

ERIE COUNTY
Board of Elections

134 West Eagle Street
Buffalo, New York 14202

ECL10 JAN30/14 PM 2:00

Ralph M. Mohr, *Commissioner*
Dennis E. Ward, *Commissioner*

January 30, 2014

The Honorable
Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo New York 14202

**RE: Erie County Board of Elections Budget Revisions
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution requesting authorization to make adjustments within the Erie County Board of Elections' 2014 grant budget by creating new grants' accounts and budgets.

The resolution also authorizes the Commissioners of the BOE to enter into a five (5) year agreement extension with SOE Software Corporation.

The agreement will provide for five years of website hosting, maintenance, and upgrades at a cost of \$99,975. The total cost will be 100% reimbursed by the Federal Help America Vote (HAVA) grant of 2002. Erie County will receive federal and state aid reimbursement via the New York State Board of Elections (NYBOE).

Thank you for your consideration of this matter. If your Honorable Body requires further information, kindly contact the Board of Elections and we will be happy to accommodate your request.

Sincerely,



Ralph M. Mohr
Commissioner



Dennis E. Ward
Commissioner

MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Board of Elections
RE: 2014 Budget Revisions
DATE: January 30, 2014

SUMMARY

The proposed resolution and accompanying memorandum request authorization to make adjustments to the 2014 Erie County Board of Elections budget by creating new grant accounts and budgets to allow for the purchase of equipment and services required for compliance with the Federal Help America Vote Act of 2002 (HAVA). In addition, the resolution authorizes the Commissioners of the Erie County Board of Elections (ECBOE) to enter into agreement with the Town of Clarence for the purpose of making State funds available for improvements to publicly owned polling sites to accommodate voters with disabilities. The expenditure for this project was approved by resolution Comm. 11D-4 (2013) on June 6, 2013.

The resolution also requests authorization for the Commissioners to enter into a five (5) year agreement extension to an existing contract with SOE Software Corporation to host, maintain, and upgrade the ECBOE website and the on-line training program.

FISCAL IMPLICATIONS

Purchases of equipment and services will be reimbursed by the State of New York through a federal grant. The County receives 95% federal aid reimbursement and the County is required to make a 5% matching payment. The County has previously made its 5% match payment, therefore all funds expended for purchases of equipment and services will be reimbursed at 100%.

The improvements to the publicly owned polling sites will be paid directly by the municipality and will be 100% reimbursed by NYSBOE. Erie County will serve as a pass through entity.

REASONS FOR RECOMMENDATION & BACKGROUND INFORMATION

The Help America Vote Act of 2002 (HAVA) requires the replacement of lever voting machines with electronic voting systems. Title III, Subtitle, A of the Act provides the standards for such systems. Any future purchases of equipment and services will be authorized by New York State to ensure compliance with the Act and the standard prescribed by the State.

The HAVA Act requires and makes funds available for improvement of Polling Place Access in order to expand participation in voting by individuals with a full range of disabilities.

CONSEQUENCES OF NEGATIVE ACTION

The Board of Elections may experience difficulties in compliance with the Federal and State election HAVA requirements.

STEPS FOLLOWING APPROVAL

The Board will work with the Division of Budget and Management to make the necessary adjustments to the 2014 Budget. After purchase of equipment and services, the appropriate claim will be submitted through New York State to recover the 100% reimbursement.

A RESOLUTION SUBMITTED BY THE
ERIE COUNTY BOARD OF ELECTIONS

RE: Erie County Board of Elections 2014 Budget Revisions

WHEREAS, the Federal legislation Help America Vote Act of 2002 (HAVA) requires the replacement of lever voting machines with electronic voting systems, make polling sites accessible to individuals with disabilities and provides for voters' education programs ; and

WHEREAS, the Erie County Board of Elections desires to purchase equipment and services for this purpose; and

WHEREAS, the purchase of such equipment and services are eligible for 100% reimbursement from the Federal government through the State of New York; and

WHEREAS, the Commissioners of the ECBOE were authorized by previous resolution (Comm. 11D-4) 2013 to enter into agreement with local municipalities for the purpose of making improvements to publicly owned polling sites to accommodate voters with disabilities; and

WHEREAS, such improvements are eligible for 100% reimbursement from the State of New York; and

WHEREAS, the Commissioners of the ECBOE desire to enter into a five (5) year agreement extension with SOE Software Corporation for the purpose of hosting, maintaining, and upgrading the ECBOE website and the on-line training program.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is granted for the Board of Elections to enter into agreement with the Town of Clarence in the amount of not to exceed \$19,000.00; and be it further

RESOLVED, that authorization is granted for the Board of Elections to enter into a five (5) year agreement extension with SOE Software Corporation in the amount not to exceed \$99,975; and be it further

RESOLVED, that the Board of Elections will submit necessary paperwork for state and federal reimbursement for 100% of the purchase price of eligible equipment and services; and be it further

RESOLVED, that authorization is hereby granted to the Division of Budget and Management to create new grant accounts and budgets and make the following adjustments to the 2014 Budget of the Board of Elections:

Fund 281, Fund Center 1500020, Board of Elections

HHS 2009 Polling Place Access Temporary Improvements

Grant ID: 150HHSACCESSTEMP0913

<u>Revenue</u>	<u>Increase/(Decrease)</u>
Account 414010 Federal Aid-Other	\$40,935.00
<u>Appropriations</u>	<u>Increase/(Decrease)</u>
Account 561410 Lab & Technical Equipment	\$ 20,935.00
Account 505000 Office Supply	\$ 20,000.00

Fund 281, Fund Center 1500020, Board of Elections

HHS 2010 Polling Place Access Temporary Improvements

Grant ID: 150HHSACCESSTEMP1014

<u>Revenue</u>	<u>Increase/(Decrease)</u>
Account 414010 federal Aid- Revenues	\$ 39,554.34
<u>Appropriations</u>	<u>Increase/(Decrease)</u>
Account 561410 Lab & Technical Equipment	\$ 39,554.34

Fund 281, Fund Center 1500020, Board of Elections

HHS 2011 Polling Place Access Temporary Improvements

Grant ID: 150HHSACCESSTEMP1115

<u>Revenue</u>	<u>Increase/(Decrease)</u>
Account 414010 Federal Aid- Revenues	\$ 40,628.00
<u>Appropriations</u>	<u>Increase/(Decrease)</u>
Account 561410 Lab & Technical Equipment	\$ 40,628.00

Fund 110, Fund Center 1500020, Board of Elections

NYS Voter Education/Poll Training

<u>Revenue</u>	<u>Increase/(Decrease)</u>
Account 409000 State Aid Revenues	\$ 53,574.75
<u>Appropriations</u>	<u>Increase/(Decrease)</u>
Account 516020 Professional Services Contracts	\$ 53,574.75

And be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust budgets as required to comply with HAVA and Federal common law requirements as outlined in Section 1 of the grant contract; and be it further

RESOLVED, that two (2) certified copies of this resolution be forwarded to the Board of Elections, one (1) certified copy be forwarded to the Division of Budget and Management, the Office of the Comptroller, the County Attorney's Office and the Division of Purchase.