

RESOLUTION NO. 82

Adopted unanimously

TITLE: DEMANDING THAT NEW YORK STATE & THE STATE BOARD OF ELECTION "PROMPTLY" COMPLETE EVALUATION & CERTIFICATION OF VOTING MACHINES SO THAT FEDERAL FUNDING IS NOT LOST, AND SO THAT SCHOHARIE COUNTY CAN CHOSE TYPE OF MACHINE TO BE USED FOR ELECTION COMMENCING SEPTEMBER, 2006, THE PREFERENCE BEING A PAPER BALLOT/OPTICAL SCAN VOTING SYSTEM

OFFERED BY: Harold Vroman Who moved its adoption

SECONDED BY: Frederick Guay Member Rules & Legislation Committee

WHEREAS, Schoharie County has been patiently waiting for New York State and it's agencies, including the New York State Board of Elections, to complete the evaluation and certification of electronic voting machines that can be used within New York State commencing with the first Federal Election of 2006, namely the primary to be held during September, 2006; and

WHEREAS, once New York State, its Agencies and the State Board of Elections have completed their tasks, it is the intention of Schoharie County and it's Board of Election to choose the type of machine that will best fit the needs of the local electorate; and

WHEREAS, Schoharie County has timely completed all tasks required of it in order to qualify for federal funds to be used towards the purchase of such voting machines, which federal funds are understood to have already been received by the State of New York, are sitting dormant, and are awaiting New York State and it's Agencies to complete certain requirements imposed by the Federal government; and

WHEREAS, it would be an absolute disgrace if New York State and it's Agencies were to fail to complete their work, thus, losing valuable funds to offset the cost of purchase of the electronic voting machines by Counties, especially when considered against the backdrop that when funds are lost, Counties will still be required to purchase with no source of funding other then upon the backs of taxpayers; and

WHEREAS, with each day that passes, New York State makes it more impractical that even a timely decision will work, because Counties and their Boards of Election will then need to determine which machine to purchase, the machines will then need to be ordered, built and delivered in time for training and education of the public and those who will be called upon to man them at election time; and

WHEREAS, in addition, the County and it's Board of Election will need to make a multitude of decisions involving the machines including where they will need to be stored; and

WHEREAS, the Schoharie County Board of Supervisors wishes to go on record that it's preference in type of voting machine is a paper ballot/optical scan voting system; now, therefore, be it hereby

RESOLVED, that the Schoharie County Board of Supervisors wishes to go on record in demanding that New York State, it's Agencies, including the New York State Board of Elections complete their evaluation and certification of the list of electronic voting machines immediately which can then be made available to the Counties, so that a choice can be made and machines ordered; and be it further

RESOLVED, that this Board of Supervisors requests that one of the machines to be approved and certified by the state include a paper ballot/optical scan voting system; and be it further


RESOLVED, that in the event federal funding is lost to offset the cost of purchasing electronic voting machines by the Counties, due to neglect or mishandling by the State of New York or it's agencies, that the Counties be indemnified and paid by the State of New York for each and every dollar of lost federal funds so that the County is made whole; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to send a certified copy of this Resolution to each of the following: Schoharie County Board of Elections, New York State Board of Elections; Senator James Seward; Assemblyman Daniel Hooker; and Governor George Pataki.

Dated: October 17, 2005
Filed: October 17, 2005


Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.


County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2005 at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, Absent _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2005.

_____, Clerk
Board of Supervisors of the County of Schoharie