

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, DECEMBER 11, 2007
AT 1:30 P.M.
42 BROADWAY, EVS CONFERENCE ROOM
NEW YORK, NY 10004

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

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

George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Valerie Vasquez, Director, Communications
John Ward, Finance Officer
Phil Donahue, Director, Personnel
Joseph LaRocca, Coordinator, Candidate Records Unit
Thomas Sattie, Ballot Coordinator
John O'Grady, Chief, Voting Machine Technician
Lucille Grimaldi, Director, EVS
Philip Mione, EVS
Mona Huang, Sr. Computer Programmer, EVS
Gladys Fernandez, Technical Writer, EVS
Rosanna Rahmouni, Coordinator, EDO
Beth Fossella, Coordinator, Voter Registration
Jack Courtney, Temporary Attorney
Steven Denkberg, Counsel to the Commissioners
Charles Webb, Counsel to the Commissioners

GUEST: Marjorie Shea, Women's City Club
 Aaron Belisle, CIDNY
 Alyssa Usui, Voters Assistance Commission
 Andrea Senteno, Citizen Union
 Teresa Hummel
 Jerry Koenig, Obama for President Campaign

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

President Como moved to table the minutes of the November 13, 2007, November 20, 2007, November 27, 2007 and December 4, 2007 meetings. Secretary Sampel seconded the motion, which was adopted unanimously.

The Deputy Executive Director reported that Board staff has identified fifteen areas that would have to be analyzed before a recommendation could be made with respect to relocating the Manhattan BMD poll site to Selis Manor at 135 West 23rd Street. He provided the Commissioners with seven of those items listed below:

- 1) Physical floor plan
- 2) Staffing and security
- 3) Transportation
- 4) Cost to print additional 1290 poll books for Manhattan alone
- 5) The technical requirements of the computerized components
- 6) The process flow requirement; and

- 7) The impact the proposed move would have on other voters and the franchise.

The Deputy Executive Director stated that more time was needed to fully analyze each of the elements to assess the possibility of considering Selis Manor as the BMD poll site.

The Deputy Executive Director also reported that he received an email from Aaron Belisle, Voter Education and Access Coordinator; CIDNY dated December 10, 2007 asking the Board to consider other locations in each borough as alternate accessible poll sites for voters with disabilities. Mr. Gonzalez asked the Commissioners to be mindful of the timing in possibly relocating any of the borough super poll sites due to the work involved and the upcoming 2008 Presidential Primary.

In response to a question from Commissioner Soumas, the Deputy Executive Director stated that under the current plan, any voter in New York County would be able to go to the designated super poll site, and cast their vote on their proper ballot for the Presidential Primary Election through the use of a specifically programmed Smart Card.

The Deputy Executive Director reported that the NYC Board has been invited to testify before the NYC Council Committee on Governmental Operations on Tuesday, December 18, 2007 at 1:00 P.M. regarding the Voters Assistance Commission and Its Efforts to Increase Voter Registration across New York City's Diverse Communities.

After discussion, there was a general consensus amongst the Commissioners that the Deputy Executive Director send a written response to the NYC Council advising that the Board respectfully declines to appear at this hearing.

The Deputy Executive Director reported that the NYS Election Commissioners' Association Winter Conference will be held from January 22 – 25, 2008. He asked the Commissioners who were planning to attend to please see Jane Zito in the Executive Office. Due to the upcoming Presidential Primary, he asked that Borough and Senior Managers not be authorized to attend the conference at this time.

Commissioner Umame moved that because of the timing of the February 5, 2008 Presidential Primary Election, Borough Managers and

Senior Managers are not authorized to attend the NYS Election Commissioners' Association 2008 Winter Conference. Commissioner Graham seconded the motion, which was adopted by a vote of 8 in favor (President Como, Secretary Sampel and Commissioners Dent, Graham, Polanco, Schacher, Soumas, Umane) and 1 opposed (Commissioner O'Connor).

The Coordinator of Election Day Operations provided the Commissioners with a draft of a Summary Sheet that will accompany the Poll Worker's Election Exception Report for each election for Borough Commissioners' approval. Commissioner Umane suggested that the language interpreter positions should include all covered language positions.

The Coordinator of Election Day Operations asked for approval to schedule a new 3-day Adjunct Trainers Class at the Borough of Manhattan Community College (BMCC). Mrs. Rahmouni stated that this course would improve Adjunct Trainers' presentation skills. After discussion, Commissioner Graham moved that the Board should continue with its current training process. Secretary Sampel seconded

the motion, which was adopted unanimously.

The Coordinator of Election Day Operations provided the Commissioners with a Revised Notice to Work for their approval. After review, Commissioner Umame moved to approve the revised Notice to Work. President Como seconded the motion, which was adopted unanimously.

The Coordinator of the Candidate Records Unit gave the Commissioners a rundown of Petitions filed for the February 5, 2008 Presidential Primary as follows:

- A) Thirty (30) petitions for Delegates and/or Alternate to the Democratic National Convention have been filed.
 - Nine Prima Facie Notices and four Cover Sheet Defect Notices have gone out; responses for the Cover Sheet Defect Notices are due Wednesday, December 12th.
- B) Three Presidential Candidates have delegate candidates running in some Congressional Districts as follows:
 - 1) Hillary Clinton and Borack Obama have filed in every CD;

- 2) John Edwards filed in the 8, 11, 13, 14 and 15th CDs.
- 3) Six Democratic Presidential Candidates will appear on the February 5, 2008 Presidential Primary Ballot.

Mr. LaRocca reported that the State Board of Elections is promulgating the Democratic and Republican State Committee list and expects it by December 18, 2007. Considering that the Board received no general objections; no specifications have been filed. Hearings on Designating Petitions are now scheduled for Thursday, December 27, 2007.

Jerry Koenig on behalf of the Obama for President Campaign and on behalf of his candidate and Henry Berger, Counsel for the Clinton for President Campaign asked the Commissioners to change the date for Hearings on Prima Facie defects to Tuesday, December 18, 2007. President Como moved that Hearings on Prima Facie Defects be moved to Tuesday, December 18, 2007 at 1:30 P.M. and directed the General Counsel to send notices to the Candidates and/or their authorized representatives/contact persons. Secretary Sampel seconded the motion, which was adopted unanimously.

The Coordinator of the Candidate Records Unit provided the Commissioners with his Memorandum dated December 7, 2007 requesting a full time staff member to replace Robert Pataky.

Finance Officer John Ward provided the Commissioners with the Vacancy Report dated December 11, 2007.

The Ballot Coordinator Thomas Sattie reported that for the February 5, 2008 Presidential Primary Election he needed the Commissioners' approval on the proposed ballot order as follows:

- Office titles will be placed in the columns generally used for instructions. All eight columns will be used as follows:
 - a) Democratic Presidential Candidates will appear horizontally across the ballot in columns one through six.
 - b) In column 7, there will be a separate header for "President of the United States for the Republican Party" with candidate names with Presidential Candidate's names appearing vertically in column 8. Republican Party delegates do not appear on the ballot.
 - c) Democratic Delegates will appear below their Presidential

Candidate vertically. Alternate delegates' will follow below.

President Como moved to approve the ballot layout as given above. Secretary Sampel seconded the motion, which was adopted unanimously.

John O'Grady, Chief Voting Machine Technician asked that the Commissioners approve combining Election Districts with less than 100 enrolled voters with those of less than 500, so that the combined EDs total number of voters having primaries does not exceed 600 for the February 5, 2008 Presidential Primary Election.

Mr. O'Grady inquired whether double machines should be sent out for the Presidential Primary. President Como moved to combine EDs as set forth by Mr. O'Grady and to send the second voting machine to any Election District where the number of enrolled voters having a Primary (Democratic & Republican) exceeds 800 voters. Commissioner Graham seconded the motion, which was adopted unanimously.

Commissioner Umane moved to promote Steven Lopez to

Administrative Assistant, with commensurate salary, effective immediately in to the absence of Laura Burton, who is on extended leave due to injuries sustained from a car accident. Commissioner Soumas seconded the motion, which was adopted unanimously.

President Como opened the floor to comments/questions:

- 1) Teresa Hummel
- 2) Marjorie Shea

President Como moved to convene Party Caucuses followed by an Executive Session to discuss personnel and litigation matters. Secretary Sampel seconded the motion, which was agreed to unanimously.

President Como reported that in the Executive Session the Commissioners took the following actions:

- 1) The Commissioners approved granting back pay to Jamal Goodridge, a Clerk in the Manhattan Office for the period of September 11, 2007 through October 28, 2007. The vote was 8 in favor (President Como, Secretary Sampel and Commissioners Dent, Graham,

Polanco, Schacher, Soumas, Umane) 1 opposed
(Commissioner O'Connor).

- 2) Authorized the Board to retain Newscast US Photography to take professional headshots of the Commissioners and Managers to be used for the Annual Report, website and press packages at the cost of \$4,625. The vote was 8 in favor (President Como, Secretary Sampel and Commissioners Dent, Graham, Polanco, Schacher, Soumas, Umane) 1 opposed (Commissioner O'Connor).
- 3) Unanimously approved the sample cover page for the Annual Report which will appear as a horizontal cover with a picture of the Board of Election's Seal and the American Flag.

President Como moved to adjourn. Secretary Sampel seconded the motion, which was adopted unanimously.

President Como announced that the next Commissioners' meeting is scheduled for Tuesday, December 18, 2007 at 1:30 P.M.