

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, FEBRUARY 23, 2010
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR COMMISSIONERS' ROOM
NEW YORK, NY 10004

PRESENT: President Julie Dent
Secretary Juan Carlos "J.C." Polanco

Commissioners Araujo, Barrera, Schacher, Sipp, Soumas, Stupp, Umane

George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
John Owens Jr., Director, Campaign Finance Enforcement
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Valerie Vazquez-Rivera, Director, Communications and Public Affairs
Diane Haslett Rudiano, Chief Clerk, Brooklyn Borough Office
Maryrose Sattie, Deputy Chief Clerk, Brooklyn Borough Office
Katherine James, Deputy Chief Clerk, Queens Borough Office
Robert Pataky, Administrative Associate, Queens Borough Office
Tom Sattie, Associate Staff Analyst, Candidate Records Unit
Rachel Knipel, Coordinator, Language Assistance Program
Stephen Thompson, HAVA Training Specialist, EDO
Michael Kinara, Associate Director & Project Manager, Gartner
Aparna Nistala, Consultant, Gartner
Daniel Lavelle, Supervisor, Phone Bank
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Keith McGinnis, NAZTEC
Sal Pazhoor, NAZTEC
Todd Mullen, NAZTEC
Jerry Koenig
Marjorie Shea, WCC
Carol Green, DCAS
Stewart Armstrong, VAC
Mary Lou Urban, LWVNYC

Pat Russo, DOI
Alexander M. Dillon, DOI
Andrea Senteno, CUF
Jim Robbins, NYVV
Alan Flacks, Member of NY County Democratic Committee
Jose Adames

President Dent called the meeting to order at 1:38 P.M.

President Dent convened the meeting of the Board of Canvassers for the City of New York relating to the Certification of the February 9, 2010 Special Election for the 24th Assembly District in Queens County and the re-certification of the November 3, 2009 General Election in Kings County.

The General Counsel called upon Katherine James, Deputy Chief Clerk, and Robert Pataky, Administrative Associate, on behalf of the Chief Clerk for Queens County, to present the Statement and Return of Canvass for the February 9, 2010 Special Election for certification.

Ms. James requested that the Board of Canvassers certify the Statement and Return of Canvass for the 24th Assembly District contest in Queens County. There were no reported discrepancies. Commissioner Araujo moved to certify the Statement and Return of Canvass for the

February 9, 2010 Special Election for the 24th Assembly District in Queens County. Commissioner Stupp seconded the motion, which was adopted unanimously.

The General Counsel called upon Diane Rudiano, Chief Clerk, and Maryrose Sattie, Deputy Chief Clerk, for Kings County, to present the re-certification of the November 3, 2009 General Election in Kings County.

Ms. Sattie and Ms. Rudiano requested that the Board of Canvassers re-certify all the Statements and Returns of Canvas for the November 3, 2009 General Election in Kings County. In the course of clean-up, the Chief Clerk and Deputy Chief Clerk found thirteen (13) affidavit ballots that were not included in the original canvass. It does not change the outcome of any election. Commissioner Schacher moved to re-certify the Statements and Returns of Canvas for the November 3, 2009 General Election in Kings County. President Dent seconded the motion, which was adopted unanimously.

President Dent moved to authorize the use of the Commissioners' stamps on the Statement and Return of Canvass for Queens County and Kings County which was certified at this meeting. She appointed

Commissioner Araujo to serve as the other Democratic Member of the Board of Canvassers for the Kings County certification. Commissioner Schacher seconded the motion, which was adopted unanimously.

President Dent adjourned the meeting of the Board of Canvassers for the City of New York and convened the stated meeting of the Board of Elections.

President Dent moved to approve the minutes of February 2, 2010 and February 2, 2010 - Finance Committee. Secretary Polanco seconded the motion, which was adopted unanimously.

Commissioner Umame discussed the actions of the Finance Committee in further detail for the Commissioners.

The Deputy Executive Director presented the HAVA update. He reported that he submitted the requisitions to OGS which have been approved and forwarded to the State Board. Mr. Gonzalez stated that the Board staff has been upgrading the firmware for the Ballot Marking Devices (BMDs) - approximately 100 BMDs are upgraded.

Mr. Gonzalez reported on the privacy booths. He stated that at the previous Commissioners' meeting, the Commissioners directed Board staff to prepare an updated privacy booth report. Mr. O'Grady distributed the 2010 Privacy Booth Updated Evaluation Report to the Commissioners. He noted that the Dominion privacy booth is no longer available, and that the Commissioners expressed a preference for the individual metal cart booth for many reasons. The booths require no set-up, they can be configured easily as per each poll site's requirements and they are sturdier compared to other category of booths. Secretary Polanco requested a more detailed report and requested copies of the original evaluation report for the Commissioners. President Dent tabled the privacy booth item until Mr. O'Grady gets the information for the Commissioners.

Mr. Sattie presented the draft Notices to All Candidates on behalf of Mr. Johnson, Coordinator of the Candidate Records Unit. Copies of the draft notices are in the agenda. He requested approval for the Notice to All Candidates in the March 16, 2010 Special Election, for New York State Senate, 13th State Senate District in Queens County, and the Notice to All Candidates for the March 23, 2010 Special Election, 44th Council District in Kings County. Commissioner Polanco moved to approve both Notices to

Candidates. President Dent seconded the motion, which was adopted unanimously.

The Director of Campaign Finance Enforcement presented the updated Notice to Candidates. He distributed copies of the draft notice to the Commissioners. Commissioner Soumas provided Mr. Owens with suggested revisions. Mr. Owens stated that he will email a revised notice to the Commissioners. President Dent thanked Commissioner Soumas for his input. Commissioner Schacher moved to table the updated Notice to Candidates, pending revision. President Dent seconded the motion, which was adopted unanimously.

The General Counsel requested the appointment of a Cover Sheet Review Committee. A candidate submitted an amended cover sheet to the Board. President Dent and Secretary Polanco stated that they will serve on the Cover Sheet Review Committee.

Mr. Richman reported that last night was the last day to file Independent Nominating Petitions and Certificates for the 13th State Senate District.

President Dent recognized Jerome Koenig, a member of the public.

The Finance Officer presented the Comparative Expenditures dated February 23, 2010.

Commissioner Soumas asked to discuss a Manhattan personnel matter in Executive Session.

Commissioner Stupp asked to discuss a Queens personnel matter in Executive Session.

Secretary Polanco asked to discuss a Bronx personnel matter in Executive Session.

Commissioner Umame inquired of Executive Management the status of implementation of new voting systems. He asked if all tasks are on schedule. Mr. Gonzalez stated that all tasks are moving as planned. Commissioner Araujo inquired if the Commissioners will receive any updates. Mr. Gonzalez stated that he will give a presentation to the Commissioners on March 9, 2010. President Dent expressed her view that voter education is very important and would like an update on that topic as

well. In addition, Secretary Polanco asked the Commissioners to consider what the Board can do to increase voter turnout across New York City.

President Dent moved to convene an Executive Session to discuss personnel and litigation matters. Commissioner Umane seconded the motion, which was adopted unanimously.

Following the Executive Session, the open public meeting resumed and President Dent reported that in Executive Session, the Commissioners took the following personnel actions:

- I. Commissioner Araujo moved to authorize the allocation of \$13,000 for merit increases as determined by the Staten Island Democratic Commissioner. The motion was seconded by Commissioner Stupp, which was adopted unanimously.
- II. Unanimously authorized an advance of 210 hours of sick leave for Jerri Carmicino, an Administrative Assistant in the Executive Office.
- III. Unanimously authorized an advance of 210 hours of sick leave for Michael Cortez, an Administrative Assistant in the Executive Office.
- IV. Unanimously authorized an advance of 210 hours of sick leave

for Lucille Forgione, a Clerk in the Queens Office.

President Dent moved to adjourn the meeting. Commissioner Umane seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, March 2, 2010 at 1:30 P.M.