

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, MAY 12, 2015
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Michael Michel
 Secretary Bianka Perez

Commissioners Jose Miguel Araujo, Ronald Castorina, John Flateau,
Maria R. Guastella, Michael Rendino, Alan Schulkin, Simon Shamoun,
Frederic M. Umane

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Georgea Kontzamanis, Operations Manager
Nina Crispino, Director, Personnel
Valerie Vazquez, Director, Communications & Public Affairs
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
 Anna-Maria Thomas
 Kate Doran, LWV NYC
 Rachel Fauss, Citizens Union
 K. Loving, CFB
 John D. Smith
 Cathy Gray
 Michael Benjamin
 Alan Flacks, Member of NY County Democratic Committee

President Michel called the meeting to order at 1:32 P.M.

Commissioner Perez requested to discuss a Bronx personnel matter in Executive Session.

Commissioner Araujo moved to adopt the minutes for the April 28, 2015 meeting. Commissioner Flateau seconded the motion, with President Michel abstaining. The motion was adopted. President Michel abstained because he was not present at the meeting.

Mr. Ryan requested to table item #2 (d) on the agenda until further notice.

Mr. Ryan reported on the May 5, 2015 Special Election for the 11th Congressional District and 43rd Assembly District. The information follows:

- The Commissioners were emailed copies of the letters which were sent to the State Board from Executive Management which confirmed the election results. It did not appear that the outcome of either election would be affected. Those vacancies will be filled shortly;
- It was the first time the Board used the Tablets in a full election to upload the unofficial results directly from the poll sites on Election

Night. The Associated Press called the Congressional race at 9:22 P.M.;

- Staten Island uploaded 100% of their Portable Memory Devices (PMD's). There were two (2) poll sites in Brooklyn where the PMD's did not upload until it arrived at the Police Precinct. Those two (2) poll sites had replacement voting machines and the original PMD's did not get uploaded. There will be training with the poll workers concerning that type of Election Night issue;
- 90% of the unofficial results were uploaded by 9:32 P.M. and 100% of the unofficial results were uploaded shortly after 11:00 P.M. for both boroughs. Mr. Ryan noted that this uploading time is monumental for the Board moving forward. The Droid Tablets used to upload the Election Night results were at no cost to the Board, but they have to be programmed and updated individually. The Board is currently working with the Mayor's Office of Operations on funding for Windows-based Tablets so they can all be programmed and updated from a single location. Tablets are expected to be fully implemented for the 2016 election cycle. Mr. Ryan recognized all Board staff members involved with the successful implementation of the Tablets for Election Night reporting directly from the poll sites;
- All poll sites were opened by 6:00 A.M. with no issues;

- There was close communication throughout the day with the NYC DOE on various issues. The Board was not given the full designated poll room in a few public schools. Mr. Ryan reiterated to the DOE that it is not just an inconvenience, but a matter of ADA compliance. All poll sites must follow the poll room schematic in order to be accessible to everyone. DOE staff resolved those poll site matters in a timely manner;
- There were some incidents with Scanners and BMDs. The BMD response time was 29 minutes and the Scanner response time was 39 minutes. Staff works diligently to reduce the response time. It was reported that if a Voting Machine Technician did not log into their Tablets to close out their jobs immediately after they fixed the machine, then the response time was not recorded correctly;
- The election results will be certified at the next meeting.

Commissioner Flateau noted that the voter turnout was low and inquired about voter outreach in those districts where Special Elections are held moving forward such as mailing postcard notices. He asked the Commissioners to consider that option in the future. Mr. Ryan noted that there are budget restraints and the Board circulates all the required legal notices and posts all election information on the website.

Mr. Richman requested approval of the Designating and OTB Petition Rules for the September 2015 Primary Election. Copies of the draft were distributed to the Commissioners at the previous meeting. Commissioner Umane moved to adopt the Designating and OTB Petition Rules for the September 2015 Primary Election. Commissioner Guastella seconded the motion, which was unanimously adopted.

Mr. Richman requested approval of the draft Petition Filing Calendar for the September 2015 Primary Election. Copies were distributed to the Commissioners. Last week, the date for the September Primary Election passed both Houses to be changed to Thursday, September 10, 2015. Commissioner Araujo moved to adopt the Petition Filing Calendar for the September 2015 Primary Election subject to the Governor's enactment of the bill. Secretary Perez seconded the motion, which was unanimously adopted.

For informational purposes, Mr. Ryan reported that on the City Council's website there is a Fiscal Year 2016 Executive Budget Hearing scheduled on June 2, 2015 at 11:45 A.M. for the Board.

Mr. Ryan recalled that President Michel and Secretary Perez directed Executive Management to write a letter to Corporation Counsel Zachary Carter thanking Assistant Corporation Counsels Christopher Bouriat, Esq. and David Mou, Esq. for their diligent work on the matter of Marie Lynch v. Board of Elections. Mr. Ryan has received correspondence from Corporation Counsel Zachary Carter who thanked the Board for taking the time to recognize his staff. A copy of the letter is in the agenda.

Secretary Perez requested to edit the April 28, 2015 Commissioners' Meeting Minutes for clarity purposes. On Page #6, in the second paragraph, the last sentence should read, "The Executive Committee decided to have Corporation Counsel oppose the OSC on behalf of the Commissioners and the Board. No ratification of the Executive Committee's decision is necessary." Secretary Perez moved to amend the Minutes for the April 28, 2015 meeting. Commissioner Araujo seconded the motion, which was unanimously adopted.

President Michel moved to convene an Executive Session for purposes of personnel. The motion was seconded, and unanimously adopted.

Following Executive Session, the public meeting resumed and Mr. Ryan reported the following action taken in Executive Session:

- I. The Commissioners unanimously granted an advance of 84 hours for Elizabeth English, an Administrative Assistant in the Bronx Office, to be paid back. The grant is effective when her current accruals are exhausted.

President Michel moved to adjourn the meeting. Commissioner Rendino seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners and the Board of Canvassers will be held on Tuesday, May 19, 2015 at 1:30 P.M.