

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

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PRESENT:                   President Frederic Umame  
                                  Secretary Julie Dent

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

Marcus Cederqvist, Executive Director  
Steven H. Richman, General Counsel  
John Owens, Jr., Director, Campaign Finance Enforcement  
John Ward, Finance Officer  
Dorothy Delayo, Director, Personnel  
Valerie Vazquez-Rivera, Director, Communications and Public Affairs  
Steven B. Denkberg, Counsel to the Commissioners  
Charles S. Webb, III, Counsel to the Commissioners

GUEST:   Rima McCoy, CIDNY  
          Marjorie Shea, Women's City Club  
          Teresa Hommel, Community Church of New York  
          Jerome Koenig  
          David Pechefuy  
          Alan Flacks, Member of NY County Democratic Committee  
          Andrea Senteno, CUF

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President Umame called the meeting to order at 1:41 P.M.

Commissioner Soumas moved to table the minutes of  
November 17, 2009. The motion was adopted unanimously.

Secretary Dent moved to amend the approved minutes of October 27, 2009. She cited the revision. President Umane seconded the motion, which was adopted unanimously.

The Executive Director presented the HAVA update. He distributed the State Board Testimony for the New York State Senate Hearing, which was held yesterday, to the Commissioners.

The Executive Director reported that the State Board is working on a draft HAVA Pilot Program report. He should receive their final version in approximately ten (10) days.

The Executive Director stated that the HAVA Weekly Compliance Update is in the agenda. All activities and progress are on schedule for the December 15, 2009 certification of new voting systems and devices.

The Executive Director reported that he has a briefing with the staff of Senator Charles Schumer regarding the new voting system on December 3, 2009 and a meeting with central staff of the New York City Council on December 4, 2009.

The Executive Director stated that Frank Barry, on behalf of the Office of the Mayor, requested a demonstration of the new voting systems. Mr. Cederqvist asked the Commissioners for direction. He stated that normally the Board will not host a demonstration until the staff becomes expert on the voting machine, but he could ask the vendors to demonstrate. Commissioner Soumas stated that it is premature to schedule a demo and suggested for the Board to host public demonstrations of the new voting systems to the five (5) boroughs. President Umane suggested calling the vendors and advising them that the Office of the Mayor would like a demonstration of the voting systems and ask if they are willing to do so. Also, a public hearing regarding the new voting system should be held after the public demonstrations. Commissioner Umane recommended the Board to try to schedule additional public demonstrations before the new voting systems are certified. Commissioner Soumas suggested a public demo in each borough, one (1) for City Council and one (1) for the Office of the Mayor. Mr. Cederqvist was directed to schedule the public demonstrations and inquire with the vendors to see if their staff can perform them. The General Counsel added that the State Board has scheduled its meeting for certification on December 15, 2009. President Umane stated that the Board should anticipate that both voting systems will be certified, and the public demonstrations will be subsequent to the certification, and the public

hearings will be subsequent to the demonstrations. Commissioner Araujo inquired if the public demos will be held in the Borough Offices. Mr. Cederqvist replied that staff will look into holding them in the training rooms of the Borough Offices. President Umane directed staff to issue a public release regarding the demonstrations and hearings. Commissioner Stupp added that if there were changes made to the voting machines since the last demonstration in February, then it is imperative to have the public demos again.

President Umane opened the floor for brief comments from Teresa Hommel, a member of the public.

The Executive Director reported that there will be a LAP Advisory Group Meeting on Monday, December 7, 2009 at 1:30 P.M. The notice is in the agenda. The Board is required to hold a LAP Advisory Group Meeting two (2) times per year.

The Executive Director reported that there is a NYC Voter Assistance Commission (VAC) meeting and hearing scheduled on December 15, 2009 at 6:00 P.M.

The General Counsel discussed the proposed 2010 Petition Rules. He distributed a memorandum to the Commissioners which contains a summary of issues that arose during the 2009 Petition and Hearing Process that should be addressed while preparing the 2010 Petition Rules. Mr. Richman asked the Commissioners to review the issues and provide direction at the next meeting.

The Finance Officer reported on the Comparative Expenditures dated December 1, 2009.

The Finance Officer added a second item on the agenda. He distributed a FY10 OTPS Detail Report dated December 1, 2009. He reported that the payroll for poll workers will be completed today for the November 3, 2009 General Election and the total amount is \$7,163,000. Mr. Ward pointed out that the poll worker funds are insufficient because of the Runoff Election. Commissioner Soumas raised serious concerns because the Board cannot use other funds to pay poll workers and that any available funds in the budget have been allocated for specific purposes. President Umane stated that the poll worker payroll issue that has been discussed at previous meetings has happened even though the Board was assured by the Office of the Mayor they would have the funds to pay the

poll workers. President Umane moved to authorize and direct the Executive Director to send a letter immediately to the Office of the Mayor and City Council requesting \$7 million to compensate the poll workers, as assured, and would like for them to receive their paycheck before the holidays. Secretary Dent seconded the motion, which was adopted unanimously.

Commissioner Soumas moved to adjourn the meeting. President Umane seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, December 8, 2009 at 1:30 P.M.