

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON TUESDAY, NOVEMBER 30, 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, Soumas, Stupp, Umane

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  
Steve Ferguson, Director, Management Information Systems  
Troy Johnson, Coordinator, Candidate Records Unit  
Matthew Graves, Administrative Associate, Candidate Records Unit  
Ryan Deahn, Administrative Assistant, Candidate Records Unit  
James Barron, Temporary Attorney, OGC  
Adam Dolce, Temporary Attorney, OGC  
Anthony Andriulli, Deputy Chief Clerk, Staten Island Borough Office  
Lisa Sattie, Administrative Associate, Staten Island Borough Office  
Diane Rudiano, Chief Clerk, Brooklyn Borough Office  
James Howley, Administrative Associate, Brooklyn Borough Office  
Gregory Lehman, Chief Clerk, Manhattan Borough Office  
Timothy Gay, Deputy Chief Clerk, Manhattan Borough Office  
Katherine James, Deputy Chief Clerk, Queens Borough Office  
Robert Pataky, Administrative Associate, Queens Borough Office  
Anthony Ribustello, Deputy Chief Clerk, Bronx Borough Office  
BJ Rivera, Administrative Associate, Bronx Borough Office  
Charles S. Webb, III, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Anthony Walker  
Lupe Todd, for Ruben Wills  
Javier Hernandez, NYT  
Joseph Garber  
John Tyus, WFP  
Alan Flacks, Member of NY County Democratic Committee  
Alex Camarda, Citizens Union  
Teresa Hommel, wheresthepaper.org  
John Smith  
Marjorie Shea, Women's City Club  
Kate Doran, LWV  
Josh Hauer, NY Times  
Jerome Koenig  
Constance Harper Casteo  
Susanne Wasson  
Catherine T. Gray  
John Lisyansky, NYCC  
Geneva Butts, Freedom Party

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President Dent called the meeting to order at 1:51 P.M.

President Dent announced that there will be a meeting of the Board of Canvassers in the City of New York to certify the results of the November 2, 2010 General Election in the City of New York and Special Elections in the 28<sup>th</sup> and 44<sup>th</sup> City Council Districts in the boroughs of Queens and Brooklyn.

Mr. Richman called upon the Chief Clerks and Deputy Chief Clerks for each of the five (5) boroughs to present the Statement and Return of

Canvass for various contests of the November 2, 2010 General and Special Election for certification.

Ms. James, Deputy Chief Clerk, and Mr. Pataky, Administrative Associate, on behalf of Barbara Conacchio, Chief Clerk, requested that the Board of Canvassers certify the Statement and Return of Canvass for the Special Election in the 28<sup>th</sup> City Council District and General Election in Queens County. All discrepancies are reconciled and did not affect the outcome of the election results. Commissioner Araujo moved to certify the Statement and Return of Canvass for the Special Election in the 28<sup>th</sup> City Council District in Queens County. Commissioner Stupp seconded the motion, which was adopted unanimously. Commissioner Araujo moved to certify the Statement and Return of Canvass for the General Election in Queens County. Commissioner Stupp seconded the motion, which was adopted unanimously.

Commissioner Umame moved to authorize the use of the Commissioners' signature stamps as appropriate on each Statement and Return of Canvass. Commissioner Araujo seconded the motion, which was adopted unanimously.

Commissioners Araujo and Stupp thanked the Queens Borough Office staff for their hard work during the difficult task of implementing the new voting machines.

Mr. Ribustello, Deputy Chief Clerk, and BJ Rivera, Administrative Associate, on behalf of Ms. Torres, Deputy Chief Clerk, requested that the Board of Canvassers certify the Statement and Return of Canvass for various contests in Bronx County. There were no reported discrepancies. Secretary Polanco moved to certify the Statement and Return of Canvass for various contests in Bronx County. Commissioner Barrera seconded the motion, which was adopted unanimously.

Secretary Polanco and Commissioner Barrera thanked the Bronx Borough Office staff for their hard work.

Ms. Rudiano, Chief Clerk, and Mr. Howley, Administrative Associate, on behalf of Ms. Sattie, Deputy Chief Clerk, requested that the Board of Canvassers certify the Statement and Return of Canvass for the Special Election in the 44<sup>th</sup> City Council District and General Election in Kings County. There was one (1) reported discrepancy which was explained and did not affect the outcome of the election results.

Commissioner Schacher moved to certify the Statement and Return of Canvass for various contests for the Special Election in the 44<sup>th</sup> City Council District and General Election in Kings County. President Dent seconded the motion, which was adopted unanimously.

President Dent and Commissioner Schacher thanked the Brooklyn Borough Office staff for their hard work.

President Dent noted that Commissioner Soumas joined the meeting.

Mr. Andriulli, Deputy Chief Clerk, and Ms. Sattie, Administrative Associate, on behalf of Sheila Del Giorno, Chief Clerk, presented the Statement and Return of Canvass for various contests in Richmond County. There were no reported discrepancies. In the absence of the Staten Island Commissioners, Commissioner Umane moved to certify the Statement and Return of Canvass for various contests in Richmond County. Commissioner Soumas seconded the motion, which was adopted unanimously.

In lieu of the Staten Island Commissioners, Commissioner Umane thanked the Staten Island Borough Office staff for their hard work.

Mr. Lehman, Chief Clerk, and Mr. Gay, Deputy Chief Clerk, requested that the Board of Canvassers certify the Statement and Return of Canvass for various contests in New York County. There were no reported discrepancies. Commissioner Umane moved to certify the Statement and Return of Canvass for various contests in New York County. Commissioner Soumas seconded the motion, which was adopted unanimously.

Commissioners Umane and Soumas thanked the Manhattan Borough Office staff for their hard work.

President Dent entertained a motion to certify the respective Statements of Return and Canvass for those offices which encompass the entire City as well as those districts which cross county boundary lines. Commissioner Soumas moved the motion. Commissioner Umane seconded the motion, which was adopted unanimously.

President Dent entertained a motion to adjourn the meeting of the Board of Canvassers and immediately convene the weekly stated meeting of the Commissioners of Elections in the City of New York. Commissioner Soumas moved the motion. Commissioner Araujo seconded the motion,

which was adopted unanimously.

President Dent convened the regular stated meeting.

Commissioner Araujo moved to approve the minutes of the September 7, 2010 meeting. Commissioner Barrera seconded the motion, which was adopted unanimously.

Ms. Sandow recalled that there is a NYC Council Governmental Operations Committee Hearing scheduled for December 6, 2010 at 1:00 P.M. A copy of the email is in the agenda. President Dent recalled that she will not be available that week and requested for her fellow Commissioners to attend. Secretary Polanco, Commissioners Stupp and Schacher confirmed their attendance for the Hearing.

Ms. Sandow reported on the completion of transition from the lever machines. A copy of the email concerning this matter is in the agenda. The NYS Election Operations request for the Commissioners to complete the certification form to certify to the State Board that the transition from lever voting systems to opscan voting systems is complete. Commissioner Umame stated that their form needs to be modified. Commissioner Umame

moved to authorize the Board's Counsels to review and revise the certification form then forward the amended form to Executive Management to be signed. Commissioner Soumas stated that he would like the Commissioners to review and approve the form before it is signed. Commissioner Umane moved to amend his motion to reflect Commissioner Soumas' request. Mr. Richman stated that the State Board's certification form will be revised today. The Commissioners agreed to review the amended form at the next meeting.

Commissioner Umane reported that there was a Technology Committee meeting today concerning a project to list candidates for office on the Board's website for each individual race. There were two (2) proposals; either to list the names of the candidates or to provide copies of a sample ballot that would be the actual ballot on Election Day. Commissioner Umane noted that by providing a copy it would make it easy for the voters in advance of the election. However, there is complexity with the Board's computer system, DOITT's host compatibility and storage capability. There is additional cost, a lot of man hours and an issue of ballot security. The Board would remove the window pane which contains the information for the scanners on the ballot so it would be rendered unscannable. The Board would also print language on the ballot stating,



“Sample.” Commissioner Umane moved to authorize the Board’s MIS staff to contact DOITT to make arrangements concerning this matter and report within a month with a formal proposal for the Commissioners on this project; there is additional cost, but believe an allocation of \$500,000 would suffice. He requested for Executive Management to request those funds in the Board’s Testimony for the NYC City Council Hearing in hopes the Board can implement the project next year with the help of other City agencies. Commissioner Schacher seconded the motion. Before a final vote, there were some questions from the Commissioners. Commissioner Araujo asked if the Board intends to post all the ballots pursuant to Court Order as parties change. Commissioner Umane stated that theoretically the Board would choose a cut-off point and indicate that the ballot is subject to change. Commissioner Araujo requested for the Board’s Counsels to look into that matter. It was indicated that the back of the ballot would be posted if there is propositions. Commissioner Soumas inquired if any other board of elections does this. Commissioner Umane noted that there were some counties, but they post only one (1) sample ballot, not for each Election District which is a very complex project.

President Dent recognized Marjorie Shea and Alex Camarda, members of the public.

Commissioner Soumas stated that the Board has to research how to complete this project and how to fund it. He noted that there are five (5) languages on the ballot. Commissioner Umame moved to authorize the Board's MIS staff to contact DOITT to make arrangements concerning this matter and report within a month with a formal proposal for the Commissioners on this project. President Dent seconded the motion, which was adopted unanimously.

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

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

Ms. Vazquez-Rivera reported on the expanded poll worker recruitment plan. She recommended expanding poll worker recruitment into the overall public education outreach. The Commissioners' Public Education Committee has approved the plan and Executive Management supports it as well. The plan includes the quarterly e-newsletter "Election Connection", ongoing outreach with community groups, multicultural organizations, government agencies, CUNY and private educational institutes, new posters and brochures printed in-house at low cost, interagency recruitment, conducting regular community round tables, and

continuing social media. The poll worker recruitment plan would work in close association with voter registration as well. Ms. Vazquez-Rivera stated that she would utilize the Board's HAVA Outreach Staff for this new plan. Secretary Polanco stated that he was very excited about this modernized poll worker recruitment plan. President Dent greatly supported the plan as well. Commissioner Umane stated that the voter registration drives should be on a bi-partisan basis and not focused on any particular groups or locations. Ms. Sandow reported that Ms. Vazquez-Rivera would contact the Republican and Democratic clubs on college campuses to get them involved as well. President Dent moved to approve the expanded poll worker recruitment plan. Commissioner Araujo seconded the motion, which was adopted unanimously.

President Dent reported that there is an added item to the agenda concerning a Queens personnel matter for Executive Session.

Ms. Delayo requested to discuss a personnel item in Executive Session.

Mr. Ward presented the Comparative Expenditures dated November 30, 2010. A copy of the report is in the agenda.

Secretary Polanco inquired if any new resumes were received for the position of the Executive Director. Ms. Perkins reported that the Board received an email request from Vincent Jenkins to be considered for the position. Ms. Perkins forwarded Mr. Jenkin's request to Ms. Delayo and directed her to contact him for his resume. Secretary Polanco urged his fellow Commissioners to devise a recruiting plan for the position of Executive Director.

Commissioner Araujo moved to convene an Executive Session to discuss personnel and litigation matters. Commissioner Barrera seconded the motion, which was adopted unanimously.

Following the Executive Session, the open public meeting resumed and President Dent reported the actions that were taken in Executive Session:

- I. The Commissioners granted an advance of 210 hours of sick leave for Cynthia Pyne, a Clerk in the Queens Borough Office.
- II. Commissioner Soumas reported that as discussed in Executive Session, and at previous meetings, the instructions to the voters are outdated because the City of New York has transitioned from the mechanical lever voter machines to the

electronic voting systems. The instructions employed by the City Board are promulgated by the State Board which is required by law. Commissioner Soumas directed Board staff to draft language for proposed instructions to the voters that the City Board may suggest to the State Board for their adoption in accordance with the statute by next Tuesday. Commissioner Soumas also directed for Board staff to report to the NYC Council Governmental Operations Committee on the actual state of the instructions used and those to be suggested to the State Board for adoption. This statement was agreed to by the Commissioners.

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

The next stated meeting of the Commissioners is scheduled for Tuesday, December 7, 2010 at 1:30 P.M.