

Adopting A Methodology To Charge Back The Towns And The City Of Kingston For The Costs Of Election Services – Board Of Elections

The Laws and Rules Committee (Chairman Bischoff and Legislators Cahill, Decker, R.S. Parete, Rodriguez, Shapiro, Cummings, Maloney and Roberts) offers the following:

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 4, Section 4-136 also states that “All expenses incurred under this chapter by the board of elections of a county outside the city of New York shall be a charge against the county ... The expenses incurred by the board of elections of a county outside the city of New York may, pursuant to section 3-226 of this chapter, be apportioned among the cities and towns therein, or in the case of a village election held other than at the time of the fall primary or general election, apportioned to such villages therein,” and

WHEREAS, Resolution No. 410 dated December 6, 2006, authorized the County of Ulster to charge back the Towns and the City of Kingston for the Cost of Elections Support pursuant to the New York State Election Law section 3-226, and

WHEREAS, the methodology for the Charge Back established by Resolution No. 410 dated December 6, 2006, was removed and replaced on an interim basis, pursuant to Resolution No. 344, dated November 12, 2008, with a total Charge Back of \$789,897.00 for the 2009 billing period only, and

WHEREAS, the Chairman of the Ulster County Legislature appointed a Committee, including representatives of the Towns and the City of Kingston, to discuss and recommend a methodology to be adopted by the Ulster County Legislature for future chargebacks starting in the year 2010, pursuant to Resolution No. 344, dated November 12, 2008, and

WHEREAS, said Committee met several times and filed their recommendations with the Laws and Rules Committee on April 6, 2009, and

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WHEREAS, the proposed methodology was designed to maximize the utilization of actual billable costs per municipality while at the same time utilizing multiple allocation formulas for the remaining distributable costs to minimize financial penalties to individual Municipalities, and

WHEREAS, the proposed methodology also allows for the potential of cost savings by rewarding efficiencies, such as consolidating polling sites, and

WHEREAS, the Laws and Rules Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the Board of Elections will provide (1) a tentative billing amount to the various Towns and City of Kingston by August 15th of each calendar year for use in the Municipality's planning for the next fiscal year's budget cycle, and (2) an actual bill for the current fiscal year on or before December 15th, and, be it further

RESOLVED, that the Towns and City will be held harmless for Inspector Training mileage for each calendar year billing cycle for an amount not to exceed \$15,000.00 aggregate. In the event mileage for training exceeds the \$15,000.00 cap, the overage will be charged to the Towns and City based on their proportional percentage of total travel costs, and, be it further

RESOLVED, that the attached methodology be adopted by the Ulster County Legislature for future chargebacks starting in the year 2010,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 7
(NOES: Legislators Briggs, Cummings, Fabiano, Noonan, R.A. Parete, Roberti and Sheeley)
(Absent: Legislators Aiello, Decker, Loughran and Stoeckeler)
(Legislator Hansut left at 8:25 PM)

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FINANCIAL IMPACT:
COUNTY REVENUE TO BE DETERMINIED STARTING IN YEAR 2010

0728

STATE OF NEW YORK
ss:
COUNTY OF ULSTER

This is to certify that I, the undersigned Deputy Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8th Day of July, 2009, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 10th Day of July in the year Two Thousand and Nine.

|s| Karen L. Binder
Karen L. Binder, Deputy Clerk
Ulster County Legislature

Submitted to the County Executive this
10th Day of July, 2009.

|s| Karen L. Binder
Karen L. Binder, Deputy Clerk
Ulster County Legislature

Approved by the County Executive this
14th Day of July, 2009.

|s| Michael P. Hein
Michael P. Hein, County Executive