

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, AUGUST 20, 2019 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President John Wm. Zaccone
 Secretary Patricia Anne Taylor

Commissioners Jose Araujo, Miguelina Camilo, John Flateau, Michael Michel, Simon Shamoun, Robert Siano, Tiffany Townsend, 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
Steven Guglielmi, Director, Personnel
Rayvon Weaver, Project Coordinator, Candidate Records Unit
Thomas Haeberle, Administrative Associate, Candidate Records Unit
Margarita Lugo, Project Coordinator, Candidate Records Unit
Raquel Torres, Administrative Assistant, Candidate Records Unit
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Stephen Hirsch, NYC Cyber Command
 Kate Doran, LWV
 Zoe Siesel
 Patricia Nolen
 Perry Grossman, NYCLU
 Jan Combopiano, Brooklyn Voters Alliance
 Laura Wood, Mayor's Office
 Marcy Boucher

President Zaccone called the meeting to order at 1:42 P.M.

Commissioner Araujo moved to adopt the July 26, 2019 minutes. Commissioner Flateau seconded the motion, with Commissioner Shamoun abstaining. The motion was adopted.

Commissioner Araujo moved for the Commissioners' Committee members who were present at the July 29, 2019 Special Meeting to adopt the July 29, 2019 minutes. Commissioner Michel seconded the motion, which was unanimously adopted.

Commissioner Araujo moved to adopt the July 30, 2019 minutes. Commissioner Townsend seconded the motion, with President Zaccone and Commissioner Shamoun abstaining. The motion was adopted. President Zaccone noted that he and Commissioner Shamoun did not vote on the July 30, 2019 Executive Session matter.

Commissioner Flateau moved to adopt the August 13, 2019 minutes. Commissioner Shamoun seconded the motion, with Commissioners Araujo, Michel and Siano abstaining. The motion was adopted.

President Zaccone reported that Mr. Richman requested to add a legal matter to the agenda. Mr. Richman reported that the Judicial Conventions of various Parties in Richmond County were held last week and they nominated Judge Orlando “Lindy” Marrasso as a candidate for Justice of the Supreme Court. Mr. Marrasso declined the nominations by the Democratic, Republican and Independence Parties for Justice of the Civil Court. Appropriate Certificates of Substitution were filed by the Parties. Last night, General Objections were filed to the Certificates of Nomination/Substitution. Mr. Richman reported that the Board is required to schedule Hearings relating to objections to Certificates of Nomination/Substitution for Judge of the Civil Court of the City of New York for the 1st Municipal Court District in Richmond County. Notice will be provided to the candidates in accordance with the law. After discussion, President Zaccone moved to schedule the Hearings on Friday, August 30, 2019 at 11:00 A.M. authorizing a Commissioners’ Committee, of equal number of Democrats and Republicans, to hear the matters. Secretary Taylor seconded the motion, which was unanimously adopted. It was noted that the meeting will be canceled if no Specifications of Objections are filed at the Board.

Mr. Ryan provided Early Voting updates. The information is as follows:

- Board staff has been working closely with staff at Early Voting poll sites to access electrical capabilities and usage for the Electronic Poll Books and Ballot on Demand (BOD) printers. Staff at the Early Voting sites will conduct an assessment and provide the information to Board staff. There is one (1) vendor that can provide temporary auxiliary power to a poll site, if needed. It would be a diesel powered generator installed outside the building utilizing a trunk line. It was found that some outlets in a poll site cannot meet certain amperage which is needed for the Electronic Poll Books and BOD systems. The Board's ADA Coordinators will ensure the poll site is accessible if a generator is needed. The Board's long term plan would be for the poll site to update their electrical capabilities in the designated poll room. Board staff is currently working on costs associated with auxiliary power, if needed, and a report will be provided at the next meeting;
- Board staff has finalized a carrying case for the Cradlepoint devices. The carrying case is made with a strong military grade material to protect the equipment;

- Mr. Suss has been working with DOITT to negotiate pricing for Cradlepoints and the Board has received a savings of \$500,000. A total of 1,400 Cradlepoints were ordered and they ensured timely delivery before Election Day;
- Executive Management and the Chief Clerks and Deputy Chief Clerks had discussions on ballot security during the Early Voting period. Early Voting voted ballots need to be removed and secured like Election Day working alongside the NYPD. The current blue ballot bins take up a lot of space for storage and requires a twenty (20) week lead for ordering so it was determined they are not the best option for Early Voting. The Chief Clerk and Deputy Chief Clerks have identified a collapsible and sealable ballot bag from a Third Party Vendor which fits neatly in the Scanner cabinet and takes up significantly less room for storage. Mr. Ryan reported that he will provide additional information on the proposed bag and costs at the next meeting;
- The Electronic Poll Pads are currently being uploaded with data at the General Office due to network efficiency. Board staff is currently working with the vendor KnowInk to eliminate restrictions based on the switches on the Poll Pads to make full

use of the bandwidth to be more efficient. The long term plan is to upload the Electronic Poll Pads at each borough's Voting Machine Facility;

- Cyber security discussions are ongoing with NYC City Cyber for internal and external operations;
- To date, 57% of poll workers have been assigned to work for the General Election. A total of 6,984 poll workers have been trained on Basic Poll Worker Training for the General Election. Early Voting poll workers will receive separate Early Voting training to help avoid any confusion;
- The Early Voting Communications Plan is almost finalized. Ms. Vazquez met with various good government groups last week to discuss the Plan and received constructive feedback.

Commissioner Araujo requested for a Poll Worker Training Session to be recorded and posted on the Board's website as a refresher tool for poll workers. Mr. Ryan reported that the ADA Poll Worker Training Session and the opening and closing of polls training segments are currently posted on the website. The Board has to hire a professional videographer to film the poll worker training class so it can be accessed in appropriate

segments. Mr. Ryan reported that an Electronic Poll Pad training video is currently being worked on.

Commissioner Araujo inquired if the Electronic Poll Book Manual will be loaded onto the Poll Pads for the poll workers' reference. Mr. Ryan reported that request will be addressed with the vendor at their technical meeting scheduled for next Thursday. Mr. Ryan will report back on this item in two (2) weeks.

Commissioner Flateau inquired about the Mayor's Office language assistance program for the Early Voting period. Mr. Ryan noted that Ms. Laura Wood, a representative from the Mayor's Office, is present and observing the meeting. Executive Management will be meeting with Ms. Wood to discuss the Mayor's language assistance program. Mr. Ryan will report back at the next meeting.

Commissioner Araujo inquired if there is language assistance software that can be installed on the Tablets as a potential back-up option if there is a shortage of Interpreters at the poll site. The Office of the General Counsel will look into this further and provide a report to the Commissioners in the future.

Commissioner Flateau recalled that there have been issues with Brooklyn's trucking company in the past elections and requested to be addressed for the future.

President Zaccone inquired if there have been any changes with the ES&S purchases. Mr. Ryan reported that the Board is currently waiting for an answer from the NYC Comptroller's Office. President Zaccone recommended sending the Comptroller a follow-up letter from Executive Management if there is no answer by Thursday, August 22nd. Mr. Ryan reported that the Board plans to accept deliveries of 600 ES&S machines and will conduct the testing process. Mr. Ryan will keep the Commissioners updated on this item.

President Zaccone reminded for Executive Management to schedule a meeting with NYC City Cyber and the Commissioners. Mr. Ryan noted that Mr. Stephen Hirsch, a representative from NYC City Cyber, is present and observing the meeting. Mr. Hirsch will be available to meet with the Commissioners at a future meeting.

Commissioner Umane moved to convene an Executive Session for litigation and personnel matters. Commissioner Flateau seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed. President Zaccone reported that litigation was discussed and there was no formal action. A personnel matter was discussed and the action taken will be reported at a later date.

The following action was taken by the unanimous decision of the Commissioners in Executive Session:

- I. There was a unanimous ratification of the Executive Committee's decision to grant Anthony Ribustello, Deputy Chief Clerk, 35 hours of an Advance of Time. The grant is effective August 9, 2019. Mr. Ribustello's agency start date is August 6, 2006.

President Zaccone recognized the following speaker for public comment:

1. Kate Doran.

President Zaccone reported that there are Challenges to Voter Registrations. President Zaccone recognized Marcy Boucher, a member of the public, who challenged the following voter registrations:

1. William L. Newsome, 406 West 25th Street, Apt. 1FE, New York, NY 10001, VSN # 301557470;
2. Marietta Argyros, 406 West 25th Street, Apt. 2RE, New York, NY 10001, VSN # 3001955855; and
3. Angeliki Katehis, 406 West 25th Street, Apt. 3FE, New York, NY 10001, VSN # 300226239.

Ms. Boucher reported that she is the owner of the building since 1985 and these three (3) voters do not live in her building. Ms. Boucher claimed that she has been receiving voter mail for Mr. Newsome, Ms. Argyros, and Ms. Katehis at her address. The Commissioners reviewed all relevant documents and copies of voter registrations submitted by Ms. Boucher. After review, Ms. Boucher signed and submitted three (3) "Challenge to a Voter Registration" affidavits to the Commissioners. Pursuant to the provisions of Section 5-220(1) of the New York State Election Law, Ms. Boucher swore before the Commissioners challenging the voter registrations of William L. Newsome, Marietta Argyros and Angeliki Katehis. These voters 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 in

the Manhattan Office will conduct the required inquiry into these challenges pursuant to the provisions of Article 5 of the New York State Election Law.

The next stated meeting of the Commissioners will be held on Tuesday, August 27, 2019 at 1:30 P.M.

Commissioner Siano moved to adjourn the meeting. Commissioner Camilo seconded the motion, which was unanimously adopted.