

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, MARCH 29, 2016
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Bianka Perez
 Secretary Frederic M. Umane

Commissioners Jose Araujo, John Flateau, Lisa Grey, Maria R. Guastella,
Michael Michel, Alan Schulkin, Simon Shamoun

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Raphael Savino, Deputy General Counsel
Nina M. Crispino, Director, Personnel
Debra Leible, Coordinator, Election Day Operations
Thomas Sattie, Associate Staff Analyst, Ballot Coordinator
Gregory Lehman, Chief Clerk, Manhattan Office
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kate Doran, LWV NYC
 Katharine Loving, NYC CFB
 Eli Emen Dras
 Damien Guarnieri
 Foto Admuscell
 Cathy Gray, LWV NYC

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

Commissioner Araujo moved to approve the minutes for the March 15, 2016 meeting. Commissioner Schulkin seconded the motion, with Commissioner Guastella abstaining. The motion was adopted.

Commissioner Fleteau joined the meeting.

Mr. Ryan reported on the amount of ballots and envelopes to order for the April 19, 2016 Presidential Primary and Special Election in the 59th, 62nd and 65th Assembly Districts. There were numerous discussions about Election Day ballots and affidavit ballots with staff members. Mr. Ryan noted for the record that New York State is a closed Primary state. Only members of the Republican Party can vote in the Republican Party election, and only members of the Democratic Party can vote in the Democratic Primary election on April 19, 2016. To be eligible to vote in either of those Primaries, a voter who was previously registered and had a change of Party, had to have made that Party change twenty-five (25) days prior to last November's General Election. A new voter registrant had to enroll in the Party twenty-five (25) days prior to this upcoming Primary Election and the deadline was on Friday, March 25, 2016. Any voter who is registered in any other Party other than Democratic or Republican will not be eligible to vote in the April 19, 2016 Presidential Primary Election.

There is also a Special Election in the 59th, 62nd and 65th Assembly Districts on April 19, 2016 in which all voters in those districts are eligible to vote. The deadline to register to vote in the Special Election is ten (10) days prior to the date of the Special Election which is Friday, April 8, 2016. Commissioner Araujo recommended adding a public notice on the Board's website concerning this specific voter registration information. Mr. Ryan reported that he will ask Vanguard, the vendor who is currently updating the Board website, to add an information banner on the website. Based on the voter turnout for the 2008 Presidential Primary, Mr. Sattie recommended ordering 90% of the registered voters per Party, per Election District, for the Election Day ballots. There was discussion about different amounts to order to ensure that there will be enough ballots for every voter as well as being mindful of funds. Commissioner Umane moved to order 85% of the registered voters per Party, per ED, for the Election Day ballots. Commissioner Michel seconded the motion, with six (6) in favor (Flateau, Grey, Michel, Perez, Shamoun, Umane) and three (3) opposed (Araujo, Guastella, Schulkin). The motion was adopted. Based on New York State's closed Primary Elections and the expected record high voter turnout, Mr. Ryan raised concerns about having enough affidavit ballots made available on Primary Day. It is expected that many ineligible walk-in or "blank" voters will go to a poll site to vote. These voters will not be in the

Poll List Book so they will be given an affidavit ballot. In addition, some voters might not be in the Poll List Book because their voter registration was received after the deadline, or was received last minute for staff processing. Commissioner Michel requested for all good government groups and organizations that hold Voter Registration Drives to not keep the voter registrations that they collect until the last deadline day. He requested for each group/organization to drop them off daily, and reported that a group dropped off approximately 5,000 voter registrations on the last day, but were dated by the voter over a month ago. Commissioner Michel recommended for the Board to send these groups/organizations a letter. Based on the voter turnout for the 2008 Presidential Primary, Mr. Sattie recommended a minimum of 100 affidavit ballots per Election District, per each Party. If there was a shortage, Mr. Ryan noted that back-up ballots could be printed using the Ballot On Demand system, but it can be a timely process. There was discussion about different amounts to order to ensure that there will be enough affidavit ballots as well as being mindful of funds. Secretary Umane recommended ordering 25% of the total registered voters, but not less than 100 affidavit ballots, per Party, per Election District. President Perez seconded the motion, which was unanimously adopted. Commissioner Flateau inquired about the proofreading process for the ballots. Mr. Sattie reported that he and the Translator Department,

Candidate Records Unit, and the EVS Manager proofread all ballots before printing. Commissioner Flateau requested for Mr. Sattie to provide copies of the ballots to the Borough Offices' Chief Clerks and Deputy Chief Clerks so they can review them before the printing process.

Ms. Perkins reported on the proposed absentee ballot voting hours for the Borough Offices for the April 19, 2016 Presidential Primary and Special Election. The proposed schedule follows:

- Tuesday, April 5, 2016 9:00am to 7:00pm
- Thursday, April 7, 2016 9:00am to 7:00pm
- Tuesday, April 12, 2016 9:00am to 7:00pm
- Thursday, April 14, 2016 9:00am to 7:00pm
- Saturday, April 16, 2016 9:00am to 5:00pm
- Sunday, April 17, 2016 10:00am to 4:00pm

Any Board units deemed necessary for absentee voting will be on the schedule. This matter was discussed at the previous Chief Clerks and Deputy Chief Clerks Meeting. Secretary Umane moved to adopt the proposed schedule. Commissioner Michel seconded the motion, which was unanimously adopted.

Ms. Leible presented the Poll Worker Exception Report for the five (5) boroughs for the April 19, 2016 Presidential Election. Copies of the report were distributed to the Commissioners. Secretary Umane moved to

adopt the Poll Worker Exception Report for the April 19, 2016 Presidential Election as submitted. President Perez seconded the motion, which was unanimously adopted.

Mr. Lehman presented a poll worker staffing increase proposal which was discussed and recommended following an internal Chief Clerks and Deputy Chief Clerks Meeting. Copies of the proposal were distributed to the Commissioners. The proposal follows:

- A. One (1) additional Coordinator assigned to all poll sites with 2 to 6 Election Districts. The current staffing is one (1) Coordinator per poll site. It would be an additional 859 Coordinators citywide. The cost would be less than \$100,000. Due to the expected record high voter turnout, the Chiefs feel the additional Coordinators will be necessary to help assist current Coordinator, poll workers and voters. It was noted that all Coordinators have an additional responsibility of walking the poll site and filling out the ADA Accessibility Journal which is conducted every two (2) hours on Election Day.
- B. Additional pair of Coordinators assigned to all poll sites with seven (7) or more Elections Districts provided there are 5,000 or more

voters at each poll site. The current staffing is two (2) Coordinators. It would be an additional 114 Coordinators citywide.

C. Additional Poll Clerks who have been fully trained as Inspectors/Information Clerks to serve as Poll Clerk/Line Walker at all poll sites with two (2) or more Election Districts. This would be revenue neutral for the Board. The additional Poll Clerks would be proactively assigned in bipartisan pairs and can serve as Standby Inspectors, if necessary, already assigned to their sites, per the following schedule:

- 2 Poll Clerk/Line Walkers per site with >1,000 <5,000 voters
- 4 Poll Clerk/Line Walkers per site with <5,000 >8,000 voters
- 6 Poll Clerk/Line Walkers per site with <8,000 voters

There was discussion among the Commissioners and staff about the proposal. Secretary Umane moved to adopt the presented proposal, excluding the additional Coordinator for poll sites with 2 and 3 Election Districts from Part A., for the April 19, 2016 Presidential Primary Election only; this item will be revisited for the June 2016 Primary Election. Commissioner Flateau seconded the motion, which was unanimously adopted.

President Perez recognized Damien Guarneri, a member of the public, who advocated about open Primary Elections in New York State.

President Perez recognized Foto Admuscell, a member of the public, who recommended for the Board to not be frugal with ballots concerning the 2016 Presidential Primary Election.

President Perez recognized Cathy Gray, a member of the League of Women Voters, who recommended for less than 300 voter names to be printed in each Poll List Book, per poll site, due to the expected high voter turnout in the 2016 Presidential Primary Election.

President Perez recognized Eli Enenbach, a member of the public, who raised concerns about potential gender issues concerning the transgender community encountering poll workers on Election Day. In response, Secretary Umane explained that gender is optional on the voter registration form which could be either left blank or could be changed by a voter, which is in accordance with the NYS Election Law, Section 5-210. He explained that there are three (3) ways poll workers verify voters (age, handwriting, and gender) and noted that if a voter is challenged by a poll worker, the voter will be sworn under oath stating that they are the

person in Poll List Book, which is in accordance with the NYS Election Law, Section 8-504(3). Commissioner Schulkin informed that voter complaints are taken very seriously at the Board and if any transgender/LGBT voter encounters a problem at their poll site to document the poll worker's information and call 866-VOTE-NYC to report the matter, and it will be looked into immediately by Board staff. Eli Enenbach encouraged the Board to help spread the word to the LGBT Community Centers and the NYC Commission on Human Rights.

President Perez moved to adjourn the meeting. Secretary Umame seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, April 5, 2016 at 1:30 P.M.