

MEETING OF THE BOARD OF CANVASSERS
IN THE CITY OF NEW YORK TO CERTIFY THE RESULTS
OF THE JUNE 24, 2014 FEDERAL OFFICE PRIMARY ELECTIONS AND
THE MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JULY 8, 2014
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, EVS CONFERENCE ROOM
NEW YORK, NY 10004

PRESENT: President Gregory C. Soumas
 Secretary Michael Michel

Commissioners Jose Araujo, Ronald Castorina, Julie Dent, Maria R. Guastella, Michael Rendino, Simon Shamoun, Frederic M. Umane

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Nina M. Crispino, Director, Personnel
Matthew Graves, Acting Coordinator, Candidate Records Unit
Anthony Ribustello, Deputy Chief Clerk, Bronx Office
Marricka Scott-McFadden, Deputy Chief Clerk, Bronx Office
Gregory Lehman, Chief Clerk, Manhattan Office
Alan Shulkin, Deputy Chief Clerk, Manhattan Office
Robert Pataky, Administrative Associate, Queens Office
Bart Haggerty, Deputy Chief Clerk, Queens Office
Diane Rudiano, Chief Clerk, Brooklyn Office
BettyAnn Canizio, Deputy Chief Clerk, Brooklyn Office
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
 Carolyn Sheehan, DOI
 Catherine T.
 Liz Robins, CM Kallos

Kate Doran, LWV
Katharine Loving, CFB
John D. Smith
Kiana DeAraujo
Soo Ji Lu, Citizens Union
CYM, Citizens Union
C. Katz, NYDN
Alan Flacks, Member of NY County Democratic Committee
Anna Maria Thomas, Ed.D

President Soumas called the meeting to order at 1:30 P.M.

Pursuant to the provisions of Title 2 of Article 9 of the New York State Election Law, specifically Section 9-204, President Soumas convened the Meeting of the Board of Canvassers in the City of New York to certify the recanvass of votes cast on June 24, 2014 in the Democratic and Republican Federal Office Primary Elections in the City of New York.

To serve as the other Democratic Member of the Canvassing Board, President Soumas designated the Democratic Commissioner for the respective counties and Commissioner Dent to serve with him for the New York County and the multi-county recaps. Secretary Michel designated the Republican Commissioner for the respective counties and Commissioner Rendino to serve with him for Queens County and the multi-county recaps.

Mr. Ribustello and Ms. Scott-McFadden presented the prepared and signed Return of Canvass for the Democratic Party Federal Office Primary Elections conducted in Bronx County on June 24, 2014 for review and approval. The Bronx Deputy Chief Clerks confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of voter verifiable audio records for both the poll site and central count scanners required by Section 9-211 of the New York State Election Law has been successfully completed. Based on that report, President Soumas moved that the Board of Canvassers certify the Return of Canvass for the Democratic and Republican Party Federal Office Primary Elections conducted in Bronx County on June 24, 2014. Commissioner Araujo seconded the motion, which was unanimously adopted.

Ms. Rudiano and Ms. Canizio presented the prepared and signed Return of Canvass for the Democratic Party Federal Office Primary Elections conducted in Kings County on June 24, 2014 for review and approval. The Brooklyn Chief Clerk and Deputy Chief Clerk confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of voter verifiable audio records for both the poll site and central count scanners required by Section 9-211 of

the New York State Election Law has been successfully completed. Based on that report, President Soumas moved that the Board of Canvassers certify the Return of Canvass for the Democratic and Republican Party Federal Office Primary Elections conducted in Kings County on June 24, 2014. Commissioner Dent seconded the motion, which was unanimously adopted.

Mr. Lehman and Mr. Shulkin presented the prepared and signed Return of Canvass for the Democratic Party Federal Office Primary Elections conducted in New York County on June 24, 2014 for review and approval. The Manhattan Chief Clerk and Deputy Chief Clerk confirmed that the results presented are accurate and correct, there was one (1) discrepancy to report which is detailed in the attached memorandum, and the audit of voter verifiable audio records for both the poll site and central count scanners required by Section 9-211 of the New York State Election Law has been successfully completed. Based on that report, President Soumas moved that the Board of Canvassers certify the Return of Canvass for the Democratic Party Federal Office Primary Elections conducted in New York County on June 24, 2014. Commissioner Araujo seconded the motion, which was unanimously adopted.

Mr. Pataky and Mr. Haggerty presented the prepared and signed Return of Canvass for the Democratic and Republican Party Federal Office Primary Elections conducted in Queens County on June 24, 2014 for review and approval. The Queens Deputy Chief Clerk, and Mr. Pataky, on behalf of the Chief Clerk, confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of voter verifiable audio records for both the poll site and central count scanners required by Section 9-211 of the New York State Election Law has been successfully completed. Based on that report, President Soumas moved that the Board of Canvassers certify the Return of Canvass for the Democratic and Republican Party Federal Office Primary Elections conducted in Queens County on June 24, 2014. Secretary Michel seconded the motion, which was unanimously adopted.

Mr. Graves presented the Recap Statement and Return of Canvass for Districts containing parts of more than one (1) county. President Soumas moved to approve and adopt the Recap statement and Return of Canvass for the Democratic and Republican Party Federal Office Primary Elections conducted on June 24, 2014 for the 7th and 13th Congressional Districts which cross county lines within the City of New York.

Commissioner Araujo seconded the motion, which was unanimously adopted.

President Soumas moved to authorize the use of the Commissioners signature stamps as appropriate on each Statement and Return of Canvass. Secretary Michel seconded the motion, which was unanimously adopted.

President Soumas noted that Commissioners Guastella and Castorina joined the meeting.

President Soumas moved to adjourn the meeting of the Board of Canvassers and to convene the weekly stated meeting of the Commissioners of Elections. Secretary Michel seconded the motion, which was unanimously adopted.

Commissioner Araujo moved to approve the minutes for the June 17, 2014 and July 1, 2014 meetings. President Soumas seconded the motion, with Commissioners Guastella and Castorina abstaining on the July 1, 2014 minutes. The motion was adopted.

Mr. Ryan reported that the Board had an after-hours car service contract with Prime Time and they were unable to meet the terms and conditions of the contract. At Prime Time's request, they opted out of the contract. CTG car service filled in as a stop-gap for the interim while the Board prepared and released a competitive sealed bid. First Class Car Service won the bid; they received Vendex approval and clearance from the Mayor's Office on Contracts. Mr. Ryan requested full Board approval to execute the First Class Car Service contract for two (2) years for a total of \$1,030,425. Commissioner Dent moved to approve the First Class Service contract. Commissioner Guastella seconded the motion, with President Soumas abstaining. The motion was adopted.

President Soumas noted that Commissioner Umane joined the meeting.

Commissioner Umane requested to discuss a Manhattan personnel matter in Executive Session.

Mr. Ryan reported that last Thursday the Board received a Memorandum of Understanding from the Office of the City Clerk in the City of New York. A Petition has been filed to amend the Charter of the City of

New York to place a referendum on the ballot to amend the Charter of the City of New York to establish a high-rise safety initiative. The City Clerk must examine the Petition and certify to the City Council whether or not such petition complies or does not comply with all the requirements of law. The City Clerk requested for the Board's assistance to expeditiously and efficiently review the Petition in accordance with the instructions for reviewing petitions. They will provide instructions for reviewing the Petitions. The City Clerk requested for Board staff to review the Petition to confirm whether or not each subscribing witness is a registered voter in the State of New York as of October 11, 2013, provide a copy of the Board's staff findings with a written summary to the City Clerk no later than July 25, 2014, and return to the City Clerk marked-up photocopies of the Petition used for the review which shall be retained by the City Clerk for the requisite retention period. The group collected approximately 60,000 signatures and they need 30,000 valid signatures to get the referendum on the ballot. Mr. Ryan has been in contact with the City Clerk and the NYC Law Department, and Board staff has reviewed and made some changes to the MOU. The City Clerk will reimburse the Board for costs associated with the work on their behalf. Mr. Ryan distributed the draft MOU to the Commissioners and requested to move forward with the process. President Soumas moved to approve the MOU as presented by Mr. Ryan.

Secretary Michel seconded the motion, which was unanimously adopted.

On behalf of Commissioner Dent, Mr. Ryan made the following report on actions Commissioners Shamoun and Dent made last week. Following the July 1, 2014 public meeting of the Commissioners, the Brooklyn Commissioners' Committee, pursuant to the authority conferred upon by the full Board, pursuant to the provisions of Section 2-212, subdivision 5 of the NYS Election Law, unanimously approved the following personnel actions:

- I. Daniel Ortiz is appointed an Administrative Associate replacing James Howley at an annual salary of \$50,703, effective May 18, 2014;
- II. Danielle Sherman is appointed a Clerk replacing Daniel Ortiz at an annual salary of \$32,662, effective May 18, 2014;
- III. Joel Ortiz is appointed an Administrative Assistant replacing Brenda Johnson at an annual salary of \$42,659, effective May 18, 2014;
- IV. Tobias Russo is appointed a Clerk replacing Joel Ortiz at an annual salary of \$37,000, effective May 18, 2014;
- V. Effective June 29, 2014, the following employees shall retain their current positions at an annual salary set forth below:

- i. Katherine Astudillo - \$35,088
- ii. Kaseem Edwards - \$31,481
- iii. Rachel Knipel - \$70,711
- iv. Steven H. Richman - \$150,879
- v. Thomas Sattie - \$84,145
- vi. William Truscio - \$35,904
- vii. Nicholas Zimmitti - \$79,711

Commissioner Umane moved to convene an Executive Session for purposes of personnel. President Soumas 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. As a replacement for the untimely passing of Susan Cooper, Terri Drake, a Clerk in the Manhattan Office, was appointed Administrative Assistant, with Ms. Cooper's outgoing salary, effective July 6, 2014;
- II. The Commissioners allocated Borough Office temporary employees for the upcoming election cycle and certification

process for a period to expire on January 31, 2015. Staff will be equally divided between Democrats and Republicans.

The amount per borough follows:

- Manhattan – 60
- Bronx – 28
- Brooklyn – 60
- Queens – 40
- Staten Island – 30 (20 out of the 30 are allocated for the citywide Phone Bank)

President Soumas recognized Alan Flacks, a member of the public, who spoke about the posting of results tapes at the close of polls.

President Soumas recognized Anna Marie Thomas, a member of the public, who requested a sign to be posted on the wall if there is a room change for the Commissioners' Meeting.

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, July 15, 2014 at 1:30 P.M.