

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, APRIL 8, 2008
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR HEARING ROOM
NEW YORK, NY 10004

P R E S E N T: James Sampel, President
 Frederic M. Umane, Secretary

Commissioners Como, Dent, O'Connor, Polanco, Schacher, Soumas

Marcus Cederqvist, Executive Director
George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Valerie Vasquez, Director of Communications
Phil Donahue, Director, Personnel
John Ward, Finance Officer
Anna Torres, Deputy Chief Clerk, Bronx
Dawn Sandow, Deputy Chief Clerk, Bronx
Diane Rudiano, Chief Clerk, Brooklyn
Maryrose Sattie, Deputy Chief Clerk, Brooklyn
Troy Johnson, Chief Clerk, Manhattan
Timothy Gay, Deputy Chief Clerk, Manhattan
Sheila Delgiorno, Chief Clerk
Anthony Andruilli, Deputy Chief Clerk
Rosanna Rahmouni, Coordinator, EDO
Lisa Swanson, Gartner Consultant
Jack Courtney, Temporary Attorney
Steven Denkberg, Counsel to the Commissioners
Charles Webb III, Counsel to the Commissioners

GUEST: Aaron Belisle, CID-NY
 Adrienne Kivelson, League of Women Voters
 Dick Dadey, Executive Director, Citizens Union
 Andrea Senteno, Citizens Union
 Israel Rodriguez, NYC Council

Teresa Hummel, Community Church of New York
Marjorie Gersten, Community Church of New York
Mark Herman

President Sampel called the meeting to order at 1:41 P.M.

Secretary Umane moved to convene an Executive Session to discuss litigation. Commissioner O'Connor seconded the motion, which was agreed to unanimously.

President Sampel reported that in the Executive Session, the Commissioners, pursuant to 3-300 of the New York State Election Law, took the following personnel actions:

- President Sampel moved to transfer Daniel Amitrano, a Sr. Voting Machine Technician, from the Brooklyn Office to the Staten Island Office, effective April 13, 2008. The motion passed by a vote of 7 in favor; 1 opposed.

The public meeting resumed at 2:13 P.M.

Secretary Umane announced that a representative from the Citizen's Union wished to address the Commissioners.

Commissioner O'Connor stated that he received a "Representing a Political Candidate New York State Election Law Primer", which he believed would be useful. He asked Senior Management to make copies and distribute among designated Board staff.

President Sampel moved to adopt the minutes of March 25, 2008. Commissioner O'Connor seconded the motion, which was adopted unanimously.

The Executive Director reported that:

- 1) Board staff has been meeting on the 2008 Implementation Plan for Ballot Marking Devices. A calendar has been set up for completion of the various work streams.
- 2) ES&S has accelerated the delivery date of the AutoMark Devices to Albany from July 1, 2008 to June 17th. The State Board refuses to modify its process and conduct acceptance testing in New York City even though he expressed concern with the late delivery schedule.
- 3) The paper ballot orientation on ES&S' Election Day

Management System can be conformed to NYC standards however the system does not allow the screen to display multiple elections at the same time; only one contest can be viewed from top to bottom on the machine. In a discussion with ES&S, Board staff was advised that the company does not have the flexibility to alter the programmable content of its hardware and changes would require recertification.

- 4) Nicholas Squicciarini is working with DCAS to address the short-term storage of the Ballot Marking Devices. A summary report outlining the status of these facilities, by borough, is included in the agenda.
- 5) Board staff has been asked to complete the procedures work stream by May 15, 2008 for review, alteration, and approval by the Commissioners before it can be submitted to the U.S. Department of Justice.

The Executive Director provided the Commissioners with the General Counsel's Memorandum relating to the Revised Contractual Agreement

with the State Board for various HAVA related grants and asked for their approval.

Following discussion, Secretary Umane moved to adopt the Revised Contracts with the State Board of Elections for various HAVA related grants as submitted. President Sampel seconded the motion, which was adopted by a vote of 7 in favor (President Sampel, Secretary Umane, Commissioners Como, Dent, Polanco, Schacher, Soumas) 1 opposed (Commissioner O'Connor).

In response to a request from the Commissioners, the Coordinator of Election Day Operations reported that a copy of the 2008 Election Day Personnel and Cost Proposal for BMD Implementation was sent to the Borough Chiefs and Deputy Chief Clerks for review. The Chiefs and Deputies gave some suggestions on the proposed plan. Diane Rudiano requested additional time to review the proposal on behalf of all the Borough Chiefs and Deputies.

Following discussion, the Commissioners unanimously agreed to table the report until the next meeting so that Ms. Rahmouni could meet with the Borough Chiefs and Deputy Chief Clerks on Friday, April 11, 2008.

Dick Dadey, the Executive Director of the Citizens Union reported that his organization has worked successfully with the NYC Board of Elections to increase the stand-by pool of Poll Workers through the recruitment of college students. He asked the Commissioners to send a letter of support to the New York State Election Assistance Commission that would provide a federal grant. Mr. Dadey took questions from the Commissioners.

After some discussion, Secretary Umane moved to authorize Board staff to send a letter of endorsement to the Election Association Commission on behalf of the Citizen Union noting the tremendous support they've given to the Board.

In a roll call vote, Secretary Umane's motion to support the Citizens Union failed by a vote of 5 in favor (President Sampel, Secretary Umane,

Commissioners Como, Dent, and Polanco) and 3 opposed (Commissioners O'Connor, Soumas, and Schacher).

Finance Officer John Ward provided the Commissioners with the Comparative Expenditure Report dated April 8, 2008.

Secretary Umane moved to convene an Executive Session to discuss personnel matters. Commissioner Soumas seconded the motion, which was agreed to unanimously.

President Sampel reported that no action was taken in the Executive Session.

President Sampel moved to adjourn. Commissioner O'Connor seconded the motion, which was adopted unanimously.

The next Commissioner's meeting is scheduled for Tuesday, April 22, 2008 at 1:30 P.M.