

ERIE COUNTY
Board of Elections

134 West Eagle Street
Buffalo, New York 14202

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

OPEN

May 7, 2012

Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: Grant Contracts: HHS Voting Access for Individuals with disabilities
NYS HAVA operations Expenses by Boards of
Elections

Honorable Members:

The New York State board of Elections has forwarded two new grants' contract and three grants' extension documents to the Erie County Board of Elections for approval and execution. A summary of the grants is as follows:

The State of New York on behalf of the Federal HHS seeks to enter into agreement with the Erie County Board of Elections to improve polling place access in order to expand participation in the election process by individuals with a full range of disabilities (\$952,045.00). In addition NY State will provide a grant in the amount of \$5,697,914.64 in federal funds for the purpose of purchasing, installing and maintaining equipment required for compliance with the Help America Vote Act (HAVA).

The new grants are "reimbursement based" contracts and do not require an additional local match.

We are requesting your **immediate consideration and approval** of the aforementioned contracts authorizing the Commissioners of the Erie County Board of Elections to accept and execute these agreements. The County Attorney has reviewed the original contracts and subject to the requisite approvals believes them to be proper form. A proposed legislative resolution is attached.

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

Sincerely,

Dennis E. Ward
Commissioner

Ralph M. Mohr
Commissioner

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MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Board of Elections
RE: Grant Contracts
DATE: May 7, 2012

SUMMARY

The proposed resolution and accompanying memorandum request authorization by the Erie County Board of Elections (ECBOE) to enter into agreement with the State of New York to accept two new Federal grants and to extend three existing grants.

FISCAL IMPLICATIONS

None. A new grant in the amount of \$40,628.00 for improving access to and participation by individuals with a full range of disabilities in the election process are 100% reimbursable by the State of New York through a Federal HHS grant. A second new federal grant in the amount of \$5,697,914.64 for the purpose of purchasing, installing and maintaining equipment necessary for compliance with the Help America Vote Act (HAVA) requires a 5% local match that has been already pre-paid by the ECBOD in FY- 2011.

REASONS FOR RECOMMENDATION & BACKGROUND INFORMATION

1. The Federal Help America Vote Act of 2002 (HAVA) requires the improvement of Polling Place Access in order to expend participation by individuals with a full range of disabilities in the election process as well purchasing, installing and maintaining new election equipment. Eligible improvements are 100% reimbursable by the State of New York with funds provided by a Federal grant.

CONSEQUENCES OF NEGATIVE ACTION

1. The ECBOE will experience difficulties in meeting the Federal HAVA requirements.

STEPS FOLLOWING APPROVAL

The Commissioners of the ECBOE will execute the two new contracts and the three contract extensions with the New York State Board of Elections. After expenditures are made, appropriate claim will be submitted to NYS to recover all eligible reimbursements from the State of New York.

FROM THE COMMISSIONERS OF THE ERIE COUNTY BOARD OF ELECTIONS

WHEREAS, the New York State Board of Elections has forwarded three grant extensions and two new contracts to the Erie County Board of Elections for approval and execution; and

WHEREAS, the acceptance and execution by the Commissioners of the Erie County Board of Elections would provide for the receipt of grant money in the aggregate amount of \$ 952,045.00 for the specific purposes of establishing, expanding and improving access to and participation by individuals with a full range of disabilities in the election process, as well as the education of voters on the proper use of new voting systems including ballot marking devices; and

WHEREAS, a new grant in the amount of \$ 5,697,914.64 in federal funds has been awarded to the Erie County Board of Elections by the State of New York for the purpose of purchasing, installing and maintaining equipment required for compliance with the Help America Vote Act (HAVA); and

WHEREAS, the Commissioners of the Erie County Board of Elections believe the funds to be obtained under these contracts to be beneficial to the residents of the County and are desirous of entering into said contracts and extensions; and

WHEREAS, the approval of this legislative body is a pre-requisite for the acceptance of these agreements by the Erie County Board of Elections

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature does hereby approve and accept the following contacts and does hereby authorize the Commissioners of the Erie County Board of Elections to execute the same entitled and designated as:

- 1) NYS Voter Education/Poll Training Grant - \$583,803.00 (C002539 -time extension),
- 2) HHS 2011 Voting Access for Individuals with Disabilities Polling Place Improvement Grant - \$ 40,628.00 (T003270 –new grant),
- 3) HHS 2007-2008 Voting Access for Individuals with Disabilities Polling Place Access Improvement Gant - \$35,713.00 (T002781 -time extension),
- 4) NYS Voting Access for Individuals with Disabilities Polling Place Access Improvement Grant - \$291,901.00 (C002655 -time extension),
- 5) NYS HAVA Operations Expenses by Boards of Elections Grant (C003220 –new grant),

And be it further

RESOLVED that all New York State grant reimbursements of eligible expenditures charged directly to the Board of Elections budget accounts will be deposited by the Erie County Comptroller back into same accounts;

And be it further

RESOLVED that certified copies of this resolution be forwarded to the Erie County Board of Election for the purpose of accompanying the transmittal of the aforesaid executed agreements, and also to the County Comptroller and Director of Budget & Management.