject to all provisions of law pertaining to assessors

Other County Services

Appraisal services

- County to appraise all real property in assessing unit for assessment purposes
- Appraiser must meet minimum qualification standards established by the State Board

Exemption Services

- County to review exemption applications and determine eligibility of applicants

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Assessments, generally (standard of assessment) (uniform percentage) (authority to choose)—Real Property Tax Law, §305:

In an assessing unit in which assessments are not at full value, the assessor determines the uniform percentage of value to be applied to the assessment of all real property, in the absence of any affirmative action by the local legislative body. However, where assessments are at full value, the authority to choose a standard of assessment of a uniform percentage of value is vested in the legislative body of the assessing unit, and not in the assessor.