

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, AUGUST 11, 2009
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR COMMISSIONERS' ROOM
NEW YORK, NY 10004

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

Commissioners Araujo, Polanco, Schacher, Silie, Sipp, Soumas, Stupp

Marcus Cederqvist, Executive Director
Pamela Perkins, Administrative Manager
John Owens, Jr., Director, Campaign Finance Enforcement
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Troy Johnson, Coordinator, Candidate Records Unit
Tom Sattie, Associate Staff Analyst, Candidate Records Unit
Matthew Graves, Administrative Associate, Candidate Records Unit
Greg Lehman, Chief Clerk, Manhattan Office
Tim Gay, Deputy Chief Clerk, Manhattan Office
Valerie Vazquez-Rivera, Director, Communications and Public Affairs
Charles S. Webb, III, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Dan Simonette
 Daniel Kim
 Dan Holloran, for Cavano
 Jose Adames
 Jerry Goldfeder
 Anna Lewis
 Daniel Simonette Jr.
 Arthur Greig

President Umame called the meeting to order at 1:39 P.M.

President Umane convened the Hearings on Specifications of Objections to Opportunity to Ballot Petitions, continuation of Hearings on Designating Petitions, and hearings on the form of the ballot.

The determinations regarding the various Specifications of Objections are recorded on the respective Clerks' Reports.

The Coordinator of the Candidate Records Unit reported on one Prima Facie defect matter for Designating Petition KG0900523 and KG0900522 for Republican County Committee for the 59th Assembly District and 67th Election District. There was an overdesignation; four (4) candidates filed with the same cover sheet. Mr. Johnson stated that the candidates did not respond to the NCN Notice which was sent on July 23, 2009. On August 3, 2009 the Supreme Court restored the candidates on the ballot, however, it was over-designated. Commissioner Soumas explained the Order of the Court. Commissioner Schacher made a motion to remove the four (4) candidates from the ballot. Commissioner Soumas seconded the motion, which was adopted unanimously. The candidates are off the ballot.

Thomas Sattie, Candidate Records Unit, reported on a Specification

of Objection which should have appeared on the CRU Prima Facie Report for the New York County Hearings on August 5, 2009. The Matter of the Objections by Ruben Dario Vargas to the Petition of Ydanis A. Rodriguez for Democratic New York City Council in the 10th District, Spec. No. 137. Mr. Sattie requested guidance on this matter. Commissioner Soumas moved that a notice be sent to the candidate and objector for a hearing next Tuesday, August 18, 2009 at 1:30 P.M. The motion was adopted without objection.

President Umane adjourned the hearing relating to Designations and Opportunity to Ballot Petitions and convened the stated meeting.

President Umane moved to table the minutes of July 14, 2009, July 21, 2009, July 28, 2009 and August 3, 2009. The motion was adopted unanimously.

The Executive Director presented the HAVA Update. He reported that the staff is continuing their work in the workstreams. Mr. Cederqvist noted that there are two (2) weekly reports from the State Board in the agenda.

The Executive Director reported that the organization that filed the ballot initiative to create a 9/11 Commission has initiated litigation against the City Clerk's Office and the Board. The organization's staff is currently using the Board's public terminals to identify errors that the Board staff might have made to create a bill of particulars to submit to court. They are trying to ultimately get on the ballot.

The Executive Director reported that last Friday the Governor issued a Proclamation calling a Special Election in the 38th Assembly District, Queens. There was a subsequent Proclamation that day revoking the first Proclamation. As of this date, there will not be a Special Election.

The Executive Director reported that today is the first day to file Independent Nominating Petitions. The final day to file is Tuesday, August 18, 2009. The Board will be open until midnight on that day.

The Executive Director, on behalf of the General Counsel, requested the appointment of a Cover Sheet Review Committee for Friday. The President and Secretary designated Commissioners Schacher and Soumas to send for a meeting on Friday at 12:00 P.M.

The Coordinator of the Candidate Records Unit reported on the Independent Nominating Petitions that were filed with the Board.

John O'Grady, Chief Voting Machine Technician, and Thomas Sattie, Ballot Coordinator, discussed the ballot layout and the order of offices for the 2009 Primary Election. Mr. Sattie distributed a draft order of offices by borough, and draft ballot layout copies to the full Board for review. Mr. O'Grady requested approval of the draft order of offices and ballot layout for the 2009 Primary Elections. Mr. Denkberg noted that the Member of Assembly 38th Assembly District was omitted from the draft. The Executive Director added that it was omitted because of the Governor's most recent proclamation. Mr. Sattie stated that if a Special Election is called for a Member of Assembly 38th Assembly District race, it will appear below the City Council line. President Umame moved to adopt the draft order of offices as submitted with an amendment to add the Member of Assembly 38th District race, if such is required. Secretary Dent seconded the motion, which was adopted unanimously.

The Chief Voting Machine Technician requested that if any Election Districts are to be combined for the 2009 Primary Election, the Chief and Deputy Chief Clerk must obtain the Board of Commissioners approval. The

deadline to combine EDs is August 24, 2009.

The Coordinator of Election Day Operations distributed the Brooklyn Poll Worker Exception Report for the September 15, 2009 Primary Election. Ms. Rahmouni requested approval from the Commissioners on the report. Commissioner Schacher moved to adopt the Brooklyn Poll Worker Exception Report for the 2009 Primary Election. Secretary Dent seconded the motion, which was adopted unanimously.

The Finance Officer reported on the Vacancy Report dated August 4, 2009, and the Comparative Expenditures dated August 11, 2009.

President Umane moved to convene an Executive Session to discuss personnel matters. Commissioner Soumas seconded the motion, which was adopted unanimously.

Following the Executive Session, the open public session resumed and President Umane reported that no action was taken in Executive Session.

President Umane adjourned the meeting.

The next stated meeting of the Commissioners is scheduled for Tuesday, August 18, 2009 at 1:30 P.M.