

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, JANUARY 13, 2009
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR HEARING ROOM
NEW YORK, NY 10004

P R E S E N T: President Frederic Umame
 Secretary Julie Dent

Commissioners Araujo, Sampel, Schacher, Silie, Soumas, Stupp, Yennella

Marcus Cederqvist, Executive Director
George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
John Owens Jr., Enforcement Counsel, Campaign Finance
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Thomas Sattie, Candidate Records Unit
Elliot Borack, ACCO
Charles Webb, Counsel to the Commissioners
Steve Denkberg, Counsel to the Commissioners

GUEST: Israel Rodriguez, City Council
 Marjorie Shea, Women's City Club
 Andrea Senteno, Citizen's Union
 Rima McCoy, CIDNY
 Caroline Heinle, Burson-Marsteller
 Teresa Hummel, Community Church of New York

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

President Umane moved to table the minutes of the January 6, 2009 meeting. Commissioner Soumas seconded the motion, which was adopted unanimously.

Mr. Cederqvist gave the following HAVA report. He stated that as per the Commissioners' request, a BMD demonstration will be held during the Commissioner's regular meeting on February 10, 2009. Other BMD demonstrations are being set up in each of the Borough Offices.

Mr. Cederqvist reported that the New York City Campaign Finance Board requests a meeting with the NYC Board of Elections in anticipation of the 2009 City elections. He asked the Commissioners for authorization to meet with representatives of the New York City Campaign Finance Board, which the Commissioners unanimously authorized.

Mr. Cederqvist noted that at the previous Commissioners' meeting held on January 6, 2009 he reported that he had not received a HAVA Compliance Update Report from the New York State Board of Elections to the U.S. Department of Justice and the court for several weeks. He stated that the SBOE did submit a report on January 8th and that a copy of the

report was included in this week's agenda package for the Commissioners' review.

The Executive Director reported that specific Board staff along with a number of Commissioners will be attending the Winter Conference of the Election Commissioners Association (ECA) of the State of New York next week in Cooperstown, NY.

The Commissioners unanimously agreed that there will be no meeting on Tuesday, January 20, 2009 in recognition of the Martin Luther King Holiday and the Inauguration of President-Elect Barack Obama and because some of the Commissioners and senior staff will be at the ECA Conference.

The General Counsel provided the Commissioners with a Memorandum dated January 12, 2009, recommending dates for Hearings on Specifications of Objections relating to Independent Nominating Petitions. The NYC Board has received petitions for Candidates to the NYC Council in each of the three districts and General Objections have been filed in both counties. After discussion, President Umane moved to

conduct the Hearings on Specification of Objections to Independent Nominating Petitions for the February 24, 2009 Special Election for Member of the New York City Council in the 21st, 32nd, and 49th Council Districts on Tuesday, February 3, 2009 at 1:30 P.M., prior to the Commissioner's regular Board meeting, which was agreed to unanimously by all the Commissioners.

The General Counsel also requested the appointment of an additional Petition and Cover Sheet Review Committee for Independent Nominating Petition matters. Following consultation, President Umame and Secretary Dent designated the follow Commissioners Committees for:

Tuesday, January 13 - Commissioners Araujo & Umame

Friday, January 16 – Commissioner Araujo & Stupp

The General Counsel reported that the State Board of Elections seeks to amend the Rules and Regulations of the State of New York on how to process voter registrations, thereby proposing to delete the requirement that members of both parties must electronically sign any edits or changes to information entered in the system. After discussion, Commissioner Soumas moved to direct Board staff to provide comments

and encourage the State Board to implement Rules establishing an accountability factor, via sign off on a bipartisan basis. Commissioner Sampel seconded the motion, which was adopted by a vote of 8 in favor (Secretary Dent, Commissioners Araujo, Sampel, Schacher, Silie, Soumas, Stupp, Yennella) 1 abstention (President Umane).

President Umane opened the floor for comments from Teresa Hummel.

The General Counsel reported that this afternoon Judge Charles Sifton, United States District Court for the Eastern District of New York issued his Memorandum and Order in the case of Molinari et. al. v. Bloomberg, et. al. regarding Term Limits. The Judge granted the City's motion for a Summary Judgment. The General Counsel reported that he does not know whether the plaintiffs in this case will appeal and as of this morning the City has not submitted its Pre-clearance application to the U.S. Department of Justice.

The Agency Chief Contracting Officer reported that at the Commissioners' previous meeting he provided them with information

concerning the proposed contracts for After-Hours and Election Day Car Services. In response to a question from Commissioner Soumas following last week's meeting, he gave an overview of the After-Hours and Election Day Car Services contract solicitation process for their information. After discussion, Commissioner Sampel moved to authorize the ACCO to solicit bids from qualified vendors to provide car service to the Board of Elections in the City of New York. Secretary Dent seconded the motion, which was adopted unanimously.

President Umane advised that the Executive Director is authorized to sign off on the After-Hours and Election Day Car Services contract based on the Commissioner's adopted motion.

The Finance Officer provided the Commissioners with the Comparative Expenditure Report dated January 13, 2009.

Commissioner Schacher moved to convene an Executive Session to discuss personnel matters. Commissioner Sampel seconded the motion, which was adopted unanimously.

The President reported that in the Executive Session the Commissioners took the following personnel action:

- A) The Commissioners unanimously denied the Step II pay grievance for Philip Mione, a Computer Data Analyst, in the Executive Office seeking the title of Technical Support Specialist; and
- B) The Commissioners unanimously moved to grant Charlotte Jordon, a Clerk in the Manhattan Office, request for extended unpaid leave in accordance with the Family and Medical Leave Act and appointed Milton Williams, who is also a Clerk to fill the vacancy caused by Ms. Jordon's absence.

Secretary Dent moved to adjourn. Commissioner Yennella seconded the motion, which was adopted unanimously.

The next Commissioner's meeting is scheduled for Tuesday, January 27, 2008 at 1:30 P.M.