

## LEGISLATIVE AND RESEARCH COMMITTEE MINUTES

JUNE 9, 2009 – 4:30 P.M.

Present: Chairman Rowland; Supervisors Daly, Raymond, Southworth, Veitch, Wright, and Yepsen; David Wickerham, County Administrator; Diane Wade, Bill Fruci, Elections; Andrea Novick, Legal Council; League of Women Voters; Press.

Chairman Rowland called the meeting to order and welcomed all in attendance.

**On a motion made by Ms. Raymond, seconded by Mrs. Southworth the minutes of the May 12, 2009 meeting were approved unanimously.**

Ms. Novick stated that nine of New York's county legislatures have now passed resolutions urging the State to repeal the Election Reform and Modernization Act (ERMA) and allow counties to keep using their lever voting systems.

Ms. Novick said that the requirement to change voting systems would be unnecessary, inappropriate and costly to taxpayers. The Election Transparency Coalition (ETC) is dedicated to transparent election in New York and continues to encourage counties to stand up to the mandates of ERMA, which would force all counties to abandon their lever voting systems by next year.

Ms. Novick said there have been numerous studies from computer scientists across the county who have all shown that the computerized voting machines could be manipulated without detection within minutes, no matter how much security and certification you might have.

Ms. Novick said that even if you purchase the computerized voting machines with HAVA monies, the maintenance costs on the machines will be very costly to counties.

Ms. Novick encouraged the committee to pass a resolution to return to the lever voting system.

Ms. Raymond said it was her understanding that lever machines are no longer made and over time it is becoming increasingly more difficult to obtain parts.

Mr. Fruci said parts are already hard to come buy and many counties are sharing parts.

Ms. Wade said Saratoga County has just enough lever machines for each district, as some are unable to be repaired. She acknowledged that lever machines are good, but once they are no longer working there is no where to get parts.

Mr. Fruci said the State Legislature is the one who has the consolidation bill that Saratoga County has been working with. If anything were going to change, it would have to change in Albany, not by the Board of Supervisors. The Albany Legislature is the one

that put the consolidation bill together. The county has been under a federal court order for the past two years and the county has been honoring that court order.

Mr. Fruci said another court order was signed last week where some counties, including Saratoga County will be in a pilot program using the ballot device/scanners in some of the towns and not using lever machines at all in the November election. If the system does fail, there is a paper ballot backup.

Mr. Fruci said the county has purchased 125 ballot-marking devices for a total of \$1.5 million and is in the process of ordering 112 scanners at a cost of \$823,000.

Ms. Wade said elections is holding off until the certification comes through in December before purchasing anything else.

**A motion was made by Ms. Raymond, seconded by Mr. Wright to table a resolution urging NYS to repeal the Election Reform and Modernization Act (ERMA and allow Counties to keep lever machines. Unanimous.**

Mr. Rowland said, the Hudson River/Black River Regulating District has proposed new rules for access permits for properties on Sacandaga Lake. It has been requested that the County lobby the Governor and the Legislature to suspend the process.

Ms. Raymond said what DEC is proposing will dramatically change the use of the Lake. A request has been made to suspend the process and hold public meetings to explain what they are proposing, take public input, and to deal with some of the problems that have been inadvertently created.

Ms. Raymond said it is felt that it is extremely irresponsible on the part of the commissioners to enact this without having further discussions on a much different approach.

Ms. Raymond said what is being requested is that the County concur with the proposal to bull back on the rules and have public discussion.

**A motion was made by Ms. Raymond, seconded by Mr. Veitch to urge Governor Paterson, the State Legislature and the HRBR Regulating District to suspend the process for establishing new rules relative to access permits for Sacandaga Lake properties. Unanimous.**

Mr. Rowland said he received a letter from the Department of Environmental Conservation with regard to the Saratoga Tree Nursery. The message was that these are tough financial times and all avenues are being looked at.

**On a motion made by Mr. Veitch, seconded by Ms. Raymond the meeting was adjourned.**

Respectfully submitted,  
Chris Sansom