

THE MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON TUESDAY, JANUARY 31, 2012  
AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR, COMMISSIONERS' HEARING ROOM  
NEW YORK, NY 10004

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PRESENT: President Maria R. Guastella  
Secretary Frederic M. Umane

Commissioners Araujo, Barrera, Dent, Soumas, Sipp, Stupp

Dawn Sandow, Deputy Executive Director  
Pamela Perkins, Administrative Manager  
Steven H. Richman, General Counsel  
John Ward, Finance Officer  
Raphael Savino, Director, Campaign Finance Reporting Enforcement  
Dorothy Delayo, Director, Personnel  
Valerie Vazquez, Director, Communications and Public Affairs  
Thomas Sattie, Ballot Management Unit, Coordinator  
Giacomo Kmet, Temporary Attorney, OGC  
Joel Bermejo, Temporary Attorney, OGC  
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Stella Ma, AALDEF  
Kevin Maloney, Citizens Union  
A.B. Britton  
Stewart Armstrong, CFB  
Cathy Gray  
Kate Doran, LWV  
M. Aronson  
John D. Smith  
James Taylor  
Mariana Blume  
Mark Herman

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President Guastella called the meeting to order at 1:45 P.M.

Commissioner Dent requested to discuss combining districts in the 27<sup>th</sup> Senate District for the March 20, 2012 Special Election in public session.

Commissioner Soumas requested to discuss a Manhattan personnel matter in public session.

Commissioner Stupp requested to discuss a Queens personnel matter in Executive Session.

Commissioner Barrera moved to adopt the minutes of the January 24, 2012 meeting. Commissioner Araujo seconded the motion, which was unanimously adopted.

Mr. Sattie presented the ballot layout for the March 20, 2012 Special Election in the 27<sup>th</sup> Senate District in Kings County. He distributed copies of his report to the Commissioners. Mr. Sattie stated that there could be either a six (6) column layout or an eight (8) column layout. He stated that

the six (6) column layout was used in the 2011 General Election. Mr. Sattie asked for the Commissioners' recommendation. Commissioner Dent recommended using the six (6) column layout because the Commissioners have concerns about the size of the print on the ballot. She stated that the six (6) column ballot provides larger print which is better for the voters. Commissioner Barrera seconded the motion. Before a vote, Commissioner Umane stated that he spoke with the representatives from the School Choice Party in Commissioner Schacher's absence and they had no objection to the six (6) column wrap-around layout. The motion was unanimously adopted.

Mr. Richman reported on the Election Commissioners' Association (ECA) Winter Conference which was held on January 17, 2012 through January 20, 2012 in Ithaca, NY. He reported that the conference was one of the best attended to this date because the State Board is not scheduling an Annual Conference this year due to the elections. Mr. Richman reported that the State Board provided the NYS Election Law update in electronic form. Copies will be printed and distributed to the Commissioners at next week's meeting. The State Board also reported on the actions that took place on January 12, 2012 to improve certain

modifications to the operating systems for both ES&S and Dominion scanners and BMDs as the first phase of improvements. There is second phase of anticipated improvements for the 2012 General Election. Mr. Richman reported that the ECA discussed the legislature of New York State; both its actions and inactions. The ECA unanimously reaffirmed their position of needing a single June Primary Election. The ECA also adopted legislative proposals urging the Legislature to give the Board the flexibility to create an Election District to up to 4,000 voters, and to modify the staffing formula in the statute to give the Commissioners more discretion. Mr. Richman reported that he gave a presentation on the ED Redistricting Process and copies of his report were distributed to the attendees at the conference. Mr. Richman stated that the ECA expressed that this will be not be an easy year for the boards of elections due to both budgetary and time restraints. Mr. Richman reported that Commissioner Dent, John Naudus, and Timothy Gay attended the conference as well. He stated that it was a very productive conference.

Mr. Ward presented the Vacancy Reported dated January 31, 2012. A copy of the report is the agenda.

Mr. Ward reported on the meeting that he and Executive Management had with Council Member Gale Brewer and the City Council's Staff. He stated that they discussed the following items:

- The Board's cost reductions due to both the Commissioners' and Executive Management's actions this year
- The cost of the unfunded March 20, 2012 Special Election in the 27<sup>th</sup> Senate District in Kings County
- The Board's new needs that were previously submitted to the City Council and the Office of Management and Budget (OMB)
- The structural PS deficit of \$10 million and the \$15.4 million Program to Eliminate the Gap (PEG)
- The possibility of another major election within the Fiscal Year

Mr. Ward reported that he is compiling a letter to send to Mayor Bloomberg and City Council Speaker Quinn concerning the unfunded June 26, 2012 Federal Primary Election. He stated that the election would cost approximately \$23 million. Commissioner Umame asked how much it would cost the Board if they had to conduct a separate State Primary Election as well. Mr. Ward replied approximately \$23 million. Commissioner Sipp asked how many Primary Elections there will be in

total. Mr. Richman stated that there will be three (3) Primary Elections by law. Commissioner Sipp asked if Board Staff has started to conduct an analysis of expenses and operations for the three (3) primaries. Ms. Sandow replied yes. Mr. Ward asked for the Commissioners' authorization to send the letter to the Mayor and the Speaker. Commissioner Umame moved to send the letter. Commissioner Dent seconded the motion, which was unanimously adopted. Mr. Richman noted that the March 20, 2012 Special Election is not funded yet and asked if that matter should be outlined in the letter as well. Ms. Perkins noted that Board Staff spoke about that matter in the meeting last week with Council Member Brewer and the City Council's Staff. Commissioner Umame moved to add a summary of the unfunded March 20, 2012 Special Election in the letter as a friendly amendment. The motion was unanimously adopted.

Commissioner Dent reported that she and Commissioner Schacher request to combine districts in the 27<sup>th</sup> Senate District in the March 20, 2012 Special Election in Kings County. She distributed a report to the Commissioners and noted that she has written approval by Commissioner Schacher. Commissioner Dent stated that a total of 97 districts were combined out of 258. Commissioner Dent moved to

combine the districts. Commissioner Umane seconded the motion, which was unanimously adopted.

Commissioner Soumas requested to grant an advance of 35 sick leave hours for Sheryl Logan, an Administrative Assistant in the Manhattan Office. Commissioner Umane seconded the motion, which was unanimously adopted.

Mr. Richman stated that the Commissioners should anticipate one (1) hearing at the next meeting. The hearing would start at 1:30pm before the regular stated meeting of the Commissioners. Commissioner Araujo inquired if the information is posted on the Board's website. Mr. Richman replied yes; it is indicated on the approved Independent Nominating Petitions Calendar.

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

Following the Executive Session, the open public meeting resumed

and President Guastella reported the following actions that were taken in Executive Session:

- I. The Commissioners unanimously assigned the Queens Voting Machine Technician (VMT) line to the Executive Office, effective Sunday, January 29, 2012, and filling that position with Robert Hornak through March 31, 2012 at an incumbent annual salary of \$28,655. As of April 1, 2012, Robert Hornak will be moved into the position of Director of Equipment.

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

The next stated meeting of the Commissioners is scheduled for Tuesday, February 7, 2012 at 1:30 P.M.