

**WESTCHESTER COUNTY BOARD OF LEGISLATORS
COMMITTEE ON GOVERNMENT OPERATIONS
Tuesday, May 19, 2009, 1:00 pm
MEETING MINUTES**

In Attendance:

Committee Members: Leg. Ken Jenkins, Chair; Legislators Lois Bronz, Gordon Burrows, Peter Harckham, Judy Myers; Vito Pinto, Martin Rogowsky, Bernice Spreckman. Housing Advisory Members: Albert Annunziata; Committee Coordinator: Barbara Dodds
Others: BOL: Bob Boland, Joanne Sold; John Wolham, NYS ORPS; Lloyd Tasch, City of White Plains; David Jackson, WC Tax Commission; Mark Russell, City of Yonkers; Bill Randolph, CEO; Nanette, J. Albanese, Assessor, Town/Village of Scarsdale; Josette J. Polzella, Assessor, Town of Ossining; WCC: Dr. Joseph Hankin, President; Michael Wittenberg, Labor Consultant, Fred Boyar, Vice President.

Discussion:

• **Resolution on Collaborative Assessment**

With a quorum present, Leg. Jenkins opened the meeting at 1:22 pm. Leg. Jenkins reviewed the components in the resolution which would create a commission that would go forth from the recommendation from the collaborative assessment study committee including aerial oblique and street level photography to update the inventory for the municipalities and creating a centralized commercial database. In the last meeting several legislators wanted to make sure that there is accountability for the \$1 million the county is putting in the process and were concerned about whether the municipalities would use the resource provided by the county. Also in the resolution, a commission would come back to the board to shape a framework and consider utilizing that data for county-wide assessment. That would not be an issue until the data was collected which could take 3-5 years to complete.

The Yonkers contract agreed to update the aerial photography every 3 years and update the street level every 6 years. Leg. Burrows asked if back taxes can be assessed on recent changes that were done after the last photography— Mr. Jackson said if the information was available from the building department, taxes could go back two years. How are municipalities that have already done their reassessment helped by this process? Their data will be updated as well. Mr. Russell added that when the whole county is done at one time, an established baseline is a distinct advantage from the county's perspective. He said that Yonkers had \$14.4 million in certiorari refunds and the county will have about \$3.8 million in certiorari liability.

Ms. Polzella noted that this is the beginning of a process that assessors have to consider because resources are involved. All of the areas discussed in the study will require a lot more specificity than we have here in developing a model standard of assessing, creating the commercial data base, etc. Let the commission start to work on these technical issues. What can be done with oblique and street level photography? Mr. Russell said 10 variables for real estate could be assessed purely from an external view—style, gross square footage, exterior wall type, condition, story height, car capacity, lot square footage, outbuildings, exterior amenities and construction quality. Although exterior photography is not a perfect value estimate, these variables along with sale prices give 75 to 80% of information needed for revaluation. Leg. Rogowsky said he thought the number of bedrooms was a key component. Mr. Russell said assessors don't have time to do each property individually. For residentials, square footage correlates well with the number of bedrooms and for commercial, gross square footage is extremely important. Leg. Pinto asked if number of bathrooms was important. Square footage assumes a number of bathrooms plus information from multiple listings is used.

Mr. Wolham said that if Westchester could get to that point where they had reasonable confidence in the data, ORPS would be able to get another cut at the equalization study work—right now limited to doing sales ratio work. Is there a way that this could be brought into the work the state is doing? Mr. Russell said that his staff using aerial photography and all scanned information looks at 10-14 parcels a day if that is the only thing they do. Sitting at a desk, they can look at all four sides of the aerial imagery as well as the record card. If they have to do exemption administration, certioraris, and small claims challenges would require a lot more time. So municipalities with one assessor and a secretary and 4 or 5000 parcels will have at least three years of work. Municipalities should be asked how many parcels they would be able to do in their current situation. Will they add services and people to their offices?

Leg. Rogowsky asked how many counties operate assessment at the county level—only Tompkins and Nassau. Where does Westchester stand in relation to other counties in working with municipalities? The majority give a higher degree of direct services and other resources to the municipalities. In addition, 95% of the jurisdictions use the same software whereas in Westchester, half use one kind and the other half a different one. There is also a lot more encouragement from the county.

Mr. Russell remarked that certiorari losses are invisible to the public whereas reassessment is very public. It is the public perception that influences what municipalities and counties will do. If staffing won't allow full reassessment, we should at least move along with the commercial database where we have nothing. That would reduce certioraris for school districts, municipalities and the county. Other things could be done at the local level. Leg. Jenkins said the committee would continue to work on the resolution reflecting today's discussion.

- **WCC Labor Contracts**

Leg. Jenkins welcomed officials from Westchester Community College to discuss two labor agreements with Civil Service Employees Association, Inc. (CSEA) Local 1000, AFSCME, AFL-CIO Westchester Local 860, Unit 9202 and the Westchester Community College Federation of Teachers.

Representing CSEA, Mr. Wittenberg said that 5 months ago, the NYS Public Employment Relations Board (PERB) created a separate bargaining unit for CSEA represented employees at WCC. PERB ruled that since the county and WCC are joint employers—the WCC employees unit could not be part of the larger body. This ruling was consistent with similar decisions made over the past 20 years for community colleges. As the negotiator, Mr. Wittenberg bargained for the same wage increases as the first four years of the county contract but slightly modified health insurance changes. WCC would take a wait and watch approach to see what happens on the county health risk assessment survey. New bargaining will begin again in a few months for 2010 & 2011. For the Federation of Teachers, a 3% increase for each of the three years beginning Sept. 1, 2008.

In their “exuberance,” the college has already begun the implementation of the contracts as of May 1. Leg. Jenkins asked what would happen if the BOL did not pass these contracts. Mr. Boyer said it would mean a lot of re-programming and cost to the bank because most employees have auto-deposit.

The contracts cover 1350 employees for both units with a cost of just over \$1 million. All monies had been set aside up to August 09. Dr. Hankin pointed out that research shows that WCC has a \$420 million positive impact on the county. Without the required number for a vote, Leg. Jenkins thanked the college officials and told them the members of the committee would see them again with the Committee on Budget and Appropriations. He made a motion to adjourn that was moved by Leg. Myers and seconded by Leg. Spreckman. All voted in favor.