

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON THURSDAY, AUGUST 2, 2007  
AT 12:00 Noon  
42 BROADWAY, 6th FLOOR CONFERENCE ROOM  
NEW YORK, NY 10004

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P R E S E N T:           Anthony Como, President  
                              James Sampel, Secretary

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

John Ravitz, Executive Director  
George Gonzalez, Deputy Executive Director  
Pamela Perkins, Administrative Manager  
Steven H. Richman, General Counsel  
Phil Donahue, Director, Personnel  
John Ward, Finance Officer  
Steve Ferguson, Director, MIS  
Joseph LaRocca, Coordinator, Candidate Records Unit  
Thomas Sattie, Ballot Coordinator, Candidate Records Unit  
Matthew Graves, Candidate Records Unit  
Bob Pataky, Candidate Records Unit  
Michael Neglia, Candidate Records Unit  
Michael Carmicino, Candidate Records Unit  
Valerie Vazquez, Director, Public Relations and Communications  
Beth Fossella, Coordinator, Voter Registration  
Jack Courtney, Temporary Attorney  
Peter Halprin, Law Student Intern  
William Markle, Law Student Intern  
Samantha Kim, Temporary Attorney  
Dawn Sandow, Deputy Chief Clerk, Bronx  
Diane Rudiano, Chief Clerk, Brooklyn  
Maryrose Sattie, Deputy Chief Clerk, Brooklyn  
Barbara Connachio, Chief Clerk, Queens  
Katherine James, Deputy Chief Clerk, Queens  
Sheila DelGiorno, Chief Clerk, Staten Island

Anthony Andruilli, Deputy Chief Clerk, Staten Island  
Troy Johnson, Chief Clerk, Manhattan  
Timothy Johnson, Deputy Chief Clerk, Manhattan  
Steve Denkberg, Counsel to the Commissioners  
Charles Webb, Counsel to the Commissioners

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President Como called the meeting to order at 12:40 P.M.

President Como moved to adopt the minutes of July 17, 2007.

Secretary Sampel seconded the motion, which was adopted  
unanimously.

President Como moved to table the minutes of the July 24, 2007  
meeting to the next meeting. Secretary Sampel seconded the motion,  
which was adopted unanimously.

The Executive Director reported that

- 1) The State Legislature passed the bill to amend the  
Election Law to allow all counties to use their existing  
voting systems with at least one Ballot Marking Device  
per County until a new system is certified [Note: rules  
for counting votes cast on BMDs will be set by the State  
Board].

- 2) The City Board will provide candidates with the opportunity to hear and make corrections to the phonetic pronunciation of their names for the audio ballot in the VRA covered languages [English, Spanish, Korean and Chinese (both Mandarin, and Cantonese)] on a date and time to be determined by the Candidate Records Unit.

President Como moved to authorize the Candidate Records Unit to set the date and time for Candidates and/or their representatives to hear and make corrections to the phonetic pronunciations of their names for the audio ballot. Commissioner O'Connor seconded the motion, which was adopted unanimously.

The Executive Director provided the Commissioners with a copy of the letter from Douglas Kellner, Co-Chair of the State Board of Elections regarding H.R. 811. He stated that a key component of the bill as now written requires that there be a voter verifiable paper trail for every ballot cast in the 2008 elections. He asked the Commissioners to lobby the NYC Congressional Delegation regarding amendments to this bill.

Commissioner O'Connor stated that it is through the efforts of the NYC Board staff that anything was done with the amendments to the State Election Law.

The General Counsel reported on the NYC Board of Elections' implementation of the Statewide Voter Registration List and non-compliance with Section 6217.5 of the State Board of Election Rules "Database Regulation" (included in the agenda). The General Counsel stated that the State Board administers and maintains the Statewide Voter Registration List in accordance with the determinations made by each County Board of Elections, in a lawful bipartisan manner, pursuant to §3-212 of the Election Law. He noted the language set forth in §6217.5 and advised that in a conference calls with State Board staff; they have refused to express their position in writing regarding subsection 3 of §6217.5 which mandates:

"All voter registration activity must be done by a bipartisan team of workers, to assure fairness and uniformity in the process"

This is not the process employed in the City of New York.

The Executive Director stated that he understood the General Counsel's concerns regarding this matter because the NYC Board does not meet these requirements. He noted that the current practice has generally worked.

In response to a question, the Coordinator of Voter Registration provided the Commissioners with the number of voter registrations awaiting processing by borough [Manhattan – 244, Bronx – 192, Brooklyn – 325, Queens – 2, Staten Island – 1].

After extensive discussion, the Commissioners directed that the Board should change its procedures to conform to the State Regulations and write to the State Board to request guidance and clarification (in writing).

The General Counsel provided the Commissioners with an update on A. 9363 [The Election Commissioners Association's proposal to amend Section 11 of Chapter 181 of the Laws of 2005 – the Election Reform and Modernization Act of 2005 ["ERMA"]. He stated that the Governor still has another week to consider this bill.

With respect to the bill to increase salaries of BOE NYC Commissioners [A. 6997/S. 6095] the General Counsel reported that it has not yet been transmitted to the Governor. He stated that he has been advised that there is an informal discussion and concern by the Executive Chamber regarding the merit of the legislation.

The Director of Personnel provided the Commissioners with an Employment Eligibility Verification [Form I-9 under the U.S. Department of Homeland Security's US Citizenship and Immigration Service] and reported that all Board of Elections' employees are required to complete it as proof that they are eligible to work in the United States.

Finance Officer John Ward provided the Commissioners with the Comparative Expenditure Report dated August 2, 2007.

Commissioner Graham moved to grant a 30-days sick leave extension for Awilda Liborial, a clerk in the Bronx Office. President Como seconded the motion, which was adopted unanimously.

Commissioner Sampel presented a Committee report on a disciplinary hearing:

Susan Lake, an Administrative Assistant in the Staten Island Office be terminated, effective close of business August 2, 2007.

President Como moved to adopt the Committee's report. The Committee report was unanimously.

The President moved to adjourn. Commissioner O'Connor seconded the motion, which was adopted unanimously

The next meeting will be held on Tuesday, August 7, 2007 at 1:30 P.M.