

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, OCTOBER 7, 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, John Flateau, Bianka Perez, Michael Rendino, Alan Schulkin, 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
Matthew Graves, Acting Coordinator, Candidate Records Unit
Nina M. Crispino, Director, Personnel
John Naudus, Manager, Electronic Voting Systems
Thomas Sattie, Associate Staff Analyst, Ballot Coordinator
Kenneth Moltner, Counsel to the Commissioners

GUEST: Kate Doran, LWV
 Lindsey Ramsiella, DOI
 Michael Benjamin
 Katharine Loving, CFB
 Alan Flacks, Member of NY County Democratic Committee
 Cathy Gray
 Celeste Katz, New York Daily News

President Araujo called the meeting to order at 1:45 PM.

President Araujo moved to table the minutes for the September 30, 2014 meeting. Commissioner Rendino seconded the motion, which was unanimously adopted.

Mr. Graves presented the draft Notice to All Candidates for the November 4, 2014 General Election for approval. Commissioner Umame moved to adopt the Notice to All Candidates for the November 4, 2014 General Election as presented. Commissioner Michel seconded the motion, which was unanimously adopted.

Mr. Ryan reported on the ballot layout for the November 4, 2014 General Election. The Commissioners' Ballot Layout Committee consisting of Commissioner Araujo, Commissioner Michel, and Commissioner Casterino; the Executive Director, Deputy Executive Director, John Naudus, and Thomas Sattie met on Friday, October 3rd. A meeting notice was posted to the Board's website pursuant to the Open Meetings Rule. No public attended. A sample ballot was presented to the Commissioners for review. Mr. Ryan then summarized the meeting, reporting that the Committee reviewed various ballot samples and amendments/additions to the ballot were incorporated from those ballots, including an instruction on the top front side of the ballot informing voters of the Proposition on the

back of the ballot, and indicated with an arrow. In addition, the ballots consistently maintain a 9 point font for each County despite the fact some ballots are quite extensive with NYS Justice of the Supreme Court races. Mr. Ryan thanked Mr. Naudus and Mr. Sattie for all their hard work designing the ballot's layout and asked the Commissioners to authorize the use of the sample ballot's layout for the November 4th General Election. Moreover, the party lines for Comptroller and Attorney General, in the ballot's layout had to be merged but the style keeps with the ballot layout of the NYS Board of Elections and incorporates some of their recommendations.

Commissioner Umane questioned the ballot layout, noting that the format is overarching candidates and impacts on the main party lines. For instance, the location of candidates Clifton and Person seems out of whack. It was explained that there would be some difficulties with modifying the ballot to the Commissioner's specifications.

Commissioner Shamoun questioned whether the words, "vote for one" can be added in the ballot layout. Mr. Richman referenced §7-108(3) of the New York State Election Law, "*In every instance where multiple casting of votes is permitted for two or more candidates for the same office or position,*

the instructions on the ballot or machine shall read “Vote for any,” (the blank space to be filled with the number of persons to be nominated for the office or elected to the position)”. It does not however completely preclude it.

Commissioner Flateau moved to adopt the recommendations of the Commissioners' Ballot Layout Committee to use the sample ballot layout as presented. President Araujo seconded the motion, which was adopted by a vote of six in favor (President Umane, Secretary Michel, Commissioner Flateau, Commissioner Schulkin, Commissioner Perez, and Commissioner Perino), two opposed (Commissioner Umane and Commissioner Shamoun), and one abstention (Commissioner Castorino).

Commissioner Shamoun summarized the rationale of the idea or proposal that could accommodate voters in Queens County. There is a common complaint and confusion among voters, which is probably reflected in over-vote statistics, that they're having difficulty navigating the ballot. So, the Commissioners should consider adding the words, "vote for one" in the ballot's layout, if possible.

President Araujo opened the floor for Cathy Gray, a member of the public, who explained her experiences working as a poll worker. She

agreed that some voters do not understand the wrap-around and ask for their assistance.

President Araujo moved to adopt the change to the ballot's layout for all counties where applicable to include the words, "vote once" for Governor and "vote for one" where there are two (2) rows that may cause confusion to the voter. Commissioner Flateau seconded the motion, which was adopted unanimously.

Commissioner Michel recommended that the staff provide a report January 15, 2015 to the Commissioners' Ballot Layout Committee to review the "vote for one" addition. Commissioner Castorino seconded the motion, which was adopted unanimously.

Based on past turn-out, it is suggested that the Commissioners recommend printing ballots for 80% of the registered voters per Election District in the City of New York. President Araujo moved to adopt the recommendation to print ballots for 80% of the registered voters per Election District in the City of New York. Commissioner Flateau seconded the motion, which was adopted unanimously.

Commissioner Rendino asked the Board to report on the number of ballots returned following the November 4th General Election.

President Araujo recognized Kate Doran, a representative from the League of Women Voters, who stated that poll workers fill out a Ballot Reconciliation Sheet at the end of the night. It gives the total number of ballots received, voted, voided, and returned.

President Araujo moved to convene Executive Session for personnel matters. Commissioner Umane seconded the motion, which was unanimously adopted.

Following Executive Session, the public meeting resumed and President Araujo reported the following action taken in Executive Session:

- I. Phillip Mione, a Computer Data Analyst in the Executive Office, was granted 84 hours advancement of time, to be used intermittently and be paid back with his accruals, retroactive to Tuesday, September 23, 2014.

President Araujo moved to adjourn the meeting. Commissioner Castorino seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, October 14, 2014 at 1:30 P.M.