

Authorizing The County Of Ulster To Assume The Cost Of Elections Support From The Towns And City Of Kingston Pursuant To A Three Year Phased-In Plan

Referred to: The Laws and Rules, Governmental Service Committee (Chairman Parete and Legislators Archer, Donaldson, Roberts, and Ronk), and The Ways and Means Committee (Chairman Gerentine and Legislators Bartels, Belfiglio, Briggs, Maio, Maloney, Provenzano, and Rodriguez)

Chairman of the Ways and Means Committee, Richard A. Gerentine, and Deputy Chairman Tracey A. Bartels offer the following:

WHEREAS, pursuant to New York State Election Law, Article 4, Section 4-136(1), "...the expenses of providing polling places, voting booths, supplies thereof, ballot boxes and other furniture for the polling place for any election, including the storage, transportation and maintenance of voting machines, appliances and equipment or ballot counting devices, and the compensation of the election officers in each election district, shall be a charge upon the county in which such election district is situated..."; and

WHEREAS, New York State Election Law, Article 4, Section 4-136(2) states that "All expenses incurred under this chapter by the board of elections of a county outside the city of New York shall be a charge against the county... The expenses incurred by the board of elections of a county outside the city of New York may, pursuant to section 3-226 of this chapter, be apportioned among the cities and towns therein, or in the case of a village election held other than at the time of the fall primary or general election, apportioned to such villages therein"; and

WHEREAS, Resolution No. 410 of the County of Ulster, dated December 6, 2006, authorized the County of Ulster to charge back the Towns and the City of Kingston for the cost of elections support pursuant to New York State Election Law for the expenses incurred by the Ulster County Board of Elections based upon the number of registered voters on the last day to register for the general election in any given year; and

WHEREAS, chargebacks have been billed on a pro rata basis to each municipality following a full accounting of all election expenses in any given year; and

WHEREAS, the County Executive unveiled a plan contained in his 2015 Executive Budget to have the County assume the entire share of the cost of elections support incurred by the Ulster County Board of Elections over a three-year, phased-in implementation; and

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WHEREAS, the County Executive's plan calls for assuming 33% of the total cost of the chargebacks to the Towns and City of Kingston in 2015, 66% of the total cost of the chargebacks to the Towns and City of Kingston in 2016, and 100% of the total cost of chargebacks to the Towns and City of Kingston in 2017; and

WHEREAS, pursuant to Section C-57(J) of the Ulster County Charter and Section A-9(2)(J) of the Ulster County Administrative Code, the Ulster County Comptroller shall "have all powers and perform all of the duties conferred or imposed by law upon a county comptroller, and perform such other related duties required by the County Executive and County Legislature"; and

WHEREAS, it is in the best interest of the taxpayers of Ulster County to be informed as to how this three-year, phased-in plan actually benefits and/or impacts their respective Town and City annual budgets and taxes; now, therefore, be it

RESOLVED, that pursuant to the provisions of New York State Election Law Article 4, Sections 4-136(1) and 4-136(2), the County of Ulster hereby agrees to pay 33% total cost of the chargebacks of the Towns in Ulster County and City of Kingston for the cost of elections support incurred by the Ulster County Board of Elections in 2015; and, be it further

RESOLVED, that pursuant to the provisions of the aforementioned Election Law, the County of Ulster hereby agrees to pay 66% total cost of the chargebacks of the Towns in Ulster County and City of Kingston for the cost of elections support incurred by the Ulster County Board of Elections in 2016; and, be it further

RESOLVED, that pursuant to the provisions of the aforementioned Election Law, the County of Ulster hereby agrees to pay 100% total cost of the chargebacks of the Towns in Ulster County and City of Kingston for the cost of elections support incurred by the Ulster County Board of Elections in 2017; and, be it further

RESOLVED, that the same pro-rata methodology previously adopted by the Ulster County Legislature pursuant to Resolution No. 410 of the County of Ulster, dated December 6, 2006, for chargebacks to the Towns in Ulster County and the City of Kingston for the cost of elections support for the expenses incurred by the Ulster

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County Board of Elections based on the number of registered voters on the last day to register for the general election in any given year shall remain in effect as it relates to

both the assumption of costs by the County of Ulster and the remaining chargebacks to the Towns and the City of Kingston for the years 2015 and 2016; and, be it further

RESOLVED, that any outstanding charges incurred prior to the year 2015 and yet to be paid to the County by any municipality for costs associated with the chargebacks for the cost of election support shall continue due and owing, and shall be paid by the respective municipality; and, be it further

RESOLVED, pursuant to the duties and powers vested in the County Comptroller, the County Executive and the County Legislature in the Ulster County Charter and Ulster County Administrative Code, and as more specifically set forth in Section C-57(J) of the Ulster County Charter and Section A-9(2)(J) of the Ulster County Administrative Code, the County Comptroller, is hereby required to perform and present an annual report to the County Executive and the County Legislature on or before December 31st of each year during the period of this three-year phased in plan, detailing the actual benefits and/or impacts that the plan has had upon the taxpayers and budgets of each of the respective Towns in Ulster County and the City of Kingston and any other information as may be required by the County Executive or the County Legislature; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature is hereby authorized and directed to send a certified copy of this resolution to each Town Clerk in Ulster County and to the Mayor and Clerk of the City of Kingston within ten days after the adoption of this resolution and approval of the County Executive; and, be it further

RESOLVED, that the County Comptroller, the Commissioners of the Ulster County Board of Elections and the Commissioner of Finance are hereby authorized to take all steps necessary to implement this resolution,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

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AYES:

NOES:

Passed Committee: Ways and Means on _____.

Passed Committee: Laws and Rules, Governmental Services on _____.

FINANCIAL IMPACT:

**\$194,329.00 – ANTICIPATED 2015 COUNTY APPROPRIATION DOLLARS
2016 AND 2017 – TO BE DETERMINED**