

MEETING OF THE BOARD OF CANVASSERS AND
MEETING OF THE COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, OCTOBER 16, 2012

AT 1:30 P.M.

42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Maria R. Guastella
 Secretary Frederic M. Umane

Commissioners Araujo, Barrera, Dent, Polanco, Schacher, Sipp, Soumas,
Stupp

Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Director, Campaign Finance Enforcement Reporting
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Valerie Vazquez, Director, Campaign Finance Reporting
Troy Johnson, Coordinator, Candidate Records Unit
Diane Rudiano, Chief Clerk, Brooklyn Office
Maryrose Sattie, Deputy Chief Clerk, Brooklyn Office
Joel Bermejo, Temporary Contract Attorney, OGC
Giacomo Kmet, Temporary Contract Attorney, OGC
Kenneth M. Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: M. Thomas
 Marjorie Shea, Women's City Club
 Kate Doran, LWV
 Will Colegrove, for Council Member Gale Brewer
 Susan Lerner, Common Cause
 Shauna Denkensohn, NYC CFB
 Teresa Hommel
 Alex Camarda, Citizens Union
 Teodora Popouska, Citizens Union

Maria Vorobiera, for Assembly Member Brian Kavanaugh
John D. Smith
A.B. Britton, KLC GOP USA
Garth Marchant
Alan Flacks, Member of NY County Democratic Committee

President Guastella called the meeting to order at 1:37 P.M.

President Guastella convened the meeting of the Board of Canvassers in the City of New York to certify the results of the September 13, 2012 Primary Election for Male Member of the Democratic State Committee in the 50th Assembly District in King's County.

President Guastella designated Commissioner Dent to serve as the second Democratic Member of the Canvassing Board to sign the Statement and Return of Canvass.

Secretary Umame designated Commissioner Schacher to serve as the second Republican Member of the Canvassing Board to sign the Statement and Return of Canvass.

President Guastella called upon Mr. Richman to provide some background information for the Board of Canvassers. Mr. Richman stated that in accordance with the provisions of Article 9, the Board had conducted a recanvass of the votes cast at the poll sites using the ballot scanners and a canvass of absentee, affidavit, special and emergency ballots. In accordance with Section 14 of the Board's Post-Election Activities Procedures adopted in 2010 and pre-cleared by the Attorney General of the United States, a full manual recount of all the ballots cast in this Primary Election was required since the margin of victory was less than one-half of one percent of the total votes cast. The Commissioners adopted additional guidelines to prepare the ballots for such a recount on May 15, 2012. That manual recount began, upon notice to the candidates on Thursday October 4, 2012, under the direction of Brooklyn's Chief Clerk and Deputy Chief Clerk. That process concluded last Saturday, October 13, 2012. The proceedings relating to this contest have been commenced in New York State Supreme Court, Kings County, by both candidates. At the initial hearing, Justice David Schmidt adjourned the proceedings until this Friday, October 19, 2012, in anticipation that the Board would complete the manual recanvass and present the Court with certified results. This is only the second time that the Board's manual

recount procedures have been used since the introduction of the new poll site based optical scanning system of voting.

Ms. Rudiano and Ms. Sattie presented the Return of Canvass for the September 13, 2012 Primary Election for Male Member of the Democratic State Committee for the 50th Assembly District in Kings County. Ms. Rudiano and Ms. Sattie confirmed that the results presented in the reports are accurate and correct. All provisions of the NYS Election Law and the Board's adopted Policies and Procedures were complied. There were no discrepancies. A full manual recount of all the ballots cast in this Primary Election has been conducted in place of the audit of voter verifiable audit records required by Section 9-211 of the NYS Election Law. Ms. Rudiano and Ms. Sattie thanked Matthew Graves and Gregory Jackson for leading the manual recount process at the Brooklyn Voting Machine Facility. She also thanked Steven Richman, Joel Bermejo, Giacomo Kmet and Raphael Savino for providing legal support and advising staff and candidates of the procedures. Commissioner Schacher thanked the Brooklyn Office Staff for doing a superb job while working many hours during the manual recount. Commissioner Dent thanked the Brooklyn Staff for conducting the manual recount in a timely fashion.

Commissioner Schacher moved that the Board of Canvassers certify the Return of Canvass for the Party Primary Elections conducted in 50th Assembly District in Kings County for Male Member of the Democratic State Committee. Commissioner Dent seconded the motion, which was unanimously adopted.

Secretary Umame moved to authorize the use of the Commissioners' signature stamps as appropriate on each Statement and Return of Canvass. President Guastella seconded the motion, which was unanimously adopted.

Commissioner Dent moved to adjourn the meeting of the Board of Canvassers and to convene the weekly stated meeting of the Commissioners of Elections in the City of New York. President Guastella seconded the motion, which was unanimously adopted.

Commissioner Schacher stated that she was very proud of the Board Staff who testified at the City Council Hearing yesterday and thanked them for all of their hard work. Commissioner Polanco agreed with Commissioner Schacher and stated that there has been remarkable

improvement with the Board at these Hearings. He stated that the Board will look into all of the City Council's concerns. Commissioner Dent thanked Ms. Sandow and Ms. Perkins for providing a concise testimony that addressed all of the main topics that the City Council requested to discuss. She thanked the good government groups for their testimonies and stated that the Board will look into their concerns. She requested for the good government groups to submit any concerns in advance so the Board can do their best to address them.

Commissioner Stupp moved to adopt the minutes of the September 25, 2012 and October 2, 2012 meetings. Commissioner Araujo seconded the motion, with Commissioner Barrera abstaining on the September 25, 2012 minutes. The motion was adopted.

Mr. Ward presented the Comparative Expenditures Report dated October 16, 2012. Copies of the report were distributed to the Commissioners.

President Guastella recognized Shauna Denkensohn, a representative of the NYC Campaign Finance Board (CFB), who

complimented the Board for providing great information at the City Council's Hearing. She reported that the CFB's Voter Education and Engagement Program has conducted over 1,000 drives citywide with over 100 partners. The CFB has expressed desire to help the Board spread the word about voting. Commissioner Polanco recalled that he asked the CFB if they could print the voter's specific poll site on their Voter Guide. Ms. Denkensohn stated that the CFB could add that information next to the voter's ED/AD. Commissioner Polanco thanked the CFB. Commissioner Dent requested for more information on the CFB's public outreach. Ms. Denkensohn stated that the CFB works with 27 government agencies and over 100 organizations. The CFB prepares "spotlights" such as the last day to register and "Don't forget to vote tomorrow" badges to be posted on various partner's websites. She reported that Chase Manhattan Bank has provided huge voter outreach by placing voter education ads on their ATM machines. President Guastella asked Ms. Denkensohn to work with Ms. Vazquez on voter education outreach.

Commissioner Sipp moved to convene an Executive Session to discuss litigation. President Guastella seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and President Guastella reported that no action was taken by the Commissioners in Executive Session.

President Guastella moved to adjourn the meeting. Secretary Umare seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, October 23, 2012 at 1:30 P.M.