

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
IN THE CITY OF NEW YORK  
HELD ON TUESDAY, OCTOBER 14, 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 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  
Raphael Savino, Deputy General Counsel  
Nina M. Crispino, Director, Personnel  
Kenneth Moltner, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST:       Michael Benjamin  
                  Kate Doran, LWV  
                  R. Sharpe, DOI  
                  Katharine Loving, CFB  
                  John D. Smith  
                  Alan Flacks, Member of NY County Democratic Committee  
                  Celeste Katz, New York Daily News

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President Araujo called the meeting to order at 1:45 P.M.

Secretary Michel moved to adopt minutes for the September 30, 2014 and October 7, 2014 meetings. Commissioner Flateau seconded the motion, with Commissioner Guastella abstaining on the October 7, 2014 minutes. The motion was adopted. Commissioner Guastella abstained because she was not present at that meeting.

Commissioner Castorina reported on the Board's Anti-Nepotism Policy. He noted that the Board has received harsh criticism perpetually since its inception and he believes it is incumbent upon the Commissioners to take proactive measures to perpetuate good government ideals to instill greater public confidence. Commissioner Castorina recited the relevant policies and procedures from the City Charter – Sections 2603 & 2604, and the Board's Policy and Procedures – Section F. He reported that Board employees have received and continue to receive anti-corruption training by the NYC Department of Investigation (DOI) and ethics training by the NYC Conflicts of Interest Board (COIB). Commissioner Castorina moved for (1) the Commissioners to publicly re-affirm the Board's current anti-nepotism policy, (2) to provide a copy of this policy to each employee, and (3) to conspicuously post this policy in each Board office citywide. Commissioner Guastella seconded the motion, which was adopted unanimously.

Commissioner Schulkin inquired about the Board's employee application concerning criminal backgrounds. Mr. Ryan reported that potential Board employees have to fill out the NYC Automated Personnel System (NYCAPS) application and there is a question, "Have you ever been convicted of a crime?" Potential temporary employees, who are not processed through NYCAPS, fill out the Board's application and the same question is asked. Mr. Ryan explained that these questionnaires are historically used to deal with employees in a non law enforcement capacity. The Board appropriately evaluates the employees' applications before the hiring process is completed.

President Araujo reported that Commissioner Flateau has requested to join the Commissioners' Committee on Communications, Voter Registration and Outreach, as well as the Commissioners' Committee on Management Information Systems and Services. These positions were previously held by former Commissioner Julie Dent. President Araujo approved Commissioner Flateau's request. Commissioner Schulkin requested to join the Commissioners' Committee on Legislative Affairs. President Araujo requested for a Republican counterpart to serve with Commissioner Schulkin. Commissioner Umane requested to join the Commissioners' Committee on Legislative Affairs. President Araujo

approved Commissioner Schulkin's request. Secretary Michel approved Commissioner Umame's request.

Mr. Ryan reported that he received a request for the Board to attend the NYC Council Hearing concerning Int. No. 356 by Council Member Williams in relation to agency-based voter registration to improve compliance with the City's Pro-Voter Law, and Int. No. 493 by Council Member Kallos, in relation to expanding agency based voter registration to additional City agencies. The Hearing is scheduled on Thursday, October 23, 2014 at 10:00 A.M. With respect to Int. No. 493, Mr. Ryan noted that the Board stopped receiving paper voter registration applications from the New York State Department of Motor Vehicles on March 11, 2014; the Board receives those applications electronically now. He recommended for the Board to expand to City agencies and to weigh-in on the implementation of electronically based exchanges between City agencies. Mr. Ryan requested authorization from the Commissioners to attend the Hearing, to prepare Testimony, and requested guidance on the Board's position. Commissioner Umame recommended for the Board to not take a specific position. Commissioner Umame moved to authorize Mr. Ryan to attend the City Council Hearing, to prepare Testimony, and to provide practical knowledge that the Board acquired over the years from

the NYS Motor Voter electronic implementation. Commissioner Guastella seconded the motion, which was unanimously adopted.

Commissioner Guastella requested to discuss a personnel matter in Executive Session.

Secretary Michel requested to discuss a personnel matter in Executive Session.

Mr. Ryan requested to table item #3 (B). President Araujo moved to table item #3 (B). The motion was seconded and unanimously adopted.

Mr. Richman requested to discuss a litigation matter in Executive Session.

President Araujo moved to convene an Executive Session for personnel and litigation matters. Commissioner Castorina seconded the motion, which was unanimously adopted.

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

- I. The Commissioners appointed Sherwin Suss as the new Agency Chief Contract Officer (ACCO), with the outgoing salary, at the departure of John Luisi;
- II. It is the goal of the Board to retain employees for a period of at least six (6) months to provide sufficient continuity, training and acclimation for all employees. It is no way intended to ignore in any matter, reduce, lessen, diminish, or impair the rights and obligations of the Board of Elections City of New York as set forth in Section 3-300 of the New York State Election Law. The intent of the motion is to approve health insurance for all employees, except for Election Day workers, Trainers, and Assistant Trainers, effective immediately. The motion was adopted by a vote of eight (8) in favor (Castorina, Fleteau, Guastella, Michel, Perez, Shamoun, Schulkin, Umane), one (1) opposed (Rendino), and one (1) abstention (Araujo).

President Araujo 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, October 21, 2014 at 1:30 P.M.