

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
IN THE CITY OF NEW YORK  
HELD ON TUESDAY, JANUARY 7, 2014  
AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR, COMMISSIONERS' HEARING ROOM  
NEW YORK, NY 10004

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PRESENT: President Frederic M. Umame  
Secretary Gregory C. Soumas

Commissioners Jose Miguel Araujo, Ronald Castorina, Maria R. Guastella,  
Julie Dent, Michael Michel, Michael Rendino, Simon Shamoun

Michael J. Ryan, Executive Director  
Dawn Sandow, Deputy Executive Director  
Raphael Savino, Deputy General Counsel  
John Ward, Finance Officer  
Dorothy Delayo, Director, Personnel  
Kenneth Moltner, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Jonas Siregar  
Kevin Ramnaraine, CFB  
John K. Smith  
David Seitzer, NYC Council  
Andrew Bruschi, DOI  
Keith Schwam, DOI  
Marianne Barcellone  
Eric Friedman  
Alan Flacks, Member of NY County Democratic Committee

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President Umame called the meeting to order at 1:49 P.M.

President Umane welcomed the new Staten Island Republican Commissioner Ronald Castorina.

According to Section 3-212(1) of the New York State Election Law, the Commissioners elected the Board Officers for the Year 2014. Commissioner Araujo moved to designate Secretary Soumas as President for 2014. Commissioner Dent seconded the motion, which was unanimously adopted. President Umane moved to designate Commissioner Michel as Secretary for 2014. Commissioner Shamoun seconded the motion, which was unanimously adopted.

There was a consensus among the Commissioners to table the minutes of the December 17, 2013 Commissioners' Meeting.

Mr. Ryan reported that he received a letter from Tom Burt, the President and Chief Operating Officer of Election Systems and Software (ES&S), who formally invited him to join their National Customer Advisory Board. A copy of the letter is in the agenda. Mr. Ryan contacted the NYC Conflicts of Interest Board (COIB) to check if there would be any conflicts if he participated. COIB advised Mr. Ryan that funding would be

appropriate if the Commissioners deemed the participation to be necessary to carry on the business of the City. With respect to reimbursement, travel and meal expenses would be reimbursed as long as they are no more than necessary to complete the business. Mr. Ryan stated that it is important for NYC to have input in this process and requested approval to accept the invitation. President Soumas moved to approve Mr. Ryan's request to join the ES&S National Customer Advisory Board based on his report. Commissioner Guastella seconded the motion, which was unanimously adopted.

Mr. Ward presented the Vacancy Report dated December 31, 2013 and the Comparative Expenditures Report dated January 7, 2014. Copies of the reports are in the agenda.

President Soumas moved to appoint Jamaal Nelson to fill the Administrative Assistant position in the Manhattan Office, vacated by John Bonhomme, with an annual salary of \$42,659. Commissioner Rendino seconded the motion, which was unanimously adopted. President Soumas noted that John Bonhomme was a member of the NYPD's 2013 graduating class.

President Soumas stated that he saw a report in the news by the NYC Department of Investigation (DOI) which details that DOI Investigators posed as voters on multiple occasions on Election Day across the five (5) boroughs. There are sixty-three (63) separate purported felony violations. These DOI Investigators allegedly used incarcerated voters' names to vote, or they claimed that they were voters who moved to a new address and voted, and they admittedly signed the voter rolls. President Soumas stated that these are Civil Rights violations. President Soumas recalled that Rose Gill Hearn was the Commissioner of DOI during the time of the investigation and was recently appointed as the Chair of the NYC Campaign Finance Board (CFB). President Soumas moved to refer this matter to the five (5) District Attorney's Offices citywide, the New York State Office of the Attorney General, and the New York State Department of Corrections and Community Supervision (DOCCS), and to request an opinion letter from the New York City Law Department to see exactly how this matter affects the Election's Certification, and to copy these letters to Mayor Bill De Blasio. Commissioner Umame seconded the motion and requested for an amendment to the motion. Commissioner Umame stated that in reading DOI's report there was also a number of DOI Investigators who posed as poll workers and they witnessed improper conduct at the poll

sites that were violations of the Board's Poll Worker Manual and the NYS Election Law, but they did not act or report on this improper activity. Commissioner Umane questioned if these DOI poll workers should be paid for working on Election Day as they were trained by the Board in accordance with the law, but they did not fulfill their duties. Commissioner Umane stated that this matter should be investigated further and be included in the referral letters as well. President Soumas accepted Commissioner Umane's amendment to his motion. Commissioner Araujo abstained and Commissioner Shamoun opposed all referrals, except to request an opinion from the NYC Law Department. The motion was adopted. Commissioner Michel added that Voter History has to be reviewed as well because the posed voters did not actually vote on Election Day. The voter rolls may have to be corrected.

President Soumas recognized Alan Flacks, a member of the public, who stated that DOI's report contains some factual legal errors. Mr. Flacks quoted civil servant Beatrice Dolan, and stated that poll workers have to have common sense.

President Soumas moved to convene an Executive Session for

purposes of personnel. Commissioner Umane seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and President Soumas reported the following actions taken in Executive Session:

- I. The Commissioners filled the two (2) vacant Chinese Translators positions in the General Office. The Commissioners appointed BinQing Zheng and Shirley Lee.

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

The next stated meeting of the Commissioners will be held on Tuesday, January 14, 2014 at 1:30 P.M.