

Resolution No. 147

May 4, 2009
Regular Board Meeting

**RESOLUTION TO JOIN THE NEW YORK STATE ASSOCIATION OF
TOWNS AND OTHER COUNTIES IN SEEKING COUNTY LEADERSHIP
AND SUPPORT FOR FISCAL RESPONSIBILITY BY STAYING WITH
LEVER VOTING MACHINES**

The following resolution was offered by Supervisor , who moved its adoption.

Upon the recommendation of the Finance Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, for many decades Essex County has successfully used mechanical lever-style voting machines, with very few problems, and is desirous of continuing to do so; and

WHEREAS, New York State enacted the Election Reform and Modernization Act of 2005 (ERMA) and other laws that require all lever machines to be replaced and prohibit the use of any lever machines in any future elections in New York State; and

WHEREAS, Essex County believes that the continued use of lever-style voting machines is in the best interest of the public and should be permitted to be used in future elections; and

WHEREAS, it is the opinion of this Board that if the State of New York replaces lever voting machines with optical scanner systems, the cost to the taxpayers of Essex County will be insurmountable not covered by HAVA funds and the payment thereof will severely strain and possibly break the budgets of all Counties in this time of economic crisis: and

WHEREAS, the expense of the computerized voting systems is exorbitant and will no doubt increase annually and there will be uncertain as to costs and expenses, none of which exists with the current lever machine and BMDs machines; and

WHEREAS, New York State now has a transparent, secure, accurate and reliable electoral system using the lever-style voting machines; and

WHEREAS, the New York State legislation relating to voting machines far exceeds the federal requirements of Help America Vote Act (HAVA); and

WHEREAS, the State's statutorily required elimination of lever-style voting machines is unnecessary, inappropriate and costly to Essex County taxpayers, and in these difficult economic times, the cost to implement elections with these new machines will not be paid for New York State and is an unfunded mandate, therefore

BE IT RESOLVED that the Essex County Board of Supervisors hereby joins with the New York State Association of Towns and other Counties seeking and supporting the continuation of our lever voting machines together with Ballot Marking Devices (BMD) and rejecting the use of a computerized voting system as the computerized voting system will be a huge expense and undertaking in Essex County during this time of economic uncertainty; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby requests the New York State Legislature and the New York State Board of Elections to enact laws, rules and regulations as specifically authorized to continue the use of lever-style voting machines; and

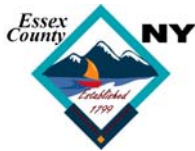
BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New York Association of Towns, Election Transparency Coalition, Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O'C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey, the Executive Directors of the New York State Board of Elections, Todd Valentine and Stanley Zalen, the New York State Board of Election Commissioners, James Walsh, Douglas Kellner, Evelyn Aquila and Gregory Patterson, United States Senators Charles Schumer and Kirsten Gillibrand and United States Members of Congress, John McHugh and Scott Murphy.

This resolution was duly seconded by Supervisor , and adopted.

STATE OF NEW YORK, COUNTY OF ESSEX)ss:

I, *DEBORAH L. PALMER*, Clerk of the Essex County Board of Supervisors, do hereby certify that I have compared the foregoing copy with the original resolution filed in this office on the 4th day of May, 2009, and that it is a correct and true copy thereof.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed my official seal this 4th day of May, 2009.



Deborah L. Palmer
Clerk of the Essex County Board of Supervisors