

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
HELD ON TUESDAY, JANUARY 8, 2008  
AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR HEARING ROOM  
NEW YORK, NY 10004

---

P R E S E N T:           James Sampel, President  
                              Frederic Umane, Secretary

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

George Gonzalez, Deputy Executive Director  
Pamela Perkins, Administrative Manager  
Phil Donahue, Director of Personnel  
Joseph LaRocca, Coordinator, Candidate Records Unit  
John Ward, Finance Officer  
Elliot Borack, ACCO  
Lucille Grimaldi, Director, EVS  
Gladys Fernandez, Technical Writer, EVS  
Beth Fossella, Coordinator, Voter Registration  
Jack Courtney, Temporary Attorney  
Steven Denkberg, Counsel to the Commissioners

GUEST:    Marjorie Shea, Women's City Club  
            Adrienne Kivelson, League of Women Voters  
            Alyssa Usui, Coordinator, Voters Assistance Commission  
            Andrea Senteno, Citizen Union  
            Teresa Hummel  
            Mark Herman

---

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

Commissioner O'Connor moved to adopt the minutes of the December 11, 2007 and December 18, 2007 meetings. President Sampel seconded the motion, which was adopted unanimously.

Commissioner O'Connor moved to table consideration of the January 3, 2008 minutes until the next meeting. President Sampel seconded the motion, which was adopted unanimously.

Commissioner O'Connor raised the question regarding the Board's 2005 adopted motion to compensate managers for working long work days and excess work hours after he was advised that Senior Management, Borough Chiefs and Deputy Chief Clerks and designated Board staff have been meeting on Saturdays. The Director of Personnel explained that the City has refused past requests to compensate managers for overtime under the City's budget. Considering the work that must be done in time for the February 5, 2008 Presidential Primary and beyond, the Deputy Executive Director stated that the special meeting is being held on Saturday because there are too many interruptions during the work day.

Commissioner O'Connor noted that notwithstanding the Commissioners' action on November 29, 2005, which adopted the draft resolution of the Board's General Counsel, directing compensatory time for managerial employees of the Board, beginning January 1, 2006, the Board continues to delay recompensing managerial employees. Secretary Umame suggested that the Committee on Human Resources and the Executive Managers review this matter with the Personnel Director and draft a written policy.

Commissioner O'Connor asked why the General Counsel was not present at today's meeting and noted that Senior Managers and Board staff were not authorized to use leave time until after the February 5, 2008 Presidential Primary Election. The Deputy Executive Director explained and Secretary Umame agreed that the Commissioners did give management the ability, under certain circumstances, to have some flexibility in granting leave requests. Commissioner Soumas, nonetheless, expressed his resentment with Mr. Richman's absence and asked if he [the General Counsel] is expendable. He directed Board staff to include the question on next week's agenda. After further discussion, Secretary Umame explained that even though these things are normally

discussed in Executive Session, historically any Commissioner can put an item on the agenda. The item will be included on the agenda as requested by Commissioner Soumas.

The Deputy Executive Director reported that:

- A) The State Board of Elections submitted their plan to Judge Sharpe to have local Boards of Elections implement Ballot Marking Devices in every poll site for the 2008 Primary and General Election.

In response to a question from Commissioner O'Connor, the Administrative Manager advised that on January 23, 2008 the Commissioners of the NYS Board of Elections will determine which ballot marking device shall be offered to counties for selection, subject to the approval of the contracts for their purchase by the Office of the State Comptroller and the U.S. Attorney General.

- B) The Commissioners received a draft copy of the Access and Education/Training Funds Contract for review and asked for a determination at their next meeting in order for the Board to proceed with procuring monies for Poll Workers Education and Training.

Commissioner Umame asked whether the document has been examined by both the Board's General Counsel and the NYC Law Department. The Deputy Executive Director advised that the contract has been reviewed by the Board's General Counsel only. Commissioner Umame asked the Deputy Executive Director to submit the contract to the Corporation Counsel's Office for review and approval.

- C) The NYC Board is scheduled to meet with the NYC Council Committee on Governmental Operations on Wednesday, January 16, 2007 at 10:00 A.M. and asked the Commissioners to confirm their attendance.
- D) In past elections, there have been problems with voting machines being moved from an assigned polling location/room by the principle of a NYC Public School to another area. The Board held a conference call with Jeffrey Shear, Chief of Staff to the Deputy Chancellor for Finance and Administration at the Department of Education to resolve this problem.
- E) Following there meeting with DCAS and OMB regarding adequate facilities to receive, maintain and store new voting systems, OMB gave some suggestions for reviewing space

within the Board's current facilities. Three locations are under review for the Bronx VMF and Office; one possible location has been identified for the Brooklyn VMF; and a location is under review for the new VMF in Queens. Based on those recommendations and suggestions the Board has started its review process.

Lucille Grimaldi and Elliot Borack presented the Commissioners with a copy of the settlement agreement with the Gartner Consulting Group for their approval. Commissioner Graham moved to adopt the settlement agreement as submitted. Commissioner Soumas seconded the motion, which was adopted unanimously.

The Coordinator of the Candidate Records Unit provided the Commissioners with the Revised Notice to Candidates for the February 5, 2008 President Primary Election for approval that included the date candidates will be able to hear and make corrections to the phonetic pronunciation of their names in the required languages (Chinese, Mandarin, and Cantonese). Commissioner O'Connor moved to adopt

the Revised Notice to Candidates as submitted. President Sampel seconded the motion, which was adopted unanimously.

Finance Officer John Ward provided the Commissioners with the Comparative Expenditure Report dated January 1, 2008 and the Vacancy Report dated January 8, 2008.

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

President Sampel reported that the following actions were taken in Executive Session pursuant to §3-300 of the New York State Election Law:

- 1) Unanimously approved 840 from the sick leave bank for James Flanagan, a Clerk in the Manhattan Office.
- 2) Jerry Carmicino, an Administrative Assistant in the Bronx Office, is appointed to the Election Day Operations Unit as Administrative Assistant.
- 3) Susan Cooper is appointed as Administrative Assistant

in the Personnel Department.

- 4) Ashley Irizarry, an Administrative Assistant in the Bronx Office, is promoted to Administrative Associate in the Finance Unit.
- 5) Nicholas Bellucci is appointed as Administrative Assistant in the Election Day Operations' Voter Education and Outreach Unit.
- 6) Jose Polanco will be appointed to the new Voter Education Unit as an Administrative Assistant.
- 7) Boris Pincus, a Brooklyn Republican and Steven Thomas, a Staten Island Republican are appointed as HAVA Training Specialists in the new Voter Education Unit.
- 8) Steve Graves is appointed as Associate Staff Analyst in the Voting Machine Technicians' Training Unit.
- 9) Buzz Lindros, a Clerk in the Brooklyn Office is promoted to Administrative Associate in the Voting Machine Technicians' Training Unit; and
- 10) Bonnie Bibula, a Staten Island Republican and Christopher Lanzillotti, a Manhattan Republican is

appointed to the Voting Machine Technicians' Training Unit, both as Administrative Associates.

All appointments are effective immediately.

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

President Sampel announced that the next Commissioners' meeting is scheduled for Tuesday, January 15, 2008 at 1:30 P.M.