

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, OCTOBER 30, 2018 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Rosanna Vargas
 Secretary John Wm. Zaccone

Commissioners Jose Araujo, John Flateau, Michael Michel,
Alan Schulkin, Simon Shamoun, Robert Siano, Frederic M. Umame

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven H. Richman, General Counsel, Office of the General Counsel
Raphael Savino, Deputy General Counsel, Office of the General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Steven Guglielmi, Director, Personnel
Sherwin Suss, Agency Chief Contract Officer, Procurement
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Anna-Maria Thomas
 Katharine Loving, NYC CFB
 Kati Garrity, NYC CFB
 Kate Doran, LWV
 Wendy Byrne, LWV NYC
 Ed Richen
 Elizabeth Wallace

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

Secretary Zaccone moved to adopt the minutes for the October 23, 2018 meeting. President Vargas seconded the motion, with Commissioners Siano and Flateau abstaining. The motion was adopted.

Mr. Ryan requested to add two (2) items to the agenda.

Mr. Ryan reported that the Board received communication from the Office of the Mayor concerning pay raise for poll workers. The Mayor issued a short Executive Order increasing the rate of compensation for poll site Coordinators from \$300 to \$350 and Poll Workers from \$200 to \$250 per Election Day.

Mr. Ryan reported on the Commissioners' Finance Committee Report. Mr. Suss provided a brief overview. The Board's five (5) year contract with Xerox photocopying and printing abilities is scheduled to expire. The contract is for the General Office's Print Shop which prints the poll worker training and work notices, political calendars, street finders, street locators, petition rule books, and other documents for the public. The Board solicited proposals and Canon and Xerox responded. Canon's proposal would save the Board a total of \$900,000 from the prior contract

and has more printing abilities in both color and black and white. MIS Department staff has viewed the Canon machines and found them to be good quality. The five (5) year contract for Canon is not to exceed \$2,212,360. Commissioner Umane reported that the Commissioners' Finance Committee recommends for the Board to move forward with Canon. Commissioner Umane moved for the full Board to adopt the Commissioners' Finance Committee's Report to utilize Canon services. President Vargas seconded the motion, which was unanimously adopted.

Mr. Ryan provided a brief report on litigation. There was a lawsuit filed by the Reform Party in Richmond County relating to the layout of the citywide ballot. There was a short form Order issued this afternoon where the application for relief was denied for the matters stated on the record. The group did not file in a timely matter when having received public notice of the ballot layout.

Mr. Ryan provided an update on the November 6, 2018 General Election. The information follows:

- There are a total of 4,571,391 registered voters according to the State Board's report dated October 1, 2018;

- A total of 1,231 poll sites will be opened citywide;
- A total of 4,054 scanners and 1,302 Ballot Marking Devices (BMDs) will be deployed;
- A total of 5,635 ED Supply Carts will be deployed;
- A total of 16,513 Privacy Booths will be deployed;
- A total of 36,018 chairs and 85,039 tables will be deployed;
- 96% of poll worker positions are filled to date;
- A total of 35,556 poll workers have been trained;
- There is a 110% stand-by pool of poll workers to ensure there will be enough poll workers on Election Day;
- Manhattan has a shortfall of Chinese and Spanish interpreters. Brooklyn has a shortfall of Chinese interpreters. Queens has a shortfall of Chinese and Korean interpreters. Ms. Knipel is working on filling those vacancies;
- A total of 503 poll sites citywide require an ADA ramp system installation:
 - 387 ramps will be installed by the ramp vendor, and;
 - 116 ramps will be installed by the Board;
- A total of 685 ADA cones will be deployed citywide;
- A total of 3,011 tablets will be deployed citywide;

- 2,477 tablets to the poll sites;
- 372 tablets in the field;
- 152 tablets to the Police Precincts for Election Night results reporting;
- There are necessary back-up tablets in the event of any issues on Election Day.

Commissioner Flateau requested for an update on the Mayor's Translation Assistance Program. Mr. Ryan reported that there were numerous attempts to obtain information from the Mayor's Office this year. Executive Management received information today. The Mayor's Translators will be offered in 86 poll sites in Brooklyn, 14 poll sites in Queens, and 1 poll site in Staten Island. The list of poll sites is broken down by borough and language, and has been forwarded to the Commissioners and Borough Office Chief Clerks and Deputy Chief Clerks. Mr. Ryan recalled that last year the Board assisted the Mayor's Translation Assistance Program in compliance with the law. The Board created a combined form consisting of an Oath and Affidavit to be signed by both the voter and translator to avoid confusion and to speed up the process. Board staff had anticipated coordinating with the poll site Coordinators and NYPD

Officers in advance of the election informing them of the process, and to ship copies of the required Affidavit/Oath form to the poll sites in the ED Supply Carts, but those deadlines have been missed. As a result, the Board has to use additional resources and change procedures seven (7) days before the election. Commissioner Michel noted that the Board has a Language Assistance Program and five (5) languages (English, Spanish, Chinese, Korean and Bengali) are required by the law in certain areas. Commissioner Shamoun noted that the Mayor's program is outside the scope of the Board, and does not know what methodology was used by the Mayor's Office to create the list of languages and poll sites. Staff hopes that the Mayor's Office will coordinate better with the Board in the future. In response to Secretary Zaccone's inquiry, Mr. Ryan reported that the Mayor's Office acknowledged via telephone that their Translators will be stationed 100 feet away from the poll site's entrance as required by law.

Commissioner Umane reassured the public that there is no reason to be concerned about cyber attacks in the poll sites. Mr. Ryan reported that there is a multiagency task force that monitors any potential issues on a regular basis.

President Vargas recognized Edme Richen, a member of the public, who challenged the voter registration of Amber Joy Kallor, 201 Van Buren Street, Apt. 1, Brooklyn, NY 11221, VSN # 301643376. Mr. Richen reported that he has been receiving voter mail for Ms. Kallor at his address. He explained that he has owned his home for over 45 years and no one has been living in his building by that name. The Commissioners reviewed the voter registration of Ms. Kallor. It was noted that she has not voted from Mr. Richen's address yet. Mr. Richen signed and submitted his "Challenge to a Voter Registration" affidavit to the Commissioners. Pursuant to the provisions of Section 5-220(1) of the New York State Election Law, Mr. Richen swore before the Commissioners challenging the voter registration of Amber Joy Kallor, 201 Van Buren Street, 1, Brooklyn, NY 11221, VSN # 301643376. This voter will be placed on the Challenge List in accordance with Section 5-220(2) of the New York State Election Law. A bi-partisan team will conduct the required inquiry into this challenge pursuant to the provisions of Article 5 of the New York State Election Law. The Coordinator at Ms. Vallor's poll site will be notified of this matter for the November 6, 2018 General Election.

President Vargas moved to convene an Executive Session for litigation matters. Secretary Zaccone seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and Secretary Zaccone reported the following action taken in Executive Session:

- I. The Commissioners authorized and directed that Board staff shall request that the New York City Law Department represent the Board in any litigation commenced on Election Day/Election Night, November 6, 2018, relating to the canvass and recanvass of votes cast, to defend the Board's duly adopted Canvass Procedures and the applicable provisions of the New York State Election Law as both lawful and proper, and to oppose any effort to modify the same.

Secretary Zaccone moved to adjourn the meeting. The motion was seconded, and unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, November 13, 2018 at 1:30 P.M.