

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JUNE 9, 2015
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Michael Michel
 Secretary Bianka Perez

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

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations 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: Marjorie Shea, LWV NYC
 Monica Bartley, CIDNY
 Sabrina Ovdine, NYDLC
 K. Loving, CFB
 Katharine Loving, CFB
 John D. Smith
 Alan Flacks, Member of NY Democratic Country Committee

President Michel called the meeting to order at 1:37 P.M.

Commissioner Flateau requested for an update on the voter registration cancellation process.

Commissioner Araujo moved to adopt the minutes for the June 2, 2015 meeting. Commissioner Umame seconded the motion, which was unanimously adopted.

Mr. Ryan reported on the Board's Testimony before the New York City Council at the Fiscal Year 16 Executive Budget Hearings on June 2, 2015. He advised the City Council that the Board is fully funded for all obligations through the FY 2015/2016 budget cycle, and fully funded for some discretionary obligations through the end of the 2015 calendar year. Executive Management will be working closely with the Mayor's Administration to discuss any shortfalls that the Board anticipates from January 1st through June 30th. There are allocated funds of \$46 million for Personal Services and \$65.2 million for Other Than Personal Services. Commissioner Flateau inquired if the full funding includes the possibility of additional language assistance. Mr. Ryan recalled that issue has been discussed in numerous public forums and the Board traditionally follows the limited English proficiency standards set by the federal government. The information for language requirements is gathered from the U.S. Census

Bureau and/or the American Community Survey. For informational purposes, Commissioner Flateau reported that the U.S. Census Bureau will be updating their list by September 2015 and there may be additional languages for the 2016 elections. Mr. Ryan reported that if a new language is mandated then the Board will have to go before the Mayor's Administration to discuss the issue of additional funding.

The Commissioners discussed the following subjects:

- 1) The Voter Cancellation process and voter notifications;
 - 2) Polling Place Changes and public officials and voter notifications;
- and
- 3) Voter Language Assistance and Section 203 of the Voting Rights Act.

President Michel noted that Commissioner Guastella joined the meeting.

Mr. Ryan provided an update on the Tablet implementation and funding. The Board has been working closely with the Mayor's Administration and has secured \$3 million for funding to improve the voters' experience. The expansion of Tablets will be implemented at all poll sites citywide. A total of 3,000 Tablets will be purchased (2,850 for combination

use in the poll sites to enhance information that is available for voters, and use in the field to enhance the response times, and 150 for spoilage and back-ups). Mr. Ryan reported that the Tablets are not limited to publishing the election results; they will be integrated for all aspects of the elections process. The Boroughs' Chief Clerks and Deputy Chief Clerks will be able to use the Tablets to track the field on Election Day. A total cost of \$2,139,336 for the Tablets purchased with funds appropriated by the Mayor's Office. In addition, the Board has negotiated an acquisition for an additional 2,900 square feet at 42 Broadway for a Server Room for the Tablets; an \$87,000 annual expenditure. The Tablets will be stored in the Server Room on charging carts, and a single programmer can conduct the uploading and updating of the software on all Tablets at the same time. Board staff is currently working on wireless access for the poll sites. Commissioner Umame inquired about the cost of wireless access for the Tablets. Mr. Ryan reported that staff is currently working with NYC DOITT on that issue. The full implementation of Tablets will occur no later than the 2016 Presidential General Election.

Mr. Ryan provided an update on the Evan Terry Associates (ETA) Poll Site Surveys. Currently, 451 draft surveys have been sent and 472 have been completed. As of May 28, 2015, there are 42 final reports. 26

out of the 42 reports have easy poll site fixes such as adding traffic cones, Door Clerks, and more signage. 3 poll sites were determined to be inaccessible, 5 poll sites need to be relocated, and an additional 8 poll sites where they have been identified in the relocation process. Poll Site Change Notices will be mailed to affected voters. Commissioner Araujo inquired about the ETA training classes for the Surveyor and Poll Site Departments. Ms. Sandow reported that the training class is tentatively scheduled for June 29, 2015 and it might be more than one day. ETA will train staff for interior, exterior and the field per federal ADA guidelines. Due to potential scheduling conflicts, Commissioner Araujo requested for the ETA training sessions to be video recorded for the Commissioners. Commissioner Umame noted that the Board's Surveyor and Poll Site Departments have been trained for ADA compliance by The Center for Independence for the Disabled (CIDNY) in the past, but ETA follows federal ADA guidelines which are more stringent. Mr. Ryan recalled that the Board has been working closely with the Mayor's Office and other City Agency heads on accessibility issues in City buildings for capital improvements. He noted that this is a City of New York issue, not just a Board issue. To date, Mr. Ryan received commitments from the Mayor's Office and two (2) Borough Presidents to prominently feature the Board's Poll Site Locator,

www.PollSiteLocator.com, on their website's Home Page as the election approaches for the voters.

Mr. Ryan reported that the Board submitted a FEMA Reimbursement Claim related to additional election expenses incurred as a result of Hurricane Sandy. FEMA provides a 90% reimbursement. A FEMA reimbursement of \$4,787,000 will be received and deposited into the City of New York's general fund.

Mr. Ryan and Ms. Sandow provided an update on the Election Commissioners Association (ECA) 2015 Summer Conference which was held from May 26, 2015 through May 29, 2015 in Cooperstown, NY. Staff members present were Mr. Ryan, Ms. Sandow, Ms. Perkins, Ms. Kontzamanis, Mr. Richman, Mr. Savino, Mr. Ferguson, Mr. O'Grady, Mr. Naudus, Ms. Conacchio, Mr. Haggerty, and Mr. Allen. Topics discussed were electronic poll books, voter registration maintenance, poll worker recruitment, and retaining poll workers. The Erie County Board of Elections reported that they conducted a successful pilot program using electronic poll books. There were Republican and Democratic Caucuses to discuss legislation. The City Board donated historical voting machine photographs for the 100th Anniversary ECA Museum. Mr. Richman

reported that there was a Legislative Committee Meeting and the ECA is still pushing the live proposals concerning closing public schools on Election Day and increasing the size of Election Districts. Commissioner Kellner submitted a proposal to combine the Presidential Primary and Federal Primary, but did not receive a majority support; therefore, the ECA did not take a position on the proposal.

Commissioner Flateau requested for an update on the voter registration cancellation process. Mr. Ryan reported that the process is ongoing and Ms. Kontzamanis distributed a statistical report, broken down by Borough, on the staff's progress.

Secretary Perez requested to discuss a Bronx personnel matter in Executive Session.

Commissioner Schulkin recalled that several Commissioners testified before the City Council concerning public postings of all job opportunities at the Board, and requested discussion and a vote on the matter. Commissioner Rendino recalled that the Board has publicly posted job opportunities for Technical positions via Monster.com and New York Times. Commissioner Guastella noted that the Board posts the Vacancy Report on

the Board's website. Commissioner Araujo asked if there were any proposed details on how job postings would be done and what criteria would be listed, and because these questions were not addressed, he noted that he is not informed enough to make a decision. President Michel agreed and noted that the Commissioners are structured under the New York State Election Law concerning the appointment of employees and the Commissioners are in compliance with the law. Commissioner Flateau suggested publicly posting Senior jobs with high salaries. There was discussion on the requirement of being registered to vote, party affiliation, and potential discrimination; there may be challenges listing on a public domain. Commissioner Umane noted that the Commissioners follow the law and suggested that if an individual Commissioner wants to publicly post their specific job vacancies then they can. He noted that the City Council does not publicly post their job opportunities. Commissioner Schulkin moved for all job opportunities at the Board to be publicly posted. Commissioner Flateau seconded the motion. In a roll call vote, there were three (3) in favor (Flateau, Perez, Schulkin), four (4) opposed (Araujo, Guastella, Michel, Umane), and one (1) abstention (Rendino). The motion was not adopted.

Mr. Ryan proposed scheduling a Commissioners' Meeting next week so that a representative from ES&S can discuss the Voting Machine Technician Training Levels I, II, and III in more detail to the Commissioners. Judd Ryan, a representative of ES&S, reported that he can have staff available on June 16, 2015.

Following Executive Session, the open public meeting resumed and Mr. Ryan reported the following action taken in Executive Session:

- I. Norma Saunders, a Voting Machine Technician in the Bronx, will be taking the position of Kevin Dixon, at the outgoing salary, effective June 7, 2015.

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

The next stated meeting of the Commissioners will be held on Tuesday, June 16, 2015 at 1:30 P.M.