

ULSTER COUNTY BOARD OF ELECTIONS

JOHN P. QUIGLEY

Commissioner

845-334-8287

KERI L. MILLHAM

Deputy Commissioner

845-334-5427



284 Wall Street

KINGSTON, NEW YORK 12401

Telephone: 845 334-5470

FAX: 845 334-5434

ASHLEY DITTUS

Commissioner

845-334-5430

JEN FUENTES

Deputy Commissioner

845-334-5423

MEMO

To: Sara DeStefano, Donna Lutz, Andy Monk, Regis Obijiski, Kenneth Panza, Travis Rask, Kathleen Waithe – Members of the Ulster County Commission on Reapportionment

From: Ashley Dittus, Commissioner
John P. Quigley, Commissioner

Re: Proposed Ulster County Legislature District Map, Public Comment

Date: May 17, 2022

The Board of Elections is tasked with implementing the redistricted County Legislative districts once they are finalized and applying those final political subdivisions to the Ulster County voter rolls. To that end, we have reviewed the proposed draft map of County Legislative districts for public consideration and have the following concerns:

- 1. Municipal boundaries are not lined up with proposed County Legislative District boundaries:** There exist multiple examples of County Legislative districts that closely, but do not exactly, line up with existing municipal boundaries. Municipal boundaries are fixed and cannot be moved. All voters who are registered within a municipality will have, with frequency, at least once every two years on the odd numbered years, contests to vote upon that are municipal based offices, i.e., Town Supervisor, Town Council, Town Justice, Town Clerk, Town Highway Superintendent, etc. When those municipal offices are on the ballot, all voters who reside within that political subdivision (Town/City) must have the above referenced contests appear on their ballot. When a voter is redistricted into a separate County Legislative District that is different than the rest of the voters in their municipality; those outlier voters will have a separate ballot style and be coded into a separate “micro-election district” for voting purposes. In other words, the “micro-election district” voters simultaneously reside in the town requiring those municipal contests and

the County Legislative District, requiring ballot placement of the candidate(s) running in the voter's assigned County Legislative District.

When the Board of Elections build ballot styles for the electorate, we do so by coding voters into Election Districts wherein all voters share the same political subdivisions. When a town or city has multiple political subdivisions within their boundaries the Board of Elections must conform election districts to meet this criterion. This is described under Election Law 4-100.3 which states:

Each election district shall be in compact form and may not be partly within and partly without a ward, town, city, a village which has five thousand or more inhabitants and is wholly within one town, or a county legislative, assembly, senatorial or congressional district.

In the below cited examples, we have observed the number of voters who have a dissimilar County Legislative District than their Town/City neighbors, amounting to, on average, less than 50 residents within these would be "micro-district" boundaries. Due to this low number of residents, and therefore a lower pool of registered voters, there exists a great risk of lost voter privacy, particularly in the event of a Primary when even less voters may be eligible to cast a ballot.

- a. Town of Ulster District 1 on the border of Hurley (see map) with cross streets of Hoyer Rd, Swamp Rd, Station Rd, to name a few, are districted in the proposed District 18, assigning their Town Ballot as Ulster and their Legislative District as 18. This would create a micro-district as the other Town of Ulster voters in their proximity are in Legislative District 4. Please note: This concern does not show up on the Mapitude software, however this issue does appear on the ARC GIS platform that the County IS Department provided to our office for use. We ask that this is reviewed to confirm that municipal voters are not subdivided.
- b. Town of Woodstock District 6 on the border of Town of Ulster (see map) with cross streets of Sawkill Rd and Morey Hill Rd are districted in the proposed District 4, assigning their Town Ballot as Woodstock and their Legislative District as 4. This would create a micro-district as the other Woodstock voters in their proximity are in Legislative District 23. Estimated population: 14 residents

Recommendation: We believe there may be other instances in the mapping program where municipal and proposed County Legislative boundaries do not line up. We respectfully request that an audit of these boundaries is performed before the maps are finalized and adjustments are made to respect municipal boundaries before the final adopted plan is tendered to our department for administrative application.

2. Village boundaries are not lined up with proposed County Legislative District

boundaries: There are multiple examples in which voters will be isolated from their Village municipal boundary in the Village of New Paltz and the Village of Ellenville. This presents the same set of issues we have already illustrated with municipal boundaries. The Ulster County Board of Elections ballots village offices for Ellenville and New Paltz during odd numbered years during the Primary and General Elections, the same years, and the same ballots in which the County Legislature is voted upon. By isolating those residents from their Village boundaries, the Commission is creating a scenario in which a small number of voters will be identifiable based on the different County Legislator they have from the rest of the residents of the Village in which they reside. Election Law 4-100 as referenced

above also cites Village district boundaries as being a requirement of Election District creation.

- a. Village of New Paltz along Springtown Rd. (see map) is districted in the proposed District 17, assigning their Village Ballot as New Paltz and their Legislative District as 17. This would create a micro-district as the other Village of New Paltz voters are in Legislative District 20. The estimated population of this micro district is 1-10 residents.
- b. On the northern border of the Village of New Paltz (see map) encompassing residents on Hummel Rd, Van Alst St, Juniper St, Willis Rd. etc., those voters are non-Village residents but have been districted into the same legislative district as Village residents. This will create a micro-district of this area as they are not entitled to a Village contested ballot but are entitled to a ballot with the Legislative candidates from the proposed District 20. Estimated population: 250-300 residents
- c. Village of Ellenville, along Sam's Point Rd. (see map), is districted in in the proposed District 14, assigning their Village Ballot as Ellenville and their Legislative District as 14. This would create a micro-district, as the other Village of Ellenville voters are in Legislative District 15. Estimated population: 5-50 residents.

Recommendation: We implore the Commission to reconsider the division of Village municipal boundaries. Both the Village of New Paltz and the Village of Ellenville are relatively small and currently both villages are wholly contained within County Legislative District boundaries. We ask that for the sake of those residents that you consider composing districts that do not divide a Village into separate Legislative boundaries.

3. **City of Kingston Ward boundaries are not lined up with proposed County Legislative**

District Boundaries: The City of Kingston is responsible for redistricting their Ward boundaries which renders them equivalent to a municipal or village boundary in that they are fixed and cannot be altered by the Board of Elections. Election Law 4-100 as referenced above also cites Ward district boundaries as being a requirement of Election District creation. Six of the nine Wards in the City of Kingston become fractured in the proposed County Legislative District map: Wards 2,3,4,5,6 and 9.

Like the above referenced Village and municipal examples, the Board of Elections ballots Aldermanic contests, by Ward and then election district, during odd numbered years at the Primary and General Elections, the same years, and the same ballots in which the County Legislature is voted upon. When a ward is split along a County Legislative district boundary it will result in the formation of "micro-districts" within the City of Kingston. In our calculations this would result in the division of nine election districts: Ward 2 District 2, Ward 2 District 3, Ward 3 District 3, Ward 4 District 1, Ward 5 District 2, Ward 6 District 3, Ward 9 District 1, Ward 9 District 2 and Ward 9 District 3. These splits range from an estimated population of 10-400 residents. In the scenarios where less than 100 residents are affected, the issues of voter privacy are at the forefront of our concerns. In the scenarios where more than 100 people are affected our concern shifts to the creation of additional election districts.

It should also be noted that the proposed US House of Representatives Congressional District map divides the City of Kingston into two districts. If that map becomes adopted by May 20th, and if adjustments are not made to the County Legislative District map, there will exist an added scenario wherein Wards are further divided. i.e., a resident of the City of Kingston Ward 3 District 3 will have both a different Congressional representative and a different County Legislator than the rest of their neighbors in the remaining parts of Ward

3. Further, due to the added layering of political subdivision (Congressional, Ward and County Legislature) multiple “micro-districts” will need to be created at great risk of voter privacy and efficiency in conducting elections within the City of Kingston.

Recommendation: At the very least, we recommend remediations that keep election districts whole if the Commission agrees to divide up Wards into separate County Legislative Districts. However, as an alternative, given the new proposed deviations for Legislative Districts 5, 6 and 7 are 2.35, 4.86 and 2.42, respectively we would propose that the current active County Legislative districts of 5,6, and 7 with deviations of 1.3, 3.9 and 4.4, respective be reconsidered for adoption.

To be clear, the implications of the current map are deeply concerning. The creation of smaller election districts will result in voter confusion, the risk of voter privacy being compromised and an added expense to the programmatic budget of the Board of Election. We are required to ballot our General Elections by election district, therefore, for every newly comprised election district created we must hire and train additional election inspectors, order unique ballot styles and program our voting systems to accommodate the requirements of the Election Law.

We have created a version of the map using the Mapitude software that reflects many of the above-mentioned changes we wish to see adopted. That map is shared and titled “Ucboe/Ucboe Recommendations – UCBOE Recommendations”

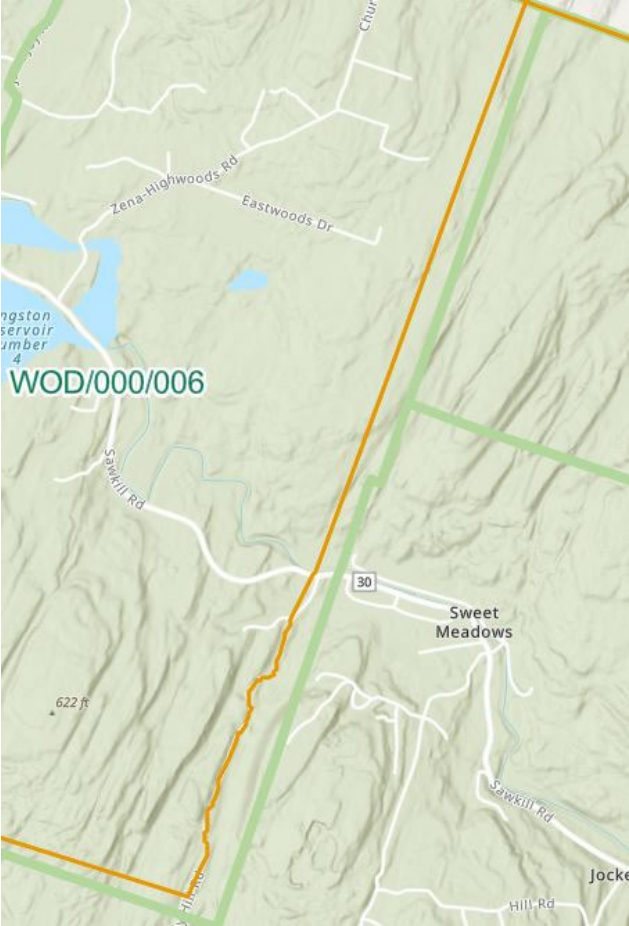
Our office is available and willing to assist with any questions that may arise from our concerns.

Map Attachments:

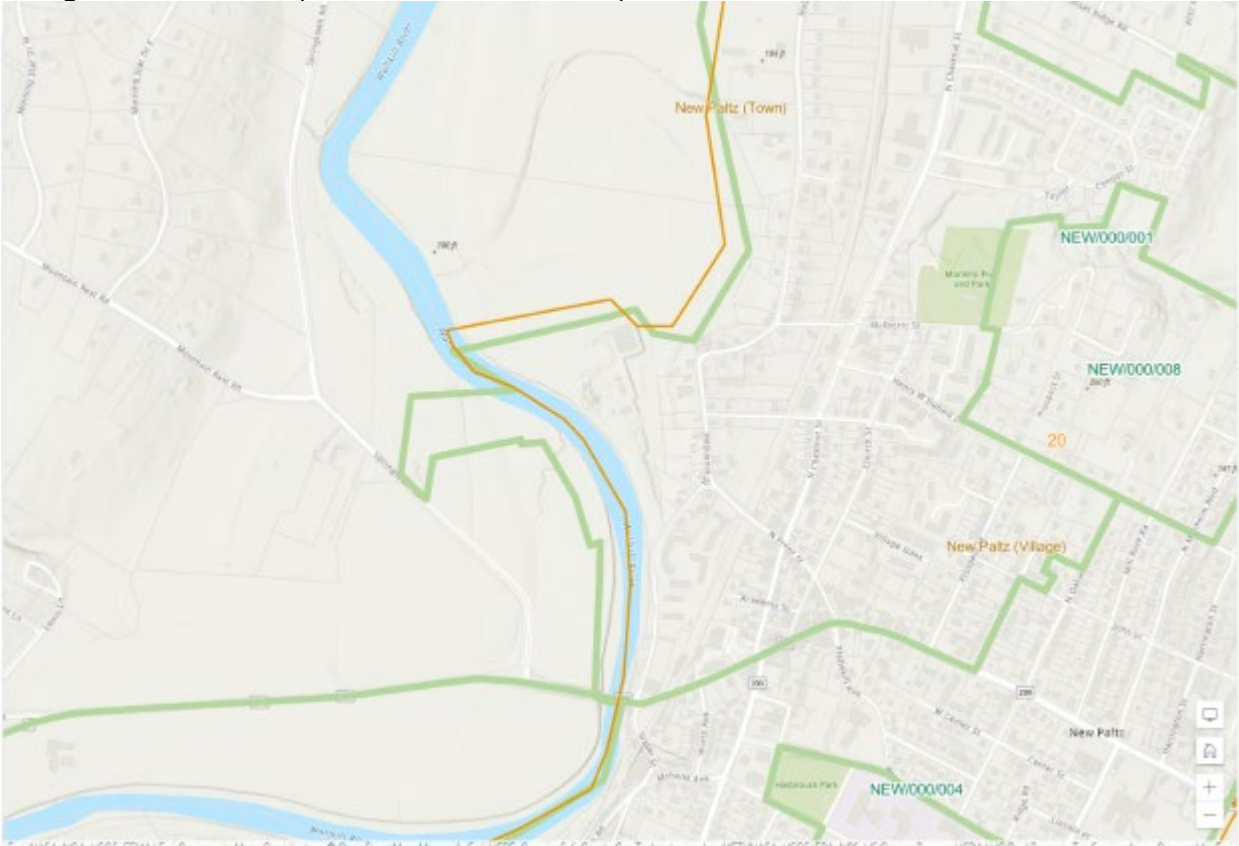
Hurley-Ulster Border (referenced above 1.a)



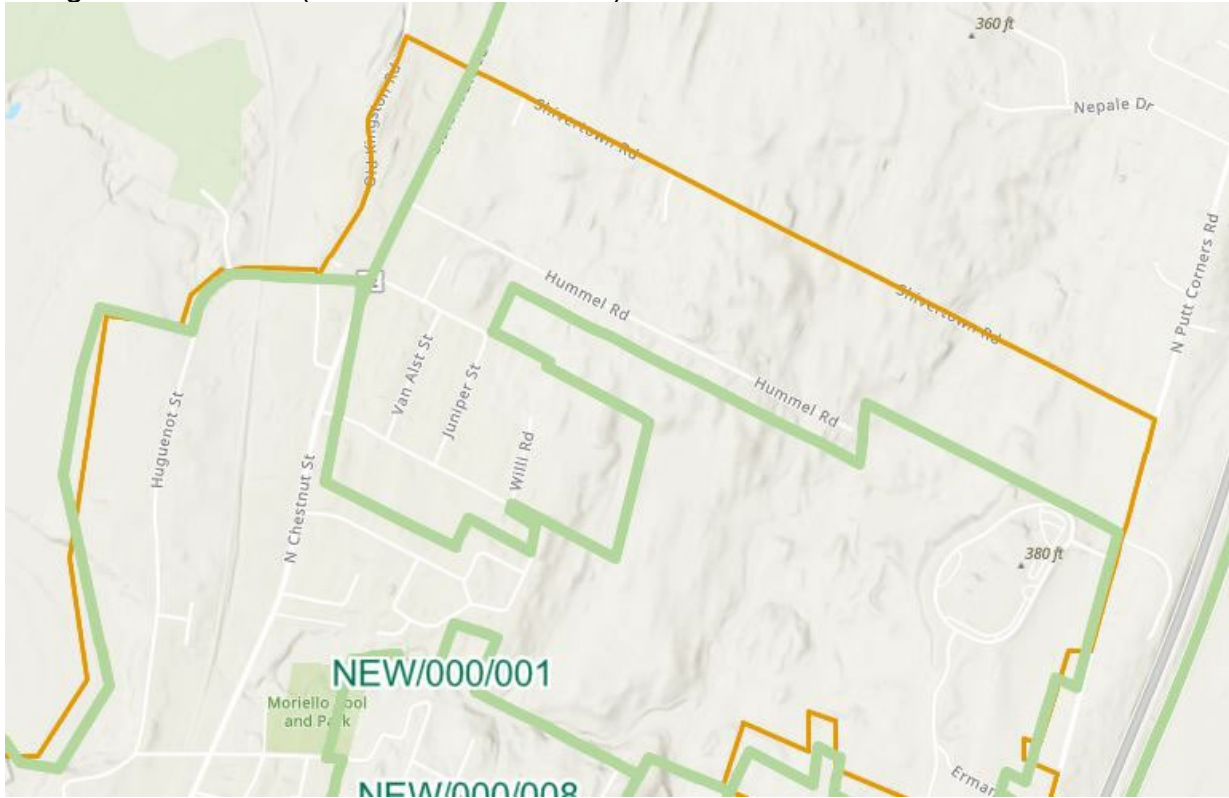
Woodstock-Ulster (referenced above 1.b.)



Village of New Paltz (referenced above 2.a.)



Village of New Paltz (referenced above 2.b)



Village of Ellenville (referenced above 2.c)

