

2011 Annual Report

WESTCHESTER COUNTY CLERK



Timothy C. Idoni
Westchester County Clerk



Timothy C. Idoni
Westchester County Clerk

January, 2012

Dear Friends,

I invite you to review our 2011 Annual Report, which highlights a very successful year and lays the groundwork for an extremely bright future. We have continued our efforts to strengthen the County Clerk's Office during the downturn of our economy. This has been accomplished through a combination of technology improvements and successful lobbying efforts which will help not only our office, but also County Clerks throughout the State.

The Annual Report highlights our tax dollar savings, achieved through a combination of staffing reduction, achieved through attrition and not layoffs, and more technology improvements that streamline our processes by sharing the work load with the private sector. Our Property Records Electronic Portal (PREP), introduced in late 2009, is a tremendous success, saving over \$830,000 annually. PREP is now being considered as a model for other county departments in their efforts to reduce the cost of administering contracts. In addition, the successful implementation of the electronic filing in our Legal Division, through the New York State Courts Electronic Filing (NYSCEF) System, has already resulted in tax dollar savings through the reduction of scanning, retrieval and storage costs.

We achieved intergovernmental success by crafting and then lobbying for legislation that allows County Clerks to receive and record land records, such as deeds and mortgages, electronically. Two years of work with two Governors, the state legislature, business partners, the New York State Bar Association, New York State Land Title Association and New York Bankers Association resulted in landmark legislation. In the near future, the cumbersome process of moving paper documents through our office will be transformed into a much more efficient process which achieves significant savings through reduced postage and processing costs.

Protecting our residents and businesses has become an even more active role as our economy continues to struggle. We advocate for stronger laws, reach out to our communities with information and alerts, and safeguard our records.

The Office of the County Clerk is managed with seriousness and care and provides conscientious service in a friendly and professional manner.

It remains a pleasure to serve you.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy C. Idoni". The signature is fluid and cursive.

Timothy C. Idoni
Westchester County Clerk

The Office of the Westchester County Clerk

2011



Facilitating Commerce in Westchester County

Westchester County is the home to a significant and diverse commercial base. The Office of the Westchester County Clerk's management of land and legal records allows us to serve a varied group of professionals ranging from brokers to lawyers to title industry members. By providing online portals which expand the accessibility of our records and services, we are able to access and process filings more quickly and easily for this customer base. Our 2011 efforts contributed to the growth and stability of commerce in Westchester in the following ways:

Electronic Recording Legislation Signed Into Law: On September 23, 2011, Governor Cuomo ended New York's distinction as the only state that did not allow electronic recording of land records such as deeds and mortgages. The enactment of legislation allowing for electronic recording of land records was a key step forward in the County Clerk Office's mission to make government easy and more efficient. The Westchester County Clerk served as co-chair of the New York State Association of County Clerks' (NYSACC) Electronic Recording Committee and was the leading proponent of the legislation. NYSACC made electronic recording their sole 2011 legislative priority which received support from the New York State Land Title Association, the New York State Bar Association and the New York Bankers Association. The legislation was sponsored in the Senate (S.2373A) by Senator Andrea Stewart-Cousins and the Assembly (A.6870A) by Assemblyman George Latimer. The assistance of the staffs of Governor Paterson, Governor Cuomo, the Assembly Judiciary Committee and Albany County Clerk Thomas Clingan were critical to the passage of this legislation.

Mortgage Tax Collections Flat in 2011: Despite lower interest rates and sagging housing prices, county mortgage tax collections in Westchester County continued to lag in 2011. The Office of the Westchester County Clerk is responsible for collecting this important revenue for state agencies as well as the county and all of its municipalities. While the office collected \$13,079,394 for the county in 2011, this fell below the \$13.5 million budgeted and the monthly average in the final quarter of 2011 fell below the monthly average of the first three quarters. Despite the drop in mortgage tax revenue, the County Clerk's Office has seen an increase in mortgage recording fees as the result of mortgage



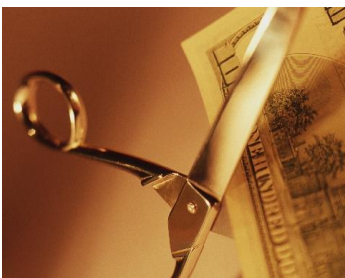
consolidations and modifications which result when lenders or borrowers attempt to renegotiate financing. As most of these mortgage modifications do not increase the amount borrowed, but instead lengthen the payment period or lower the interest rate, only recording fees and not mortgage taxes are generally due.

State Grant to Fund Cost-Saving Measure: In 2011, the Office of the Westchester County Clerk was awarded a state grant that will eliminate the expense of storing large volumes of inactive records in offsite storage facilities. The grant from the New York State Local Government Records Management Improvement Fund (LGRMIF) will improve the overall records management system of the Clerk's Office by doing away with the redundancy of storing files that are already digitally imaged and available electronically to the public. The savings in storage costs and greater efficiency are but a few of many positive outcomes resulting from the awarding of this grant. The grant provides funding to eliminate the storage and related expenses for a discreet set of mostly inactive legal files dated from 2002 to 2004. By eliminating storage, transportation and maintenance needs, staff resources can be reallocated to support other initiatives, such as electronic filing, which will greatly improve the overall services the office provides to Westchester County residents. LGRMIF is funded through a small twenty-five cent state surcharge on all documents recorded in County Clerks' offices throughout the state. The funds are then converted into competitive grants awarded to preserve New York State history and heritage.



Professional Management Saves Tax Dollars

The Office of the Westchester County Clerk is proud of its management of a government office where customers have come to expect efficient and effective service from our staff. Papers are filed and recorded quicker than ever, while the cost to the taxpayers has been continually reduced. Our managers have been hands on in transitioning our office, working with our staffers who remain extremely supportive of new approaches to providing customer service in the 21st century.



Clerk's Office Continues to Reduce Overall Expenses: For the fourth straight year, total budgeted expenses were reduced, resulting in a sixteen percent (16%) reduction in budgeted expenses since 2006. In real dollars, the 2006 budget requested \$9,243,660 in appropriations, while only \$7,754,394 has been requested to operate in 2012. When the 2006 budget is adjusted by the Consumer Price Index for urban costs, the savings total over \$2.8 million.

Staffing Reductions: In 2006, the County Clerk walked into an office that was months behind in its work and spending too much on personnel to try to reduce the backlog. While staffers were working hard, the office had a reputation for long delays and incomplete work. In 2011, land records are initially reviewed in less than a half day with a staff that has been reduced by twenty-eight percent (28%), from one hundred and ten (110) to seventy-nine and a half (79.5) staffers. All reductions of permanent staffing have been made through attrition and without layoffs.

Property Records Electronic Portal (PREP) Captures Continuing Savings: The creation in 2009 of PREP, which created efficiencies in the handling of land records such as deeds and mortgages, allowed the County Clerk's Office to remove ten permanent positions. The elimination of these positions, valued at over \$830,000 over each year, resulted in a cumulative savings of over \$2 million to date.



Overtime and Hourly Costs: The excessive use of both overtime pay and hourly workers to supplement regular work forces has driven up the cost of government nationally. The efficiency created by the County Clerk's Office has reduced these costs by over ninety percent (90%) in the past five years, saving over \$700,000 each year. The Office of the Westchester County Clerk is especially proud that containing these costs took place alongside improvements in customer service.

Improving Service through Technology

Technology remains the key to our providing better service at a lower cost. In 2011, we took a major step forward in our Legal Division through a partnership with the New York State Office of Court Administration which resulted in over half of our new cases being commenced electronically. In addition, we added records such as the 1930 Atlas Maps to Westchester Records Online. And we continued to improve our Property Records Electronic Portal (PREP) system for both customers and staff.

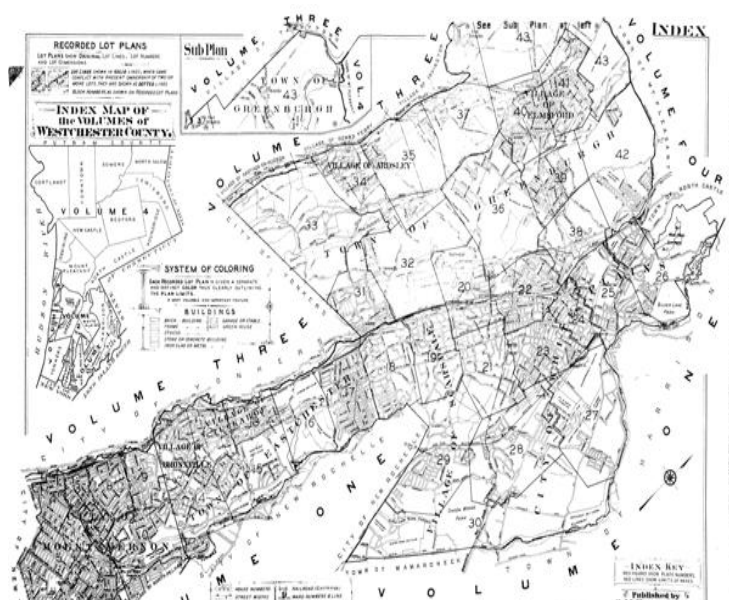


Legal Division Welcomes Electronic Filing: In 2010, the Westchester County Clerk's Office slowly transitioned many of our filers from paper to electronic filings. First, the electronic filing of new Commercial Division eligible cases became mandatory in February, with tort actions following in March and then all contract actions becoming mandatory in June. The New York State Courts Electronic Filing System, commonly referred to as "NYSCEF", allows court papers to be both filed and served from the convenience of the filer's home or office. The system is also used by the Office of the Westchester County Clerk to review papers and route them when necessary to the court which can also use NYSCEF to process, review and take

action on filings. In addition to being an electronic filing system, NYSCEF provides online access to case files from any location with an internet connection.

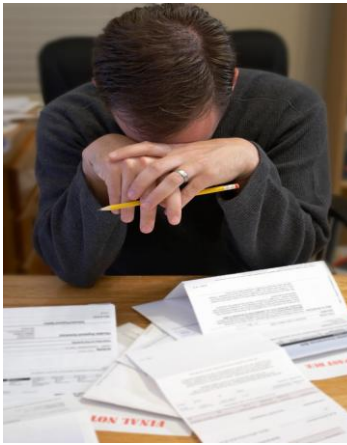
PREP System Supporting Land Recording Enhanced: The Property Records Electronic Portal (PREP) System, which customers use to create cover sheets and tax forms supporting land records such as deeds and mortgages, resulted in a continuing tax savings which now will total over \$850,000 each year. We continue to enhance this system in an effort to make it more convenient for our customers and efficient for our staff. In 2011, we made the process of applying for an overpayment refund much easier for our customers by providing an email notification of the overpayment along with a link to a pre-filled refund form. PREP became IE9 compatible while also automating the process of guaranteeing checks and providing flexible reports for our ACH customers. Our managers began using detailed productivity and queue count reports to better predict workflow and manage staff. And many other smaller improvements helped to enhance this core system.

Westchester Records Online adds 1930 Atlas Maps: Westchester County is so rich in history. Have you ever wondered what your neighborhood looked like in the early 20th century? Now you can visit Westchester Records Online at wro.westchesterclerk.com to find out. In 1930, G.M. Hopkins Co. published four volumes of maps of Westchester County. Each volume of maps represented a different section of the county. These real estate maps, available online, show lot dimensions, street widths, and other buildings and landmarks, including churches, cemeteries, mills, schools, roads, railroads, lakes, ponds, rivers, and streams. They indicate areas covered by previously filed maps by map name and number. The 1930 atlas maps were scanned as part of a continuing effort to make Westchester County Clerk records available online.



Protecting Our Residents and Businesses

The Office of the County Clerk recognizes its role as a governmental agency does not begin and end with the filing of land, legal and business records. The papers presented to our office for so many different reasons often touch the lives of Westchester residents. In fact, one of our major priorities is protecting residents from fraud and schemes associated with the documents presented to our office. We are proud of the following 2011 initiatives:



Monitoring and Assistance with Foreclosures: As Clerk of the New York Supreme Court, an important role of the Clerk is the handling of foreclosure papers filed with that court. While the crisis that had hundreds of filings submitted monthly leading to dozens of judgments entered each month subsided in 2011, the crisis is far from over. Hundreds of foreclosures currently await adjudication. The County Clerk has tried to raise awareness among those at risk of foreclosure by providing first a warning and then information regarding assistance available throughout Westchester. Residents were directed to not-for-profits and the Federal Housing and Urban Development office for assistance with keeping their homes during these uncertain economic times.

Making Property Owners Aware of Property Tax Mailers: With the economy driving down the value of real estate in Westchester over the past few years, the service of helping real property owners gain reductions of tax assessments has grown exponentially. What was once a small industry grounded in personal referrals has grown into assessment review mills attracting customers through small-print mailers promising tax reductions for little or no cost. The County Clerk’s Office endeavored to educate the public as to what to watch for when receiving these mailings, while encouraging them to apply for reductions in their assessments when warranted.

Hurricane Irene and Early Snowfall Lead to Warning about Trades Scams: The County Clerk is responsible for the licensing of plumbers and electricians in Westchester. With unusual weather hitting the county in 2011 causing millions of dollars in damages, the County Clerk addressed the problem of seniors being approached by non-reputable trades to do home repairs. Information was produced, phone numbers distributed, and the Clerk visited personally with over seven hundred seniors to get out the word on how seniors can protect themselves from all sorts of nefarious scams and schemes.



Meeting the Needs of County Residents

“Making Government Easy” remains the pledge of the Office of the Westchester County Clerk. Our staffers work hard to make your experience with our office as easy as possible in so many different ways. We provide many forms and records online so you do not have to travel to our office in White Plains to get started. Further, we use our mobile office to bring our services, such as passport applications, directly to your community as we understand that traveling to White Plains during regular business hours is not convenient for all of our county residents. In 2011, we were particularly proud to meet the needs of our county residents in the following ways:

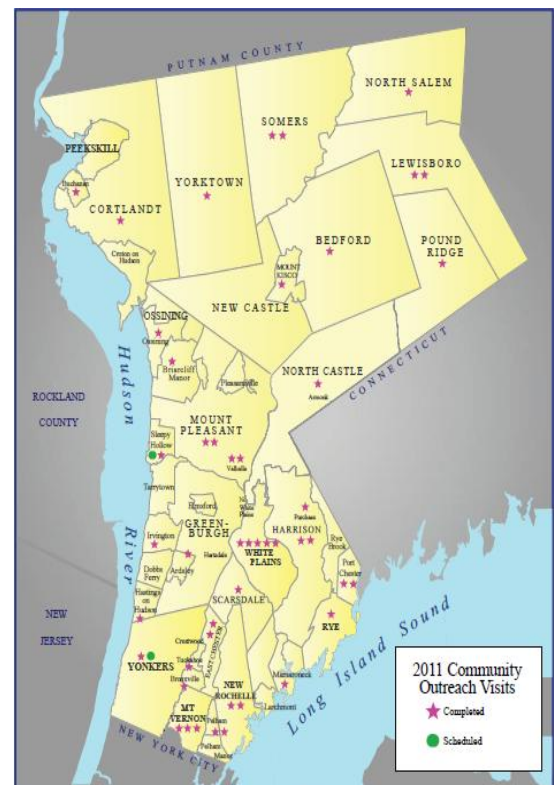


Over One Thousand Attended an E-Filing Training Class: In 2011, our Legal Division launched mandatory electronic filing for Commercial Division (January 19th), then tort (March 1st) and finally contract (June 1st) cases. This effort was supported by an aggressive effort to train our customers. Training classes were offered through ten local bar associations, onsite in large law offices, and at our White Plains training room. We were proud to have trained over one thousand individuals in 2011.

Visiting Our Older Residents: The County Clerk's series of fall meetings with our county's older residents has now become a fixture of many senior center schedules. The County Clerk's presentation focuses on warning seniors about the latest scams targeting them while offering reminders about divulging personal information. As companies offering to secure a certified copy of a deed continue to target senior homeowners, the County Clerk always arrives with the most recent mailings in hand, along with a brochure about how to secure a copy of their deed at minimal cost.

Our Mobile Office Visits Cities, Towns and Villages throughout Westchester: In 2011, hundreds of residents took advantage of the opportunity to apply for a passport on the weekend or during the evening from our mobile office which made stops in villages, towns and cities throughout Westchester County. Our knowledgeable outreach staff also fielded questions about other County Clerk services when local residents stopped by with inquiries.

Working with our County's Veterans: The Clerk's Office partners with the County's Office of Veteran's Affairs, attending numerous veterans' conferences held in White Plains each year. As our office is charged with safeguarding veterans' DD-214 Honorable Discharge Papers, we encourage veterans to file this important document with us. Every year, veterans or authorized family members contact our office looking to obtain a certified copy of this important document years after its initial filing.





2011 Facts and Figures

The following facts and figures below are provided to show the volume and diversity of the services our staff members perform as employees of the Office of the Westchester County Clerk:

Our Land Records Division Revenue:

- \$70,444,737 in Mortgage Tax collected
- \$40,736,624 in New York State Transfer Tax collected
- \$7,344,350 in Westchester County Recording Fees collected

Our Legal Division by the Numbers:

- 25,851 index numbers issued to begin Supreme Court actions
- 15,186 court documents certified
- 10,546 transcripts of judgment issued or filed
- 8,505 judgments entered in Westchester County
- 8,708 notary authentications issued
- 2,884 business certificates registered
- 2,489,930 pages scanned for improved public access

Our Licensing Division by the Numbers:

- 4,360 passport applications processed
- 2,492 plumbing and electrical licenses issued or renewed
- 2,734 new citizens sworn in by the Westchester County Clerk
- 459 conservation licenses issued

Serving Our Community:

- Over 35 community appearances in Westchester municipalities
- 648 passport applications processed out in the community
- 1172 packets distributed to Westchester seniors at 11 centers and 1 county event

Services Provided By the Office of the Westchester County Clerk

Recording Land Records including deeds, mortgages, assignments, satisfactions and filing of subdivision maps

Collection and Processing of New York State Mortgage Tax

Uniform Commercial Code, Federal Tax Lien, Other Federal Lien and Notice of Common Charges Filings

Filing of Legal Records for Supreme Court and Westchester County Court

Licensing of Notaries and Commissioner of Deeds

Issuance of Domestic Partnership Certificates

Acceptance of Business Certificates

Filing of Small Claims Assessment Review Petitions

Filing of Veterans Military Discharge Papers

Subscription Service Online Access to land records, legal records, foreclosure lists, judgments, liens, and other business records

Processing of United States Passport Applications

Licensing of Plumbers and Electricians

Conservation Licensing for Fishing, Hunting and Trapping

Processing of Pistol Permit Applications and Amendments

Issuance of Westchester County Identification Cards

Administering of Oath of Allegiance to newly naturalized United States citizens

Overview of the Office of the Westchester County Clerk

The Office of the Westchester County Clerk

The County Clerk is the oldest elected office in Westchester County, having been established in 1683. For over 300 years, the County Clerk has served the people of our county by maintaining and preserving the official documents and records of its rich history. The Westchester County Clerk is the Registrar of county land transactions and liens as well as the Clerk of the Supreme and County Courts. The position is both a County Official and a New York State Constitutional Officer. The Office of the Westchester County Clerk is located at 110 Dr. Martin Luther King Jr. Blvd. in White Plains and is open from 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.

Legal Division

The Westchester County Clerk is the Clerk for the Supreme and County Courts. All records for these courts are recorded and filed with the Legal Division. This division is also responsible for non-court related county legal functions such as registering a business, filing a lien, applying to serve as a Notary Public, registering a domestic partnership, filing veterans' military discharge papers, and accepting Small Claims Assessment Review petitions. The public can visit the Legal Division to look up legal records, judgments, liens, lis pendens, and other business records.

Land Records Division

The Land Records Division of the County Clerk's office records all documents pertaining to real property transactions occurring in the County of Westchester. This division also processes New York State Mortgage Tax, New York State Transfer Gains Tax, Federal Tax liens, Uniform Commercial Code filings, and is home to our Map Division. The public can visit the Land Records Division to look up a current mortgage or deed, and even research documents dating back to the colonial days of Westchester.

Naturalization, Passport and Licensing Division

The Naturalization, Passport and Licensing Division handles a series of varied tasks. The Westchester County Clerk has the privilege of administering the Oath of Allegiance to the United States to newly naturalized citizens. In addition, this division acts as an agent of the United States Department of State to process passport applications. Finally, this division oversees trades licensing for electricians and plumbers, acts as an agent of the New York State Conservation Department to issue fishing, hunting and trapping licenses, and maintains and recertifies pistol permit applications.