

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON TUESDAY, FEBRUARY 22, 2011  
AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR COMMISSIONERS' ROOM  
NEW YORK, NY 10004

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PRESENT: President Juan Carlos "J.C." Polanco  
Secretary Gregory C. Soumas

Commissioners Araujo, Barrera, Dent, Ryan, Schacher, Stupp, Umame

Dawn Sandow, Deputy Executive Director  
Pamela Perkins, Administrative Manager  
Dorothy Delayo, Director, Personnel  
John Ward, Finance Officer  
John Owens Jr., Director, Campaign Finance Enforcement  
Thomas Sattie, Associate Staff Analyst, Ballot Coordinator  
Matthew Graves, Administrative Associate, Candidate Records Unit  
John Wolf, Agency Vehicle Coordinator, Candidate Records Unit  
Lucille Grimaldi, Manager, Electronic Voting Systems  
Daniel Lavelle, Associate Staff Analyst, Phone Bank and Communications  
John Naudus, Senior System Analyst, Electronic Voting Systems  
Charles Webb, III, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Marjorie Shea, Women's City Club  
Jerome Koenig  
Kate Doran, LWV  
Teresa Hommel, Wheresthepaper.org  
John D. Smith  
Alan Flacks, Member of NY County Democratic Committee

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President Polanco called the meeting to order at 1:40 P.M.

Commissioner Dent moved to approve the minutes of the December 21, 2010 meeting. Commissioner Stupp seconded the motion, which was adopted unanimously.

Commissioner Umane moved to approve the minutes of the December 21, 2010 Commissioners' Finance Committee Meeting. President Polanco seconded the motion with Secretary Soumas abstaining. The motion was adopted.

Commissioner Araujo requested to add an item to the agenda concerning the Social Security Death Index.

On behalf of Mr. Johnson, Mr. Graves presented the revised draft of the Board's Vehicle Procedures for the Commissioners' review and approval. Commissioner Araujo inquired if all changes made by Commissioner Ryan have been reflected in the revised draft. Mr. Wolf replied yes. He stated that this draft includes the specific changes and the two (2) questions he inserted in which Commissioner Umane addressed at the previous meeting. Commissioner Umane moved to adopt the Board's Vehicle Procedures. Commissioner Araujo seconded the motion, with President Polanco and Commissioner Soumas abstaining. President

Polanco withdrew his abstention. In a vote of seven (7) in favor (Araujo, Dent, Schacher, Polanco, Stupp, Umane, Barrera) and one (1) abstention (Soumas), the motion was adopted.

Ms. Grimaldi recalled that at the previous meeting a draft copy of the EMS Issues and Modification Requests report was distributed to the Commissioners for their review. Prior to distribution, the report was sent to the Borough Office Chief Clerks and Deputy Chief Clerks, and Executive Office Managers for their suggestions. Ms. Grimaldi stated that she would like to forward this report to ES&S and the State Board so that the City Board can begin working on these items and then be certified by the State Board. She noted that she would like as many items as possible to be implemented for the 2011 Elections. She explained that this report was developed in over a year's time with ES&S staff, the Board's workstreams, and Gartner Consultants. Ms. Grimaldi inquired if the Commissioners would like to add any items to the list which would help improve the new voting system. Commissioner Umane expressed his concern regarding the testing procedures and requested that Ms. Grimaldi elaborate on some of the changes for said procedures. Ms. Grimaldi explained that the procedures for testing the system are not based on the vendor, but on the requirements from the State Board. She stated they are working on

streamlining the testing efforts and making the test decks smaller. She reported that she met with the State Board last week and is coming to a final determination on what they are going to require for the test deck reduction. Mr. Naudus stated that the State Board requires a number of random ballots to be included as part of the test deck. The Board is looking to lessen the amount of random ballots and is researching to use fewer ballots that are marked by hand and more ballots that are marked by the printer.

President Polanco noted that Commissioner Ryan joined the meeting.

Mr. Naudus reported that the EVS Department wants to reduce the number of Portable Memory Devices (PMDs) that need to be created for testing. He explained that the State Board currently requires two (2) sets of PMDs to be generated prior to each election. The first set is used to run the ballots against the set of PMDs that configure the system and are then saved. The second set of PMDs is loaded into the system which is used for the election. Mr. Naudus stated that he is working on a different mechanism with the State Board for saving that information without needing two (2) sets of PMDs. Commissioner Umane clarified that the City Board will be properly testing the voting machines in junction with

these changes.

Commissioner Dent expressed her concern regarding the small font size on the ballots and inquired if any information was received from the State Board regarding this matter. Commissioner Umame reported that the EMS Issues and Modification Request report addresses this concern. Ms. Grimaldi stated she will ensure that the system is working properly so that the City Board can use a full character set and different fonts. The City Board would need the State Board's approval of said changes.

Commissioner Araujo inquired if the EMS Issues and Modification Requests report is an actual streamline of procedures or if it is a "wish list" that the Board hopes that ES&S can implement. Ms. Grimaldi replied that she believes that every item on the list is needed to meet New York City requirements. Commissioner Umame inquired if ES&S are required to make these changes, or to what extent does the Board have leverage to direct them to make these changes. Ms. Grimaldi stated the items listed in the report should have been in the system initially to meet New York City requirements.

Commissioner Stupp reported that at the ECA Winter Conference the

Rockland County Board of Elections' staff discussed using a contrast on the ballot which aids the voter to see the difference between the Offices. Mr. Naudus stated that the contrast between the different Office titles is available in the system, but it is the Commissioners decision. Commissioner Soumas stated that contrast, or shading, or bolding of a character changes the meaning of Chinese language characters.

President Polanco moved to accept the EMS Issues and Modification Request report with minor revisions. Commissioner Dent seconded the motion, which was adopted unanimously.

President Polanco recognized Teresa Hommel, a member of the public. Ms. Hommel recommended printing the voting machines' serial numbers at the beginning of each Election District section so it would be easier for the poll workers to copy it.

Mr. Sattie reported that at the previous Commissioners' Meeting he presented to the Commissioners' Finance Committee a draft Scope, Specifications and Requirements report to create a contract to print ballots for the Primary and General Elections for the Poll Site Ballots. There was a minor change that was asked by the Committee which was implemented.

President Polanco inquired what changes were made per the Committee's request. Mr. Sattie stated that the revision was for the timeframe of contract which would be from four (4) to four (4) 1/2 years, and will commence on July 1, 2012 and end in December 2016. Mr. Sattie requested for the full Board's approval to begin the process of forwarding this contract to DCAS. President Polanco inquired about the Committee's determination from last week. Commissioner Barrera stated that DCAS was going to negotiate this document on the Board's behalf. Mr. Sattie explained that DCAS will create a contract off of the Board's scope and then perform a bidding process. Commissioner Umame stated that one (1) of the changes they were seeking was the availability of having other vendors bid on this item. Commissioner Umame stated that if the Board moves forward before the EMS modifications are made then it will have an impact on the ability to perform the contract. He expressed his concerns regarding the timeframe of the contract. He stated that it would limit the Board to one (1) or two (2) vendors who are authorized. Mr. Sattie stated that to his knowledge there are only two (2) vendors who are capable of this work. President Polanco inquired if there is a benefit to having a long term contract. Mr. Sattie responded that the main benefit of a long term contract is that the Board does not have to continually go out to bid which is a lengthy process. Ms. Grimaldi added that an advantage of a long term

contract is that the Board could negotiate the price. Commissioner Umame stated that the Board currently pays 55 cents to 60 cents per ballot which is very expensive and questioned if the Board could reduce that cost. Ms. Grimaldi recommended a short term contract because it is a new voting system. Mr. Sattie reported that there is an option for a two (2) year renewal which the Board could use or not use. Commissioner Ryan questioned if the renewal would be affected if the contract is reduced to two (2) years. Mr. Sattie stated that he will look into that matter. Commissioner Umame moved to accept the Scope, Specifications and Requirements report to create a contract to print the Primary and General Election Poll Site Ballots with an amendment to reflect a two (2) year contract. Commissioner Barrera seconded the motion, which was adopted unanimously.

Mr. Owens reported that Mr. Richman received a communication from the New York State Counsel to the Governor concerning Bill # A03093B. A copy of the bill is in the agenda. Mr. Owens stated that the bill is intended to amend Section 15-114 of the New York State Election Law which concerns village elections. Per Mr. Richman's direction, Mr. Owens reported that this bill does not have any impact on the City Board. Commissioner Umame moved for the Board to take no position on

this bill. President Polanco seconded the motion, which was adopted unanimously.

Mr. Ward presented the Comparative Expenditures report dated February 22, 2011. A copy of the report is in the agenda.

President Polanco reminded the Commissioners and public that they will not be meeting during the week of April 18, 2011 in observance of the holidays.

President Polanco inquired if Ms. Delayo received any new resumes as it relates to the position of the Executive Director. Ms. Delayo replied no.

President Polanco recognized Jerome Koenig, a member of the public, who suggested for the Board to deploy less voting equipment for this upcoming election because there will be a small turnout.

President Polanco recognized Alan Flacks, a member of the public, who spoke about write-in votes.

Ms. Sandow recalled that the website, [www.SocialSecurityDeathIndex.com](http://www.SocialSecurityDeathIndex.com), was discussed at the previous meeting. She reported that the Borough Offices would use this website's print-out to change a voter to a Code 3 in the voter registration system. Commissioner Araujo initially brought this website to the attention of his Queens Borough Office Chief Clerk. Commissioner Araujo moved to utilize [www.SocialSecurityDeathIndex.com](http://www.SocialSecurityDeathIndex.com) to assist with purging the Board's voter registration records. President Polanco seconded the motion. Commissioner Umane requested for an amendment to ask a designated staff member to provide revised voter registration procedures to include this website as an additional resource. The motion was adopted unanimously.

Ms. Sandow reported that Executive Management, MIS staff, and Department of Information Technology and Telecommunications (DOITT) will be meeting with NYC Council Member Gale A. Brewer tomorrow to discuss posting the ballots on the Board's website. In addition, Executive Management will be meeting with the New York City Police Department (NYPD) on Friday to discuss election night closing procedures.

Commissioner Araujo reported that he, Commissioner Stupp, and the Queens Borough Office Chief Clerk and Deputy Chief Clerk met with

NYC Council Member Leroy Comrie, a Queens delegate, with respect to the Board's issues, election process, and the new voting system. Commissioner Araujo stated that they addressed a lot of the Board's concerns and it was a successful meeting.

President Polanco moved to adjourn the meeting. Secretary Soumas seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, March 1, 2011 at 1:30 P.M.