

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, OCTOBER 24, 2017 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umame
 Secretary Rosanna Vargas

Commissioners Jose Araujo, John Flateau, Michael Michel, Alan Schulkin,
Simon Shamoun, Robert Siano

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
Steven Guglielmi, Acting Director, Personnel
Valerie Vazquez, Director, Communications & Public Affairs
Sherwin Suss, Agency Chief Contract Officer, Procurement
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Catherine Gray
 Alan Flacks, Member of NY County Democratic Committee
 Wendy Byrne, LWVNYC
 Susan Lerner, Common Cause NY
 Kate Doran, LWVNYC

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

Commissioner Araujo moved to adopt the minutes for the October 17, 2017 meeting. Commissioner Michel seconded the motion, with Commissioner Shamoun abstaining. The motion was adopted.

Mr. Ryan reported that there was a Commissioners' Finance Committee meeting. Mr. Suss reported on the following consultant contracts that are currently being utilized by the Board and will expire at the end of the calendar year:

- Staffing Ease LLC – This company provides temporary legal staffing to the Board's Office of the General Counsel. The total cost of the proposed contract is not to exceed \$750,000 for 12 scheduled elections and any special elections called during the period of the contract. Their current rate for a contract attorney is \$54 per hour which is a low rate for NYC;
- Sage Smith Consulting LLC – This company provides software development and maintenance services to the S-Elect system which includes the election calendar, candidate and petition processing, poll worker and fleet inventory management. The total cost of the proposed four (4) year contract is not to exceed \$3,260,000;

- N-Tier Technology – This company provides software development and maintenance services to the AVID system which includes all voter registration applications and interfaces with the NYS voter database. The total cost of this proposed four (4) year contract is not to exceed \$2,643,000;
- Information Methods Incorporated (IMI) – This company provides project program management for implementation of a comprehensive Election Information System (EIS) which includes AVID and S-Elect. It is responsible for high development and requirements for the EIS program. The total cost for the proposed four (4) year contract is not to exceed \$1,350,000.

President Umame noted that he was unable to attend the Finance Committee Meeting and inquired if there could be one (1) consultant instead of three (3) separate consultants for the technology systems. Mr. Ryan reported that there are many functions within the large systems and these consultants have had long term relationships with the Board developing individual systems. He explained that it would require a several year plan to change consultants given the development of various software solutions they have provided over the years. Staff will explore other alternatives for the future. For the short term, Mr. Ryan

recommended to move forward with these proposed contracts. Commissioner Flateau noted that there was discussion on the utilization of minority and women-owned firms to the extent possible as well as the staffing of minorities and women. President Umane moved for the full Board to adopt the Commissioners' Finance Committee Report. The motion was seconded and unanimously adopted.

For informational purposes, Mr. Ryan reported the following items that were discussed in the Commissioners' Finance Committee Meeting:

- The Board's ACCO is engaging the New York City Department of Citywide Administrative Services (DCAS) for the disposal of the SHOUP lever machines. Currently, State Law does not permit the use of SHOUP machines in elections and the Legislature did not redo the prior authorization to use them. DCAS would send it out to bid to auction the machines. It appears the machines will have scrap metal value;
- The Board's ACCO is engaging DCAS for the electronic storage and retention of records with vendor Guaranteed Records Management (GRM). The Board will start with all records that require permanent retention which will be electronically scanned-in and stored. The old Commissioners'

Meeting Minutes will be scanned-in first and will have a text recognition search feature. GRM will sort and scan the hard copy documents, and create electronic files in a document library for Board use. Mr. Ryan noted that this process is substantial for the Board and will free up storage space as the project moves forward.

President Umane recognized Alan Flacks, a member of the public, who spoke about the ballot Proposal #2 error and inquired why that issue was discussed in Executive Session at the previous meeting. In response to Mr. Flacks, Mr. Ryan reported that potential litigation was solely discussed in Executive Session concerning the error and deliberations were made in public session.

President Umane recognized Susan Lerner, the Executive Director of Common Cause NY, who agreed with Mr. Flacks' inquiry, supported the scrapping of the lever machines, and reported on a Party enrollment change issue. Ms. Lerner reported that some voters in Brooklyn changed their Party affiliation before the deadline, but received notice that their Party change would be effective post November 13, 2018. In response to Ms. Lerner, Mr. Ryan reported that the Board is currently looking into this

issue. Voters were searched in the registration system and it was found that their Party enrollment change had the correct effective date in the system. It appears there has been a printing error on the notice which is currently being looked into further. Mr. Ryan reported that new notices will be mailed to those affected voters and that this issue will be corrected before the June 2018 Primary Election. President Umane requested for the list of voters who contacted Common Cause so that Board staff can review and correct the issue, if needed.

President Umane moved to convene Executive Session for litigation and personnel matters. The motion was seconded and unanimously adopted.

Following Executive Session, Mr. Ryan reported the following actions that were taken in Executive Session:

- I. The Commissioners unanimously voted (Commissioners Guastella and Zaccone not present) to authorize the execution of the Proposed Consent Judgment and Decree in the matter of Common Cause, et. al. V. Board of Elections, et. al.;
- II. Barbara Conacchio, Democratic Chief Clerk of the Queens Office, has submitted her retirement notification, which

depends on certification, to be effective no later than December 8, 2017. Amanda Berinato, Director of Payroll in the General Office, will assume the position of Democratic Chief Clerk of the Queens Office, upon the effective date of Ms. Conacchio's retirement. Tracey Royal, Administrative Associate in the Queens Office, will assume the position of Director of Payroll, upon the effective date of Ms. Berinato starting as Chief Clerk. The Chief Clerk position is a predetermined salary and Ms. Royal will be promoted into the incoming salary upon Ms. Berinato's vacancy;

- III. The Commissioners granted 105 hours Advance of Time to Tamika Moore, an Administrative Assistant in the Manhattan Office, to be paid back upon her return. Ms. Moore's agency start date is December 8, 2014.

Secretary Vargas moved to adjourn the meeting. President Umame seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, October 31, 2017 at 1:30 P.M.