

CITY OF BEACON



Carla P. Eylers
City Clerk
One Municipal Plaza, Suite One
Beacon, New York 12508

Telephone (845) 838-5003
Facsimile (845) 838-5012

I, CARLA P. EYLERS, Clerk of the City of Beacon, New York, do hereby certify that the attached is a true and accurate copy of Resolution No. 25 of 2006 entitled "Replacement of Lever Voting Machines" adopted by the Beacon City Council at a regular meeting held on March 6, 2006. Council Member Thompson made the motion that the resolution be adopted. Seconded by Council Member Kelly. On roll call, Council Members Kelly, Shea, Gold and Thompson and Mayor Gould voted in favor. Council Members Kyriacou, and Foster were absent. Motion carried.

WITNESS THERE I have set my hand and seal of the City of Beacon this 7th day of March, 2006.

Signed Carla P. Eylers
Carla P. Eylers, City Clerk

SEAL

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 25 OF 2006

REPLACEMENT OF LEVER VOTING MACHINES

WHEREAS, the decision concerning replacement of lever voting machines for elections in the City of Beacon to comply with the Help America Vote Act will be made by the Dutchess County Board of Elections, and

WHEREAS, paper ballot optical scan (PB/OS) voting machines are more accurate, are half as expensive, last twice to three times as long, take up much less space, require less special handling, and are user-friendly compared to direct recording electronic (DRE) touch screen voting machines, and

WHEREAS, the AutoMARK ballot-marking device used with PB/OS machines has been the system of choice of people with disabilities, and

WHEREAS, paper ballots optically scanned fulfill Dutchess County's requirement of being reliable; according to the League of Women Voters, 46% of counties, 36% of precincts, and 35% of voters in the entire US used PB/OS machines in the 2004 election, these PB/OS systems are mature technologies having been performing well for 20 years, and have been successfully and reliably used in the following jurisdictions and states: Alabama, Alaska, Arizona, Arkansas, California, Colorado, District of Columbia*, Florida, Hawaii*, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma*, Oregon**, Pennsylvania, Rhode Island*, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming * Denotes uniform optical scan ** All elections conducted by mail using optical scan ballots, and

WHEREAS, Dutchess County has had successful experience in the use of optical scanners to count the ballots of absentee voters, and

WHEREAS, unlike electronic (DRE) touch screen voting machines, PB/OS voting continues without relying on electricity, and

WHEREAS, precinct-based optical scanners allow the voter to be notified immediately if there is an error in voting and to be offered the chance to declare the ballot spoiled and present it to the poll inspector and then be issued a replacement ballot to vote on, and

WHEREAS, ERMA requires that votes from 3 percent of the machines in each county must be recounted, Optical Scan Ballots are designed to be recounted quickly by hand or by a different scanner and stored for future evidence, while a touch screen (DRE) machine may at most create a voter verified paper audit record that must be recounted by hand, and

WHEREAS, voter-marked paper ballots consist of document quality paper that can be stored for many years, the voter verified paper audit record produced by DREs is on heat-sensitive paper and may not last long enough for a recount, and

WHEREAS, Touch screen (DRE) machines have a recent history of technical problems and breakdowns leading some counties to scrap their DRE voting systems in favor of PB/OS systems, and

WHEREAS, The Government Accountability Office (GAO) in its September 2005 report stated touch screen (DRE) machines presented "significant concerns about the security and reliability of electronic voting systems (DRE)", and

WHEREAS, vote tallies and ballot storage in Paper Ballot/ Optical Scan systems are controlled and stored by either municipal governments, the Board of Elections or their designated individuals, and

WHEREAS, the vote tallies and storage of electronic files in electronic (DRE) touch screen voting machines are programmed, updated and maintained by private businesses that are not owned, operated, controlled or under the jurisdiction of the Board of Elections or any governmental body, and

WHEREAS, Paper Ballot/ Optical Scan systems are a cost-effective technology that would satisfy a requirement to purchase from the lowest responsible bidder when compared to the higher cost to purchase and maintain touch screen (DRE) machines, and

WHEREAS and in conclusion, Paper Ballot/ Optical Scan systems provide reliable, auditable voting, with an anonymous secure paper trail for each vote, and are a cost-effective technology therefore, be it

RESOLVED, that the City of Beacon urges purchase of precinct-counted paper ballot optical scan (PB/OS) voting machines as the HAVA -compliant voting machines when Dutchess County replaces the current lever machines, and be it further

RESOLVED, that the City of Beacon urges the purchase of precinct- based marking devices such as the AutoMARK device for paper ballots as the HAVA-compliant machine for voters with disabilities, when Dutchess County replaces the current lever machines, and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor George E. Pataki, State Senate Majority Leader Joseph Bruno, Senators Stephen M. Saland and Vincent Leibell, State Senate Democratic Leader David A. Paterson, Assembly Speaker Sheldon Silver, Assemblymen Thomas Kirwan, Joel M. Miller, Patrick R. Manning, Willis H. Stephens Jr., and Kevin Cahill, Commissioner Neil W. Kelleher, Commissioner Evelyn J. Aquila, Commissioner Helena Moses Donohue, Commissioner Doug Kellner, the Board of Elections Co-Executive Director Peter Kosinski, Board of Elections Co-Executive Director Stanley Zalen, the members of the Dutchess County Legislature and Dutchess County Election Commissioners David Gamache and Fran Knapp.

Resolution No. <u>25</u> of 2006		Date <u>3/16/06</u>		<input type="checkbox"/> Amendments _____		<input type="checkbox"/> 2/3 Required.	
<input type="checkbox"/> Not on roll call.		<input checked="" type="checkbox"/> On roll call.		<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Kyriacou, Lee					✓
		Foster, Elizabeth J.					✓
	✓	Charles P. Kelly	✓				
		Philip P. Shea	✓				
		Steven K. Gold	✓				
✓		Eleanor Thompson	✓				
		Mayor Clara Lou Gould	✓				
		Motion Carried	✓				