

RESOLUTION NO. 92

**TITLE: REQUESTING NEW YORK STATE TO PERMIT THE CONTINUED USE OF
LEVER VOTING MACHINES**

WHEREAS, for many decades Delaware County has successfully used mechanical lever style voting machines, with very few problems, and is desirous of continuing to do so; and

WHEREAS, New York State enacted the Election Reform and Modernization Act of 2005 (ERMA) and other laws that require all lever machines to be replaced and prohibit the use of any lever machines in any future elections in New York State; and

WHEREAS, the New York State Board of Elections will not certify the accuracy of new tabulator machines which will create an undo burden on local Board of Election staff and the public; and

WHEREAS, the refusal of the State Board of Elections to certify these machines is detrimental to the voting public in that each ballot will need to be counted by hand at Board of Election; and

WHEREAS, the Delaware County Board of Supervisors believes that the use of lever style voting machines is in the best interest of the public and should be permitted; and

WHEREAS, the State's statutorily required elimination of lever style voting machines and not finding a satisfactory substitute results in greater cost to Delaware County taxpayers, delays in tabulating election results and the possibility of inaccuracies in vote tabulation; and


NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby requests the New York State Legislature and the New York State Board of Elections to enact laws, rules, and regulations that specifically authorize the continued use of lever style voting machines; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor David A. Paterson, U.S. Senators Kirsten Gillibrand and Charles Schumer, Congressmen Maurice Hinchey and Scott Murphy, Senator John Bonacic, Assemblymen Clifford Crouch and Peter Lopez, Co-Executive Directors of the New York State Board of Elections Todd Valentine and Stanley Zalen and New York State Board of Elections Commissioners James Walsh, Douglas Kellner, Evelyn Aquila and Gregory Peterson.

State of New York
County of Delaware

I, Christa M. Schafer, Clerk of the Board of Supervisors of Delaware County, do hereby certify that the above is a true and correct copy of a resolution adopted by said Board on the 27th day of May 2009 and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Board at Delhi, New York, this 27th day of May 2009.


Clerk, Delaware County Board of Supervisors