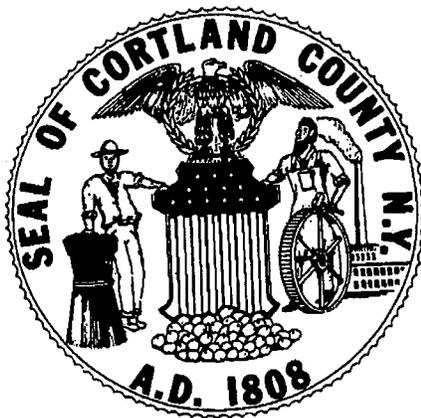


**CORTLAND COUNTY CLERK**

**2015 ANNUAL REPORT**



**Elizabeth Larkin**

**CORTLAND COUNTY CLERK**

Honorable Members of the Cortland County Legislature  
60 Central Avenue  
Cortland, NY 13045

Ladies and Gentlemen:

It is with pleasure that I submit the Annual Report for the Cortland County Clerk's Office for the fiscal year January 01, 2015 through December 31, 2015.

The County Clerk's Office is a state constitutional office that is the main depositor for records created within the county. The County Clerk serves as the Clerk of the Corporation of Cortland County. The County Clerk serves as a register of mortgages and deeds and of all records pertaining to real property within Cortland County including judgments and liens. The County Clerk also serves as clerk of the Supreme and County Courts and is commissioned to not only collect all fees of the courts but to also protect, produce upon request and preserve court records. The County Clerk, in accordance with Vehicle and Traffic Law, acts as an agent for the Commissioner of the New York State Motor Vehicle Department.

The Cortland County Clerk's Office collects and distributes monies for various state agencies. The county's share of these collections is submitted to the county treasurer on a monthly basis with a report detailing the collections.

Bail monies, levied by the county judges, are paid in to court through the county clerk's office as well as monies held in trust. These are transferred to the county treasurer's office within 48 hours of receiving the order to do so from the courts.

The following pages detail the monies collected by the Cortland County Clerk's Office and the Department of Motor Vehicle Office that are paid to the county treasurer and disbursed to different agencies throughout the state.

I would like to thank the County Legislature for their support and look forward to working with you to continue to serve the residents of Cortland County in the most efficient and productive manner possible.

My office is open to anyone who would like a tour of the county clerk's office or to answer any questions you may have.

Respectfully submitted,

Elizabeth Larkin  
Cortland County Clerk

## **County Clerk/DMV Staff**

Elizabeth Larkin-County Clerk  
Tammy L Barriger-Deputy County Clerk  
Brooke Knickerbocker-Deputy County Clerk  
Janet Herrick- Senior Index Clerk  
Aaron Finnessey- Clerk

Sonia Ganoung-DMV Director  
Karen Jenney-Senior DMV Clerk  
Susan Dovi-DMV Clerk  
Sharon Braman-DMV Clerk  
Kim Lewis-DMV Clerk  
Lance Lella- DMV Clerk  
Julie Hopkins-DMV Clerk

**MORTGAGE TAX**

- Cortland County levies a mortgage tax of 1% of all mortgage monies. Mortgages that are refinanced are taxed on only the new money borrowed.
- The County Clerk's Office retains \$36,203.00 for the fiscal year of 04/01 through 03/31. (Mtg Tax Expense) to defray the cost of salaries for county clerk employees who collect and distribute this money. This amount is paid monthly to the county treasurer.
- ¼ of 1% minus the clerk fee detailed above is paid to the county treasurer each month as a local tax to be deposited in the General Account.
- ¼ of 1% minus the clerk fee detailed above is paid to the New York State Mortgage Agency (SONYMA) on a monthly basis.
- ½ of 1% minus the clerk fee detailed above is paid to the County Treasurer monthly. Twice a year, the treasurer presents the legislature with a resolution to disburse these monies to the towns where the mortgaged properties are located.

<u>Treasurer</u>	<u>SONYMA</u>	<u>Local</u>	<u>Mtg Tx Exp</u>	<u>TOTAL</u>
\$555,758.03 (Distributed to Towns)	\$222,825.66 (Paid to State)	\$277,879.03 (Retained	\$36,203.04 by County)	\$1,092,665.76

**DEPARTMENT OF MOTOR VEHICLES**

The Cortland County Clerk acts as an agent for the Commissioner of the Department of Motor Vehicles. New York State supplies the county motor vehicle office with computer equipment, support, and all necessary forms and literature to run the DMV on behalf of the state. The county supplies the facility and the manpower to perform DMV transactions. In exchange, the county retains 12.7% of many transactions performed at the county DMV. In addition, the county is allowed to retain \$1.00 for each of the first 5,000 transactions in which sales tax has been collected for NYS. After the initial 5,000 transactions, the county is allowed to retain \$.75 per transaction.

**MOTOR VEHICLE COLLECTIONS FOR NYS**

<b><u>FEES</u></b>	<b><u>SALES TAX</u></b>	<b><u>INTEREST</u></b>	<b><u>TOTAL</u></b>
\$1,205,277.18	\$879,482.42	\$34.15	\$2,084,793.75

**MOTOR VEHICLE COLLECTIONS FOR COUNTY CLERK**

<b><u>FEES</u></b>	<b><u>SALES TAX</u></b>	<b><u>INTEREST</u></b>	<b><u>TOTAL</u></b>
\$390,554.18	\$6,452.50	\$34.19	\$397,132.92

<b>TOTAL COLLECTED:</b>	<b>\$2,481,926.67</b>
<b>PAID TO NYS:</b>	<b>\$2,084,793.75</b>
<b>RETAINED BY COUNTY:</b>	<b>\$397,132.92</b>

## COUNTY MOTOR VEHICLE USE FEE

In addition to fees regulated by New York State, Cortland County imposes a motor vehicle use fee per Local Law #1 of 2003. This fee is charged to all vehicle registrations of the residents of Cortland County. The fee is \$10.00 per two-year registration for a vehicle under 3500 pounds and \$20.00 for vehicles over 3500 pounds. The fee is collected at the time the resident registers their vehicle and is sent to the State. The State then wire transfers payment to the county treasurer after deducting about 2% for administrative costs.

The fees collected for 2015 are as follows:

**TOTAL \$260,847.48**

This fee was imposed by the majority of the counties in New York State to offset revenue lost when the mail-in renewals of licenses and registrations were addressed with NYS DMV mail back addresses.

## LICENSE PLATE RECYCLING

When the county employees no longer worked at the recycling center on Pendleton Street, it became necessary to destroy the license plates in-house and have them removed by a local recycler. The money generated from recycling these plates in 2014 was:

**TOTAL \$557.00**

## INTERNET REVENUE SHARING

In 2011, the NYS Association of County Clerks negotiated with the NYS Department of Motor Vehicle Office to receive revenue from internet usage from county residents. In 2015, Cortland County received 2.65 % of the internet revenue that resulted from usage that was over and above the usage of newly created internet accounts after 2011.

**TOTAL \$4,082.23**

## EZ PASS SALES

The DMV Office and the County Clerk's Office offer EZ Pass Cards for sale. These are purchased for \$21.00 each and sold for \$25.00 each. In addition to the \$4.00 profit, offering these for sale at our two locations provides a service to our constituents.

**TOTAL SALES AT DMV OFFICE \$850.00**

**TOTAL DMV OTHER FEES: \$266,336.71**

**NOTARY RENEWALS AND ORIGINAL FILINGS**

The Cortland County Clerk's office not only offers free notary services but also maintains the records and signatures of all notaries commissioned by the state who reside in Cortland County.

The fee for filing notifications of appointments of new notaries is \$60.00. This fee is paid to the Department of State by the applicant and the NYSDOS pays \$20.00 of the fee to the County Clerk's office with each new filing.

Notifications for renewals of notary licenses are sent by the County Clerk's office to each notary in Cortland County that is eligible for renewal. The County Clerk collects \$60.00 for each four year renewal. \$20.00 is retained by the county and \$40.00 for each renewal is sent to the NYS Department of State each month.

**NOTARY FEES COLLECTED FOR THE COUNTY AND FEES  
SENT TO THE NYS DEPARTMENT OF STATE**

<u>NYS</u>	<u>COUNTY</u>
\$4,160.00	\$3,120.00
<u>TOTAL</u>	<u>\$7,280.00</u>

**TRANSFER TAX**

All transfers of interest of Real Property require the filing of the NYS Form called TP584. This form must be submitted for any transfer of interest in Real Property including Deeds, Boundary Line Agreements, Right of Ways, Easements and many others. If there is a value gained by this transfer and no exemption is claimed, the County Clerk's office collects transfer tax for the state. Transfer tax is calculated and collected for the state at the rate of \$4.00 per each \$1,000.00 of money paid for the interest in real property. This amount is stated on the TP584. The county is paid \$6.00 for each TP584 form submitted unless the transfer is exempt from payment. Money collected for this tax is paid to the Commissioner of Taxation and Finance each month. The following are fees collected for the county and for the state associated with the TP584.

	<u>NYS</u>	<u>COUNTY</u>
<b>TOTAL</b>	<b>\$405,882.00</b>	<b>\$8561.00</b>

**GRAND TOTAL**      **\$414,443.00**

**ASSESSMENT/TRANSFER REPORT**

For each parcel to be transferred properly, NYS Real Property Law mandates that a form, the RP5217, be submitted that contains certain information pertinent to the transfer. This information includes the type of parcel being transferred (Ex: Agricultural or residential, etc), addresses of seller and buyer, parcel number, etc.

The fee retained by the county is \$9.00 for each form. The fee sent to the state is either \$116.00 or \$241.00 depending upon how the parcel is classified. Listed below are monies collected and paid to the Commissioner of Taxation and Finance, and the amount of fees collected for the county.

<u>NYSORPS</u>	<u>COUNTY</u>
\$190,386.00	\$12,114.00
<u>TOTAL</u>	<u>\$202,500.00</u>

**NYS COMMISSIONER OF EDUCATION AND**  
**LOCAL GOVERNMENT RECORDS MANAGEMENT FUND**

For every record recorded in the County Clerk's Office there is a \$20.00 fee added to the other recording fees in compliance with NYS Civil Practice Law and Rules. This fee was established with the intention that records that must be maintained permanently should generate revenue to pay for their preservation. The portion of the fee sent to the Local Governments Records Management Fund, LGRMIF, is meant to be returned to municipalities through State Archives grants.

The \$20.00 fee for all recordings is divided as follows:

- \$14.75-NYS Education Department
- \$ 4.25-Local Governments Records Management Fund
- \$ 1.00 –County

Below are listed the monies collected and disbursed in 2011. All monies sent to the state for the Commissioner of Education and the Local Government Records Management Fund are paid to the NYS Commissioner of Taxation and Finance.

	<u>COMM OF ED</u>	<u>LGRMIF</u>	<u>COUNTY</u>
<b>TOTAL</b>	<b>\$83,633.25</b>	<b>\$27,877.75</b>	<b>\$5,869.00</b>
<b><u>GRAND TOTAL</u></b>		<b><u>\$117,380.00</u></b>	

**JUDICIAL**

The County Clerk's Office is the repository for all documents submitted to the Supreme and County Courts, both Civil and Criminal, and is responsible for the preservation and production upon request of these documents. The County Clerk's Office also acts as treasurer for the courts. All fees for the submission of papers, fines and surcharges are collected by the clerk's office. Following is listed a detailed collection of these monies and the disbursal made to the county and the NYS Commissioner of Tax and Finance on behalf of the courts plus county revenue received as clerk of the court.

<b><u>NYS COURTS</u></b>	<b><u>COUNTY*</u></b>	<b><u>BAILS &amp; COURT &amp; TRUST**</u></b>	<b><u>FINES</u></b>
<b><u>\$230,149.50</u></b>	<b><u>\$54,799.68</u></b>	<b><u>\$86,833.27</u></b>	<b><u>\$28,135.00</u></b>
<b><u>GRAND TOTAL JUDICIAL \$399,917.45</u></b>			

\*The County fees are taken from fees collected for the filing of Lis pendens, judgments, Certificates of Dissolution, Separation Agreements, searches, index numbers, SCAR petitions and 1/2 of the total fees collected for copies and certificates. These fees do not include the \$5.00 redemption fee collected by the county treasurer and credited to the county clerk's account.

\*\*Out of all bails collected, the county sends 2% of the bail monies received to the NYS Department of Taxation and Finance and 1% is retained by the county to fund the Alternative of Incarcerations Program.

\*\*Court and Trust money is money paid into court and then paid over to the treasurer. The treasurer retains the money until released by court order.

**OTHER COUNTY CLERK FEES**

With the exception of overage collections and photo fees the following fees are regulated by a variety of NYS and Federal Laws. These fees are paid to the county treasurer at the beginning of each month. Revenue for copy fees include certified copies pertaining to land records only. Revenue for copies for court filings is applied to the judicial revenue for the county.

<b>Copy fees</b>	<b>\$ 4,937.68</b>
<b>Cover page fees</b>	<b>25,250.00</b>
<b>Customer Accounts</b>	<b>207.40</b>
<b>Miscellaneous filing</b>	<b>3,715.00</b>
<b>Miscellaneous Recording</b>	<b>247,967.62</b>
<b>Overages</b>	<b>2,461.75</b>
<b>Passport fees</b>	<b>4,275.00</b>
<b>Photo fees</b>	<b>2,740.00</b>
<b>Pistol permit Transactions</b>	<b>11,204.00</b>
<b>UCCS</b>	<b>6,145.00</b>

**TOTAL Clerk fees**

**\$308,903.45**

**TO THE CORTLAND COUNTY LEGISLATURE**

In accordance with Section 406 of the County Law, I herewith transmit a statement of all moneys received and disbursed by this office to the best of my knowledge, during the fiscal year ending December 31, 2014.

**RECEIVED**

Transfer Report Fees-----	\$ 202,500.00
Mortgage Tax-----	\$ 1,092,665.76
Motor Vehicle-----	\$ 2,481,926.67
DMV User fee and other fees-----	\$ 266,336.71
Notary-----	\$ 7,280.00
Transfer Tax-----	\$ 414,443.00
State Education-----	\$ 117,380.00
Judicial-----	\$ 399,917.45
Clerk Fees-----	\$ 308,903.45
<b><u>TOTAL RECEIVED</u></b>	<b><u>\$5,291,353.04</u></b>

**DISBURSED**

*COUNTY TREASURER-COUNTY REVENUE*

Clerk fees-----	\$ 308,903.45
Mortgage Tax Expense-----	\$ 36,203.04
Local Mtg Tax-----	\$ 277,879.03
Motor Vehicle-----	\$ 397,132.92
DMV User Fee and other fees-----	\$ 266,336.71
Notary Fees-----	\$ 3,120.00
Transfer Tax Fees-----	\$ 8,561.00
Transfer Report Fees-----	\$ 12,114.00
State Ed (Records)-----	\$ 5,869.00
Judicial Fees-----	\$ 54,799.68
DWI Fines-----	\$ 28,135.00
<b><u>TOTAL</u></b>	<b><u>\$ 1,399,053.83</u></b>

*COUNTY TREASURER FOR DISBURSAL*

Bails/Court and Trust-----	\$86,833.27
Basic Mtg Tax-----	\$555,758.03
<b><u>TOTAL</u></b>	<b><u>\$642,591.30</u></b>

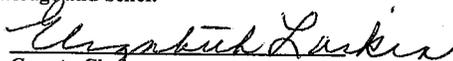
*NEW YORK STATE*

Notary-----	\$ 4,160.00
State of NY Mtg Agency-----	\$ 222,825.66
NYS Motor Vehcles-----	\$ 2,084,793.75
Transfer Tax-----	\$ 405,882.00
Transfer Report (NYSORPS)-----	\$ 190,386.00
Com of Ed-----	\$ 83,633.25
LGRMIF-----	\$ 27,877.75
Judicial-----	\$ 230,149.50
<b><u>TOTAL</u></b>	<b><u>\$ 3,249,707.91</u></b>

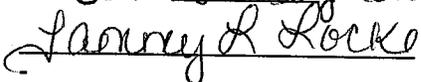
**TOTAL DISBURSED** **\$5,291,353.04**

Dated: January 13, 2016

I, Elizabeth Larkin, Clerk of the County of Cortland, being duly sworn, do hereby state that the foregoing statement is in all respects a full and true statement for all monies received and disbursed by the Cortland County Clerk's Office for the fiscal year January 01, 2015 through December 31, 2015, to the best of my knowledge and belief.

  
County Clerk

Subscribed and sworn to before me  
This 13 day of January 2016



TAMMY L. LOCKE  
Notary Public, State of New York  
No. 04L06223827  
Qualified in Cortland County  
Commission Expires June 21, 2018