

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, DECEMBER 21, 2010
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR COMMISSIONERS' ROOM
NEW YORK, NY 10004

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

Commissioners Araujo, Barrera, Ryan, Schacher, Sipp, 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
Stewart Liberman, Agency Chief Contract Officer
Matthew Graves, Administrative Associate, Candidate Records Unit
John Naudus, Senior Systems Analyst, EVS
Tom Sattie, Associate Staff Analyst, Ballot Coordinator/CRU
Rachel Knipel, Coordinator, Language Assistance Program
James Barron, Temporary Attorney, OGC
Adam Dolce, Temporary Attorney, OGC
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Rima McCoy, CIDNY
Jerome Koenig
Marjorie Shea, Women's City Club
Kate Doran, LWV
Alex Camarda, Citizens Union

President Dent called the meeting to order at 1:50 P.M.

Commissioner Araujo moved to approve the minutes of the September 28, 2010 and October 5, 2010 meetings. He stated that he conferred with Mr. Richman that the excerpt concerning the ballot style for the minutes was confirmed with the audio tape recording. Commissioner Stupp seconded the motion, which was adopted unanimously.

Ms. Sandow requested approval from the Commissioners for the revised Voter Feedback Survey. She distributed draft copies of the survey to the Commissioners. Commissioner Sipp inquired if there is more space for additional comments for question #3. Ms. Sandow stated that the voter is allowed 250 letters in the blank space. Commissioner Umane moved to adopt the Voter Feedback Survey. President Dent seconded the motion, which was adopted unanimously. Ms. Sandow stated that the survey will be posted on the Board's website today.

Commissioner Umane requested to add an item to the agenda which concerns a report from the Finance Committee.

Commissioner Barrera requested to discuss a Bronx personnel matter in Executive Session.

Secretary Polanco moved for the Board to issue a press release to local newspapers and blogs encouraging New Yorkers to visit the Board's website and to fill out the Voter Feedback Survey. Commissioner Barrera seconded the motion, which was adopted unanimously.

Ms. Vazquez-Rivera presented an update concerning a meeting with good government groups which was held on December 16, 2010. They discussed the Public Education Campaign effort and poll worker recruitment. In attendance were representatives from Women's City Club, New York City Campaign Finance Board, League of Women Voters, NALEO, CIDNY, Election Protection, New York Democratic Lawyers Council and Citizen's Union. Ms. Vazquez-Rivera stated that it was a successful meeting and she would like to meet with the groups on a monthly basis. There was positive feedback for the existing poll worker recruitment plan and new ideas were circulated. Commissioner Umame suggested for only nonpartisan good government groups to be invited to the meetings. Ms. Vazquez-Rivera stated that she invited the Republican Lawyers group as well, but they did not RSVP. She stated that her team will send the minutes of the meeting to all organizations in the database. Commissioner Sipp inquired if she made a note of the groups that did not attend the meeting. Ms. Vazquez-Rivera replied yes.

Ms. Vazquez-Rivera presented an update on the NYC Voter Assistance Commission (VAC) Annual Public Hearing concerning 2010 Election Day Experiences. The hearing was held on December 17, 2010 and Secretary Polanco was in attendance. Copies of the good government group's testimonies are in the agenda. Secretary Polanco reported that there was a concern amongst a Russian group. Ms. Vazquez-Rivera stated that Jean Borsch, a representative from the Hebrew Immigrant Aid Society (HIAS), consistently misinterprets the law and the scope of the Board's responsibilities. The Board is in full compliance and the proper documents are translated into the Russian language. President Dent inquired if Ms. Vazquez-Rivera or Mr. Richman has explained to HIAS the Board's responsibilities with the law. Mr. Richman replied yes. In addition, he sent a letter to the bill's sponsors explaining the law. President Dent requested for the Board to send a copy of that letter to all New York State Senators.

Ms. Vazquez-Rivera reported that Citizens Union, Common Cause of New York, NYC League of Women Voters, New York Public Interest Group and Women's City Club sent a letter to the Board congratulating for a productive campaign helping New York City's voters understand the switch from lever machines to paper ballots and optical scanners. A copy

of the letter is in the agenda. Ms. Vazquez-Rivera thanked the groups for working with the Board ensuring that they had an effective public education campaign. President Dent thanked the good government groups for attending the meetings each week and for collaborating with the Board.

Ms. Vazquez-Rivera recalled that at the previous meeting she was asked to research costs on webcasting the Board's Commissioners' Meetings live. She received costly bids ranging from \$8,000 to \$15,000 per month. Ms. Vazquez-Rivera stated that Alex Camarda, a representative from Citizen's Union, provided her with contacts from the New York City Council to check if NYC TV or CUNY TV could assist the Board with this effort and to greatly reduce the costs. Ms. Vazquez-Rivera will present this item before the full Board when she receives more information.

Mr. Ward presented the Vacancy Report dated December 21, 2010. A copy of the report is in the agenda.

Mr. Ward reported that he received communication from the State Board regarding reduction in State Poll Site Access Funds. He stated that the grant was reduced by \$14,000. A copy of the letter is in the agenda.

Mr. Ward presented an update on the processing of poll worker payroll. Approximately 29,500 poll worker checks have been issued to this date. Mr. Ward stated that Ms. Rahmouni will contact the Board's Borough Offices to get the list of employees' names that will be trained in NYCAPS. Commissioner Araujo recalled that there were poll worker payroll issues which were discussed and voted on at a previous meeting, but various issues would be reconsidered due to the absence of some Commissioners. He requested to readdress those issues in the future with the full Board to establish a uniform policy.

President Dent recognized Jerome Koenig, a member of the public.

Mr. Graves presented the draft Candidate Records Unit (CRU) Precertification Review Procedures. He distributed copies of the draft to the Commissioners. Mr. Graves explained that there are new procedures before the certification of election results. After the Commissioners reviewed the draft, Commissioner Umame moved to adopt the CRU Precertification Review Procedures. Commissioner Schacher seconded the motion, which was adopted unanimously.

Ms. Knipel presented the minutes from the Language Assistance

Program (LAP) meeting which was held on December 20, 2010. She distributed copies of the minutes to the Commissioners. Ms. Knipel reported that the Chinese and Korean Advisory Group members were given a report on the Board's LAP program. It included the purpose, plan overview, targeting of assisted sites for the 2010 election cycle, post election summary of LAP, and 2010 recruitment activities for Election Day interpreters. In attendance were representatives from AALDEF, MinKwon Center, Korean American Voters Council, Chinese American Voters Association, Senator Martin J. Golden's Office, Sing Tao Daily and World Journal. Commissioner Umame recalled that these meetings are required as a settlement of litigation involving LAP. Mr. Richman added that the meetings are part of the pre-cleared LAP plan that the Department of Justice approved as part of the settlement. President Dent inquired how the public was made aware of this meeting. Ms. Knipel stated that the Board issued a press advisory, posted a notice on the website, and contacted the former attendees.

Commissioner Umame reported on the Finance Committee meeting which was held today. Secretary Polanco, Commissioner Barrera, Ms. Sandow, Ms. Perkins, Mr. Liberman, Mr. Naudus, and Mr. Sattie were in attendance. Commissioner Umame reported that they discussed the

TeamWork System ballot which applies to the centralized scanned ballots – Affidavit, Absentee and Special ballots. The Committee reviewed the price list that was negotiated by DCAS. The price is increasing from 50 cents per ballot to 52 cents per ballot. Mr. Naudus reported that the ballots would be 52 cents each no matter what size ballot is ordered. The TeamWork System ballots use a batch header sheet which informs the system what Election District/Assembly District (ED/AD) the ballot is for. There are different styles of batch header sheets with different prices such as complex, moderate and blank. A complex sheet is 8.5” x 14” and a moderate sheet is 8.5” x 11”. A blank sheet would allow Board staff to fill out to denote the ED/AD and is 15 cents each. A complex sheet is 75 cents each. The staff calculated the price of the ballots and batch header sheets needed. Commissioner Umame stated that the Board cannot change the price because it was negotiated by the vendor with DCAS. Commissioner Umame moved to accept this report and to authorize Mr. Liberman, the Agency Chief Contract Officer, to move forward with the contract. Commissioner Barrera seconded the motion, which was adopted unanimously.

Secretary Polanco moved for the Commissioners to not meet on December 28, 2010. Commissioner Barrera seconded the motion, which

was adopted unanimously. The next Commissioners' Meeting is scheduled for January 4, 2011.

Mr. Richman reminded the Commissioners that they will have to elect the Board's President and Secretary for calendar year 2011 on January 4, 2011 according to the New York State Election Law. A copy of Mr. Richman's memorandum to the Commissioners is in the agenda.

President Dent stated that the Commissioners will be available in an event of an emergency.

Commissioner Barrera moved to convene an Executive Session to discuss personnel matters. Commissioner Umame 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. At the request of the Finance Officer and the recommendation of the Executive Managers, the Commissioners authorized the appointment of Alyssa Burrowes and Conway Churaman as

Temporary Clerks in the Board's Finance Office, effective January 1, 2011 through December 31, 2011, at their current salaries. Commissioner Schacher abstained.

- II. The Commissioners appointed Marricka Scott-McFadden as the Deputy Chief Clerk of the Bronx Borough Office at an annual salary of \$92,101, effective January 3, 2011.

President Dent announced the names of the applicants who submitted resumes to the Board for the position of the Executive Director. The applicants are Danniell Maio, Joshua Leinsdorf, Mark Sattinger and Vincent Jenkins.

On behalf of the Commissioners, President Dent sadly noted that Gloria D'Amico, former Queens Chief Clerk and the Chief Clerk for Supreme Court, has passed away. The Commissioners send their condolences to her family.

Mr. Liberman requested to address one (1) issue pertaining to the scannable ballots item which was presented by Mr. Naudus and Mr. Sattie today. He reported that he just spoke with Carol Green, the Assistant Commissioner for DCAS, and in order to move forward with the contract

there has to be a unit of one (1), which does not have to be purchased, and will still be registered no higher than \$45,630,781. Commissioner Ryan clarified that the contract registration system does not allow Mr. Liberman to enter a “to be determined” figure; a minimum figure is one (1). Commissioner Umane moved to amend the previous motion concerning the scannable ballots and to include the changes proposed by Mr. Liberman. President Dent seconded the motion, which was adopted unanimously.

Commissioner Schacher 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, January 4, 2011 at 1:30 P.M.