

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, SEPTEMBER 23, 2014
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Jose Miguel Araujo
 Secretary Michael Michel

Commissioners Ronald Castorina, John Flateau, Maria R. Guastella,
Bianka Perez, Michael Rendino, Alan Schulkin, Simon Shamoun,
Frederic M. Umane

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Matthew Graves, Acting Coordinator, Candidate Records Unit
Thomas Sattie, Associate Staff Analyst, Ballot Coordinator
Nina M. Crispino, Director, Personnel
Anthony Andriulli, Deputy Chief Clerk, Staten Island Office
Lisa Sattie, Administrative Associate, Staten Island Office
Lisette Poll, Administrative Associate, Bronx Office
Rocco Cirotti, Administrative Associate, Bronx Office
BettyAnn Canizio, Deputy Chief Clerk, Brooklyn Office
Salvatore Barrera, Administrative Associate, Brooklyn Office
Gregory Lehman, Chief Clerk, Manhattan Office
Alvin Samuels, Administrative Associate, Manhattan Office
Bart Haggerty, Deputy Chief Clerk, Queens Office
Robert Pataky, Administrative Associate, Queens Office
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Michael Benjamin
 Anna-Maria Thomas
 Kate Doran, LWV
 Eric Schutz, DOI

Monica Bartley, CIDNY
Katharine Loving, CFB
John D. Smith
Dominic Kang, Citizens Union
Alan Flacks, Member of NY County Democratic Committee

President Araujo called the meeting to order at 1:37 P.M.

On behalf of the Commissioners, President Araujo welcomed new Commissioners John Flateau, Bianka Perez and Alan Schulkin to the Board.

Commissioner Schulkin moved to appoint Alvin Samuels, an Administrative Associate in the Manhattan Office, to Acting Deputy Chief Clerk of the Manhattan Office, until further notice, with the Deputy Chief Clerk's outgoing salary, effective Sunday, September 21, 2014. Commissioner Umame seconded the motion, which was unanimously adopted.

President Araujo convened the Meeting of the Board of Canvassers in the City of New York to certify the Statements and Returns of Canvass for the September 9, 2014 Primary Elections for State and Local Office

conducted within the City of New York, pursuant to Sections 9-210 and 9-212 of the New York State Election Law.

President Araujo designated Commissioner Guastella to serve as the other Democratic Member of the Canvassing Board for the respective counties and to serve with him for Queens County and any multi-county recaps.

Secretary Michel designated Commissioner Umane to serve as the other Republican Member of the Canvassing Board for the respective counties and to serve with him for Queens County and any multi-county recaps.

The Deputy Chief Clerks of Bronx County and their staff have prepared and signed the Returns of Canvass for the September 9, 2014 Primary Elections for State and Local Office and Party Positions conducted in Bronx County, except for the 86th Assembly District Democratic Primary for Member of the Assembly and the 79th Assembly District Democratic Primary for Male District Leader, both of which require a full manual canvass, in accordance with the Board's Policies and Procedures. On behalf of the Deputy Chief Clerks, Mr. Cirotti and Ms. Poll presented the

Statements to the Canvassing Board for review and approval. Mr. Cirotti and Ms. Poll confirmed that the results presented are accurate and correct, there are no unresolved discrepancies to report to the Board, and the audit of voter verifiable audit 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 for these contests. Based on that report, Commissioner Rendino moved that the Board of Canvassers certify the Returns of Canvass submitted for the September 9, 2014 Primary Elections for State and Local Office and Party positions, except for the 86th Assembly District Democratic Primary for Member of the Assembly and the 79th Assembly District Democratic Primary for Male District Leader, conducted in Bronx County. Commissioner Perez seconded the motion, which was unanimously adopted.

The Chief Clerk and Deputy Chief Clerk of Brooklyn and their staff have prepared and signed the Returns of Canvass for the September 9, 2014 Primary Election for State and Local Office and Party Positions in Kings County. Ms. Canizio and Mr. Barrera presented the Statements to the Canvassing Board for review and approval. Mr. Barrera and Ms. Canizio confirmed that the results presented are accurate and correct, there are no unresolved discrepancies to report to the Board, and

the audit of voter verifiable audit 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 for these contests. Based on that report, Commissioner Flateau moved that the Board of Canvassers certify the Returns of Canvass submitted for the September 9, 2014 Primary Elections for State and Local Office and Party positions conducted in Kings County. Commissioner Shamoun seconded the motion, which was unanimously adopted.

The Chief Clerk and Deputy Chief Clerk of Manhattan and their staff have prepared and signed the Returns of Canvass for the September 9, 2014 Primary Election for State and Local Office and Party Positions in New York County. Mr. Lehman and Mr. Samuels presented the Statements to the Canvassing Board for review and approval. Mr. Lehman and Mr. Samuels confirmed that the results presented are accurate and correct, there are no unresolved discrepancies to report to the Board, and the audit of voter verifiable audit 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 for these contests. Based on that report, Commissioner Umane moved that the Board of Canvassers certify the Returns of Canvass submitted for the September 9,

2014 Primary Elections for State and Local Office and Party positions conducted in New York County. Commissioner Schulkin seconded the motion, which was unanimously adopted.

The Chief Clerk and Deputy Chief Clerk of Queens and their staff have prepared and signed the Returns of Canvass for the September 9, 2014 Primary Election for State and Local Office and Party Positions in Queens County. Mr. Haggerty and Mr. Pataky presented the Statements to the Canvassing Board for review and approval. Mr. Haggerty and Mr. Pataky confirmed that the results presented are accurate and correct, there are no unresolved discrepancies to report to the Board, and the audit of voter verifiable audit 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 for these contests. Based on that report, President Araujo moved that the Board of Canvassers certify the Returns of Canvass submitted for the September 9, 2014 Primary Elections for State and Local Office and Party positions conducted in Queens County. Secretary Michel seconded the motion, which was unanimously adopted.

The Chief Clerk and Deputy Chief Clerk of Staten Island and their staff have prepared and signed the Returns of Canvass for the September 9, 2014 Primary Election for State and Local Office and Party Positions in Richmond County. Mr. Andriulli and Ms. Sattie presented the Statements to the Canvassing Board for review and approval. Mr. Andriulli and Ms. Sattie confirmed that the results presented are accurate and correct, there are no unresolved discrepancies to report to the Board, and the audit of voter verifiable audit 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 for these contests. Based on that report, Commissioner Castorina moved that the Board of Canvassers certify the Returns of Canvass submitted for the September 9, 2014 Primary Elections for State and Local Office and Party positions conducted in Richmond County. Commissioner Guastella seconded the motion, which was unanimously adopted.

Commissioner Guastella moved to approve and adopt the Recap Statements and Returns of Canvass for the September 9, 2014 Primary Elections for those State and Local Offices and Party Positions which cross county boundaries within the City of New York. Commissioner Castorina seconded the motion, which was unanimously adopted.

Commissioner Umame 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.

On behalf of the Commissioners, President Araujo thanked staff in the five (5) Borough Offices for their hard work during this election cycle.

Commissioner Castorina moved to adjourn the meeting of the Board of Canvassers and to convene the weekly stated meeting of the Commissioners of Election in the City of New York.

Commissioner Umame requested for an update on the matters concerning the 86th A.D. Democratic Primary for Member of the Assembly and the 79th A.D. Democratic Primary for Male District Leader matters in Bronx County. Mr. Richman provided an update on those matters. Commissioner Rendino noted that the manual canvass in Bronx County is expected to be completed by tomorrow.

Commissioner Shamoun moved to adopt the minutes for the September 16, 2014 meeting. Secretary Michel seconded the motion, with

Commissioners Flateau, Perez and Schulkin abstaining. The motion was adopted. Commissioners Flateau, Perez and Schulkin abstained because they were not present at that meeting.

Mr. Ryan requested to add a ballot layout item to the agenda. He reported there are some layout difficulties which were brought to his attention by Mr. Sattie yesterday. Mr. Sattie reported that he is still waiting for the State Board's Certification for Governor, Lt. Governor, State Comptroller, Attorney General, and Senate and Congressional candidates with cross over districts which affect every ballot in the City. Mr. Sattie reported that he is expecting the State Board to transmit their Certification to him by Monday, September 29, 2014. He will then create sample ballots for the next Commissioners' Meeting on September 29, 2014 for review.

Commissioner Flateau inquired if the language for the Propositions on the ballot has been rewritten to be clearer for the voters and if there would be any impact on the City Board printing the ballots. Mr. Sattie reported that the State Board has provided the amended language for the Propositions in English only to date; it has not been translated in the covered languages yet. Mr. Ryan reported that once the Propositions are translated, the Board's Translators will review them to ensure they are

acceptable. Mr. Sattie stated that it does not appear to impact the City Board as long as the amended language is received timely from the State Board. Commissioner Flateau inquired if there is clear language on the front of the ballot notifying voters that there are Propositions on the back of the ballot. Mr. Richman reported that the language on the face of the ballot is set forth in State Law and the Commissioners do not have the authority to change it. The Board has proposed Recommended Revisions in legislation in the past to improve the ballot, but there has been no movement. Ms. Sandow noted that the Board has created ballot instructions in a large bold font which is on a separate sheet of paper given to the voter with their ballot. Commissioner Flateau inquired about the font size and potential bolding on the ballots. Mr. Ryan recalled that there has been many discussions in past Commissioners' Meetings on this matter. Mr. Sattie stated that there is limited real estate on the ballots for a large font size and that bolding can change the meaning in Chinese and Korean characters. Mr. Richman added that all ballots must be the same font size and have the same bolding according to the New York State Election Law. Commissioner Castorina recalled that the Commissioners' Ballot Layout Committee (consisting of Commissioners Araujo, Castorina, Guastella and Michel) and Executive Management have taken proactive approaches and measures concerning the ballot's font size and layout.

Commissioner Schulkin inquired if poll workers are trained to inform voters that there are Propositions on the back of the ballot. Mr. Ryan stated that he will discuss that with Election Day Operations staff and research the legal requirements for the next meeting. President Araujo noted that there are poster-sized ballots taped on the wall in the poll sites, and advertisements are placed in various newspapers to inform the voters. Commissioner Flateau noted that the Propositions are very important for the voters. Mr. Ryan reported that he is a de facto member of the Voters Assistance Advisory Committee (VAAC); a committee who helps the New York City Campaign Finance Board (CFB) develop and implement a comprehensive voter engagement plan. CFB advises voters about the candidates on the ballot and Propositions, if any. Mr. Ryan recalled that Ms. Sandow has worked with Ester Fuchs, the Director of WhosOnTheBallot.org, an online voter engagement initiative. The website contains information such as Propositions, candidate information, and sample ballots for NYC. Mr. Ryan noted that the Board cannot advocate for any particular Proposition on the ballot.

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

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