

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, AUGUST 12, 2014
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Jose Miguel Araujo
 Secretary Michael Michel

Commissioners Ronald Castorina, Julie Dent, Maria R. Guastella, Michael Rendino, Simon Shamoun, Frederic M. Umane

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Nina M. Crispino, Director, Personnel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
 Anna-Maria Thomas
 Kate Doran, LWV
 Elise D., Citizens Union
 Joseph Suntoyata, Citizens Union
 Ramsiella, DOI
 K. Loving, CFB
 John D. Smith
 Michael Benjamin
 Alan Flacks, Member of NY County Democratic Committee

President Araujo called the meeting to order at 1:35 P.M.

Mr. Graves presented two (2) CRU Prima Facie matters relating to the September 9, 2014 Primary Elections for Kings County. Sufficient notice was sent to the candidates as required. There were no appearances. The Commissioners' determinations are reflected on the CRU Prima Facie Report on file at the Board.

Secretary Michel moved to adopt the minutes for the July 30, 2014, August 5, 2014 and August 7, 2014 meetings. President Araujo seconded the motion, which was unanimously adopted.

Secretary Michel requested to add an Executive Session to discuss a Queens personnel matter.

Commissioner Guastella requested to discuss a Staten Island personnel matter in Executive Session.

Mr. Richman requested for a Commissioners' Cover Sheet Review Committee to meet immediately after the meeting to review one (1) item. President Araujo and Secretary Michel volunteered for the Committee.

President Araujo noted that Commissioner Umane and Mr. Ryan joined the meeting.

Mr. Ryan requested to add an item to the agenda concerning privacy booths, an issue that was brought up in a staff meeting yesterday.

Mr. Ryan reported on the issue of the amount of privacy booths to be deployed on Election Day. Currently, the Board deploys one (1) privacy booth for every 250 active registered voters in every election. According to the State Board's Rules and Regulations, Section 6210.19, the Board can deploy one (1) privacy booth for every 250 active registered voters for a Presidential General Election, and one (1) privacy booth for every 350 registered voters for all other elections. Mr. Ryan recommended following the State Board's Rules and Regulations, Section 6210.19. Reducing the amount of privacy booths would be a cost savings to the Board with respect to trucking costs, reducing the staff's time preparing and setting up the privacy booths, and it can lead to decrease more preventable accessibility issues in a poll site. President Araujo and Secretary Michel noted that they are advocates to decrease the amount of privacy booths due to the lack of space in small poll sites in Queens; extra privacy booths often get stacked in the corner of the room. Commissioner Dent requested feedback

on this issue from the good government groups.

President Araujo recognized Kate Doran, a representative of the League of Women Voters and a poll site Coordinator, who reported that sometimes there is not enough wall space in the poll site to set-up all of the privacy booths which makes it difficult setting up the room. She also noted that there have been times when all of the privacy booths have been used.

President Araujo recognized Monica Bartley, a representative of Center for Independence of the Disabled in NY (CIDNY), who stated that sometimes there is not enough space in the poll site to access to a Ballot Marking Device (BMD) so less privacy booths would alleviate that problem.

Mr. Richman recited Section 6210.19 of the State Board's Rules and Regulations. President Araujo moved for the Board to comply with Section 6210.19 of the State Board's Rules and Regulations. Before a vote was taken, there was discussion. Commissioner Umame noted that he is concerned about voters waiting in line for a privacy booth and requested for a Borough Office feedback report on this issue for the Commissioners to review. Commissioner Shamoun noted that he shared Commissioner Umame's concerns. Ms. Sandow noted that Borough Office staff would

have to revise their poll sites' schematics if the amount of privacy booths should be reduced, and other NYC agencies working with the Board on Election Day would have to be notified of the changes as well. President Araujo moved for the Board to implement a pilot program in Queens County complying with Section 6210.19 of the State Board's Rules and Regulations for the 2014 Primary Election, and for staff to report back to the full Board after the election. Secretary Michel seconded the motion, which was unanimously adopted.

Ms. Sandow reported that there is a pilot program being implemented in New York County as well. Poll site schematics will be printed poster-sized and will be posted on the poll site's wall on Election Day. This will aid the poll site Coordinators and public school's custodians on how to set-up the equipment in the room.

Mr. Ryan reported on Ballot on Demand systems. This item was discussed at a previous meeting and Executive Management was given authorization from the Commissioners to research a Ballot on Demand system for absentee ballots. Mr. Ryan reported that he emailed a detailed report to the Commissioners yesterday concerning a Ballot on Demand system for absentee ballots. Based on the analysis, Executive

Management requested authorization from the Commissioners to commence conversations with the NYC Office of Management and Budget (OMB) to pursue a Ballot on Demand system to replace the current TEAM Work Ballot system for absentee ballots. The amount of absentee ballots printed for four (4) election cycles, in a typical four (4) year cycle, is 8,563,120 live absentee ballots, 1,650,300 test ballots, and 530,594 requests for absentee ballots. Over the course of four (4) years, the cost is a total of \$5,377,214. If the Board acquires a Ballot on Demand system through ES&S on the OGS Contract, which includes printers and high-speed DS950 Scanners, it is a total cost of \$1,448,702. The Board would need eleven (11) high-speed scanners (two (2) for each Borough Office and one (1) for the Executive Office), thirteen (13) ballot system printers, and the software. Based on previous absentee ballot numbers in the past four (4) years, it would have cost \$850,704 to print absentee ballots with a Ballot on Demand system at a cost savings of \$4,526,509. It would cost .39 cents per ballot vs. the current .52 cents per ballot. Mr. Ryan reported that there are no operating costs associated; the paper, toner, software, repairs and replacements would be included in the Ballot on Demand ES&S OGS contract. Commissioner Umame recommended getting a separate service contract and to try and reduce the absentee ballot costs to .20 cents. He inquired if any other Ballot on Demand

systems were researched. Mr. Ryan reported that Executive Management recommended the ES&S Ballot on Demand system because both the Ballot on Demand and Election Day Ballots are integrated systems. The other Ballot on Demand systems are not integrated with the Board's current system. The DS950 high-speed scanners could also be used for testing Election Day ballots before they are printed, and before the Portable Memory Devices (PMDs) are burned. The absentee ballots and Election Day ballots would be differentiated to ensure security against potential fraud. President Araujo reported that he is a member of the Commissioners' Sub-Committee that discussed this item along with Commissioners Guastella, Michel and Castorina, and the Commissioners' Sub-Committee recommends for Mr. Ryan to commence conversations with OMB to pursue a Ballot on Demand system for absentee ballots. Commissioner Guastella seconded the motion, and was unanimously adopted.

Commissioner Rendino requested to discuss building the ballots which was an issue at the previous meeting. Mr. Richman provided a status update on the judicial proceedings. Based on the report, Mr. Ryan requested for a legal recommendation on how to proceed. Mr. Richman recommended for the Board to start building the ballots for Staten Island

first, Manhattan second, and then the remaining boroughs as appropriate. Commissioner Umame moved for Mr. Sattie to set-up and start the printing process of the ballots in as many jurisdictions as soon as the Board can. The motion was seconded and unanimously adopted.

Mr. Sattie recommended printing 65% of ballots based on the amount of registered voters per Party, citywide, which has been done in the past. Commissioner Araujo moved to adopt Mr. Sattie's recommendation. Commissioner Dent seconded the motion, which was unanimously adopted.

President Araujo recognized Alan Flacks, a member of the public, who inquired if the Board has reviewed his request for three (3) scanner results tapes on Election Night which was discussed at the previous meeting. President Araujo reported that his request will be addressed at next week's meeting.

President Araujo moved to convene an Executive Session for purposes of personnel. Secretary Michel seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and Secretary Michel reported the following actions taken in Executive Session:

- I. The Commissioners granted an advance of 84 hours of time to Richard Doyle, a Voting Machine Technician in the Staten Island Voting Machine Facility;
- II. The Commissioners appointed Mohammed Sohail, a Queens Republican Clerk, to a Hindi/Punjabi Interpreter, at his current salary rate.

Secretary Michel moved to adjourn the meeting. Commissioner Rendino seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, August 19, 2014 at 1:30 P.M.