

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON TUESDAY, OCTOBER 26, 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, Ryan, Schacher, Sipp, Soumas, Stupp,  
Umane

George Gonzalez, Executive Director  
Dawn Sandow, Deputy Executive Director  
Pamela Perkins, Administrative Manager  
Steven H. Richman, General Counsel  
John Owens Jr., Director, Campaign Finance Enforcement  
Dorothy Delayo, Director, Personnel  
John Ward, Finance Officer  
Valerie Vazquez-Rivera, Director, Communications & Public Affairs  
Daniel Lavelle, Associate Staff Analyst, Phone Bank & Communications  
James Barron, Temporary Attorney, OGC  
Adam Dolce, Temporary Attorney, OGC  
Charles S. Webb, III, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST:       Shannon Manigault, NYCC  
                  Kate Doran, LWV  
                  Alexander M. Dillon, DOI  
                  Marjorie Shea, WCC  
                  Grace Park, NY1  
                  Adama Phillpotss, NY1  
                  Jenna Adams, NYDLC  
                  Teresa Hommel, WheresThePaper.org  
                  Jull Gluin, DNAINTO  
                  Gail Robinson, Gotham Gazette  
                  David Seifman, NY Post  
                  Jonathan Inoa, NY1 News

Biarni Burke, NAACP  
Matt Gewolb, NYCC  
Stewart Armstrong, VAC  
Frank Lombardi, Daily News  
Alan Flacks, Member of NY County Democratic Committee  
Azi Payham, WNYC  
Al Jones, 1010 WINS  
Michael S., WSJ

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

Commissioner Soumas requested adding an Executive Session to discuss personnel matters to be convened immediately.

Mr. Richman requested deleting the Executive Session for litigation matters and to move the item into his public report.

Commissioner Soumas moved to convene an Executive Session on personnel matters immediately and noted that the session is for Commissioners only. Commissioner Umame seconded the motion, which was adopted unanimously.

Following the Executive Session, the open public meeting resumed and President Dent reported that the following action was taken in the

Executive Session:

By a vote of six (6) in favor (Schacher, Ryan, Sipp, Soumas, Stupp, Umane) and four (4) abstentions (Polanco, Barrera, Dent, Araujo), the Commissioners terminated George Gonzalez, as Executive Director, effective immediately.

President Dent thanked Mr. Gonzalez for his 22 years of service here at the Board.

Commissioner Schacher moved to approve the minutes of the August 3, 2010 meeting. Commissioner Araujo seconded the motion, with Commissioner Ryan abstaining. The motion was adopted.

Ms. Sandow presented the HAVA update. She distributed copies of a report to the Commissioners. Ms. Sandow read the report in the record. She stated that the Board is operating under the amended testing rules that the State Board approved on October 8, 2010. The Board is confident that it will get all equipment and supplies to enable all poll sites to open at 6:00A.M. on Election Day. Ms. Sandow stated that as each Borough Office completes the testing and certifying the voting machines, Voting Machine Technicians (VMTs) are being deployed to other boroughs to help facilitate

the process of deploying the equipment and supplies.

Ms. Sandow reported that Executive Management has met with representatives of the New York City Police Department (NYPD) three (3) times since the 2010 Primary Election. The Board and the NYPD will work together to ensure a successful General Election. Ms. Sandow stated that two (2) representatives from each Borough Office have met with their Borough Command to coordinate the delivery of Police Envelopes and election night returns. Ms. Sandow reported that Executive Management received a letter from NYPD Commissioner Kelly ensuring that all Police Officers will be present at all poll sites throughout New York City at 5:00A.M. Ms. Sandow reported that Executive Management also received confirmation from the Department of Education. On October 19, 2010, the Executive Office mailed poll site preparation notices which included the 5:00A.M. opening instructions.

Ms. Sandow reported that the Election Day Call Center training has begun in every Borough Office. The training is hands-on and all assigned staff has received a training manual.

Commissioner Ryan thanked NYPD Commissioner Kelly for making

the Police Officers available at 5:00A.M. on Election Day which will help alleviate the issues that occurred on Primary Day. President Dent thanked Executive Management for working diligently with the NYPD.

President Dent recognized Teresa Hommel, a member of the public.

Mr. Richman reported on a communication from Council Member Peter F. Vallone, Jr. which was addressed to Mr. Gonzalez and copied to Mr. Richman. A copy of the letter is in the agenda. Council Member Vallone asked two (2) questions relating to the ballot layout for the 28<sup>th</sup> Council District, Queens County. Mr. Richman asked for guidance from the Commissioners. Secretary Polanco moved for Mr. Richman to swiftly respond to Council Member Vallone's questions. There was no second. Commissioner Ryan stated that it is impossible for the Board to answer Hon. Vallone's first question which relates to the blank column on the ballot. The Board does not know what Mr. Gonzalez's motivations were and it is the Department of Investigation (DOI) is reviewing this matter. Commissioner Ryan advised Mr. Richman that when he responds to Council Member Vallone's second question concerning the cost of the revised ballots that the Board's estimate is preliminary.

Mr. Richman reported on the Memorandum & Order for Randy Credico v. New York State Board of Elections, 10 CV 4555 (RJD) (CLP). He summarized the order and distributed copies of the documents concerning this matter to the Commissioners. Mr. Richman stated that he will keep the Commissioners informed on this matter.

Mr. Richman reported that the Board has been advised by the respective counsels for the Democratic and Republican State Committees that it is their intention to seek, in accordance with past practice in each of the Presidential and Gubernatorial election years, a prospective statewide Impoundment Order for the November 2, 2010 General Election. He distributed copies of the proposed statewide Impoundment Order to the Commissioners. Mr. Richman explained the key points of the initial preliminary review and requested permission from the Commissioners to share them with the State Committee's counsels and NYPD Commissioner. Commissioner Umame moved to authorize the Board counsels to modify the proposed Impoundment Order to address the Board's needs and to consider NYPD issues before consent. In addition, the final proposed Impoundment Order should be reviewed by the Executive Committee for final approval. Commissioner Ryan seconded the motion, which was adopted unanimously.

Ms. Vazquez-Rivera presented the update on public information. She reported that there have been 536 public demonstrations with 27,742 participants to this date. There are 51 public demonstrations scheduled before October 31, 2010 which is the mobile public outreach end date. Ms. Vazquez-Rivera reported that the Board's public education website has tripled in traffic since last week with 84% of new visitors. There have been 53,533 impressions on the website ads.

Ms. Vazquez-Rivera thanked the Multiple Sclerosis (MS) Society for agreeing to distribute Board information in their e-newsletter to 3,000 contacts. The Board's public outreach team attended a MS Society event and they provided public education campaign materials to 600 attendees.

Ms. Vazquez-Rivera reported that every Brooklyn Public Library committed to adding a link on their website for the Board's "Vote the New Way" website and a link to the Board's two (2) minute video. Ms. Vazquez-Rivera stated that she is working to have the other borough public libraries to participate as well.

Mr. Ward presented the Vacancy Report dated October 26, 2010. A copy of the report is in the agenda.

Mr. Ward noted that the Internal Revenue Service (IRS) determined that the Board's poll workers are employees. The Board's Finance staff has entered 59,000 active and inactive poll worker names into the City's payroll system. The Financial Information Services Agency (FISA) and the Board's MIS staff are assisting in this project. Mr. Ward stated that the poll workers are scheduled to be paid 6-8 weeks after an election, in accordance with past practice. Commissioner Stupp thanked Mr. Ward and his team for working hard inputting 59,000 poll worker names into the City payroll system. Commissioner Ryan inquired if a plan was created to ensure that the poll workers will be entered into the payroll system in a timely manner and will be paid quicker in the future. Mr. Ward replied yes. President Dent stated that this was the first year that this task has been implemented so it took an extended time to complete. She thanked Mr. Ward and his team for their hard work completing the task as soon as possible.

President Dent reminded the public that the General Election is on Tuesday, November 2, 2010 and encouraged them to vote.

Commissioner Umane 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, November 9, 2010 at 1:30 P.M.