

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, APRIL 21, 2009
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR HEARING ROOM
NEW YORK, NY 10004

P R E S E N T: President Frederic Umame
 Secretary Julie Dent

Commissioners Araujo, Polanco, Sampel, Schacher, Silie, Sipp, Soumas,
Stupp

George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
John Owens Jr., Director, Campaign Finance Enforcement
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Rosanna Rahmouni, Coordinator, Election Day Operations
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Andrea Senteno, Citizen's Union
 Rima McCoy, CIDNY
 Marjorie Shea, Women's City Club
 Teresa Hommel, Community Church of New York
 Tim Robbins, New Yorkers for Verified Voting
 Caroline Heinle, Burson-Marsteller
 Josh Gerber, NYC Council Gov Ops Committee
 Alan Flacks, New York County Democratic Committee
 Mark B. Herman
 Art Goldstein

President Umame called the meeting to order at 1:40 P.M.

Commissioner Schacher made a motion to table the draft minutes of March 24, 2009, March 31, 2009, April 7, 2009 and April 14, 2009. Commissioner Araujo seconded the motion, which was adopted unanimously.

Commissioners Sampel, Araujo and Sipp requested to discuss personnel matters in Executive Session.

The Deputy Executive Director presented the HAVA update. Mr. Gonzalez reported that on April 8, 2009 the State Board anticipated to conduct a HAVA Pilot Program for the 2009 election cycle. Mr. Gonzalez reported that to be in compliance with the request, the City Board responded with a letter defining that the City Board will participate with only one Election District per poll site in each of the five boroughs. Commissioner Sampel stated that he and Commissioner Sipp voted against the HAVA Pilot Program for Richmond County at the last Commissioners' Meeting. Commissioner Polanco stated that the Commissioners did not have an official vote.

The Deputy Executive Director reported on the 2009 Pilot Commitment Survey. The survey was circulated by the State Board among

the county Board of Elections to determine what each county will constitute for the 2009 Primary and General Elections. Mr. Gonzalez requested direction from the Commissioners if the Board should complete and submit the 2009 Pilot Commitment Survey or if the letter that the Board will send to the State Board will suffice. President Umane suggested not sending the 2009 Pilot Commitment Survey.

President Umane moved to approve the letter to the State Board regarding the HAVA Pilot Program which was signed by he and Secretary Dent. Commissioner Araujo seconded the motion. In a vote: Six (6) in favor - (President Umane, Commissioners Araujo, Polanco, Schacher, Silie, Stupp) and two (2) opposed - (Commissioners Sampel and Sipp.) The motion was adopted.

The Deputy Executive Director reported on the invitation to testify at the Senate Elections Committee Public Hearing on April 24, 2009. Mr. Gonzalez requested direction if the Board should participate at the public hearing. The General Counsel suggested that the Board should testify to explain the practical concerns and consequences the Board has on the bills. The Commissioners requested the General Counsel, Director of Campaign Finance Enforcement, the Deputy Executive Director, and the

Administrative Manager to testify at the Senate Elections Committee Public Hearing on April 24, 2009. Commissioner Silie suggested that Executive Management prepare a written testimony. The Administrative Manager stated that she could not attend the hearing.

President Umane opened the floor for Marjorie Shea.

The General Counsel requested the authorization to contract temporary legal services to assist in the petition filing process during the 2009 Primary and General Elections. The services would be from July 2009 through November 2009. Commissioner Polanco inquired if the Board can hire two attorneys instead of paying a contract to another agency. President Umane stated that the Board does not hire temporary employees because there is neither the budget nor party lines available. The General Counsel stated the contracted agency is responsible for the temporary employees' health benefits and unemployment insurance. President Umane moved to authorize contracting temporary legal services to assist in the petitions filing process during the 2009 Primary and General Elections. Commissioner Sipp seconded the motion, which was adopted unanimously.

The Coordinator of Election Day Operations distributed the Poll Site Designations for Calendar Year 2009. Ms. Rahmouni requested approval of the Poll Site Designations for the five boroughs. The General Counsel reported that the approval has to be made before May 1, 2009. Commissioner Sampel reported a typographical correction for Staten Island. President Umane tabled the Poll Site Designations for Calendar Year 2009. President Umane moved to establish a quorum of the Executive Committee. President Umane and Commissioner Soumas will act as a subcommittee to approve the Poll Site Designations for Calendar Year 2009 at next week's Commissioners' Meeting. Commissioner Polanco seconded the motion, which was adopted unanimously.

The Finance Officer provided the Commissioners with the Comparative Expenditures dated April 21, 2009.

The Finance Officer reported on the FY09/FY10 OTPS Report.

Commissioner Araujo moved to advance 210 hours of sick leave for Rosalie DeDomenico, Clerk in the Queens Office. Commissioner Stupp seconded the motion, which was adopted unanimously.

Commissioner Sipp moved to advance an additional 210 hours of sick leave for Anthony Gallo, Administrative Associate in the Staten Island Office. Commissioner Sampel seconded the motion, which was adopted unanimously.

President Umane opened the floor for Alan Flacks.

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

Following the Executive Session, the open public session resumed and President Umane reported that in Executive Session, the Commissioners took the following personnel actions:

- I. Amended the draft Commissioners' Meeting minutes for April 14, 2009 on Page 5. "Unanimously approved the succession plan for the Agency Chief Contract Officer, submitted by Commissioner Sampel which precedes that: Effective April 27, 2009 the hiring of Stewart Liberman as a Financial Clerk at a rate of \$15.78 per hour on a temporary basis to be trained Procurement procedures in

the BOE Executive Office, and replace Elliot Borack as Agency Chief Contract Officer on the date in September 2009 when Mr. Borack's accumulated time ends;"

- II. Denied the Step III Grievance for Melanie Marchese, Clerk in the Staten Island Office.

President Umame adjourned the meeting.

The next Commissioners' meeting is scheduled for Tuesday, April 28, 2009 at 1:30 PM.