

**Resolution No. 224      August 19, 2014**

**Rescinding Resolution No. 410 Of December 6, 2006 And  
Authorizing Ulster County To Pay For The Cost of Election  
Expenses Thereby Relieving The Various Municipalities Of  
Responsibility For Payment**

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Richard Parete and Legislators Archer, Donaldson, Roberts, and Ronk), and The Ways and Means Committee (Chairman Gerentine and Legislators Bartels, Belfiglio, Briggs, Maio, Maloney, Provenzano, and Rodriguez)

Chairman John R. Parete offers the following:

WHEREAS, Resolution No. 410 of December 6, 2006 authorized the County of Ulster to charge back the towns and the City of Kingston for the cost of elections; and

WHEREAS, the Help America Vote Act, or HAVA, mandated that all states and localities upgrade many of their election procedures, including their voting machines, registration processes and poll worker training; and

WHEREAS, the increased costs associated with elections have proven to be a substantial expense and burden on the local municipalities; and

WHEREAS, the financial burden is expected to escalate, as future costs associated with repair and/or replacement of the new electronic voting machines could be cumbersome; and

WHEREAS, pursuant to New York State Election Law, Article 4, Section 4-136, "...the expenses of providing polling places, voting booths, supplies thereof, ballot boxes and other furniture for the polling place for any election, including the storage, transportation and maintenance of voting machines, appliances and equipment or ballot counting devices, and the compensation of the election officers in each election district, shall be a charge upon the county in which such election district is situated..." and

WHEREAS, New York State Election Law, Article 3, Section 3-226 states that "All voting machines, and appliances and equipment relating to or used in the conduct of elections shall be in the care, custody and control of the board of elections," and therefore, not the responsibility of the local municipalities; now, therefore be it

RESOLVED, that Resolution No. 410 of December 6, 2006, which authorized the County of Ulster to charge back the towns and the City of Kingston for the cost of elections, is hereby rescinded; and, be it further

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RESOLVED, that commencing January 1, 2015, the cost of election expenses shall be borne by Ulster County and not billed to its municipalities; and, be it further

RESOLVED, that any outstanding charges yet to be paid to the County by any municipality for costs associated with prior elections shall continue to be due and owing, and shall be paid by the respective municipality; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall send a certified copy of this resolution to each Town Clerk and to the Mayor and Clerk of the City of Kingston within ten days after the adoption of this resolution; and, be it further

RESOLVED, that the Commissioners of the Board of Elections and the Commissioner of Finance are hereby authorized to take any all steps necessary to implement this resolution,

and moves its adoption.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 7                      NOES: 15  
(AYES: Legislators Donaldson, Greene, Litts,  
Lopez, Maloney, John Parete and Richard Parete)  
(Absent: Legislator Fabiano)

**Defeated in Committee:** Ways and Means on July 9, 2014

Petition to Discharge successfully executed on July 15, 2014

FINANCIAL IMPACT:  
TO BE DETERMINED ANNUALLY

