

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, NOVEMBER 25, 2008
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR HEARING ROOM
NEW YORK, NY 10004

P R E S E N T: President James Sampel
 Secretary Frederic Umame

Commissioners Polanco, Stupp Dent, Schacher Graham, Soumas, Araujo,
Yennella

Marcus Cederqvist, Executive Director
Steven H. Richman, General Counsel
Valerie Vasquez, Director, Communications
Dorothy Delayo, Director, Personnel
John Owens Jr., Director, Campaign Finance Reporting
Gwendolyn Youngblood, Deputy Agency Chief Contracting Officer
Charles Webb III, Counsel to the Commissioners
Steve Denkberg, Counsel to the Commissioners

GUEST: Mary Lou Urban, League of Women Voters
 Marjorie Shea, Women's City Club
 Isreal Rodriguez, NYC Council
 Mark Herman
 Jerry Koenig
 Teresa Hummel, Community Church of New York

President Sampel called the meeting to order at 1:30 P.M.

President Sampel moved to approve the minutes of the October 3,
2008 and October 7, 2008. Secretary Umame seconded the motion, which

was adopted unanimously.

President Sampel moved to table the minutes of the November 18, 2008 meeting. Secretary Umame seconded the motion, which was adopted unanimously.

Mr. Cederqvist provided an update on HAVA. He reported that the State Board of Elections and the Election Commissioners' Association (ECA) held a conference call on Friday, November 21st. Commissioner Sampel also participated as a member of the ECA Executive Committee. He reported that it was apparent from the call that the State Board does not have a clear sense of the impact that SysTest's de-accreditation will have on the State's schedule for the new voting system certification. The State Board indicated that they are hoping SysTest will resolve their problems with the U.S. Election Assistance Commission so that they can get everything back on track and caught up by January 2009.

Mr. Cederqvist also reported that the ECA will be convening a Committee to review that State's proposed Rule 6210 and that Commissioner Sampel had requested that Steve Richman and John

O'Grady serve on the committee on behalf of the City Board, which was agreed to by the ECA. The first meeting of the new committee is scheduled for December 10, 2008 at 10:00 A.M. in Onondaga County. He asked the Commissioners for authorization to send Steve Richman and John O'Grady to the December 10, 2008 committee meeting. Secretary Umane moved to authorize the General Counsel and the Chief Voting Machine Technician to attend the ECA's Rule 6210 Committee meeting on December 10, 2008. President Sampel seconded the motion, which was adopted unanimously.

Mr. Cederqvist stated that he was contact by the State Board of Elections Co-Executive Director Stanley Zalen last week regarding his serving as a member of the HAVA Task Force. John Ravitz, his predecessor and previous Executive Director of the NYC Board served on the task force. Secretary Umane moved to authorize the Executive Director serve on the HAVA Task Force. Commissioner Dent seconded the motion, which was adopted unanimously.

Mr. Cederqvist asked the Commissioners to designate him as the sole authority to approve any reimbursement requests on behalf of the

agency After discussion, Commissioner Soumas moved to authorize the Executive Director to be the sole authority to approve reimbursement requests for the agency. Secretary Umane seconded the motion, which was adopted unanimously.

Mr. Cederqvist asked the Commissioners to approve an extension of the Mandatory Overtime schedule to complete the canvass of the General Election due to the enormous amount of paper ballots cast in the November 4th General Election. During the last several weeks, Board staff has been working very hard on verifying and counting all the paper ballots. He asked the Commissioners to give the Borough Managers in Manhattan, Queens, and Brooklyn the authority to continue mandatory overtime during the Thanksgiving holiday weekend for the respective borough offices if deemed necessary by both Borough Managers. Commissioner Soumas moved to authorize the mandatory overtime as requested by the Executive Director. Secretary Umane seconded the motion, which was adopted unanimously.

President Sampel opened the floor for brief comments/questions from:

Alan Flacks

Mr. Cederqvist reported that NYC Board staff participated in a hearing conducted by the NYC Council Committee on Governmental Operations on proposed resolutions urging the NYS Legislature and/or U.S. Congress to pass legislation allowing for electronic voter registration, same day registration, and early voting.

The Deputy Agency Chief Contracting Officer provided the Commissioners with copies of the proposed contracts for After-Hours and Election Day Car Services for their review. She reported that the current contracts will expire on December 31, 2008. The General Counsel explained that the contracts were prepared in accordance with the Procurement Policy Board Rules, and are to be awarded by competitive sealed bid, which requires the approval of the Agency Head before the contracts can be executed on behalf of the NYC Board of Elections and filed with the Comptroller's Office. After discussion, Secretary Umane moved to table further discussion of the matter. In response to a question from the Commissioner, Mr. Cederqvist explained that all his predecessors signed these contracts in the past. However, he wanted to present them

for approval by the Commissioners before signing them.

In response to a question by Secretary Umane, the General Counsel reported that Barbara Taylor, who appears regularly before the Commissioners, has filed a proceeding to get on the Primary Ballot on grounds that she took a poll and the “Lord spoke to her and directed that she be a candidate.” The General Counsel also provided the Commissioners with a copy of Judge David Schmidt’s decision denying the application that was entered on November 3, 2008. Ms. Barbara Taylor subsequently filed a Notice of Motion for Extension of Time to File an Application for Relief, which Mr. Richman admits he has never seen before. The General Counsel reported that he does not know whether Judge Schmidt will entertain such a motion. Secretary Umane asked that the General Counsel ensure that the Board be represented.

President Sampel moved to convene an Executive Session to discuss personnel matters. Commissioner Graham seconded the motion, which was adopted unanimously.

President Sampel reported that no action taken in the Executive

Session.

President Sampel moved to adjourn. Commissioner Dent seconded the motion, which was adopted unanimously.

The next Commissioner's meeting will be held on Tuesday, December 2, 2008 at 1:30 P.M.