

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, DECEMBER 9, 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 Umane

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

Marcus Cederqvist, Executive Director
George Gonzalez, Deputy Executive Director
Steven H. Richman, General Counsel
Valerie Vasquez, Director, Communications
Dorothy Delayo, Director, Personnel
John Owens Jr., Director, Campaign Finance Reporting
Joseph LaRocca, Coordinator, Candidate Records Unit
John Ward, Finance Officer
Charles Webb III, Counsel to the Commissioners
Steve Denkberg, Counsel to the Commissioners

GUEST: Israel Rodriguez, NYC Council
 Marjorie Shea, Women's City Club
 Adrienne Senteno, Citizen's Union
 Tina Moore, New York Daily News

President Sampel called the meeting to order at 1:35 P.M.

Commissioner Schacher moved to table the minutes of the December

2, 2008 meeting. President Sampel seconded the motion, which was adopted unanimously.

The Executive Director gave an update on HAVA. Mr. Cederqvist provided the Commissioners with a copy of the State Board of Elections weekly Status Report to U.S. District Court Judge Gary Sharpe and the U.S. Department of Justice.

Mr. Cederqvist reported that the New York City Council Committee on Governmental Operations will hold an Oversight Hearing regarding Election Day Lines: Examining the Problem and Proposing Solutions on Wednesday, December 17, 2006 at 10:00 A.M. He asked the Commissioners to authorize Executive Management to attend. Commissioner Schacher moved to authorize Board staff to attend the NYC Council Committee on Governmental Operation's Oversight Hearing. President Sampel seconded the motion, which was adopted unanimously.

Mr. Cederqvist also asked the Commissioners for authorization for senior management to attend the NYC Voter Assistance Commission's Bi-monthly Open Meeting and Annual Public Hearing. He noted that the

Executive Director of the NYC Board of Elections is an *ex-officio* member of the Voters Assistance Commission. President Sampel moved to authorize the Executive Director and Board staff to attend the Voter Assistance Commission's Annual Public Hearing on Thursday, December 11, 2008 at the Borough of Manhattan Community College. Commissioner Dent seconded the motion, which was adopted unanimously. Mr. Cederqvist invited the Commissioners to attend as well if their schedules permit.

Mr. Cederqvist provided the Commissioners with a copy of a letter requesting a follow up meeting with NYC Board staff regarding the NYS Voter Database. He reported that he discussed the request with the MIS Director this morning. Mr. Ferguson explained that MIS staff met with the State Board previously and requested information at the meeting that was never provided. He reported that Mr. Ferguson felt that there is no need to meet with the State Board a second time and suggested instead that the Board respond with a follow-up letter reminding the State Board of the requested information. Commissioner Polanco disagreed and stated that the MIS staff should meet with the staff from the State Board. Commissioner Graham moved to direct the MIS Technical staff to meet with the State Board of Elections here at the Executive Office.

Commissioner Soumas 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. Commissioner Polanco moved to approve the July 15th Non-Compliance Periodic Expenditure Report and authorized Board staff to begin legal proceedings. Commissioner Graham seconded the motion, which was adopted unanimously.

Commissioner Soumas moved to grant a 30-days sick leave advance to Claudia Polk, an Administrative Associate in the Manhattan Voting Machine Facility. President Sampel seconded the motion, which was adopted unanimously.

In response to a Commissioner's request for information, the Finance Officer explained that the Commissioners may vote to grant a thirty day advance into the negative time accrual to a full time employee who has been employed by the Board for over one year and suffers an injury or

illness. The employee, who is expected to return to work after full recovery, will reduce their negative sick leave balances, by normal accrual and/or salary adjustments.

The Finance Officer provided the Commissioners with a copy of the Vacancy Report dated December 9, 2008.

Commissioner Dent asked all to observe a moment of silence in memory of the mother of Maryrose Sattie, the Deputy Chief Clerk in the Brooklyn Office who passed away this weekend.

Commissioner Polanco recognized Commissioner Dent who was reappointed by the NYC Council.

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

The President reported that in Executive Session the Commissioners took the following personnel actions, pursuant to §3-300 of the New York

State Election Law:

- Unanimously approved the recommendations of the Queens Commissioners' Committee with respect to the following individuals:
 - Heide Wilcox, an Administrative Assistant in the Executive Office, will be terminated effective close of business today;
 - Linda Ward, a Clerk in the Queens Office, be placed on one-year probation, effective immediately. In addition, the Committee recommended that she be enrolled in the Employee Assistant Program (EAP);
 - An investigation involving Wesley Beaman was determined to be unfounded. He will remain in his current assignment at the Executive Office.
- Unanimously approved the appointment of Ryan Deahn at the salary of \$37,562, effective December 14, 2008, to fill the vacancy caused by the termination of Heide Wilcox.
- Unanimously approved a 30-day sick leave advance for Angel Holcomb, an Administrative Assistant in the Executive Office, for medical reasons.

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

The President announced that the next Commissioner's meeting will be held on Tuesday, December 16, 2008 at 1:30 P.M.