

THE MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON TUESDAY, SEPTEMBER 7, 2010  
AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR COMMISSIONERS' ROOM  
NEW YORK, NY 10004

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

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

George Gonzalez, Executive Director  
Dawn Sandow, Deputy Executive Director  
Pamela Perkins, Administrative Manager  
Steven H. Richman, General Counsel  
John Owens Jr., Director, Campaign Finance Enforcement  
Dorothy Delayo, Director, Personnel  
John Ward, Finance Officer  
Valerie Vazquez-Rivera, Director, Communications & Public Affairs  
Daniel Lavelle, Associate Staff Analyst, Phone Bank & Communications  
Troy Johnson, Coordinator, Candidate Records Unit  
Matthew Graves, Administrative Associate, Candidate Records Unit  
Shawn Boyd, Administrative Associate, Candidate Records Unit  
Robert Pataky, Administrative Associate, Queens Borough Office  
Katherine James, Deputy Chief Clerk, Queens Borough Office  
Gregory Lehman, Chief Clerk, Manhattan Borough Office  
Timothy Gay, Deputy Chief Clerk, Manhattan Borough Office  
Anna Torres, Deputy Chief Clerk, Bronx Borough Office  
Anthony Ribustello, Deputy Chief Clerk, Bronx Borough Office  
Lucille Grimaldi, Manager, Electronic Voting Systems  
Steven Monahan, Consultant, Gartner  
Kate Nowadly, Law Student Summer Intern, OGC  
Jeremy Fredericksen, Temporary Attorney, OGC  
James Barron, Temporary Attorney, OGC  
Charles S. Webb, III, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST:     Frank Bolz, Objector

Michael Reich, Objector  
Carl Lundsven, Candidate  
Dan Zuger, Candidate  
Emelia Harris, Candidate  
Stewart Armstrong, VAC  
Kate Doran, LWV  
D. Johnson, Candidate  
J. H. Reynolds, Objector  
William Morris, Candidate  
Sumeet Shorma  
John S. Groh, ES&S  
Mac Beeson, ES&S  
Qudsa Awan  
A. A.  
Marjorie Shea, WCC  
Teresa Hommel, wheresthepaper.org  
Mark Herman  
Grouomicz  
Dan Chicifi  
Yube Louis, DOITT  
Anthony Librera  
Danny Panzella  
Michael Coppotelli  
George Kay  
Deana Kay  
M. Connor  
L. G., for Grimm  
Dave Narby, for Anthony Librera

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President Dent called the meeting to order at 2:01 P.M.

President Dent announced that the Commissioners would conduct the Hearings on challenges to Independent Nominating Petitions and advised the candidates and/or their representatives of the procedures to be followed during the hearings related to the November 2, 2010 General

Election.

Mr. Richman called the calendar for Hearings relating to Specifications of Objections for the November 2, 2010 General Election.

Mr. Richman reported that in accordance with the Commissioners' direction, notice was given to all interested and necessary parties concerning today's Public Hearing to consider the Board's staff Preliminary Findings of Prima Facie Defects, as well as Specifications of Objections and other concerns relating to the November 2, 2010 General Election.

The determinations regarding the various Preliminary Findings of Prima Facie Defects, as well as Specifications of Objections are recorded on the respective Clerks' Reports.

President Dent recessed the hearings and convened the regular stated meeting.

Commissioner Barrera moved to approve the minutes of the June 21, 2010 and June 29, 2010 meetings and the June 29, 2010 Finance

Committee meeting. Commissioner Araujo seconded the motion, which was adopted unanimously.

President Dent requested to add a Brooklyn personnel matter for Executive Session.

Mr. Gonzalez presented the HAVA update. He summarized the status for scanners as of September 7, 2010. A copy of the report is in the agenda.

Mr. Gonzalez reported that he received a letter from Election Protection. A copy of the letter is in the agenda. Election Protection requested a meeting with Executive Management to discuss how they could assist the Board with addressing voters' needs on or before Primary and General Election Days. Mr. Gonzalez stated that Election Protection has worked with the Board in the past. He requested for authorization from the Commissioners to meet with Election Protection. Commissioner Soumas requested for more information on this group. Mr. Richman stated that Election Protection is a nonpartisan group of attorneys who perform poll watching and poll monitoring functions. Election Protection cooperated with the Board in 2008. Mr. Gonzalez stated that Election Protection has

set up a hotline which reports voters' issues directly to the Board such as malfunctioning machines at poll sites. Commissioner Araujo stated that they could report any issues to the Board's Phone Bank. Commissioners Soumas and Stupp agreed and questioned the group. Mr. Gonzalez stated that with the consensus of the Commissioners he will respectfully decline meeting with Election Protection.

On behalf of Ms. Vazquez-Rivera, Mr. Gonzalez presented the public education update. He reported that the Board has conducted 286 public demonstrations with 16,385 participants to this date. There are 254 scheduled demonstrations. Commissioner Sipp reported that the Public Outreach Team attended the Richmond County Fair in Staten Island. He commended their terrific job. Commissioner Araujo reported that he saw the Board's advertisements on the NYC MTA buses and heard the radio ads on Hot 97 FM. He stated that he was very pleased. Commissioner Araujo noted that he attended a Board's public demonstration on Friday which was excellent and very well attended. He commended Secretary Polanco for doing a fantastic job translating and addressing the Board's concerns in English and Spanish. President Dent reported that Ms. Vazquez-Rivera would like to hold a public demonstration in the Queens Center Mall. Commissioner Araujo noted that he came across a public

demonstration in a Long Island mall this past weekend. It was very well attended so he would like for the Board to host a demonstration in a Queens mall. President Dent agreed that it would be a great idea to host public demonstrations in various malls citywide before the Primary and General Elections.

Mr. Gonzalez reported that he circulated a draft letter, addressed to the State Board, to the Commissioners yesterday. He received feedback, but did not revise the letter yet. Mr. Gonzalez asked who should sign the letter. The Commissioners agreed that Mr. Gonzalez should sign the letter.

Mr. Ward presented the Comparative Expenditures report dated September 7, 2010. A copy of the report is in the agenda.

Mr. Ward presented the Personal Service Report. He distributed copies of the FY11 Year to Date Expenditure and FY11 Borough Break Down July – August reports to the Commissioners. Mr. Ward summarized the reports.

Ms. Grimaldi presented the Executive Summary of Post Election Procedures. A copy of the procedures is in the agenda. She stated that

the procedures were developed by the workstream and reviewed by Mr. Richman and Executive Management. Ms. Grimaldi summarized the post election procedures for the Commissioners. After discussion, Commissioner Araujo moved to adopt the Executive Summary of Post Election Procedures. President Dent seconded the motion, with Commissioner Sipp abstaining. The motion was adopted.

President Dent recognized Mark Herman, a member of the public.

President Dent recognized Teresa Hommel, a member of the public.

Mr. Johnson presented the Notice to Candidates. He distributed copies of the letter to the Commissioners. Mr. Richman questioned the canvass/recanvass date and asked for Mr. Johnson to consult with the Borough Offices. Commissioner Soumas asked for the earliest and last date possible. Mr. Richman suggested for the Board to begin reading the Portable Memory Devices (PMDs) on September 15, 2010. Ms. Torres stated that the Borough Offices would be under a lot of pressure and would need more than one (1) day to prepare. Commissioner Soumas stated that the Board has to give a minimum statutory notice. If the Borough Offices are the not ready, then the viewers can come back the next day. It was

agreed that the canvass/ recanvass will begin on Wednesday, September 15, 2010 at 10:00 A.M. and continue until completion for the requirements to do the canvass/recanvass of poll site ballots and the selection of the auditable records. As soon as the audit is completed, the manual count will commence. The Notice to Candidates will be redrafted and re-circulated to the Executive Committee for approval.

Commissioner Ryan acknowledged the passing of Carrie McNeil. He stated that she was a long term employee at the Board for over 15 years and will be greatly missed.

President Dent acknowledged the passing of Bernie Catcher, a Brooklyn Democratic District Leader and power broker.

Commissioner Araujo acknowledged the passing of Lucille Forgione, a permanent employee at the Queens Borough Office.

The Commissioners held a moment of silence.

Secretary Polanco moved to convene an Executive Session to discuss personnel matters. President Dent seconded the motion, which was adopted unanimously.

Following the Executive Session, the open public meeting resumed and President Dent reported the actions that were taken in Executive Session:

- I. Brooklyn VMT Supervisor Ralph Deleon, current salary \$49,976, is leaving Board payroll on September 13, 2010. It was recommended to promote Mario Baskin, VMT, to Ralph's position at the incumbent salary of \$42,659 and transfer the difference of Ralph and Mario's salary, which totals \$7,317, to Louis Ventura, VMT, who currently makes \$30,823. His new salary would be \$38,140. No overall increase in total staff salaries rather than move one person to the incumbent rate. Brooklyn wants to provide additional compensation to two (2) valuable members of the VMF team at no additional cost to the Board.
- II. The Commissioners determined to give retroactive monies at a total of approximately six (6) months from the time former

Executive Director Marcus Cederqvist left in February, effective immediately:

- i. George Gonzalez will get the difference in his salary to the Executive Director salary;
- ii. Pamela Perkins will get the difference in her salary and the Deputy Executive Director salary;
- iii. Steven H. Richman, John Owens Jr. and Valerie Vazquez-Rivera will get a one time bonus of \$6,500.

The motion was adopted in a roll call vote of seven (7) in favor (Dent, Polanco, Araujo, Barrera, Ryan, Sipp, and Soumas); one (1) opposed (Stupp); and one (1) abstention (Schacher).

- III. It was proposed that each borough Commissioner would receive \$10,000 to use as they see fit for their staff. The motion was adopted in a roll call vote of seven (7) in favor (Dent, Polanco, Araujo, Barrera, Ryan, Sipp, and Schacher); two (2) abstentions (Stupp and Soumas).

Commissioner Araujo moved to adjourn the meeting. Commissioner Barrera seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, September 21, 2010 at 1:30 P.M.