

(DRAFT) MINUTES
REAL PROPERTY TAX ADMINISTRATION COMMITTEE (RPTAC)
June 16, 1999 1:00 - 5:00 & June 17, 1999 8:30 - 12:00
Hampton Inn, Route 9, Latham/Cohoes

Facilitator: Dan Curtin
Recorders: Audrey Barnes and Tina Kane

Members Attending: Tom Griffen, Ramon Rodriguez, Vince O'Connor, Peter Keitel, Dick Harris, Rich Sinnott, Edye McCarthy, Bill Budde, Fred Pask, Ron Shetler, Steve Dorsey, Gary Bennett, Paul Maniacek, Tom Frey, Curt Schoeberl, Rick Hubner, Bill Cinquanti

Absent: Jack Shuttleworth

Others Attending: Sue Otis, Mark Twentyman, Jeff Jordan, Paul McDowell - Farm Bureau, Lois Jasek, Assessor, Hebron, Bonnie Scott, Dennis Jersey, Steve Curran

a. Get Organized

Dan Curtin reviewed the agenda. A couple of changes were made and the agenda was adjusted to fill the gaps.

For item "n," Clay Ash will be in to talk about sales and for item "l," Tom Griffen will talk regarding the Assessment Complaint Booklet.

Minutes from the previous meeting are on the WebBoard for review. Once approved, they'll be posted to the main Internet site.

b. Leaders' Reports

County Directors: None

Assessors: Curt asked why the management of the Assessor's Association were not notified regarding a letter dated May 26 inviting some assessors/county directors/taxpayers to a discussion regarding changing the methodology for utility generating facilities. Dick Harris distributed a copy of the letter Curt referenced and explained that we've hired a consultant, Resource Management International (RMI), who, from the on-set, wanted to do outreach to local governments and property owners. The letter invited those assessors and/or county directors, which had a large facility in their municipality, to a focus session scheduled for June 23. We extended an invitation to approximately 30 municipalities and counties. Dick said it was an oversight on our part not to invite and include the management of the Assessor's Association and extended an invitation to those interested in participating at this time.

Curt stated that there was a utility group that met for approximately two years before Tom arrived at ORPS that looked at alternative methods. Timing now seems a little strange, will not be a good situation for municipalities - a potential tremendous loss in regard to utility deregulation.

Tom stated that we may get at this a little in item "d" - Sub-teams. In terms that we

haven't notified the associations. Tom stated that it is uncertain why the management of the Assessor's Association was overlooked in the mailing regarding the focus session, perhaps because of the way various program areas operate differently.

Dick stated that they felt that it was important that the consultant heard from municipalities and locals. Tom stated that their heart was in the right place, just a few details missing.

Gary mentioned that the timing of the separate sessions for those with long distances to drive. Dick stated that they discussed opening both sessions up, however, they felt that with a mix - some may not be forthright. Dick stated that he would share the information and stressed the meeting (focus session) was a tool to gather information .

Assessors stated they are feeling left out of the group. Tom stated that if you feel like you want to be in with the taxpayers, attend that session, but is that the most efficient way to get the information we need?

Tom stated we need to have a discussion, to figure out how to get to the numbers. Rick stated that it's a broad topic, take care of all at once. Look at what has happened in the past. Some legislative effort needs to be made.

The immediate issue is how are we going to value the property? Dan stated that issues need to be defined and he would try to find 30 minutes later on the agenda to address it.

Curt finished by stating that he felt by having the two groups meet separately, it could form contempt.

Topic was tabled for the time being.

ORPS: Tom informed the group that next year we will have a Hampton Inn across the street from ORPS and we'll be able to meet there; however, parking may still be a problem.

Tom stated that today the Senate would confirm the appointment of Ruth Henahan as the newest member of the State Board. Ms. Henahan is from Delmar, Albany County. She's a school representative on the Board. She previously worked at the Education Department, she now works for the Dormitory Authority by special appointment from Governor Pataki. Ms. Henahan will fill the seat previously held by Barrett Kreisberg, which expires in 2005.

Rensselaer County Tax Maps - Tom spoke with Henry Zwack. He gave authority to Jeff Jackson to work with us to figure out what needs to happen to make tax maps current. On June 15th, Tom, along with Pat Quinn, John Bonanno, Bonnie Scott, Jim Davis, and George Hillenbrandt met with Jeff Jackson, Tony Stephens, Bill Lamont (Deputy Director of BRIS), and Joe Cybulski (Deputy County Executive Director). At this meeting two items surfaced, the first was the local law that seemed to put tax mapping with the Bureau of Research Information Systems (BRIS) Unit, and the second was that maps are out of date. Now, they have RPS problems. Tax maps are the foundation for everything that is done for Real Property Administration in the State. Tax maps make the system credible to the taxpayer. ORPS will send staff to follow-up to get to the nitty gritty. A question was asked what could be done legally, all we could do now is write a letter, then hold a hearing. Tom felt we can make more progress by

working with them and are closer to a solution. Rensselaer County felt that in two months tax maps would be current. However, nothing was stated regarding the maintenance, etc. of the maps. **(Reference Action Item 98-46).**

Action: *Tom will give status of this to the NYSAA (Tom Frey).*

Bill Cinquanti stated that he appreciates that Tom got involved. Bill stated he is concerned, however, that they'll fix these base maps and fall behind again.

How can local law say tax mapping is not a county director function? Rich stated that is what the statute states, however, local law is inconsistent with provisions of RPTL. Someone who has standing would have to challenge local law that has a standing in the local law. Bill C. asked would assessors/county directors have standing? Rich replied that they would have to link that the job not being done.

Suffolk County - Vince flew down to Suffolk County to represent ORPS in support of Penny LaValle. He stated that there was a clear stand there. Differences among county directors do not give us clear direction as to roles, even if tax mapping is clear.

Chenango County - Issue of the firing of Steve Dorsey. Steve requested that we not do anything at this time.

Bill Budde thanked ORPS (Tom and Vince) for Suffolk and the positive prospective of addressing the issue in Chenango County.

Tom stated that the Governor called a meeting to start talking about state and local relationships. RPS first prototype application for OFT rolling out the NYT, the State's Intranet. RPS was chosen because it gets in part at the issue of using tax maps and RPS data to try to get arms around the vertical approach while localities look at systems in their towns.

Senator Wright's utility bill passed. This bill has ORPS doing a study by the end of the year, however, the bill does not address the data availability issue.

Tom stated that Sue Otis attended the annual reassessment workshop - mixed report. Purpose was to come to grips with systems, tools, models to change at ORPS to implement annual assessment standards. On ground floor progress not great at the meeting, but will follow-up - Sue, Barry Miller, Bill Cinquanti, and Dave Briggs (canceled) invited to the workshop. Sue stated that initially her role as an observer or participant was not clear.

The workshop started out with focus on Central region as a model - but evolved into not such a Central Region focus.

Strategic Plan - Tom read the four Goals for the 1999 Strategic Management Plan.

Erie County Tax Maps - Bill Cinquanti asked that Joe come to RPTAC and talk about Erie County Tax Maps. Joe provided a handout - Erie County Tax Map Status. Mr. Maciejewski stated he has held the position of County Director for Erie County since August 1996.

The history of tax maps for Erie County is they had a backlog of 90,000 real property transfers, approximately 2,500/month - 8 years behind.

Joe feels that they are almost there since the initialization of the project. He stated that he's not claiming to be in compliance, but pledges, along with assessors in Erie County, that they will be current by the year 2000.

Joe feels that Erie County is being used to show what the problem was. He stated he'd rather have Erie County be used as a view to solve the problem. They do not have a situation similar to Rensselaer County. Joe expressed thanks to Ross Testa, he stated that Ross was a real asset to Erie County on this project. Joe regularly faxes update status to Ross, Tom, and Vince along with the Western Region.

Fred Pask asked a question regarding the mismatch list. Joe stated that he felt that it could be taken up with the group of which Bill Smist is a member. Take up at the Erie County level, not RPTAC.

Tom Frey asked what did ORPS do during the period when Erie County was 8 years behind? Joe stated that letters were sent by Tom re: violation of rules and regulations. Also, Joe stated that he addressed the State Board in 1996 at Kutshers when they were going to bring the county up on a disciplinary action. Joe went down with a plan including financing commitments to accomplish the tasks and the Board accepted.

Curt asked that under current procedures, how long could someone not be in compliance before ORPS addressed the problem? How often do we monitor? Tom answered annually. Dick stated that we will be polling all County Directors in July.

Rensselaer, Erie, and Schenectady Counties are the only outstanding counties where tax maps are not in compliance.

ORPS annually certifies counties who are in compliance with their tax maps; however, some municipalities have never been certified. Even though it is not required, some counties have been notifying ORPS of compliance.

Fred Pask stated regarding Erie County that some members mentioned that the contractor comes back with a different number and it doesn't match the SBL number. Joe stated that he's tried to keep the numbers as close as possible, however, in some cases that couldn't be done. In some towns, there will have to be thousands of key changes. He is working with ORPS to match the database and their system.

c. Alliance

Bill Budde, Edye McCarthy, and Tom Griffen made a presentation at the Association of School Business Officials. They talked about certiorari and the Alliance guiding principles. They each did a part. Bill stated what an eye-opener it was in reference to the dollar amounts regarding certiorari - downstate vs. others.

Gary asked, do they realize that we're a high tax state because of their school budgets? Edye said that was part of her presentation and they can't see that.

Tom stated that members of the Alliance are aware of the band-aid solution. But for the moment, we'll come out of the block with the guiding principles and action steps. Guiding principles will be shared within the assessors and county directors, then published on the Internet. The Alliance is moving to another set of action items that they want to tackle.

The next Alliance meeting is July 16 in Albany @ Ramada Inn on Western Avenue. The next three action items are: procedures in the Assessor's office, taxpayer education, and county capacity.

A presentation on STAR was also given at the School Business Officials conference.

d. RPTAC Sub-Teams

The question, do we have the right groups out there supporting RPTAC, working on issues and solving problems, etc.? Tom stated that we always talk about this, but never put time on the agenda.

Rick stated that if there was a list similar to the action list, that would be helpful - Dan stated that the list is defined on the back of today's agenda. Curt stated that he felt this system is working better than it has in a long time.

Large Parcel Team - Steve Dorsey talked about the Large Parcel Team. Should there be two separate teams? When discussions take place, one aspect laps over to another. Dan clarified that when we talked about the SAS utility meeting, in effect, this was just a utility/electric focus session. Dick stated that at the last RPTAC meeting, he was asked to revise the Large Parcel Team charter and get the group back together.

Gary Bennett stated that he was on the former team and if he's going to be participating on the revitalized group, the issue includes all large parcels, not just utilities and needs to be resolved and what problems are centered around that issue.

Tom stated that there are two issues - valuation and equalization. Does the process address these issues? Tom asked why not a valuation team and an equalization team?

Vince stated that he sees those problems as large shift problems. Gary stated if the State and assessors could agree on valuation system, then the problem may go away.

Tom stated that the equalization rate assumes that assessment is uniform throughout all municipalities and where they're not, equalization doesn't work. This is a different issue than valuation.

Curt stated he felt we had adequate teams to address the issues.

Bill Cinquanti feels that RPTAC is an important forum. However, the agendas are busy and there is not enough time. The group runs into things that are important and only meets four times a year. He suggested the possibility to meet more frequently. Tom stated that Dan does a great job, but if we're a little more organized and the presentations are prepared and distributed before hand, allocate 10 minutes only, more could be covered.

Tom Frey stated that the meetings are evolving and Dan is helping to make them run smoother and more efficient. Steve raised a question that there was a gap in this one meeting regarding the utility generating valuation issue.

Bill B. stated that at the time the Large Parcel Team, along with the Equalization Project Team holding regular meetings, he felt that the Equalization Project Team could take over the large parcel issue.

Curt stated that this may be the time to go back to the Legislature to hold the municipalities harmless, to stop the shifts - utility companies pay the tax based on assessments. (Tax issue/tax policy issue).

Tom talked about the depreciation study and stated that there are two on-going efforts within ORPS - transmission and distribution; and possibly a gap with the large parcel team.

Tom stated that we take up issue of the following topics at the Large Parcel Meeting on July 7.

1. Utility valuation issue
2. Allocation issue
3. Loss of locality tax base
 - a. Team look at charter
 - b. Does Dick/SAS need anything if large parcel doesn't feel they handle the valuation portion - communicate via the Internet

Tom proposes that a utility group be formed. Rick stated that the RPTAC team members talk tonight and bring back tomorrow.

GIS Committee - Edye stated that she is on the GIS committee and never met, should there be a second list? GIS identified as a dead team.

Ron stated that GIS team died when a report was drafted and presented, with recommendations made.

Dan asked the group to think about the formation of a Technology Team tonight to discuss tomorrow. Tom would like to see an Information Management Committee.

e. Team Status Reports

Ag Team - Mark Twentyman introduced Paul McDowell of the NY Farm Bureau and Lois Jasek, Assessor in the Town of Hebron.

Paul agreed to be a representative on the Farm Team. Paul began by stating that he appreciated the opportunity to work with the committee and thought it will be a challenge and some difficult times, however, some policy issues with the Farm Bureau have grown out of assessor's comments.

Paul mentioned the Farm Bureau's policy booklet regarding real property taxes and their past and continued support for additional funding for ORPS for training, agricultural assessment practices.

Some issues Paul mentioned were the development of consistent agricultural valuation methods and standards. He stated that this is an important issue in connection with looking at the four tools -

- 1 - develop and maintain VFF file
- 2 - benchmark farm sales database
- 3 - income factor file
- 4 - review and update ORPS Cost manual - greenhouse industry growing the fastest

Along with uniform training for ORPS, assessors, county directors, and contractors, the development of regional expertise in agricultural assessment in the regional offices is needed to provide assessors with local knowledge, a fair assessment by people who understand the industry.

An administrative issue is the forms relating to the agricultural assessment program and see if there can be simplification of these forms.

A comment was made that in the Farm Bureau publication, please do not reference assessors as *tax assessors*.

Gary asked if the committee looked at the new value in use that we have in laws and the level of assessment in communities in relation to the litigation in Orange County. Lois stated that this was being discussed.

Paul McDowell stated that he was pleased that this initiative was being launched and appreciate the attention being given to address agricultural issues.

A question was asked, is the committee getting all the cooperation from the groups involved? Are you happy with the way things are working? Mark stated that they were. Vince stated that he wrote the charter regarding ag valuation and that we will be looking for the Ag Issues Team to participate.

Edye asked if an attorney will be participating on the team and if a taxpayer calls with a question, who takes the call. Rich stated that in most cases, calls are referred to Mark Twentyman. Mark handles to the extent that he can and anyone in Legal who can assist will be available. Maria Bianchi was the designee, however, she's going to Higher Education.

953 Team - Gary Bennett stated that the team met twice and that the committee doesn't want to die, but wants to be iced down. They've developed a form and are satisfied with the results (handout). Gary expressed thanks to Joe Gerberg and Steve Harrison for development of the form and thanks to Nola Goldblatt for facilitation of the meetings, and the Association of Receivers of Taxes, tso's, assessors, and county directors. Gary stated that the team feels they are done with their assignment and want to move forward, they were chartered to do the form, that's done. Now the team wants RPTAC to consider a statewide bank code system.

Discussion took place around the team's recommendation to use a Statewide bank code system. The system has a unique tax coding system, the Southern region has one and works for them. It was stated that they would like to see ORPS take a leadership role in implementing a bank code system (TSO).

A question was asked as to who would take responsibility for a statewide bank code

system. Dick stated that ORPS cannot commit.

Another question was asked, what is the benefit of a bank code system? Edey asked what it would take to put a system like that in effect? Curt stated that some big banks have 20 - 25 branches, all with different codes.

Dan recommended the 953 Team's charter be enlarged to whether to pursue the bank code system, how to do it, benefits - pros/cons, who. Think through and come back with recommendations. RPTAC agreed.

Rick stated that possibly a field could be added to RPS to put the date of the bank code in. This is addressed in V4.

Action: *Gary will provide a revised copy of the form to RPTAC Members for their information.
Review status in 6-9 months of 953 Team to meet again or recharter.
Gary stated he'll bring that to the team.*

f. RPS

Marketing Plan - Dennis Jersey distributed a handout regarding SMP Objective 14 - RPS V4, a preliminary draft which highlights the major activities in RPS.

Dennis did an overview of status and stated meetings have been held in Syracuse and Newburgh with the beta sites. Phase 1 and 2 being released today. Custom report writer also being released, it's not 100%, only because we keep adding enhancements. Eleven beta sites continue to test and provide feedback. SDG link is continuing to test and de-bug, scheduled for release in September. They are trying to control scope creep. We need to control new enhancements. New ideas that require extensive programming need to be put on back burner for future release.

Dennis stated we've begun to market V4 or it appears that V4 is marketing itself, the beta sites are also marketing it. The first RPS newsletter is being mailed and we've also created a RPS promotional trifold pamphlet which is being shipped with the newsletter. This material will be going out this week to assessors, county directors, and information technology directors.

Dennis stated that articles for the newsletter were written by different people including RPS staff and the WPI team. The trifold pamphlet was developed by Jeff Bartholonew in the Syracuse regional office. Nice job Jeff.

Upcoming presentations will be held at Keuka College (1 day), Colgate College (2 days including presentation, demo, and hands-on) given by Jeff. A presentation will also be done at the County Directors Conference in August to demo the entire system, including the GIS portion. SDG will be holding a session after the ORPS session at the County Directors Conference.

Dennis stated that the regional staff are doing a great job getting out and demonstrating the system. He stated that we want to control the release, possible upwards of 100 towns going to the system. Demand and interest is causing increased interest in this system.

Dennis asked if there are things relating to marketing that you think we should be doing

that we aren't?

Rick stated that we need to make every effort to adhere to the time line, that resources have been committed so that we can adhere to the time line and making sure that they are committed.

Edey asked if we plan on maintaining V3, Dennis answered yes. V3 will be here for awhile, the transition will take some time. No one should feel that they need to jump now to V4. Edey asked what are we telling municipalities that want to convert to V4 by June or July? Dennis stated that basically he's referring them to the regional offices, they are controlling who production sites are. Regions have identified an initial number of potential sites. Criteria put on to restrict regarding homestead, or a muni in the middle of a revaluation, or no special situation (Westchester logic). Towns need to have certain capability too. There is some clean up involved, the office needs staff available to do it. We want to deal with people that have comfort with PC's. The expectation is that once we get through first cycle, it will be available for everyone next year on the PC platform. Discussions were held with Newburgh staff regarding Westchester logic, can handle multiple year profiles. Homestead logic being worked on now and scheduled for January.

Tom Frey asked who the initial production sites would be for September 1999. The first round of towns and counties going to V4 have been selected and discussed now. Regions have looked at the workload given the demand .

Continuing now and through next quarter, work on assessment rolls, assessment processing being coded now, at some stage of completion. These were phase 3 items, targeted for this January.

Training for regional staff for conversion of V3 to V4 was discussed at Regional Managers meeting last week. They will be sending staff into Albany to learn how to do the conversions from the regional offices.

Dennis stated that each time there is a new release, we need to reconvert the beta sites data and that we'll need to do it one more time in August and September because that will be their live file. Version 3 will still be used for September school rolls and January county/town rolls. In January, V4 will be on it's own unless a muni chooses to run programs parallel.

Tom F. asked if the release in September was for PC's and PC networks only - Dennis answered yes.

RPS was selected by OFT for a project to potentially distribute RPS code over the Internet and to set up user group sessions on Internet, to disseminate information on Internet. They've met once and will have discussions in the future to decide on what project we take (code updates).

Y2K code going out on CD ROM, unless floppy is needed. The reason for the use of the CD ROM is that the code uses 1 CD ROM vs. 8 floppy disks. Rick stated that we may want to give some thought to creating batch files to put the files from the CD Rom onto the 8 diskettes.

SDG, the GIS component has been hooked up to the document image program. It can scan anything and attach it to a parcel and be called up to a screen. In the contract, there is an

option to purchase ASAP (assessment sales analysis program) query to tell what you want to bring back , brings back data, choose what you want and it will give you pictures of the property. Data live only at the point in time that you create the extract. This is an added feature, if you don't have grid coordinates, no point in running this because no parcel points. If digitized tax maps, that layer could be added to the system

We've requested a change to print horizontally - anticipated by September. Dennis distributed a handout that showed 20 variables. Another option, but no guarantee by September, within this GIS is to select neighborhood and to change entire neighborhood - possible way to do trending.

Bill C. asked if you can select multiple neighborhoods, yes you can click mouse and draw line to define the area.

Curt asked regarding the sketch program, will there be one, will photos with digitized cameras, this is doable now with JPEG.

Hope to have cost capability for a single parcel - hopefully for September, but definitely by the end of the year. New programmer hired and in training this week.

Gary asked if private contractors could obtain V4? We're not marketing it commercially. The issue hasn't even been discussed. RPS License fee comes into play.

Discussion took place regarding alternate platforms, we are totally concentrating on the PC aspects. ORPS hopes in the next 6 months to have a plan for the alternate platforms.

Bill stated concern that these mainframe counties represent large sum of RPS licensing fees, if they migrate to another platform, we may lose fees paid and the others using the platform will need to make up the difference. There is a need to assure the other munis that they won't be left out of V4 because they're mainframe. Dick stated that we need time to explore.

Tom stated that there are places asking for help and we can't ignore that. Dennis stated that there is no conscious effort to not support IBM mainframe, we just need to look into.

Paul asked what the average age of the hardware for the AS400, IBM, etc . . . Bonnie stated that they met with IBM mainframe users a couple years ago and the age varied significantly at that time. With people migrating off IBM, this varies significant by installation and we're not sure if we know here how much is going on. IBM has new structure in place so you can't talk directly to them.

Dennis stated that if there are IBM mainframe people available that could come in and assist, that would be helpful. Tom stated that the goal is for January to be able to give all users answers so they can plan.

Rick asked, how does ORPS help county directors get the support and outreach to keep them on board, to put a positive spin on what is going on here? Not just a matter of resources, need to have a solid version before working on the AS400 issue.

Dennis stated there was a reverse conversion available (go back to V3), but doesn't allow

you to go back again to V4 with that program.

Ramon stated that Dennis has a challenging project, doing something we need as a system, questions here aren't just your responsibility, you and the RPS team doing great work.

Bill Budde stated that there has to be some incentive out there - what can we do? The Governance group will look at incentives.

Summary - continue to advertise benefits of RPS; collect data on mainframe users; decide policy on mainframe code and time frame; announce it; investigate incentives to encourage users to move from mainframe to PC's and/or staying on RPS; assist county directors to determine appropriate support services once future is known

Governance Team - Bonnie distributed the revised charter for the Governance Team. The beginnings of the team were discussed at the last RPTAC meeting, the Future of RPS has met since then and the result is the revised Charter with all sections here, this charter is still being reviewed. Goal is to go to the State Board with it on July 6. Please get comments to Bonnie within the next few days. Bonnie then read the Charter to the group.

Bill C. expressed a concern where in some instances the county pays the fee and a major part of training comes from counties, feels more or equal representation from the county directors should be on the Governance Team.

Tom F. stated his county charges him back for training and/or fee. He then asked the make up of the IT directors?

Decision making process that the Charter endorses is consensus decision making.

Bonnie added that IT directors were included because in discussion of mainframes, they have a large stake in them and they do more than keep hardware running. **These are current proposals - will take back to group regarding equal participation.**

After Friday's meeting, assuming there is consensus regarding equal participation, Bonnie will share the final draft document or Dan will post it to the WebBoard.

Bill C. commented that there are three major stakeholders in V4, ORPS, Assessors, and County Directors. Data Processing directors don't know anything about V4, why are they on Governance Team? Bonnie asked if someone who has this concern to please bring it to the meeting on Friday. Dick stated that he has found that participation of IT directors fantastic.

The target for the 1st meeting of the group is in July/August. Deadline Friday to come to consensus on membership.

RPS Licensing fee schedule - Vince handed out a revised RPS licensing fee schedule. The purpose is to share with RPTAC and offer an opportunity to provide comments and feedback. Please get comments to Vince by next week. These fees don't have to go to rules because they are not over \$1,000, they are individual fees.

g. Get Organized (Day Two)

Dan Curtin reviewed the agenda. No changes were made. Members agreed to items and times.

Tina noted that a retirement dinner for Gardner Becker will take place on July 15 at 6:00 p.m. at the Bavarian Chalet on Route 20 in Guilderland. For more information, call Carol Moore at 474-1071.

h. Legislation

Paul Miller spoke to the group on Real Property Tax (RPT) related bills and their status. The Correction of Errors bill (COE), also known to Paul as the Bill Cinquanti bill, which involves extending time frame from one to three years, was discussed extensively. Gary B. has been in contact with John Hamilton and Gary explained that John is sitting on the COE bill, and Senator Seward noted that the bill was in Rules.

Peter K. spoke on the STAR Program and noted the following:

- ! Certificate being cut for Comptroller to spend money. Should see checks in roughly a month.
- ! ORPS is trying to come up with new language in the memo re: disbursing money in the assessors office and the Legislature is looking into a bill mandating spending the money in the assessors office.
- ! OSC code that money should be put in is A.3089 - (State Aid/Other). Another code is Tax Mapping and Assessment which was set up in the 70's when there was tax map aid. (This is closer to the assessor's office).
- ! The Comptroller's Office would like to do away with code 3040 because it hasn't been used fully. All maintenance aid would go through this.
- ! Group agreed that anything is better than State Aid other.

Paul also explained that the Legislature and both houses are still in session but that the Senate would be leaving today and that the Assembly will come back on Monday to do a little more business and then leave. Paul stressed to the group the urgency to contact and voice their opinions to their respective Senator today before they leave. Paul said that the Legislature's paychecks were being held until the budget is passed.

Several handouts were addressed by Paul. Up to the minute information on ORPS' 1999 Legislative Program Bills was shared with the group and noted below.

- ! 17 of the 28 bills are one property bills
- ! ORPS' Departmental Bills most likely will not be acted on. This process at the end of session is a tight crunch. Now is the time to get action.
- ! No Departmental bills have passed both houses.
- ! Handout on an overview of ORPS Departmental bills was discussed.
- ! RAR Revision (99-5R) - No known problem with bill. Only provision is redefining what RAR is. Should emerge. Copies of bills are available from Paul.
- ! Gary B. spoke on A.7917 and noted that this bill had county director support (RAR Revision). Will not support bills if it affects assessors.

- ! Condo./Co-op Assess. Reform bill is a non-starter bill. Assembly will not introduce. Sore subject with Assembly. Sen. Rath has introduced condo issue. Governor's office has approved for submission. Gunther may be contacted to introduce bill.
- ! Many bills are a heart beat away from being on the two house list. Many changes may happen today. Access to internet for bills is available and being updated daily.

The Governor's Program Bill on Tax Lien Securization was discussed by Joe Gerberg. Joe noted that the bill was stagnant for a while but that the Assembly may introduce. Enforced through State agency running program, which is Municipal Bond Bank Agency. Joe noted that this seems to be a better fit. Let private sector handle tax collection process.

Joe discussed that in 1993, Chautauqua County was 1st to come on board. Bulk tax sale, sold all liens to investment firm and would put all back. Broome and Rensselaer jumped on board. Eliminates 3-4 year wait. Need to repeat transaction every year.

Edye asked if Paul knew any more about Nassau County lawsuit on civil rights. Vince said that a Federal suit was filed Monday.

i. Procedures

Frank Ferrari and Jim O'Keeffe shared information with the group on ORPS' procedures, which are out on our website (www.orps.state.ny.us). Any questions regarding the procedures, should be addressed to the contact person noted on the website. Discussion on the following took place:

- ! As new procedures are developed, they will be added to the list.
- ! Procedures will not be published in State Register and are not approved by the State Board.
- ! Procedures are approved by Tom G.
- ! ORPS is working under the State Administrative Procedures Act (SAPA). (ORPS will provide copy of SAPA to assessors and county directors).
- ! Procedures and Rules will be noted in the Survey.
- ! Memberships have the right to comment.
- ! Edye mentioned that it should be made clear on website when comments are due. It will be added.

j. Cable TV Reporting Problems

Curt S. noted that many of the rural and suburban areas have seen tremendous growth in CATV in the past few years. Curt mentioned that ORPS is missing some numbers in areas with tremendous growth (i.e. Companies building systems up). Don Card asked if there is any evidence to this or if this is a perception of Curt's. Curt said the numbers just don't match up.

A summary of cable reporting procedures was discussed by Naveen Mohan and is attached to the minutes.

Other points of discussion took place and is summarized below:

- ! Don suggests that assessors give an indication on what they are actually doing in terms of construction.
- ! Curt spoke on an article in the Times Herald where the rates went in a 10- 15 year period. Cable Companies are only interested in subscribers. Curt noted that it's not worth it for his Town to go through the labor in putting information into the computer.
- ! Don C. noted that ORPS has been working with PSC on this and what they have in terms of model.
- ! A Utility subcommittee may be best to discuss this issue.
- ! Don C. noted that ORPS hired an expert from Florida and should come on board July 1st.
- ! Rich noted that our 99-1 Proposal (Electrical Generator Reporting) would enable information to be shared with local assessment officials.

Decisions: See Action Items 18-22.

k. OSC STAR Report

Peter did a summary on the STAR Report issued in April by the Office of the State Comptroller. Peter noted that this report is a review not an audit. Focus is on guidelines and eligibility of STAR program. Auditors found vagueness for requirements by STAR.

Peter mentioned that in the near future, ORPS may issue a STAR assessors guide to include documents that bring together Q&A memos, material out of the Assessor's Manual, and Opinions of Counsel. The format of the STAR guide will be like that of the Assessor's Manual and become part of the Assessor's Manual. Tom F. asked if Peter had contacted assessors re: the auditor's report? Peter said no but that the publication is made up of input from assessors. Decision was made to review new STAR guide with STAR Team and RPTAC and post on WebBoard.

Peter said that initially, the participation rate in the Basic STAR program was low. It is now 80% roughly. Peter thanked the assessors for doing a wonderful job in getting the word out.

Edye asked about a memo sent by ORPS to assessing units on uniform percentage dated May 7th. Edye asked how ORPS came up with 15%. Peter noted it was defined as significant. Curt asked if 15% was a good number and if it was a rule ORPS uses across the board. Peter said that he looked at 10% but there were few below 15%, so opted for 15. Peter noted that 40 letters we sent out.

Peter noted some were caused by technical problems (i.e., didn't get uniform percentage to tax collector on time). Peter mentioned that a surprising number of people are doing revals and that a lot of people are doing things to bring numbers into alignment.

Rich S. - ORPS' authority to "enforce" the requirement that tax bills include a statement of the uniform percentage of value includes at least those instances where no percentage has been listed or where multiple percentages are used in a single assessing unit.

Gary spoke on A.7916-A (Fostering Local Equity) and said that the problem is just another rate out in the field. If we could agree to consolidate numbers, the bill would be in a

better position of moving.

l. Assessment Complaint Booklet (See Action Item 98-38)

Curt started off by reading an excerpt from the complaint booklet, which he noted was 47 pages long and could possibly be made into 2 pages. He gave an example of an assessment and alleged value that should be litigated (i.e., \$100,000 at \$107,000 -not a good example). Tom G. agreed. Curt also talked about the complaint booklet being dated. Curt asked what we do with the excess copies after 1999. Do we throw them away? Curt emphasized that complaint booklets will just lay around assessors office for years until they are gone.

Tom Griffen read a note by Joe Pierson explaining the reason why ORPS does an annual booklet. Joe noted that the laws affecting the grievance process change practically every year, along with the grievance form. ORPS usually gets suggestions for revising the publication each year and try to use those that will improve the product. As a result, ORPS' prints enough of the grievance publication to last only about a year, so that we won't have to dump a large number of copies when changes are needed. Tom G. suggested that Rick H. work with Joe Pierson on this.

Bill C. spoke on the following:

1. Change in assessment notices put into system. A real problem. Needs explanation.
2. Grievance Day notices
3. Address to file application with assessor. It was noted that this will be addressed in V4.
4. Bill will check with Dennis Jersey to make sure these are being looked at.

m. \$5 & \$20

(Brief status of various tasks teams told about last March when RPTAC met and guidelines that were drafted for sustaining equity are in RPTAC package).

Tom G. - Extend invitation to get assessors and county directors involved on how to do revals. Tom also noted that ORPS is going ahead with annual reassessment as a standard. Tom's hopeful that 5&20 will get passed. Joe M. noted that a Western ORPS representative mentioned 5&20 was dead. Tom G. said this is not true.

A workshop on Market Analysis System took place on 6/9-10 with David Andersen and ORPS staff. Sue Otis also attended the meeting. Sue had a different anticipation of the workshop and discussed with the group her duties as assessor. Sue explained that she monitors sales, did a reval in 1987 and 1995. Analyzed neighborhoods and ran ratios. Adjusted programmatically across the board. This works in her town but will not work with everybody. Sue works with commercial people all year long, running ratios and making adjustment. Sue noted that this was not technical or cumbersome. Also mentioned by Sue was that 1999 was the first year she needed to send increase notices out.

Sue asked the following questions:

- ! Why make things harder for an assessor when results are good and COD's are in line?
- ! Why does it need to be better? Assessors don't have time or technical expertise. Need to make manageable to assessor and sell to assessor. If you don't, it's a mute point. Take a look at what's working across the State of New York. Analyze what they are doing.
- ! It's not one size fits all. Needs to be flexible.

It was noted that the booklet, Guidelines for Sustaining Equity, is aimed at the assessor and other roles were there to support the assessors. The booklet, as well as a revised value verification document, has not been published and RPTAC is first externals beyond Sue Otis to see document. It was included with the RPTAC agenda mailing. Comments are appreciated.

Tom G. discussed his observations on the workshop.

- ! Hopes the rules are flexible enough
- ! Got off on wrong foot at the June workshop.
- ! We need to figure out what we need to do at State level and how to support assessors.
- ! How do we change our system?
- ! What is transition cost?
- ! How do we get there?

Tom informed the group that the CTG (Center for Technology in Government) has agreed to assist as well. ORPS and three other agencies were chosen. This is a beginning of the process. Tom noted that the goal and objective were not clear.

Frank noted that a draft of the \$5/20 rules document was done in March to be ready by 4/1. The draft of rules and procedures was circulated to senior staff and discussed and shared with DOB. To date, we have not heard back from DOB. Frank noted the document pointed to guidelines as an attempt to say there are different ways to get to reassessment. The valuation verification document for initial reassessments needs to be a separate document for sustaining equity. Solely for initial reassessments. Rules will not go forward unless 5&20 passes.

Frank mentioned that the rules and procedures are written very broadly. Dan C. said the intent is to put as appendix and attach to guidelines for sustaining equity.

Tom G. and Curt had a discussion on assessment and tax equity. Both disagreed with one another on the issue. Curt noted this example: If a single parcel is 50% of value on roll, then give 50% of aid, if 10% of value, then give 10%. Tom in turn asked Curt if Otsego County should get aid when there's a clear over assessment of parcel?

Dan C. proposed that the issue on how a single parcel or group of parcels are over assessed relative to state aid payments be put on the October 7th agenda.

n. Sales Issues

Clayton Ash reviewed a handout on the history of 5217 revenue from 1992 through May

of 1999 and discussed the following:

- ! Anticipate revenue for budget next year
- ! Revenues go into general fund. Difficult to track what they are spent on.
- ! On target with sales

Gary - Originally, when fee instituted, there were certain revenues allocated for maintaining assessment administration, education and RPS system. How do you tie in? Gary appreciated getting figures from Clay.

Ramon mentioned that ORPS' strategy is to provide State a means to have ORPS depend less on general fund.

Vince noted that the agency was in dire straights and the money was allocated to sustain the equalization program and said the money did not go to RPS. Vince also mentioned that the money is not dedicated to specific program areas and that there's no one way that it's prescribed to be used.

Rick H. had questions and raised some issues on the following:

- ! How much revenues were raised from 5217 forms and what we planned on doing with them.
- ! Training was at the end of the list.
- ! Who allocates how this is spent?
- ! Is it used anywhere in the Budget
- ! Is Budget telling where to spend?
- ! Could it offset some programs for localities?

Peter answered by saying it's a pot of money and can't be put just anywhere.

Discussion on 2% threshold for RAR took place. Proposed changes to rules to bring down to .01%. Will be out on Web for comment.

o. Director's Duties

Bill Budde said that there is status quo to issues presented and that legislation is not going anywhere. Vince expressed the need to find out from assessors what county directors should be doing. Vince noted that maybe a pamphlet could be made explaining the roles of the county director.

p. Action Items

Dan has been updating actions items on the WebBoard.

q. WebBoard & FOIL

Feedback was positive from the group members who have had experience with the WebBoard (secure site only RPTAC has access to). Bill C. mentioned that a hands on session by Linda with RPTAC members would be beneficial. It can also be done individually by phone.

At RPTAC's March meeting, a question arose as to whether information put on the RPTAC WebBoard might be considered public information under ORPS' current FOIL legislation. Rich S. deferred the question to Steve Harrison. Linda Martinelli was asked to consult with Steve.

Linda reported that inter-agency and intra-agency material is generally not subject to FOIL but it is if it's statistical or factual tabulations or data, instructions to staff that affect the public or are final agency policy or determination. Steve suggested that it may be preferable if the link is not accessible via the main website but is instead given a private address that ORPS provide to the RPTAC members.

Dan will put RPTAC minutes out on the WebBoard for approximately 4 weeks and then move them over to ORPS' Internet home site.

Parking lot issues and feedback

1. June 23 meeting with utility consultants. Dick will get quick letter to invited participants and schedule 2 sessions. Can come to both sessions.
2. Technology Team- Do we need a team? What direction do we go in? Rick H. - Look for test simulations. Do secure transmissions. Test it out. Put team together to explore option.(refers back to 98-41) Dick, Paul M. Rick H and Bill Budde will meet.
- c. Accommodations are more expensive at Hampton. Better deal at Quality. Prefer Quality for meeting.
- d. Location is more removed from Albany.
- e. Bill Budde and Edye McCarthy will be leaving as President.

r. Wrap-Up

! Next Meeting - October 7th and 8th
Location - TBD

Agenda Items:

6. Report from Kathy on AATP and TCPC on Training Program.
7. Discussion around Curt/Tom issue on how a single parcel or group of parcels are over assessed relative to state aid payments.
8. Who receives circulated materials?

NYS OFFICE OF REAL PROPERTY SERVICES STATE ASSESSMENT SERVICES UNIT CATV INVENTORY REPORTING SYSTEM

Unlike electric, gas, water & telephone companies, CATV companies report data on a unit basis. A unit cost is applied to the units reported to compute reproduction cost new. The reason for using the unit approach instead of original cost is that CATV companies are not regulated by the NYS Public Service Commission.

CATV inventory reporting follows a fiscal year from October 1 to September 30. The report for the period from October 1, 1998 to September 30, 1999 will be due in State Assessment Services on October 31, 1999. The report will be used to compute CATV assessments for the 2000 city and town assessment roll. On or about September 1 of each year, blank forms and a printout of the existing data base are mailed to the companies. Each company is asked to verify the accuracy of the existing data base and file any corrections with its routine inventory filings.

Each company is given the option of reporting annual changes or filing a complete inventory. The reported data is broken down into the following format:

- tax district
- type of cable
- channel capacity
- type of material used
- owned or leased pole/conduit
- two way capability

As a first step in processing, each report is manually reviewed for completeness, to make sure it follows the prescribed keypunch format. At this point staff verifies that there is a match between tax district name and code and also ascertains that split villages are properly accounted for.

The upcoming year's database is compared against the prior year's to determine inconsistencies by using the following criteria:

- # Increase or decrease of 10% or more. If a company is retiring cable without replacing it, the company is asked to explain the reason for abandonment. If it is not an abandonment, the company must explain how it is servicing the customers who were previously being serviced from the retired segment of cable.
- # All customer density of less than 35 subscribers per mile or more than 75 subscribers per mile is investigated for data accuracy.
- # All prior year construction work in progress that is not accounted for in the current year plant completed report is investigated.

- # If a company reports customer connections but not mileage, staff requests the company to explain how it is servicing those customers in the absence of trunk line.
- # All “pass-throughs” are investigated for authenticity.
- # If a company is proposing to retire 25% or more of its system in a municipality without replacement, staff requests a system map from the company.
- # If a company is reporting more than one Megahertz system within a town, the company must explain how it is segregating the lower Megahertz system from the higher one.

External Checks:

- # ORPS requires each CATV company having over \$ 100,000 gross income and/or more than 1,000 subscribers to submit a copy of its annual financial report. Mileage shown on the annual financial report is reconciled against mileage on the annual inventory report and all significant differences are investigated.
- M Staff reviews Assessor Report Form RP 7114 and investigates all comments from assessors regarding construction activities of CATV companies.
- M Periodically, the NYS Public Service Commission conducts a survey of CATV companies. All construction data shown on the survey is checked against the inventory report filed by the company.