

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, FEBRUARY 2, 2016
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Bianka Perez
 Secretary Frederic M. Umane

Commissioners Jose Araujo, John Flateau, Lisa Grey, Maria R. Guastella,
Michael Rendino, Alan Schulkin, Simon Shamoun

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
Debra Leible, Coordinator, Election Day Operations
John Naudus, Manager, Electronic Voting Systems
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Katharine Loving, NYC CFB
 Catherine Gray, LWV
 Talia Werber, Citizens Union
 Michael Benjamin
 Celeste Koeleveld
 Mehdi Sadaf

President Perez called the meeting to order at 1:43 P.M.

On behalf of the Commissioners, President Perez welcomed the new Staten Island Republican Commissioner Lisa Grey.

Commissioner Araujo moved to approve the minutes for the January 19, 2016 meeting. Commissioner Schulkin seconded the motion, with Commissioner Grey abstaining. The motion was adopted.

Commissioner Rendino moved to approve the minutes for the January 26, 2016 meeting. Commissioner Araujo seconded the motion, with Commissioner Grey abstaining. The motion was adopted.

Mr. Ryan requested approval of the Board's trucking contract relating to the delivery of the voting machines and other related equipment. The old contract has expired on December 31, 2015. The Executive Committee has reviewed a new trucking contract which would be a four (4) year term and retroactive to January 1, 2016. The vendors that have been awarded follows:

- Century Moving Storage, Manhattan West, \$2,743,847
- Corporate Relocation Systems, Manhattan East, \$3,515,296
- East Side Mover, Bronx West, \$1,992,060

- Santiago Worldwide Inc., Bronx East, \$1,826,030
- Flatbush Moving, Brooklyn North, \$3,810,548
- Triple Crown Maffucci Storage, Brooklyn South, \$2,792,866
- Liberty Moving & Storage, Queens North, \$3,467,589
- Perfect Courier Ltd., Queens South, \$5,769,062
- Century Moving Storage, Staten Island, \$1,108,595

The amounts listed are budget placeholders and “not to exceed amounts.” It was noted that the Board has followed all of the required NYC Procurement Policy Board (PPB) Rules. Mr. Ryan reported that the Executive Committee recommends for the full Board to ratify their decision of the new trucking contract, and the Committee also directed Executive Management and related staff members to reexamine the trucking delivering contracts in total, and then present various options about how a replacement contract could potentially be in place at a later date. Secretary Umane moved to adopt the Executive Committee’s recommendation. President Perez seconded the motion, with Commissioner Grey abstaining. The motion was adopted.

Mr. Richman presented the report and recommendations to the Challenges to the Voter Registrations of Marsha Gross, Lawrence P. Cassidy and Sadik Z. Ghaleb. Copies of the memorandum were

distributed. A member of the public challenged these three (3) voter registrations at the November 17, 2015 Commissioners' Meeting. The Commissioners had directed Mr. Richman and Mr. Savino to conduct the inquiry authorized by law into these challenges and to report the findings and recommendations to the full Board. In accordance with the NYS Election Law Section 5-400, it is the recommendation for the Board to cancel the voter registrations of Lawrence P. Cassidy and Sadik Z. Ghaleb since the notices sent to them at their addresses on record were returned as undeliverable indicating they do not reside at the addresses on record in relation to their voter registrations. In accordance with the NYS Election Law Section 5-402, it is the recommendation for the Board to send an Intent to Cancel Notice to Marsha Gross since the notice sent to her, pursuant to NYS Election Law 5-220, was actually accepted, but there is a reasonable belief that she is no longer qualified to be register to vote. The law firm that accepted Marsha Gross' mail has provided the obituary for Ms. Gross. Secretary Umame reminded that the member of the public challenged these three (3) voters because they were registered at 42 Broadway which is an office building. He noted that this is an issue citywide and recommended for the Board to look into these matters in the future to avoid improper voter registrations and help clean up the voter rolls. Secretary Umame moved to adopt the report and recommendations

as submitted by Mr. Richman and Mr. Savino. Commissioner Guastella seconded the motion, which was unanimously adopted.

Mr. Ryan reported on the Bronx Office Hours for Saturday, February 13, 2016 which is the last day to register to vote in person for the 17th Council District, Bronx County, Special Election. Executive Management recommended the hours of 9:00 A.M. to 5:00 P.M. President Perez moved to adopt the Bronx Office Hours of 9:00 A.M. to 5:00 P.M. on Saturday, February 13, 2016. Commissioner Rendino seconded the motion, which was unanimously adopted.

Mr. Ryan reported that the Board received the Governor's Proclamation, which was filed on Saturday, January 30, 2016, for the April 19, 2016 Special Elections for the 59th AD (Kings), 62nd AD (Richmond), and 65th AD (New York) to be joined with the Presidential Primary Election. Copies of the Proclamation were distributed.

Mr. Ryan reported on the issues relating to the April 19, 2016 Special Elections for the 59th AD (Kings), 62nd AD (Richmond), and 65th AD (New York) to be joined with the Presidential Primary Election. The City Board has been in communication with the State Board to develop a

potential resolution with respect to the ballots, ballot layout, voting equipment, and limitations of the voting machine's software. If additional voting equipment was deployed, there would be space issues in the current designated poll sites. In three (3) boroughs, a total of fourteen (14) poll rooms would be unsuitable poll site locations. Staff would have to look for and then survey a second poll room or another building altogether. Mr. Naudus provided a potential solution without the deployment of additional voting equipment. Copies of sample test ballots were distributed. There would be three (3) separate ballots (Democratic Primary, Republican Primary, Special Primary), portrait style, with columns. There would be too many candidates and delegates to use a ballot with rows. Mr. Naudus' potential solution would allow for the tabulation of ballots without any difficulty with the machine's software. It was reported that the six (6) Chief Clerk and Deputy Chief Clerks affected by the Special Elections were included in these discussions as well. It was noted that there are no legal issues with this solution, and the State Board had no objections. Executive Management recommended moving forward with Mr. Naudus' solution as presented. Secretary Umame recommended supplemental training for the poll workers and asked the media to help educate the voters. Commissioner Flateau inquired about additional notice to voters. Mr. Richman reported that additional notice is not required by law, but can

be considered by the Commissioners. It was noted that all voter information will be available to the public on the Board's website. Commissioner Guastella moved to adopt Mr. Naudus' solution as presented. Commissioner Flateau seconded the motion, which was unanimously adopted.

Mr. Richman presented issues relating to the April 19, 2016 Special Elections for the 59th AD (Kings), 62nd AD (Richmond), and 65th AD (New York). Copies of the memorandum were distributed. The last day to file Specifications of Objection relating to both Certificates of Nomination and Independent Nominating Petitions is Monday, February 22, 2016. Pursuant to the NYS Election Law, Section 4-116(1), the last day for the Commissioners to certify the Special Election ballot is Friday, February 26, 2016. Pursuant to the NYS Election Law, Section 10-108(1), the last day to distribute military ballots for these Special Elections is Friday, March 4, 2016. To comply with the relevant provisions, Mr. Richman recommended for the Commissioners to set a Hearing date for Friday, February 26, 2016 at 1:30 P.M., and for staff to prepare and then distribute the military and absentee ballots following the conclusion of the Commissioners' Hearing and Certification of the Ballot on Friday, February 26, 2016. President Perez moved to adopt Mr. Richman's

recommendation as presented. Commissioner Flateau seconded the motion, which was unanimously adopted.

Ms. Leible and Ms. Vazquez presented the draft proposal for the Pilot for the 17 Year Old Poll Worker Program. Copies of the draft were distributed. Ms. Vazquez recalled that this proposal was presented at the previous Commissioners' Meeting and she and Ms. Leible have worked with the Personnel Committee who have made some revisions to the draft. The changes are as follows:

- A minimum of two (2) or more public and/or private high schools, per borough, can participate in the pilot program;
- The high schools will be chosen by the Borough Commissioners;
- Each borough would assign a bi-partisan team of two (2) Election Day Operations (EDO) staff members to follow up with the application process;
- Students would receive tablet training;
- Students would have two (2) shift options – 5:00 A.M. until the closing of the polls (\$200), or, 3:00 P.M. until the closing of the polls (\$100);
- Student training classes would be held on the weekends (\$100);
- All students who participate must be U.S. citizens;

- All students who participate must fill out a voter registration form and register as a future voter;
- Students will need approval from their parent/guardian and the school's principal or guidance counselor.

The Labor Law concerning 17 year olds was researched, and it was found that they can work as Election Inspectors the full Election Day, and Interpreters can only work four (4) hours on Election Day if it is the day before a school day. Commissioner Umane recommended for the students to work on a bipartisan basis the same as the other poll workers and the Board staff. It was reported that the student poll workers would be using tablets to look up ED tables for voters waiting on line, so no voter waits more than 30 minutes to vote. The student poll workers would also assist with ADA matters. It was reported that lists of high schools will be sent to the Commissioners who will then work with their borough's Chief Clerk and Deputy Chief Clerks on how many high schools their staff members can manage. It was noted that the student poll workers would be assigned to work at their high school if it is a poll site, or, a poll site that is closest to their home. It was reported that Ms. Kontzamanis has contacted the United Federation of Teachers (UFT) and requested for substitute teachers, retired teachers, and current teachers to work as poll workers for the elections. Commissioner Araujo reported that the Personnel Committee made a

recommendation to adopt the proposal for the Pilot for the 17 Year Old Poll Worker Program as submitted and moved for the full Board to adopt the Committee's Report. Commissioner Rendino seconded the motion, which was unanimously adopted.

Ms. Leible presented the Draft Proposal for Information Clerks. Copies of the draft proposal were distributed. This item was presented at the previous meeting and the Personnel Committee has reviewed the proposal further. Information Clerks would be a separate position as they were prior to 2012. They would have specialized training on the tablets and will also be trained on the important aspects of the poll worker position. Commissioner Araujo reported that the Personnel Committee made a recommendation to adopt the Proposal for Information Clerks as submitted and moved for the full Board to adopt the Committee's Report. Commissioner Rendino seconded the motion, which was unanimously adopted.

President Perez moved to convene Executive Session for litigation and personnel matters. Secretary Umane seconded the motion, which was unanimously adopted.

Following Executive Session, the public meeting resumed and President Perez reported the following actions taken in Executive Session:

- I. The Commissioners unanimously approved a Stipulation of Settlement concerning Diana Miranda, an Administrative Assistant in the Bronx Office, which she agreed to six (6) months of probation and two (2) days of suspension which have already been fulfilled;
- II. Katherine Riley was appointed Administrative Assistant at the incumbent rate;
- III. Vincent Parascandolo, an Associate Staff Analyst in the General Office, was assigned to the Tablet Unit, fulfilling a Technical position at the incumbent rate.

President Perez moved to adjourn the meeting. Secretary Umane seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Monday, February 8, 2016 immediately following the 10:00 A.M. Hearings on Independent Nominating Petitions for the February 23, 2016 Special Election in Bronx County.