

## **SPECIAL BUILDINGS & GROUNDS COMMITTEE MEETING**

**July 29, 2010 – 2:00 p.m.**

PRESENT: Chairman Thompson; Supervisors Hargrave, Jenkins, Raymond, Rowland, Wormuth; Grattidge, Richardson, Southworth; Spencer Hellwig, Mgmt. Analyst; Roger Schiera, Bill Fruci, Elections; Rick Gardner, Joe Miranda, DPW; Barbara Plummer, Clerk to the Board; Press

Chairman Thompson called the meeting to order.

Mr. Hargrave moved to approve the minutes of the July 12<sup>th</sup> meeting. Ms. Wormuth seconded. Unanimous.

Chairman Thompson said he has an issue with the amount of money that we will be putting out for the storage of the voting machines over the next few years. He asked if these machines can separate from the tin case. Mr. Fruci said no, it is one unit as it sits. The whole unit goes to the polling place, he said. He stated the computer separates if it has to be repaired or replaced. Ms. Wormuth asked if they could be separated for storage purposes. Mr. Fruci said no, they would have to be in tact for all of the necessary testing, as all of the components interact with one another. Ms. Wormuth said could you take the computer unit off of the top for storage for a few months and then put it back on the machine prior to sending them to each town? Mr. Fruci said no, because there is a battery in some of the bases of those units. There has to be necessary testing on those components to meet State requirements, he added. He said the more you handle them like that, the more severe problems they could have.

Chairman Thompson said how many times a year do you think we will have to move these machines? Mr. Fruci stated September and November elections and then you never know about special elections, and then the Presidential, school and library elections. Chairman Thompson said at some point in time, we have to move these three or four times per year at \$90 each time. Ms. Raymond said why couldn't she have a machine stay in her closet in her town hall where it would be heated and air conditioned? She said some other town halls would also have space, so have we looked at this as a possibility? Mr. Fruci said State requirements do not allow that. They require a central secured facility, he said. Ms. Raymond said she does not understand why certain town halls couldn't become the "facility." Mr. Fruci said we are required to have certain control over these machines, and we would not have that enforcement power if they were separated throughout the County. It is not like the old lever machine, he said. Ms. Wormuth asked what kind of maintenance do they need. Mr. Fruci said computer program upgrades, maybe wheels would need to be switched out, and batteries need to be charged periodically. There are reports we are required to do, he stated. Ms. Wormuth requested copies of a sample report.

Ms. Raymond asked if we had a compilation of what other counties have done. Mr. Fruci mentioned that Schenectady County owns space. Ms. Raymond said this would be helpful to know.

Ms. Wormuth said there was damage to a machine when they were being moved the last time. Chairman Thompson stated it was a manufacturer's defect, and we said no it was not, and we wound up turning it in to our insurance company. The mover was not liable, he stated. Ms. Wormuth said what are we looking at to prevent this type of insurance claim again? Mr. Fruci said they sent out a survey to town and city clerks asking them if they could work with us to see if these machines could be deployed by their respective highway departments. We received very good feedback from them regarding that issue, he said. He stated 169 of the districts agreed to move their own machines out of 196. I do not believe independent haulers understand the sensitivity of these machines, he said. Ms. Wormuth stated her highway guys are stretched pretty thin, and she does not know if they know what they are agreeing to. Towns are already burdened with State mandates. We should come up with a good County plan that is realistic, she said. Chairman Thompson said each town has one or two custodians who make pretty good on these elections. Why can't they be taught to do the updates and then there would be a chance for them to put these out in the towns, he asked. We should go for a contract for a truck and have that truck delivered to the Board of Elections, he said. Mr. Fruci mentioned there are 250 voting machines to be deployed. The contractor last year had six to seven routes with a truck for each route. He said another issue they have in hiring a private vendor is we had to rely on the towns and cities heavily to help because these people had no clue as to where these polling places were, and they had no access to the buildings. That is why we would like to have some of the towns and cities be a part of this process, he added.

Mr. Fruci stated we are looking at \$3 million in valued assets to be stored. Ms. Raymond said she would be perfectly willing to store her machines, but she would not want to send her people to transport them. Chairman Thompson said the custodians should be able to transport the machines. Ms. Wormuth said what if it snows in November? Mr. Fruci said he worries about rain. We need an enclosed truck, he stated.

Chairman Thompson said he isn't so sure about this climate control issue. He said he has computers that sit in his car whether it's hot or cold, and they still work. As far as putting a hunk of metal in an environment better than some workers have, I have a problem with that, he said. He said he has heard that people don't want to have to travel to the landfill facility to get the machines. He said this is a heck of a burden on our taxpayers. He said do we get a truck and make the custodians in charge of their machines? That would be a burden out of the way. Mr. Fruci said the custodians get paid by machine for setup; \$75/machine per custodian.

Mr. Fruci stated the machines are stored at Malta Commons now at \$3,600/month. We have a location in Clifton Park for the lever machines at \$875/month. Ms.

Wormuth said we have them in more than one location now, but we cannot in the future? Mr. Fruci said the ones in Clifton Park are the ones we no longer use. Ms. Wormuth said then why are we paying rent on them? Mr. Fruci said they were used this year for the school elections. Commissioner Wade thought we should keep some of these old machines in case the plug was pulled on the system, he said. Mr. Rowland asked who owns the lever machines, and Mr. Fruci said the County. Ms. Raymond said State law made them the property of the County. Mr. Fruci said we have about the same amount of the lever machines. He said the new machines at Malta Commons are butted up right next to one another, and some of them cannot be accessed without moving other ones out. The machines need to be programmed on site, he said. Ms. Raymond asked if quotes were received from across the County for the storage of these machines. Mr. Fruci said there were three responses, and the low response was from a company in Albany. My recommendation was that we remain in the County, he said.

Ms. Wormuth asked if there was anyone internally on staff that could look at the State Board of Elections requirements to retrofit the building at the landfill. We should have someone on staff do an analysis on this, she said. What do we really need to maintain these machines, she said. Utilizing that building and utilizing that as a landfill when we need to should be look into, she added. Ms. Raymond asked if we are losing our ability to use Malta Commons. Mr. Fruci said he is not sure of our obligation. Ms. Raymond said then why are we storing something we cannot use anymore in Clifton Park. Why can't we keep the new machines where they are for one more year until we figure out where they can be stored permanently, she said. She stated it would make sense to build a Butler Building out at the County Farm for storage. Mr. Rowland asked if that was the only space available in the Malta Commons plaza. Mr. Fruci said he believes there is space a couple of doors down at \$2,400/month. Mr. Schiera said he was told that space was no longer available, but he couldn't swear to it. Ms. Raymond suggested leaving them where they are or putting them in Ballston Spa (WAM) for one more year until we can get our own space. Ms. Wormuth asked if the monthly machine updating was being done. Mr. Fruci said yes. When you are doing batteries, you have to roll the machine out and plug it in, he said. Ms. Wormuth asked who does this. Mr. Fruci said we have two technicians. It will not be doable for these two people when it gets closer to election day because it is an enormous burden. They have to be tested on site where they are stored and at each election district, he stated.

Mr. Hellwig pointed out once the Board authorizes the contract for storage, the County Attorney has to draw it up, and both parties have to sign the agreement. He said WAM could be contacted about the terms of the agreement to see if they are agreeable to one year. Ms. Wormuth asked if the technicians on staff have the capability of programming the machines and having them out for the September primary? Mr. Schiera stated we have never done a full-blown election with these 250 machines under these circumstances. Chairman Thompson asked where the privacy screens are, and Mr. Fruci said they did not receive them yet. Ms. Wormuth asked where these will be stored, and Mr. Fruci said they do not know yet.

Chairman Thompson asked if we could get permission to keep these at the towns, and Mr. Fruci said yes. Chairman Thompson said we will probably have to lease a truck for this time. Mr. Fruci said they have budgeted for the machines to be transported. We were looking to deploying the Wednesday before the election, he said.

Ms. Wormuth asked if there was an out clause in the contract for the new storage space, and Mr. Hellwig stated usually, it is included at 60 days. He said there is a resolution on the table waiting for action next month -- \$63,840 for the first year; \$65,760 second year; and \$67,728 for the third year.

**Mr. Rowland moved to authorize a contract with WAM Commercial Associates LLC for one year for the storage of the new voting machines with a 60-day out clause at no penalty to the County. Mr. Hargrave seconded. Unanimous.**

Chairman Thompson stated it is costing the taxpayer dearly just to have the privilege to vote. Ms. Raymond said we have been painted into a corner because of the Federal and State Governments and the HAVA Act. She said as rapidly as possible, get the old machines out of that facility in Clifton Park that we are paying for.

On a motion by Mr. Hargrave, seconded by Mr. Rowland, the meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann