

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, APRIL 28, 2015
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: Secretary Bianka Perez

Commissioners Jose Miguel Araujo, Ronald Castorina, John Flateau,
Maria R. Guastella, Michael Rendino, Alan Schulkin, Simon Shamoun,
Frederic M. Umane

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Georgea Kontzamanis, Operations Manager
Nina Crispino, Director, Personnel
Valerie Vazquez, Director, Communications & Public Affairs
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kate Doran, LWV NYC
Cathy Gray, LWV NYC
Rachel Fauss, Citizens Union
Laurie Wen, City Council
John D. Smith
Michael Benjamin
Alan Flacks, Member of NY County Democratic Committee

In President Michel's absence, Secretary Perez called the meeting to
order at 1:40 P.M.

Commissioner Araujo moved to adopt the minutes for the March 31, 2015 meeting. Commissioner Flateau seconded the motion, which was unanimously adopted.

Commissioner Araujo moved to adopt the minutes for the April 14, 2015 meeting. Commissioner Flateau seconded the motion, with Commissioners Guastella and Umame abstaining. The motion was adopted. Commissioners Guastella and Umame noted that they abstained because they were not present at that meeting.

Mr. Ryan reported on the designation of poll sites and poll rooms for 2015 – 2016, pursuant to Section 4-104 of the New York State Election Law. Copies of the five (5) boroughs' reports were circulated to the Commissioners. Mr. Ryan requested approval of the designations. Commissioner Castorina moved to adopt the five (5) boroughs' 2015 - 2016 Poll Site Designation Reports. Commissioner Umame seconded the motion, which was unanimously adopted.

Commissioner Araujo requested for Mr. O'Grady to contact the NYC Department of Education in advance about the poll site/poll room designations to prevent any issues on Election Day. Mr. Ryan reported

that each public school Principal and Custodian will receive a poll site designation package in advance via USPS First Class mail. Mr. Ryan reported that he has met with DOE staff and they discussed Election Day issues.

Mr. Ryan reported on Advocacy Day which was hosted by the New York City Voter Assistance Advisory Committee (VAAC) on April 22, 2015 in Albany, NY. In attendance were Mr. Ryan and Ms. Vazquez. Mr. Ryan is a de facto board member of VAAC. Ballot readability was discussed, and they had a conference call with staff from Senator Skelos' Office. They made a commitment on working with the Board on this issue, and their positions are consistent with the Board's Recommend Revisions to the NYS Election Law legislative package. The goal is for the Senate and Assembly to work with the Board. Tech staff from both the Board and ES&S will assist on creating "same as" legislation. The Senate expects something to be done on this issue this year. Another issue discussed was early voting. Mr. Ryan reported that he abstained on conversing about this topic since there is no consensus of the Board on this issue. VAAC and various legislators understood the position. Another issue discussed was online voter registration. Mr. Ryan reported that VAAC is supporting a full online voter registration system. The Board does

not support because there is a requirement for bi-partisan review, and the signature is verified by the Board via the NYS DMV system and/or other documents. Mr. Ryan reported that there is a fill-able PDF voter registration form online, but it still needs to be signed with a “wet signature,” mailed to the Board, and reviewed by staff. The current state of legislation does not allow for an electronic signature, except for the DMV. The DMV has many steps to prove who you are. When filling out a form on a website, you cannot prove who you are. The Mayor’s Executive Order #1 from 2014 would like other City agencies to be recognized similarly to the DMV. Mr. Ryan explained to the current Administration that the Board is not the official repository of voter information, and the Board cannot engage in a policy that is not consistent with the current State Law.

Mr. Ryan reported on the Pre-Election Meeting with the NYPD Operations Unit which was held on April 23, 2015. They discussed the May 5, 2015 Special Election and there is excellent cooperation from the NYPD.

Mr. Ryan reported on the meeting with the Mayor’s Office of Operations which was held on April 24, 2015. They discussed issues associated with the Evan Terry Associates (ETA) contract for ADA

compliance. Staff members from City agencies, such as NYCHA, DCAS and PARKS, that have poll sites and might have potential ADA compliance issues, were in attendance. The purpose of the meeting was to compare and contrast what remedial efforts those City agencies might already have in the future. Mr. Ryan noted that the Board has to provide poll sites that are fully ADA compliant, but the Board does not own poll sites, and does not control them all year long. There is a meeting scheduled on Thursday with DOE which controls the mass majority of poll sites in NYC.

Mr. Ryan reported on the September 2015 Primary Election. The current date conflicts with Rosh Hashanah. A bill was introduced last week to change the date to Thursday, September 10, 2015 which is the second day of school. The bill will be considered by the Assembly Election Law Committee at its meeting next week. It was noted that the first day to file petitions may be on Monday, July 6, 2015.

Mr. Ryan presented the ADA Poll Site Checklist. Copies of the Checklist were distributed to the Commissioners. This Checklist will be given to poll workers on Election Day. Some verbiage issues were requested to be changed suggested by the Federal Court after conversations with Plaintiff's counsel ETA, NYC Law Department and the

Board's Office of the General Counsel. Mr. Ryan requested approval of the ADA Checklist. Commissioner Umane moved to adopt the ADA Poll Site Checklist suggested to the Board by the Federal Court. Commissioner Guastella seconded the motion, which was unanimously adopted.

For informational purposes, Mr. Ryan reported that Mr. Richman and Mr. Savino are in Court concerning an Order to Show Cause (OSC) filed by Guillermo Philpotts. It was returnable at 2:00pm in front of Judge Weinstein in the Eastern District. The Executive Committee decided to have Corporation Counsel oppose the OSC on behalf of the Commissioners and the Board. No ratification of the Executive Committee's decision is necessary.

Secretary Perez recognized Alan Flacks, a member of the public, who spoke about the topic of judicial convention, and suggested for the NYPD to emphasize to their Officers about the importance of showing up to poll sites at 5:00 A.M. on Election Day.

Secretary Perez recognized Cathy Gray, a member of LWV, and Rachel Fauss, a member of Citizens Union, who reported on a meeting that

was held on April 15, 2015 with Executive Management and other good government groups (GGG). The GGG requested for the PDF data reports on the Board's website to be converted into a machine readable data file so they are more user friendly to copy and paste the Board's data into GGG reports. The conversion will also reduce the amount of FOIL Requests. Mr. Ryan reported that was a reasonable request and the Board's MIS Department is currently working on it. Commissioner Umane noted that the Board has to maintain security and accuracy when converting the Board's documents.

Commissioner Umane recalled that the full Board's Resolution in January 2015 was to schedule the Commissioners' Meetings every other week until April 2015. He recommended discussing this matter at the next meeting because the Resolution expires.

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

The next stated meeting of the Commissioners will be held on Tuesday, May 12, 2015 at 1:30 P.M.