

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, DECEMBER 7, 2010
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR COMMISSIONERS' ROOM
NEW YORK, NY 10004

PRESENT: President Julie Dent
Secretary Juan Carlos "J.C." Polanco

Commissioners Araujo, Barrera, Schacher, Sipp, Soumas, Stupp, Umane

Dawn Sandow, Deputy Executive Director
Steven H. Richman, General Counsel
John Owens Jr., Director, Campaign Finance Enforcement
Dorothy Delayo, Director, Personnel
John Ward, Finance Officer
Valerie Vazquez-Rivera, Director, Communications & Public Affairs
Daniel Lavelle, Associate Staff Analyst, Phone Bank & Communications
James Barron, Temporary Attorney, OGC
Adam Dolce, Temporary Attorney, OGC
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kate Doran, LWV
Marjorie Shea, Women's City Club
Kathy McGuinness
John Smith
Jerome Koenig
Geneva Butts
Alex Voetsch, NYDLC
Alex Camarda, Citizens Union
Alan Flacks, Member of NY County Democratic Committee
Joseph Garber

Secretary Polanco called the meeting to order at 1:46 P.M. He noted that President Dent will be tardy.

Commissioner Araujo moved to approve the minutes of the September 21, 2010 meeting. Commissioner Stupp seconded the motion, which was adopted unanimously.

Commissioner Stupp requested to discuss a Queens personnel matter in Executive Session.

Secretary Polanco requested to discuss a Bronx personnel matter in Executive Session.

Ms. Sandow reported on the NYC Council Governmental Operations Committee Hearing which was held on December 6, 2010. A copy of the Board's Testimony is in the agenda. Overall, there was praise of the Board's performance on the November 2, 2010 General Election. Speaker Quinn noted that the poll workers at her poll site were more aware of voter privacy by providing her with a privacy sleeve and keeping a safe distance when she inserted her marked ballot into the scanner. Speaker Quinn requested for the Board to participate in the Mayor's Management Report and to consider preparing a poll site report card and posting it on the Board's website. The Government Operations Committee is aware that the Board is planning to post the sample ballots on the website for future

elections. Council Member Brewer committed for the Department of Information Technology and Telecommunications (DOITT) to assist the Board with posting the sample ballots. Ms. Sandow reported that Mr. Richman discussed the unofficial nature of election night returns and the recanvass procedures. Additional issues that were discussed were half-day poll worker shifts, tallying data on election night, printing tape as return of canvass is signed off by bi-partisan teams, and more training and focus on the Ballot Marking Devices (BMDs). The good government groups praised the Board's Public Education Campaign.

Ms. Sandow requested to add an item to the agenda.

Secretary Polanco recognized Jerry Koenig, a member of the public.

Secretary Polanco noted that President Dent and Commissioner Schacher have joined the meeting.

President Dent thanked the Commissioners and Board staff who attended the NYC City Council Hearing. Commissioners Schacher, Stupp and Polanco stated that Board staff did a magnificent job presenting and answering the Government Operations Committee's questions. Secretary

Polanco urged the Commissioners to discuss whether or not the Board will participate in the Mayor's Management Report.

President Dent reported that she received a resume from Vincent Jenkins for the position of Executive Director. She will forward the resume to Ms. Delayo.

Ms. Sandow reported that she received communication from the Office of Payroll Administration (OPA) concerning the implementation of CityTime. A packet of documents concerning this matter were distributed to the Commissioners. Ms. Sandow indicated that not all City agencies are utilizing CityTime. Secretary Polanco stated that the Board cannot trust this new system yet after reviewing the packet of documents. He indicated that Mayor Bloomberg stated that CityTime is a disaster which was published in a newspaper article. Mr. Richman stated that the Board can inquire if the NYC Council, NYC Campaign Finance Board, and other independent agencies if they will be participating in CityTime. The Commissioners agreed for Board staff to research CityTime further then they will make a final decision.

Ms. Sandow reported that the 2011 Election Commissioners'

Association (ECA) Conference is scheduled for January 25, 2010 through January 28, 2011. Ms. Sandow requested approval from the Commissioners to allow Board Managers to attend the conference. Commissioner Araujo moved to authorize Board Managers to attend the 2011 ECA Conference as done in past practice. Commissioner Schacher seconded the motion, which was adopted unanimously.

Ms. Vazquez-Rivera reported that she will be hosting a community group meeting concerning the Public Education Campaign and poll worker recruitment. The meeting is scheduled for December 16, 2010 at 1:30pm in the Executive Office. Ms. Vazquez-Rivera will request feedback from the groups and will preview the future Public Education Campaign and poll worker recruitment plan. The Asian American Legal Defense and Education Fund (AALDEF), Center for Independence of the Disabled, NY (CIDNY), League of Women Voters (LWV), Common Cause, Election Protection, MS Society, Lighthouse International and Visions have confirmed their attendance. Secretary Polanco stated that he will attend the meeting as well. Ms. Vazquez-Rivera will send an email to the Commissioners concerning this item. She stated that she will take notes at the meeting and then distribute minutes to the Commissioners.

Secretary Polanco recalled that the Commissioners' discussed televising the Commissioners' Meetings on the internet and inquired if there was any research. Ms. Vazquez-Rivera stated that she will ask various organizations for bids. She will submit the bids to the Public Education Committee then to the full Board for a final decision.

President Dent recognized Alex Camarda, a member of the public.

Mr. Ward reported on the November Plan. A copy of the plan is in the agenda. Mr. Ward noted that the Office of Management and Budget (OMB) sent him the November Plan changes. The budget is subject to a vote of the City Council.

Mr. Ward presented the Vacancy Report dated December 7, 2010. A copy of the report is in the agenda. Commissioner Araujo inquired if the Monthly Report is complete. Mr. Ward reported that he will present that report at the next meeting.

Mr. Richman presented the revised HAVA Transition Certification for the completion of transition from the lever voting machines to optical scan technology. A copy of the revised certification is in the agenda.

Mr. Richman stated that he, Mr. Denkberg and Mr. Webb reviewed and revised the certification. The changes made are in compliance. Commissioner Araujo moved to adopt the revised HAVA Transition Certification which was prepared by the Board's Counsels and to execute it. Commissioner Barrera seconded the motion, which was adopted unanimously.

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

Following the Executive Session, the open public meeting resumed and President Dent reported the actions that were taken in Executive Session:

- I. In the Bronx Borough Office, Russell Rasmussen, will be demoted to a Temporary Clerk position, and Richard Ribustello will take Mr. Rasmussen's position as a Voting Machine Technician with an annual salary of \$30,088, effective immediately.
- II. Commissioner Sipp indicated that the Temporary Clerks in the Staten Island Office Phone Bank will be terminated on

December 10, 2010 by the close of business. The mandated language services staff will remain in the Phone Bank. Their services are currently being reviewed.

President Dent recognized Alan Flacks, a member of the public.

Commissioner Stupp moved to adjourn the meeting. President Dent seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, December 14, 2010 at 1:30 P.M.