

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, FEBRUARY 27, 2007
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR HEARING ROOM
NEW YORK, NY 10004

P R E S E N T: Anthony Como, President

Commissioners Graham, O'Connor, Schacher, Umane, Yennella

John Ravitz, Executive Director
George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Valerie Vazquez, Director of Public Affairs
Phil Donahue, Director, Personnel
Joseph LaRocca, Coordinator, Candidate Records Unit
John O'Grady, Voting Machine Technician
Gladys Fernandez, EVS
Philip Mione, Computer Data Analyst, EVS
Mona Huang, Sr. Computer Programmer, EVS
Steve Denkberg, Counsel to the Commissioners

Guests: Jerry Koenig
 Teresa Hummel, Community Church of New York
 Mark Herman

President Como called the meeting to order at 1:30 P.M.

Commissioner Schacher requested that a moment of silence be observed in memory of Jeannette Gadson, the Democratic

Commissioner of Elections for Brooklyn who passed away on February 13, 2007. The moment of silence was observed.

The Executive Director reported that:

1) A Special Election was held on February 20, 2007 for Member of the City Council in the 40th & 51st Council Districts:

- a) The unofficial results for the 40th Council District shows Mathieu Eugene with 2,013 votes, Jennifer James with 898 votes, and Wellington Sharpe with 704 votes. 338 absentee ballots have been received along with 156 affidavit ballots.
- b) The unofficial results for the 51th Council District, shows Vincent Ignizio with 3,902 votes and Manny Innamorato with 1,511 votes. 370 absentee ballots have been received along with 18 affidavit ballots.
- c) The canvass and recanvass procedures for both the 40th and 51st Council Districts has begun.
- d) Certification of the results will be considered by a Commissioners' Committee constituting the Board of Canvassers for these Elections (President Como,

Secretary Sampel, Commissioner O'Connor for both; Commissioner Yennella for the 51st Council District, Commissioner Schacher for the 40th Council District) on Thursday, March 8, 2007 at 1:30 P.M. in the Commissioners' Hearing Room.

Commissioner O'Connor noted that an article in the Daily News suggested that only votes cast on Election Day should be counted at the close of the polls. It further suggested that Candidate Mathieu Eugene from the 40th Council District should be declared the winner. He stated that this course of action would disenfranchise many elderly and military voters who vote by absentee or military ballots.

- 2) The Board is scheduled to meet with Burson-Marsteller to discuss the implementation plan for the new voting systems on Wednesday, February 28, 2007.
- 3) The State Board of Elections has asked the NYC Board to review contracts drafted by OGS and the SBOE for the purchase of new voting systems. A conference call was held this morning between the City Board, the State Board, and OGS to discuss our recommendations.
- 4) The Board's State Legislative Education and Information

Program is scheduled for Monday, March 5, 2007 and Tuesday, March 6, 2007.

- 5) The Board will testify before the Committee on Governmental Operations regarding the Mayor's Fiscal Year '08 Preliminary Budget on Wednesday, March 7, 2007 at 11:00 A.M.

The General Counsel provided the Commissioners with a copy of the Calendars relating to Certificates of Nominations and Independent Nominating Petitions along with the Governor's Proclamations calling Special Elections to fill the vacancies in the 61st and the 62nd Assembly Districts. He recommended that the Commissioners convene Hearings relating to the 61st Assembly District on Thursday, March 15, 2007 at 1:30 P.M. and convene Hearings relating to the 62nd Assembly District on Monday, March 19, 2007 at 1:30 P.M. The Commissioners unanimously adopted the recommendation.

Chief Voting Machine Technician John O'Grady asked the Commissioners to authorize combining Election Districts in the 61st and 62nd Assembly Districts for the upcoming Special Elections. The

Commissioners noted that these matters should be addressed by the Staten Island Commissioners.

The Coordinator of the Candidate Records Unit Joseph LaRocca provided the Commissioners with a draft of the Notice to Candidates in the March 27th Special Elections for approval.

The General Counsel advised that based upon the dates set for hearings relating to these Special Elections the dates set forth in the draft notice to candidates would be impossible to meet.

Commissioner Umame moved that Mr. LaRocca revise the Candidate Notice to reflect realistic dates for voting machine inspection based on today's Board actions. Commissioner O'Connor seconded the motion, which was adopted unanimously.

The Finance Officer John Ward provided the Commissioners with the Comparative Expenditure Report dated February 27, 2007 and the Vacancy Report dated February 20, 2007.

President Como moved to adopt the minutes of January 23, 2007, January 30, 2007, and February 6, 2007. Commissioner Graham seconded the motion, which was adopted unanimously.

President Como moved to grant a 30-days sick leave extension for Dolores Davis, a Clerk in the Queens Office. Commissioner O'Connor seconded the motion, which was adopted unanimously.

Commissioner Graham moved to grant 30-day sick leave extensions for Ashley Irizarry, an Administrative Assistant and Damian Castro, a Clerk both in the Bronx Office. Commissioner Yennella seconded the motion, which was adopted unanimously.

President Como moved to convene an Executive Session to discuss litigation and personnel matters. Commissioner O'Connor seconded the motion, which was agreed to unanimously.

Following Executive Session, President Como recognized Jose Adames for brief comments.

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

- 1) The Commissioners unanimously agreed not to appeal the OLR determination that Nicholas Zimmitti should be paid at the rate of an Associate Staff Analyst for the period June 13, 2006 to February 27, 2007.
- 2) Based on the foregoing, the Commissioners unanimously promoted Nicholas Zimmitti to Associate Staff Analyst, effective June 13, 2006, with commensurate salary.

President Como moved to adjourn. Commissioner Graham seconded the motion, which was adopted unanimously.

President Como announced that the next Commissioners' meeting is scheduled for Thursday, March 15, 2007 at 1:30 p.m. for hearings relating to the Special Election for Member of the Assembly in the 61st Assembly District.