

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON TUESDAY, MARCH 2, 2010  
AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR COMMISSIONERS' ROOM  
NEW YORK, NY 10004

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PRESENT: President Julie Dent  
Secretary Juan Carlos "J.C." Polanco

Commissioners Araujo, Barrera, Schacher, Sipp, Soumas, Stupp, Umane

Pamela Perkins, Administrative Manager  
Steven H. Richman, General Counsel  
John Owens Jr., Director, Campaign Finance Enforcement  
John Ward, Finance Officer  
Troy Johnson, Coordinator, Candidate Records Unit  
Tom Sattie, Associate Staff Analyst, Candidate Records Unit  
John O'Grady, Chief, Voting Machine Technician  
Rosanna Rahmouni, Coordinator, Election Day Operations  
Diane Rudiano, Chief Clerk, Brooklyn Borough Office  
Maryrose Sattie, Deputy Chief Clerk, Brooklyn Borough Office  
Steven B. Denkberg, Counsel to the Commissioners  
Charles S. Webb, III, Counsel to the Commissioners

GUEST: Judith Stein  
Vincent M.  
Aaron Maslow  
Abraham S. Tischler  
Mitchel Tischler  
Harold Tischler  
Keith McGinnis, NAZTEC  
Sal Pazhoor, NAZTEC  
Todd Mullen, NAZTEC  
Jerry Koenig  
Mitchell Goulding, WPIX  
Mike Roman, WPIX  
Carl Landicino  
Kenneth Ria

Terry Hinds  
Alan Flacks, Member of NY County Democratic Committee  
Carol Green, DCAS  
Rima McCoy, CIDNY  
Mary Lou Urban, LWVNYC  
Alexander M. Dillon, DOI

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

President Dent announced that the Commissioners would conduct the Hearings on challenges to Independent Nominating Petitions for the March 23, 2010 Special Election in the 44<sup>th</sup> Council District, Brooklyn prior to the regular Board meeting and advised the Candidates and/or their representatives of the procedures to be followed during the hearing.

The General Counsel called the calendar for Hearings relating to Specifications of Objections for the March 23, 2010 Special Election.

The determinations regarding the various Specifications of Objections are recorded on the respective Clerks' Reports.

President Dent and Commissioner Schacher thanked the Brooklyn Borough Office for working very hard, especially through the snow storm,

as well as on Saturday and Sunday, to ensure all work was complete for today's hearings.

President Dent adjourned the hearings and convened the stated meeting of the Board of Elections.

Commissioner Schacher moved to table the minutes of February 9, 2010, February 16, 2010 and February 23, 2010. Commissioner Soumas seconded the motion, which was adopted unanimously.

The Administrative Manager presented the HAVA update in the absence of the Deputy Executive Director. She reported that according to the State Board's Status Report dated February 26, 2010, the purchase order for New York City has been issued to the vendor. Ms. Grimaldi, Manager of Electronic Voting Systems, has informed her that ES&S is in receipt of the purchase orders and have officially accepted them. Ms. Perkins reported that last week, ES&S started upgrading the Board's 1,798 Ballot Marking Devices (BMDs) with the certified version of the operating software and firmware. As of today, ES&S have upgraded 441 BMDs. The Board staff has downloaded 401 BMDs and they have been verifying and recording the results; the City certification of 134 BMDs has

been completed. Commissioner Schacher inquired an estimated date when the BMDs will be complete. Ms. Perkins replied that she does not have a specific date, but it should be completed by the end of March.

President Dent inquired about the status of the Board's acceptance testing and the delivery of the new voting systems to the Board. Ms. Perkins reported that March 8, 2010 is the tentative delivery date for the first fifty (50) scanners to be delivered to the Voting Machine Facilities. She noted that there is no definite schedule because the State Board has to perform the acceptance testing first.

President Dent thanked all staff at the Board for working so hard and diligently on the implementation. She suggested that all workstreams meet together to report and fit their work together like a puzzle. President Dent inquired how the Board puts their hard work into action for the 4.6 million voters as it relates to the new way of voting. Ms. Perkins stated that the workstreams meet weekly and the Executive Steering Committee also convenes weekly to review items that may be at risk and make decisions. There is a scheduled update for the Commissioners at next week's meeting. President Dent inquired if the Commissioners will be receiving a written report. Ms. Perkins stated that the report will be a PowerPoint

presentation, and written copies will be distributed to the Commissioners as well. Secretary Polanco inquired how a staff member becomes part of a workstream. Ms. Perkins stated that if a staff member is interested in the workstream they can join it. If it is a staff member in a Borough Office, they have to ask their Chief and Deputy Chief Clerk and then they would email the request to the workstream lead. The lead would make a decision.

President Dent inquired if April 1, 2010 is still the expected move-in date to the 11<sup>th</sup> floor office space at the Executive Office. Ms. Perkins replied no; the Facilities Manager reported at the Managers' Meeting yesterday that at a previous meeting with DCAS they reported the date has been pushed back until May 1, 2010. Commissioner Schacher inquired if DCAS explained why the move-in date was pushed back. Ms. Perkins stated that there is an issue with the license agreement that DCAS is trying to negotiate with the landlord. Commissioner Umame inquired if they are doing construction work to the office space. Ms. Perkins reported that the Board has to take the office space as is.

President Dent announced that the Board received one (1) resume for the position of Executive Director, that of Anthony Cuomo, Esq., a former Republican Commissioner for Queens County and a City Council

Member. Commissioner Polanco thanked the good government groups for submitting their opinion as to what direction the Board should take in recruiting a new Executive Director.

Ms. Perkins reported on the closing of Board facilities on Friday, February 26, 2010 due to the severe snow storm. President Dent thanked the staff members who reported to work. President Dent moved that Friday, February 26, 2010 be considered as a snow day for all staff members, and for those staff members who reported to work each will receive compensation time for the amount of time they worked, not to exceed seven (7) hours. Commissioner Schacher seconded the motion, which was adopted unanimously.

Ms. Perkins reported on the privacy booths. She stated that at the previous meeting this item was tabled for today's meeting. Mr. O'Grady distributed the 2010 Privacy Booth Updated Evaluation Report and 2010 Privacy Booth Selection Process Report to the Commissioners. He stated that at the February 16, 2010 Commissioners' Meeting, the Commissioners requested the workstream to re-evaluate the single, metal privacy booths. Commissioner Soumas moved to table the privacy booth item so the Commissioners' can have the opportunity to read the evaluation reports.

Commissioner Schacher seconded the motion, which was adopted unanimously.

The Coordinator of the Candidate Records Unit requested for the Commissioners' approval to print and distribute the absentee, special and military ballots for the March 16, 2010 and March 23, 2010 Special Elections based on the Commissioners' actions today. Commissioner Umane moved to authorize the printing and distribution of the absentee, special and military ballots for the March 16, 2010 and March 23, 2010 Special Elections based on the Commissioners' actions today. President Dent seconded the motion. The motion was adopted with Secretary Polanco and Commissioner Schacher abstaining.

The Director of Campaign Finance Enforcement requested approval of the revised Notice to Candidates and Notice of State's Change of Regulations which were submitted to the Commissioners last week. Copies of the revised notices with Commissioner Soumas and Commissioner Umane's suggested revisions are in the agenda. President Dent stated that Mr. Owens did a wonderful job on the letters. Commissioner Umane moved to approve the revised Notice to Candidates

and Notice of State's Change of Regulations. Commissioner Soumas seconded the motion, which was adopted unanimously.

The Finance Officer presented the Vacancy Report dated March 2, 2010.

President Dent recognized Alan Flacks, a member of the public.

President Dent recognized Jose Adames, a member of the public.

Secretary Polanco moved to adjourn the meeting. Commissioner Schacher seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, March 9, 2010 at 1:30 P.M.