

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON TUESDAY, MAY 5, 2009  
AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR HEARING ROOM  
NEW YORK, NY 10004

---

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

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

Marcus Cederqvist, Executive Director  
Steven H. Richman, General Counsel  
John Owens, Jr., Director, Campaign Finance Enforcement  
Joseph LaRocca, Coordinator, Candidate Records Unit  
Elliot Borack, Agency Chief Contract Officer, Procurement  
Stewart Liberman, Financial Clerk, Procurement  
Steven B. Denkberg, Counsel to the Commissioners  
Charles S. Webb, III, 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  
            Caroline Heinle, Burson-Marsteller  
            Stewart Armstrong, VAC  
            Alan Flacks, New York County Democratic Committee  
            Jerome Koenig  
            Mark B. Herman

---

President Umane called the meeting to order at 1:43 P.M.

President Umane, Commissioners Silie and Schacher requested to

discuss personnel and litigation matters in Executive Session.

Commissioner Araujo made a motion to approve the draft minutes of March 24, 2009, March 31, 2009, April 7, 2009, April 14, 2009, April 21, 2009, April 28, 2009 and April 30, 2009. Secretary Dent seconded the motion, which was adopted unanimously.

The Executive Director presented the HAVA update. Mr. Cederqvist reported on the State Board's Annual Conference which was held last week. He noted that several Board Executives attended the Conference. Mr. Cederqvist summarized that the State Board sent letters to all of the New York County Boards asking to consider participating in a Pilot Program. The General Counsel reported that the Counsels of the State Board had a conference call with the Department of Justice. The DOJ indicated that they will not compel the City Board and other New York counties who had grave reservations and reasons not to participate in a Pilot Program this year. The General Counsel reported that the DOJ requested an updated timeline, certification and procurement process from the State Board.

The Executive Director reported that in the HAVA Weekly Report

there is a rule change regarding bipartisan Voter Registration processing. The rule change eliminates the requirement for bipartisan electronic sign-off on voter registrations. Mr. Cederqvist stated that the City Board has been involved in the public comment period. President Umame requested that the General Counsel contact the Corporation Counsel and prepare a comment concerning the positions that the City Board wishes to continue bipartisan electronic sign-off on voter registrations.

The Executive Director reported that the Special Election for the 77<sup>th</sup> and 85<sup>th</sup> Assembly Districts in Bronx County will be held on June 2, 2009. The General Counsel directed the Commissioners to the calendars for Independent Nominating Petitions and the Certificate of Nomination in the agenda. The Coordinator of the Candidate Records Unit reported that he received the Certificate of Nomination for Democratic candidates in each Assembly District.

The Executive Director reported that there will be a NYC Council Hearing regarding Executive Budget for Fiscal Year 2010 on May 18, 2009 at 10:00 A.M.

President Umame opened the floor for brief comments from Jerome

Koenig, a member of the public.

The Executive Director acknowledged that Elliot Borack, Agency Chief Contract Officer, is retiring this week. Mr. Cederqvist stated that it is a tremendous loss to the Board as well as personally. Mr. Cederqvist wished Mr. Borack the best of luck with his retirement.

The Executive Director introduced Stewart Liberman, Financial Clerk in Procurement, who will succeed Mr. Borack as the Agency Chief Contract Officer.

The Executive Director acknowledged that Edward Fraga, Engagement Manager of Gartner Consulting, is leaving the Board's project to pursue another career in municipality closer to his home in California. Mr. Cederqvist stated that Mr. Fraga has done a great job working with the Board and wished him the best of luck.

The General Counsel reported that the Calendars relating to the filing of Certificate of Nominations and Independent Nominating Petitions for the June 2, 2009 Special Election do not reflect a date and time of hearings on any objections or related matters. Mr. Richman recommended that May

19, 2009 and May 26, 2009 during the regular Commissioners' Meetings to schedule the Board's hearings, if necessary. Commissioner Araujo made a motion to adopt the hearing schedule which was outlined by the General Counsel. Commissioner Silie seconded the motion, which was adopted unanimously.

The Executive Director provided the Commissioners with the Vacancy Report dated April 28, 2009 in the Finance Officer's absence.

The Executive Director acknowledged that Bill Johnert, Administrative Associate in MIS, retired last Friday. He noted that Mr. Johnert worked at the Board for many years and wished him the best of luck.

Commissioner Polanco requested to discuss personnel matters in Executive Session.

President Umane convened an Executive Session to discuss personnel and litigation matters.

Following the Executive Session, the open public session resumed

and President Umame reported that in Executive Session, the Commissioners took the following personnel actions:

- I. Unanimously approved to advance 210 hours of sick leave for Jerri Carmicino, Administrative Assistant in the Executive Office.
- II. Unanimously approved to advance additional 210 hours of sick leave for Mary Madden, Clerk in the Brooklyn Office.
- III. Following a Personnel hearing, Charles Colville, Clerk in the Bronx Office, is placed on six (6) months probation and is directed to take anger management.

Commissioner Silie moved to adjourn the meeting. President Umame seconded the motion, which was adopted unanimously.

The next Commissioners' meeting is scheduled for Tuesday, May 12, 2009 at 1:30 PM.