

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, JANUARY 18, 2011
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR COMMISSIONERS' ROOM
NEW YORK, NY 10004

PRESENT: Secretary Gregory C. Soumas

Commissioners Araujo, Barrera, Dent, Ryan, Schacher, Sipp, Stupp,
Umane

Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Dorothy Delayo, Director, Personnel
John Ward, Finance Officer
Valerie Vazquez-Rivera, Director, Communications & Public Affairs
Daniel Lavelle, Associate Staff Analyst, Phone Bank and Communications
Steve Ferguson, Director, MIS
Stewart Liberman, Agency Chief Contract Officer
Beth Fossella, Coordinator, Voter Registration
James Barron, Temporary Attorney, OGC
Charles S. Webb, III, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Catherine Gray, 936 President
Marjorie Shea, Women's City Club
Rima McCoy, CIDNY
Kate Doran, LWV
John D. Smith
Alan Flacks, Member of NY County Democratic Committee
John D. Battista, DAHILL
Kitwana Anderson

Secretary Soumas called the meeting to order at 1:46 P.M.

Commissioner Dent moved to approve the minutes of the October 26, 2010 meeting. Commissioner Umane seconded the motion, which was adopted unanimously.

Mr. Richman reported that the Staten Island Borough Office received communication from the State Board seeking to review the Staten Island office compliance with the Statewide Voter Registration List process (NYSVOTER). A copy of the email is in the agenda. Mr. Richman asked the Commissioners for guidance and direction on how to respond to this request. He recited Section 3-102(2) of the New York State Election Law. Secretary Soumas moved to table this item until the Staten Island Commissioners join the meeting. Commissioner Umane seconded the motion, which was adopted unanimously.

Mr. Ward presented the Vacancy Report dated January 18, 2011. A copy of the report is in the agenda. He distributed copies of the November FY2011 and FY11 Year to Date Expenditure reports to the Commissioners for review.

Secretary Soumas noted that Commissioners Ryan and Sipp joined the meeting.

Mr. Richman recalled that the Staten Island Borough Office received communication from the State Board seeking to review the Staten Island office compliance with the Statewide Voter Registration List process (NYSVOTER) on January 24, 2011. He noted that the letter was addressed to two (2) Staten Island Commissioners who are no longer serving on the Board. Mr. Richman stated that per past practice when the Board was subject to an audit or review, the process began with meeting with Executive Management to outline the scope of the review, and then visit the Borough Office, if necessary. Mr. Richman recommended advising the State Board, according to Section 3-200 of the NYS Election Law, that there is one (1) Board of Elections in the City of New York and communication should be directed to that board. The Board would then make any necessary arrangements for their request. Commissioner Sipp recommended for Mr. Richman to inform the State Board of the current names of the Staten Island Commissioners. Commissioner Ryan stated that the Board of Elections in the City of New York is one (1) collective board and the review would have impact on all counties. The State Board should be compelled to follow a proper procedure. Secretary Soumas moved to authorize Mr. Richman to advise the State Board to direct all communication to the Executive Office, which is in accordance with the NYS Election Law, and to alert them of the names of the current

Staten Island Commissioners. Commissioner Sipp seconded the motion, which was adopted unanimously.

Secretary Soumas noted that Commissioner Araujo joined the meeting.

Commissioner Umane requested to add an item to the agenda.

Secretary Soumas asked the members of the public if they would like to speak on the issue of the Board safeguarding the integrity of the Statewide Voter Registration List. Commissioner Umane added that the issue is to either allow one (1) clerk to make changes in the voter registration system, or to mandate two (2) clerks, one (1) from each party, to make changes in the system. It is a statutory issue.

Secretary Soumas recognized Marjorie Shea, a member of the public. Ms. Shea stated that this issue is ongoing and there are 57 counties in New York State that do not have one (1) Republican and one (1) Democrat processing the voter registration database. Secretary Soumas stated that every county board has an equal amount of Republican and Democrat employees, but some counties do not have a lot of

employees and do not want to incur the expense of a bi-partisan process. The City Board has adequate employees to dedicate that process and wants to comply with the NYS Election Law. Secretary Soumas strongly stated that changing voter status in the Statewide Voter Registration system should be a bi-partisan task.

Secretary Soumas recognized Rima McCoy, a member of the public. Ms. McCoy asked what the State Board's response is to the City Board's position. Secretary Soumas stated that the NYS Election Law allows the State Board to promulgate their own rules to the extent there is no conflict. The City Board believes there is a clear conflict.

Commissioner Umane presented a report from the Finance Committee meeting which was held today. He stated that he would like to make recommendations to the full Board based on the information that was discussed in the meeting. The first item discussed concerned the Board's large format printers used to print district maps, schematics, banners, et al. There is an OCE maintenance contract and currently there is a New York State OGS contract for the same services the Board would require for these printers. Board staff negotiated a 41% discount off of the State's basic price. The original cost was \$30,000 per year, but it was reduced to

\$17,000 per year, per machine. The contract would be for a period of time that would equal the New York State OGS contract. Mr. Ferguson reported that the contract will expire in December 2011. Before the expiration, there will be extensions, but there is a provision in the contract to go up to 72 months. Commissioner Umane moved for the full Board to approve the OCE maintenance contract at a 41% reduced price for a four (4) year term. Commissioner Barrera seconded the motion, which was adopted unanimously. Commissioner Dent commended the staff for reaching out to the vendors to greatly reduce the price.

Commissioner Umane reported that the second item discussed was the trucking contract for the delivery of the voting machines on Election Day. The Finance Committee recommended to keep the current contract as is since there are no pending requests or issues. Commissioner Schacher inquired if Board staff has reviewed the trucking company's performance. Secretary Soumas stated that the Board accepted this bid on a trucking contract, but the vendor regrets their bid because it's low. The vendor asked the Board to release them from the contract. Secretary Soumas stated that the Board will move forward with the current trucking contract.

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

Following the Executive Session, the open public meeting resumed and Secretary Soumas reported on the action taken in Executive Session:

- I. The Commissioners granted an advance of additional 210 sick leave hours for Rocco Cirotti, an Administrative Associate in the Bronx Borough Office.

Secretary Soumas adjourned the meeting.

The next stated meeting of the Commissioners is scheduled for Tuesday, January 25, 2011 at 1:30 P.M.