

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, JANUARY 15, 2008
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR HEARING ROOM
NEW YORK, NY 10004

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

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

George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Phil Donahue, Director of Personnel
John Ward, Finance Officer
Joseph LaRocca, Coordinator, Candidate Records Unit
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
 Aaron Belisle, CIDNY
 Teresa Hummel
 Mark Herman

President Sampel called the meeting to order at 1:32 P.M.

The following modifications were made to the meeting's agenda:

- Commissioner Graham added Personnel as Item 1 to the agenda:
- Commissioner Dent moved to removed Item 7 from any agenda.

Commissioner Soumas moved to table Item 7.

President Sampel moved to table the minutes of the January 3, 2008 and January 8, 2008 meetings. Secretary Umane seconded the motion, which was adopted unanimously.

Commissioner Schacher moved to grant a sick leave advance of 210 hours to both Ameriar Feliciano and Luann Kubler-Ali, Clerks in the Brooklyn Office. Secretary Umane seconded the motion, which was adopted unanimously.

Commissioner Graham moved to appoint:

Marcus Cederqvist as Executive Director;

The Hon. Maria Baez as Deputy Executive Director;

Joseph Jay Savino as the Counsel to the Republican Commissioners; and

Compensate Administrative Manager Pamela Perkins for her work

during the absence of an Executive Director. Commissioner Polanco seconded the motion.

After discussion, Secretary Umame moved to appoint Marcus Cederqvist as Executive Director. Commissioner Schacher seconded the motion. Commissioner Graham reminded the Commissioners that his motion was pending and noted that Mr. Cederqvist's appointment was part of his motion.

Commissioner O'Connor asked for clarification and/or reasoning for this motion, noting that the positions of Deputy Executive Director and the Counsel to the Republican Commissioners, are not vacant.

Commissioner Graham requested a Democratic caucus and Commissioner Polanco requested a Republican caucus. The Commissioners meeting recessed to conduct party caucuses.

The Commissioners' reconvened their meeting at 2:13 P.M.

In a roll call vote, Commissioner Graham's motion failed by a vote of 4 in favor (President Sampel, Commissioner Como, Commissioner Graham, Commissioner Polanco) and 6 opposed (Secretary Umame, Commissioner Dent, Commissioner O'Connor, Commissioner Schacher, Commissioner Yennella).

Secretary Umame moved to appoint Marcus Cederqvist as Executive Director, at the salary of \$159,720, effective immediately. Commissioner Dent seconded the motion, which in a roll call vote, was adopted unanimously.

Commissioner O'Connor moved to increase the compensation of the Deputy Executive Director and Administrative Manager for their work during the period of the vacancy in the Executive Director position from October 14, 2007 to January 15, 2008, by increasing the Deputy Executive Director's salary to that of the Executive Director and the Administrative Manager's salary to that of the Deputy Executive Director. Commissioner Dent seconded the motion, which was adopted unanimously.

The Deputy Executive Director reported that:

- A) The NYC Board is scheduled to meet with the staff of the NYC Council on Wednesday, January 16, 2007 at 10:00 A.M. and asked the Commissioners to confirm their attendance.
- B) The Executive Committee has approved special meetings for the demonstration of Ballot Marking Devices in accordance with the following schedule at 1:30 P.M.:
 - a. Thursday, January 17, 2008 - ES&S
 - b. Tuesday, January 22, 2008 - Avante
 - c. Thursday, January 24, 2008 - Premier
 - d. Friday, January 25, 2008 - Sequoia
- C) The Executive Committee has scheduled a special meeting of the Commissioners to select a ballot marking device for Wednesday, February 6, 2008 at 1:30 P.M.
- D) The Board received a letter dated January 10, 2008 from NYS Assembly Members Helene Weinstein, Alan Maisel, Alec Brook-Krasny, and William Colton asking the Board to advertise the February 5th Primary Election in additional languages.

Secretary Umane moved that the Board staff conduct a study of the costs to implement this request and provide a report of their findings after the February Presidential Primary. The motion was seconded by President Sampel and adopted unanimously.

- E) The Board received a letter dated January 8, 2008 from the League of Women Voters' and the Women's City Club asking the Board to expand its public outreach efforts by placing samples of the ballots for each of the City's 13 Congressional Districts on the Board's website in advance of the February 5th Presidential Primary Election.

The General Counsel advised that a list of the Republican and Democratic Presidential Candidates, Delegates and Alternates in that Primary is on the State Board of Election's website.

- F) In response to the Board's January 8, 2008 letter, NYC Corporation Counsel Michael Cardozo orally advised the Deputy Executive Director that the NYC Law Department will not commence an action for declaratory judgment with respect to the Board's ability to dismiss an employee. A written response is expected shortly.

The Coordinator of Election Day Operations provided the Commissioners with the Revised Queens Poll Worker Exception Report for the February 5, 2008 Presidential Primary Election. Commissioner Como moved to adopt the Exception Report as submitted. Commissioner Graham seconded the motion, which was adopted unanimously.

Finance Officer John Ward provided the Commissioners with the Comparative Expenditure Report dated January 15, 2008.

President Sampel moved to convene an Executive Session to discuss personnel matters. Commissioner Como 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:

Khadijah Overstreet, a Clerk in the Brooklyn Office is appointed a HAVA Training Specialist in the Voter Education Unit, effective immediately.

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

President Sampel announced that the next Commissioners' meeting is scheduled for Tuesday, January 22, 2008 at 1:30 P.M.