

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON THURSDAY, SEPTEMBER 16, 2008
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR HEARING ROOM
NEW YORK, NY 10004

P R E S E N T: President James Sampel

Commissioners Dent, Graham, Schacher, Polanco, Soumas, Yennella

Marcus Cederqvist, Executive Director
George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steve Richman, General Counsel
Dorothy Delayo, Director, Personnel
John Owens Jr., Enforcement Counsel
John Ward, Finance Officer
Joseph LaRocca, Coordinator, Candidate Records Unit
Matthew Graves, Candidate Records Unit
Thomas Sattie, Ballot Coordinator, Candidate Records Unit
Steve Ferguson, Director, MIS
Beth Fossella, Coordinator, Voter Registration
Steve Denkberg, Counsel to the Commissioners
Charles Webb III, Counsel to the Commissioners

GUEST: Mark Herman
 Mary Lou Urban, League of Women Voters
 Jerry Koenig
 Andrea Senteno, Citizens Union
 Alyssa Usui, Voters Assistance Commission
 Isreal Rodriguez, NYC Council
 Teresa Hummel, Community Church of New York

President Sampel called the meeting to order at 1:45 P.M.

President Sampel moved to table the minutes of the August 12th, August 19th, August 26th, and September 4th meetings. Commissioner Soumas seconded the motion, which was adopted unanimously.

President Sampel moved to approve the Preliminary Return of Canvass Report for the September 9th Primary Election and authorized Board staff to use the Commissioners' signature stamps. Commissioner Soumas seconded the motion, which was adopted unanimously.

The Executive Director reported that the Primary Election turn-out was very low, with only about 8% of eligible voters. There were some issues with the BMDs not being turned on but, he believes, that is due to the lack of funding for poll workers who could have specifically taken care of voters using the BMDs. Mr. Cederqvist further reported that the recanvass of the votes cast on the voting machines is being conducted today at each borough's Voting Machine Facility and starting tomorrow the Board will begin the canvass of all paper ballots, including emergency, affidavit, absentee and military ballots.

The Executive Director reported that Commissioner Soumas had a conversation with Councilmember Inez Dickens, who is a member of the Governmental Operations Committee. During that discussion, Councilmember Dickens expressed interest in having the NYC Board of Elections conduct a demonstration of the BMDs for the Council.

President Sampel moved to convene an Executive Session to discuss personnel matters. Commissioner Soumas seconded the motion, which was agreed to unanimously.

The Deputy Executive Director introduced Delores Delayo as the new Personnel Director.

President Sampel announced that some of the Commissioners will be leaving to attend the Judicial Convention. He designated Commissioner Graham to serve as President in his absence and Commissioner Schacher as Secretary in the absence of Commissioner Umane. Commissioner Soumas seconded the motion, which was adopted unanimously.

President Graham reconvened the Board's meeting.

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

- A) Unanimously approved a 30-day sick leave for Jerri Carmicino, an Administrative Assistant in the Executive Office; and
- B) Unanimously approved a 30-day sick leave for Angela Pettit, a Clerk in the Brooklyn Office.

Mr. LaRocca advised the Commissioners that the name “Voices of the Everyday People for Change” selected by Craig Schley, an independent candidate in the 15th Congressional District, is too long. He asked the Commissioners for approval to send the candidate and/or his authorized committee a letter. He recommended that the candidate be given seven to ten days, after mailing of the notice, to file a different name and emblem. After discussion, Commissioner Soumas moved to that Board staff act in accordance with the seven day rule. Secretary Schacher seconded the motion, which was adopted unanimously.

The Coordinator of the Candidate Records Unit provided the

Commissioners with a copy of the Non-Compliance Periodic Expenditure Report for July 15, 2007 and requested their approval to commence legal action. President Graham moved to table the July 15th Non-Compliance Periodic for one week. Commissioner Soumas seconded the motion, which was adopted unanimously.

The Coordinator of the Voter Registration Unit provided the Commissioners with a copy of the Revised Invalid Affidavit Letter for their approval. She explained that in the section marked "Primary Election Only" two sentences have been added. Commissioner Polanco moved to remove the words: "***Enclosed is a registration form if you wish to change your enrollment.***" Secretary Schacher seconded the motion, which was adopted unanimously.

Commissioner Polanco moved to adopt the Revised Invalid Affidavit Letter as amended. President Graham seconded the motion, which was adopted unanimously.

The Finance Officer John Ward provided the Commissioners with the Vacancy Report dated September 15, 2008 and the Comparative

Expenditure Report dated September 9, 2008.

Secretary Schacher moved to adjourn. Commissioner Soumas seconded the motion, which was agreed to unanimously.

President Graham announced that the next Board meeting will be held on Tuesday, September 23, 2008 at 1:30 P.M.