

RESOLUTION NO. 84

TITLE: SCHOHARIE COUNTY SUPPORT FOR CONTINUING USE OF
 MECHANICAL LEVER-STYLE VOTING MACHINES

OFFERED BY: Harold Vroman Who moved its adoption.

SECONDED BY: Donald Brandon Chairman Rules & Legislation Committee

WHEREAS, for decades Schoharie County has successfully used mechanical lever-style voting machines, with very few problems, and is desirous of continuing to do so in future elections, 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, it is the opinion the Schoharie County Board of Supervisors that if the State of New York replaces lever voting machines with optical scanner systems, the cost to the taxpayers of Schoharie County, both now and in the future, of amounts not covered by HAVA Fund will be prohibitive; and

WHEREAS, New York State now has a transparent, secure, accurate and reliable electoral system using the lever-style voting machines; and the New York State legislation relating to voting machines far exceeds the federal requirements of HAVA; and

WHEREAS, fears of violations of HAVA are misplaced due to the existence of both lever machines that are capable of access by certain classes of impaired voters as well as the existence of ballot marking devices; and

WHEREAS, this mandated discontinuance of lever voting machines constitutes an unfunded mandate upon Schoharie County and significantly increases the cost of elections to the County's citizens; now, therefore be it

RESOLVED, that the Schoharie County Board of Supervisors hereby calls upon the State of New York and Federal Government to allow for the continued use of lever voting machines for the people of New York State and particularly the County of Schoharie; and be it further

RESOLVED that the County of Schoharie 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 Schoharie County during this time of economic uncertainty; and be it further

RESOLVED, that the Schoharie 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 Governor David Paterson, New York Senate Majority Leader, Assembly Speaker, Senator Seward, Assemblyman Lopez, the Executive Director of the New York State Board of Elections, the New York State Board of Election Commissioners, Senators Schumer and Gillibrand and US Congressman Tonko.

Dated: August 20, 2009
Filed: August 20, 2009

APPROVED AS TO FORM AND LEGALITY.


Clerk Board of Supervisors

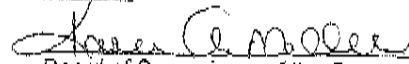

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOCHARIE 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 21st day of August, 2009, 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 2643, No, 0, Exc. 326, Shredaris, WHEATY

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this 21st day of August, 2009.


Clerk,
Board of Supervisors of the County of Schoharie