

MEETING OF THE
BOARD OF CANVASSERS
IN THE CITY OF NEW YORK
HELD ON FRIDAY, DECEMBER 19, 2008
AT 9:30 A.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 Jose Araujo and Judith Stupp

Marcus Cederqvist, Executive Director
Steven H. Richman, General Counsel
John Owens Jr., Director, Campaign Finance Reporting
Thomas Sattie, Candidate Records Unit
Katherine James, Deputy Chief Clerk, Queens
Robert Pataky, Administrative Associate, Queens

President Sampel called the meeting of the Board of Canvassers to order at 9:39 A.M., pursuant to the resolution duly adopted by the Commissioners of Elections in the City of New York at their public meeting held on December 16, 2008, and §§ 9-210 and 9-212 of the New York State Election Law, for the purpose of certifying the results of the canvass of votes cast at the General Election held on November 4, 2008 in those political subdivisions in Queens County that do not have at least one Election District that is also part of the 11th State Senate District.

President Sampel reported that pursuant to Orders entered in the New York State Supreme Court, Queens County and the Appellate Division, 2nd Department, this Board has been enjoined from certifying the votes cast in the 11th State Senate District and consequently cannot certify the results of any political subdivision which shares an Election District within the State Senate District, including countywide offices or vote totals. The Board of Canvassers for this meeting consists of the duly elected President and Secretary of the full Board and the two Queens County Commissioners.

The Queens Deputy Chief Clerk Katherine James and Administrative Associate Robert Pataky presented the Board of Canvassers with the Statement and Return of Canvass of votes cast in the following political subdivisions within Queens County for the November 4th General Election together with the applicable discrepancy reports and asked for their approval:

- The 30th City Council District;
- The 23rd, 28th, 30th, 31st, 32nd, 34th, 35th, 36th, 37th, 38th, & 39th State Assembly Districts;
- The portions of the 12th and 14th Congressional Districts located

within Queens County; and

- The 10th, 12th, 13th, 14th, 15th & 16th Senate Districts.

Commissioner Stupp moved to certify the Statement and Return of Canvass for the November 4, 2008 General Election in the districts specified above. Commissioner Araujo seconded the motion, which was adopted unanimously.

President Sampel moved to authorize Board staff to utilize the respective Commissioner's official signature stamps for the certification reports. Secretary Umame seconded the motion, which was adopted unanimously.

With the certification of the returns for the Queens portions of the 12th and 14th Congressional Districts which consists of Queens County and parts of other counties, the General Counsel requested that the Board of Canvassers certify the combined results of those two Congressional Districts.

Secretary Umame moved to certify the combined Statement and Return of Canvass results for the November 4, 2008 General Election for the 12th and 14th Congressional Districts. President Sampel seconded the motion, which was adopted unanimously.

Secretary Umame moved to authorize Board staff to utilize the respective Commissioner's official signature stamps for these certification reports as well. Commissioner Araujo seconded the motion, which was adopted unanimously.

The General Counsel asked the Board of Canvassers to authorize and direct Board staff to transmit the machine recanvass results to the Office of Court Administration (OCA) for the Judges of the Civil Court of the City of New York elected within Queens County with the same cover memo sent to the State Board of Elections (1) noting the incompleteness of the canvass and recanvass, (2) the fact that when the canvass and recanvass of paper ballots is concluded the Board does not anticipate a change in the outcome and (3) the Board will provide the copy of the certified results when available.

Commissioner Araujo move to authorize Board staff to act in accordance with the General Counsel's request. Commissioner Stupp seconded the motion, which was adopted unanimously.

President Sampel moved to adjourn the meeting of the Board of Canvassers, subject to the call of the President, when the Board is legally authorized to certify the remainder of results for Queens County. Secretary Umane seconded the motion, which was adopted unanimously.

The next regular meeting will be held on Tuesday, December 30, 2008 at 1:30 P.M.