

Requesting Transfer Of Funds From Contingent Account For Payment To The NYS Office Of General Services – The Balance Of County’s Share Of New Voting Machines And Supplies For Such Machines – Amending The 2008 Ulster County Budget – Board Of Elections

The Laws and Rules Committee (Chairman Bischoff and Legislators Decker, Rodriguez, Shapiro, Cummings, Maloney and Roberts) offers the following:

WHEREAS, under the Help America Vote Act (HAVA), all polling places and voting machines must be fully accessible to people with disabilities, and

WHEREAS, New York State, acting under a consent decree with the United States Department of Justice, has agreed to comply with this requirement for the 2008 primary and general election, and

WHEREAS, pursuant to Resolution Nos. 129 and 130 dated April 11, 2007, and as amended by Resolution No. 51 dated February 19, 2008, the Chairman of the Ulster County Legislature was authorized to enter into HAVA Contracts with the New York State Board of Elections for certain state funds to improve access to polling places for people with disabilities, and

WHEREAS, under HAVA, funds have been made available to the state for the purchase of such machines, and, under NY Election Law, each County is required to pay a five percent (5%) “match” of the total cost of such new voting technology, and

WHEREAS, pursuant to Resolution No. 129 dated April 9, 2008, the Commissioners of the Ulster County Board of Elections ordered new voting machines for people with disabilities through the NYS Office of General Services (OGS) for a total cost of \$1,225,530.00 and County match of 5% in the amount of \$63,450.00, covered the cost of the new voting machines only, and

WHEREAS, the NYS Office of General Services has notified Ulster County that the Title II Funds have now been increased to \$1,566,565.82 and the required County match of 5% is increased to \$82,450.83 from \$63,450.00, a difference of \$19,000.83, which will cover machine supplies, privacy screens, computer memory cards, etc., for the new voting machines, and

WHEREAS, the required County match of 5% is to be incurred in an amount not to exceed \$19,000.83, which will be periodically invoiced by OGS to Ulster County between the date hereof and the dates of the 2008 primary and general elections, and

Resolution No. 209 July 9, 2008

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WHEREAS, a portion of such funds are due to be paid to the OGS on or before July 6, 2008, and other invoices will become due and payable as additional supplies for the new voting machines are delivered, and

WHEREAS, the Commissioners of the Ulster County Board of Elections are requesting that \$19,001.00 be transferred from the contingent account for these payments, and

WHEREAS, the Law and Rules Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the 2008 Ulster County Budget is hereby amended as follows:

TRANSFER

FROM **AMOUNT**

A4-1331-4553 (App. #)	Contingent Account	\$19,001.00
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TO **AMOUNT**

A4-1176-2050 (App. #)	Voting Machines	\$19,001.00
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, and

FURTHER RESOLVED, if State and/or Federal funding for this program is eliminated, this program will be eliminated as well,

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 27 NOES: 2
(NOES: Legislators Felicello and Zimet)
(Absent: Legislators Briggs, Dart, Kraft and
Stoeckeler)

FINANCIAL IMPACT:

\$19,001.00 – TRANSFER FROM CONTINGENT ACCOUNT
(BALANCE OF 5% COUNTY SHARE
NEW VOTING MACHINES AND SUPPLIES)

0706