

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
IN THE CITY OF NEW YORK  
HELD ON TUESDAY, JUNE 4, 2013  
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 Frederic M. Umane  
                  Secretary Gregory C. Soumas

Commissioners Jose Araujo, Julie Dent, Maria R. Guastella, Michael Michel, Simon Shamoun

Dawn Sandow, Deputy Executive Director  
Pamela Perkins, Administrative Manager  
Steven H. Richman, General Counsel  
Raphael Savino, Deputy General Counsel  
Dorothy Delayo, Director, Personnel  
Valerie Vazquez, Director, Communications & Public Affairs  
John Luisi, Agency Chief Contract Officer, Procurement  
Nicholas Squicciarini, Manager, Facilities  
Anibal Luque, Temporary Contract Attorney, OGC  
Kenneth Moltner, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST:       Monica Bartley, CIDNY  
                  Daniela Corvalen  
                  Erika Larsen, for Council Member Gale Brewer  
                  Jordan Melendez, NY Daily News  
                  John D. Smith  
                  Katherine Loving, CFB  
                  Chester Soria, Gotham Gazette  
                  Kate Doran, LWV  
                  David Seitzer, NYC Council  
                  Paul Marks, NYC Law Department

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President Umare called the meeting to order at 1:35 P.M.

Commissioner Guastella moved to adopt the minutes of the May 14, 2013 and May 28, 2013 meetings. Commissioner Michel seconded the motion, which was unanimously adopted.

Mr. Richman presented the draft Independent Nominating Petition Rules for the November 5, 2013 General Election. Copies of the draft Rules were distributed to the Commissioners. Mr. Richman provided an overview of the draft Rules. There are four (4) significant changes and/or modifications from the 2012 Independent Nominating Petition Rules, as well as a discussion of issues presented when the Board considered the 2013 Special Election Rules as well as this year's Designating Petition Rules. The changes and/or modifications follow:

1. Rule A 3 – Last year, concerns were expressed over the form of the ballots when a municipal special election (i.e. non-partisan) is called for the general election when candidates appear on political party lines. For 2013, this is not an issue, since they cannot be any municipal/non-partisan special

election at this year's general election, since it is a municipal election year. Therefore, no change is proposed for this rule.

2. Rule A 5 – is added, along with the Commissioners May 14, 2013 policy statement as an attachment, regarding the Board's interpretation of the applicability of specific sections of the NYS Election Law relating to the form of the ballot.
3. Rule H 12 – The language for Citywide Municipal Elections is added (from the 2009 Rules) designating the Executive Committee as the appropriate Commissioners Committee for the review of potentially frivolous specifications of objection.
4. Rule K – is added, along with the Commissioners' determination on June 18, 2012 regarding June proceedings and including as an attachment, the Commissioners approved statement and recommended language for Orders to Show Cause.

Mr. Richman requested for the Commissioners approval of the draft Independent Nominating Petition Rules for the November 5, 2013 General Election. President Umame recalled that Alan Flacks, a member of the public, raised some issues concerning the Rules at a previous meeting and inquired if those issues were addressed. Mr. Richman replied yes.

Secretary Soumas moved to approve the Independent Nominating Petition Rules for the November 5, 2013 General Election. Commissioner Dent seconded the motion, which was unanimously adopted. Mr. Richman stated that he will submit the Rules to the U.S. Department of Justice (DOJ) for pre-clearance with expedited consideration requested.

Mr. Richman presented the draft Calendar for Filing Independent Nominating Petitions for the November 5, 2013 General Election. Copies of the draft Calendar were distributed to the Commissioners. Mr. Richman recommended scheduling the Hearings on Independent Nominating Petitions on Tuesday, September 3, 2013 at 10 A.M. to provide sufficient time to conduct all the Hearings on that day. President Umame inquired if the Board is expecting a lot of challenges. Mr. Richman stated that the Board will probably receive many petitions this year due to the 450 signature requirement for City Council candidates. Secretary Soumas stated that the time of the Hearings could be adjusted at a later date. Secretary Soumas moved to adopt the Calendar for Filing Independent Nominating Petitions for the November 5, 2013 General Election which is subject to change. Commissioner Guastella seconded the motion, which was unanimously adopted.

Mr. Richman reminded that the Designating and OTB Petition Rules for the September 10, 2013 Primary Election are awaiting pre-clearance by the DOJ. The Board submitted the Rules to the DOJ in April 2013. Copies of all relevant forms are still on the Board's website under the Publications & Forms section. As soon as pre-clearance is received, the Rules will be posted on the Board's website and copies will be produced to be made available for distribution at all Front Counters.

Mr. Squicciarini reported on the new price quote for Time Warner Cable with respect to the remote viewing online of the security camera systems in all Borough Offices. He recalled that the current OGS contract price was \$300 per drop per month. Mr. Squicciarini negotiated with Time Warner Cable and the new price is \$287.94 per drop per month. A total of nine (9) drops are needed at a recurring cost of \$2,591.46 per month. A total of \$31,097.52 per year. The installation fees will be waived. Commissioner Michel noted that the Queens Office and Queens Voting Machine Facility are very far away from each other. Mr. Squicciarini stated that Queens will receive the drops. Ms. Sandow recommended for Mr. Squicciarini to email all Commissioners to request what they require for their Borough Office and Voting Machine Facility.

In Mr. Ward's absence, Mr. Luisi presented the Vacancy Report dated June 4, 2013. A copy of the report is in the agenda.

Commissioner Michel moved to convene an Executive Session for purposes of personnel and litigation matters. Commissioner Guastella seconded the motion, which was unanimously adopted.

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

- I. The Commissioners unanimously terminated Marie Lynch, the Deputy Chief Clerk in the Queens Office, by close of business today, and Gisela Mengler, an Administrative Associate in the Queens Office, was appointed as Deputy Chief Clerk in the Queens Office, with the incumbent salary, effective immediately;
- II. The Commissioners unanimously authorized the New York City Law Department to execute the proposed three-year extension of the existing Memorandum of Understanding (MOU) entered into with the plaintiffs in Chinatown Voter Education Alliance, et. al. V.

John Ravitz, et. al. which is filed in the U.S. District Court for the Southern District of New York (06 CV 913).

President Umane moved to adjourn the meeting which was unanimously adopted.

The next stated meeting of the Commissioners is scheduled for Tuesday, June 11, 2013 at 1:30 P.M.