

## **BUILDINGS & GROUNDS VOTING MACHINE SUBCOMMITTEE MEETING**

**AUGUST 25, 2010 – 3:00 P.M.**

PRESENT: Chairman Thompson; Supervisors M. Johnson, Rowland; Spencer Hellwig, Mgmt. Analyst; Roger Schiera, Bill Fruci, Board of Elections

Chairman Thompson called the meeting to order.

Mr. Thompson said we are all storing our old voting machines, so how come we are renting space in Clifton Park for their old machines. Mr. Fruci said he does not know. Mrs. Johnson asked how many does Clifton Park have? Mr. Fruci said about 40 of the old electronic advantage machines and about 17 of the lever machines.

Mr. Rowland asked how many electronic machines are there that the County owns that we are not using anymore because of the new system. Mr. Fruci said there are 37 in Clifton Park; 2 in Saratoga Springs; and 9 or 10 in Halfmoon. Those were the only three municipalities that had that type, he said. Mr. Rowland asked if they had any value. Mr. Fruci said they are the same as the lever machines. All of what is in the space at 5 Maxwell Dr. in Clifton Park was to come over with the new equipment into the new space, he said. We would only have one facility that we would be paying for as opposed to currently two. Chairman Thompson asked what the process is to get rid of the old machines. Mr. Hellwig said surplus property has been auctioned off on e-bay, and if doesn't get a bid, then it's trashed. Mrs. Johnson said she would give her lever machine to her fire department if they wanted it.

Mr. Rowland said if there are 48 electronic machines, are they being used by some other election entity somewhere in this country? Mr. Fruci said he didn't know. Different states have come up with different laws like New York did, he said.

In looking at the new electronic voting machines that were on display for the subcommittee, Mr. Rowland said the handicapped machine wasn't even turned on in most voting facilities. Mr. Fruci said he

believes they were turned on but not used. Mr. Rowland said in Greenfield, at least in three of the districts didn't turn them on because everybody was leery of using them. Chairman Thompson said if that's the case, why did we buy so many of the regular ones. Mr. Fruci said we replaced machine for machine. We have 147,000 active registered voters in the County and 196 election districts, he said. You need some for spares, breakdowns and emergencies to dispatch on election day, he stated.

Chairman Thompson said what we are trying to do is find a place within the County to store these new machines in order to save a substantial amount of money. In transporting these machines, he said he talked to DPW, and they will let us use a couple of guys. Mr. Fruci said he doesn't know anything about that. Chairman Thompson said he had that conversation with Joe Ritchey after the last meeting.

Mr. Hellwig said a survey went out to the towns asking if they would be willing to assist with the transportation of these machines, and the reply was all but about five towns were willing to provide that level of support. Mrs. Johnson said what do they have to provide. Chairman Thompson said just helping to deliver the machines. Mr. Schiera said the idea was the towns would supply the manpower, and we would supply the enclosed lift gate trucks. Mr. Rowland said the survey he saw was they were looking for manpower and a truck with a lift gate. We don't have the enclosed truck, but we do have manpower, he said. The questions we got were restrictive enough where we said no in the movement of these, he said. There was no "who is paying for this" in the survey, he said. Given the limitations of the survey, we couldn't respond in a positive manner, he added. We have to make sure people moving these have a reasonable expectation of getting them there whole and functional, he said.

Mr. Fruci said they had two different companies in two different years moving the machines, and it was disastrous. He said our technicians were able to take care of the wheel castor issue, but there were damages above and beyond our capabilities which resulted in a \$28,000 bill, and he believes \$25,000 was recouped from our insurance company.

Chairman Thompson asked how the voting machines on display today got here, and Mr. Fruci said their two technicians who used a County van with a ramp because there was no other way of doing it. Mrs. Johnson asked how much do we pay to have them transported, and Chairman Thompson said \$90/machine. Mr. Fruci stated the \$90 covers both in and out per election; 225 machines for the primary at \$90/machine = \$20,250 just for that election. He said we will be responsible for the machines for school elections, but we will charge that back to the school. He said that also goes for library elections, etc., but they will get charged back. Chairman Thompson asked if we have done that yet. Mr. Fruci said they have not done any programming yet for the schools. Mr. Rowland asked if the schools will be using the new machines. Mr. Fruci said he believes the State allowed them to use the old lever machines through 2012. The Mechanicville School District owns its own voting machine, he said. We have not come to that yet with schools, fire districts, libraries and villages, he added. Mr. Rowland pointed out there is a number of times these can be transported. Mr. Fruci said their transportation charges will have to be charged back to those jurisdictions. Mr. Rowland said it's inconceivable. Mr. Hellwig stated it is a logistical nightmare. Mr. Fruci said they can request our machines unless we tell them no, but I do not know how we can do that, he stated. Mr. Rowland said you will need cost factors for a lot of things – programming, deprogramming, ballots, etc. He said Elections is in the voting machine business, but can't we direct the Board of Elections to say they are not in the business? Chairman Thompson said the taxpayers of the County bought these machines.

Mr. Rowland asked what are we doing for this Primary as far as getting these machines to where they have to be? Mr. Fruci said they need to rent trucks to get the machines to the towns and cities. Chairman Thompson said we can get a 28' with a ramp, but I do not know where we can rent one with a lift gate. Mr. Schiera said they can get a 26' with a lift gate at Penske with insurance at \$149/day + mileage of \$.23. Mr. Fruci stated their staff obtained this information. He said he brought this information to Mike Pratt in General Services this morning once he received it. Chairman Thompson asked how many trucks will they need. Mr. Fruci stated 6 to 8 trucks which is preliminary. This is all new to us as well, and I do not want to come up short, he said. Mrs. Johnson asked how many machines per

truck. Mr. Fruci said his tech may know how many will fit into the vehicle. Chairman Thompson asked what the biggest district is. Mr. Fruci stated Clifton Park has 37 machines; Halfmoon 22; Milton 15; Saratoga Springs 30; Wilton 17. Mr. Rowland said in figuring this out, he would say 3 – 4 trucks at 2 guys per truck. Chairman Thompson said he would want one of his guys involved in the transportation of the machines to his town to make sure they do not get banged around. He said as far as the smaller towns with one machine, he doesn't see why they can't remain in the town. He said you can't separate the handicap machines, but you can the regular machines. We have 125 of them, so they can be stored on a shelf. Mr. Rowland said when these are sitting in storage, what are the power requirements. Mr. Fruci said they need to be charged periodically for the batteries. Quarterly, they have to be tested, charged and certain requirements have to be done prior to the election, he said. Mr. Rowland said do these machines need to be plugged in constantly? Mr. Fruci said no. Mr. Rowland said how many outlets will be required and how long is the charge? Mr. Fruci said he did not know. He said he just spoke to his tech, by cell phone, who believes 21 units may fit in the 26' van. Mrs. Johnson asked if the machines are warranted. Mr. Fruci said yes, five years from the date of purchase. We have to follow all of the maintenance requirements.

Chairman Thompson stated because of the people working in the storage building, that is why the State is requiring HVAC for the storage. It's all about the people not the machine, he said. The State this is a bullet-proof machine, he said. You have to keep the memory cards and the paper ballots for two years. Mrs. Johnson asked if the machines are removed from the box, does that have anything to do with the warranty, and Chairman Thompson said no.

Chairman Thompson requested Mr. Fruci to let him know if they they need bodies. Mr. Schiera said that may be helpful when it comes time from moving from Malta to Ballston Spa to the new storage area. Mr. Fruci said all he wants to do is run a successful election. I have always been proud of the elections in Saratoga County, he said. Right now, we have no way of programming these machines because he has no place to do it. We should have started programming already, he said. Chairman Thompson suggested bringing them to the auditorium in Bldg. 5 until they can be moved to the new storage

facility. Mr. Rowland said what about empty space where they already are in the DCG Development. Mr. Fruci said they would have to go through a procurement process. Mr. Hellwig said they are limited to a contract. Mr. Fruci said the owners of the property on Kent Street possibly will let us into there prior to September 1, but they may want assurances the contract will be signed by the County. If he has those assurances, he may allow us in there tomorrow, but I will need trucks and manpower to get them out of DCG, he said. We will be paying WAM and DCG both for the month of September. Mr. Hellwig pointed out the contract is authorized to begin September 1. Mr. Fruci said the old electronic machines are going with the new machines to the Kent Street facility.

Mr. Schiera said he believes we are renting separate space in Clifton Park for the old electronic machines because they owned the machines, but now the County owns the machines and we assumed responsibility for the rent. Mr. Rowland said those should be the first machines to be moved.

Mr. Fruci said he really needs to get the machines from Malta to the new place. I am two months behind, and this is not a very comfortable position, he stated. Mr. Rowland said in a week's time, we should be able to get the machines in there and getting this contract done so we are not paying double rent. Mrs. Johnson said Elections has a very serious situation that needs to be addressed because we do not want something going wrong in the primary falling back onto the Board of Supervisors. Mr. Fruci said we are headed in the direction of what occurred in Florida. We are charged with the responsibility of protecting the electoral process, he said. Mr. Schiera said the candidates on the ballots are entitled to see the machines being prepared. He said these should be done on a schedule. If they are in the warehouse, they could be all done at once, he said. Mr. Fruci said there are two custodians from each town who are charged with doing all of the pre-testing. He requested Chairman Thompson to help with getting the machines over to Kent Street. Chairman Thompson said he will get help, but no one in this room should be blamed for this. He said these machines could have been dragged out a few at a time to be programmed. We will get these machines over there; my problem is paying \$200,000 for a three year contract when we took money away from the veterans' concert and people did

not get raises this year, he said. But, we will pay \$65,000 a year in an environment where they don't need to be, he added.

Mr. Fruci again mentioned candidates are given the opportunity to observe the process or programming these machines. Chairman Thompson requested Mr. Hellwig to work with Mr. Wickerham today on getting the machines into the new storage facility earlier than September 1. Mr. Hellwig said the County Attorney will have to be involved in this because we have to figure out whether or not this will create any liability for the County. We can talk to the County Attorney in the morning, he said. He stated we will take care of the truck situation when they are ready. Mr. Fruci said we will move the machines out of Malta first.

Chairman Thompson said we will meet again to talk about building a facility or retrofit something here.

The meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann