

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, OCTOBER 14, 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
 Secretary Frederic Umame

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

Marcus Cederqvist, Executive Director
George Gonzalez, Deputy Executive Director
Pamela Perkins, Administrative Manager
Delores Delayo, Director, Personnel
John Owens Jr., Director, Campaign Finance Reporting
John Ward, Finance Officer
Joseph LaRocca, Coordinator, Candidate Records Unit
Elliot Borack, ACCO
Steve Ferguson, Director, MIS
Barbara Conacchio, Chief Clerk, Queens
Rosanna Rahmouni, Coordinator, Election Day Operations
Beth Fossella, Coordinator, Voter Registration
Steve Denkberg, Counsel to the Commissioners

GUEST: Marjorie Shea, Women's City Club
 Andrea Senteno, Citizen's Union
 Isreal Rodriguez, NYC Council
 Mark Herman
 Jerry Koenig
 Judith Stupp
 Jose Araujo
 Teresa Hummel, Community Church of New York

President Sampel called the meeting to order at 1:43 P.M.

The President recognized Judith Stupp and Jose Araujo, the two recently nominated Commissioners of Elections from Queens.

The President moved to approve the minutes of the September 23, 2008 meeting. Secretary Umane seconded the motion, which was adopted unanimously.

The President tabled the draft minutes of the October 3, 2008 Hearings on Specifications of Objections for Justice of the NYS Supreme Court and the draft minutes of the October 7, 2008 meeting. Secretary Umane seconded the motion, which was adopted unanimously.

The Executive Director reported that:

- A) A public demonstration of the Ballot Marking Devices is being held in Staten Island this morning with a second demonstration scheduled for this evening from 6:00 P.M. – 8:00 P.M. in the borough. The final public demonstrations will be held in the Queens Office from

12:00 noon to 2:00 P.M. & 6:00 P.M. to 8:00 P.M. on
Wednesday, October 15, 2008

- B) The NYC Board of Elections was scheduled to conduct a public demonstration before members of the NYC Council Committee on Governmental Operations on Thursday, October 16th from 2:00 P.M. – 4:00 P.M. That demonstration has been postponed due to the Council's Hearings relating to Term Limits.
- C) Senior Management is seeking feedback from the Commissioners with respect to an independent review of the voting systems for long term use. The State has requested that, given the delays in testing and certification, the implementation plan is in jeopardy. The NYC Board of Elections will send a request for information to the remaining vendors and will need direction from the Commissioners as to the review they would like performed in advance of the selection.

The Executive Director provided the Commissioners with a copy of a Memorandum dated September 23, 2008 from OMB Director Mark Page

and a draft response. Following discussion, President Sampel moved to approve the letter and that all the Commissioners will be signatories. Secretary Umame seconded the motion, which was agreed to unanimously.

Commissioner Graham moved to authorize the Executive Director to use the Commissioner's signature stamps on the letter to Mark Page. President Sampel seconded the motion, which was adopted unanimously.

The Executive Director informed the Commissioners that he received a letter from the Center for Law and Social Justice requesting a meeting with regard to voter registrations. Secretary Umame moved to authorize the Executive Director to meet with the Center for Law and Social Justice. Commissioner Polanco seconded the motion, which was adopted unanimously.

The Executive Director reported that the Board received 161,360 voter registration forms and provided the total break down for each borough [Manhattan – 43,000, Brooklyn – 40,000, Queens – 30,000, Bronx – 43,000, Staten Island – 6,000].

Secretary Umame moved that Board staff should issue a press release explaining how the Board is inundated with work due to the number of voter registrations received and requests for absentee ballots. Commissioner Dent seconded the motion, which was agreed to unanimously by all the Commissioners.

Secretary Umame also moved that a follow-up press release should be issued with respect to the BMDs. Commissioner Graham seconded the motion, which was agreed to unanimously by all the Commissioners.

Commissioner Soumas moved to reconsider the Board's previous determination regarding the Election Protection's Lawyers' Committee's request for a meeting with the Executive Director. Commissioner Graham seconded his motion, which was adopted unanimously. Commissioner Soumas expressed an earlier error and moved to authorize the Executive Director to meet with the organization's Lawyers' Committee. Commissioner Graham seconded his 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. Commissioner Soumas moved to table the July 15th Non-Compliance Periodic for two weeks. Commissioner Graham seconded the motion, which was adopted unanimously.

The Coordinator of the Candidates Records Unit provided the Commissioners with a copy of a Bronx Specifications of Objections relating to the Rules and Regulations and Minutes of the Meeting of the Bronx County Democratic Committee for their consideration and asked the Commissioners for a determination with respect to a hearing date. After discussion, the Commissioners unanimously agreed to hear matters relating to the Bronx Specifications of Objections on Tuesday, October 23, 2008, at 1:30 P.M. prior to the Board's regular meeting.

John Naudus provided the Commissioners with a copy of the revised BMD Canvass Procedures for their review and asked the Commissioners for a determination at their next meeting.

The Coordinator of Election Day Operations provided the

Commissioners with a copy of an Amended Poll Worker's Election Exception Report for Queens and Richmond Counties for their review and approval. The Chief Clerk for Queens County explained the changes submitted for Queens County and why they were made. After discussion, President Sampel moved to adopt the Amended Exception Report for Richmond County only. Commissioner Yennella seconded the motion, which was adopted unanimously.

President Sampel tabled consideration of the Amended Queens County Executive Report until their next meeting. Secretary Umame seconded the motion, which was adopted unanimously.

The Finance Officer provided the Commissioners with copies of both the Vacancy Report dated October 14, 2008 and the FY'09 ending OTPS Report dated October 13, 2008.

The President moved to convene an Executive Session to discuss litigation and personnel matters.

The President reported that in the Executive Session the

Commissioners unanimously approved the following personnel actions:

- 1) Pursuant to Section 3-300 of the NYS Election Law, the Commissioners' unanimously approved the allocation of 2 temporary positions from or in addition to each Borough Office to serve in the General Office Phone Bank.
- 2) Executive Management to contract with a Temporary Agency to provide Temporary Data Entry Personnel to the Board for the period of 9 days. The contract is not to exceed \$25,000.

The President moved to adjourn. Commissioner Soumas seconded the motion, which was adopted unanimously.

The next Commissioner's meeting will be held on Tuesday, October 21, 2008