

MEETING OF THE BOARD OF CANVASSERS AND
THE MEETING OF THE COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, JANUARY 15, 2013
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umane
 Secretary Gregory C. Soumas

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

John Ward, Finance Officer
John Luisi, Agency Chief Contracting Officer
Troy Johnson, Coordinator, Candidate Records Unit
Matthew Graves, Administrative Associate, Candidate Records Unit
Dorothy Delayo, Director, Personnel
Gregory Lehman, Chief Clerk, Manhattan
Giacomo Kmet, Temporary Contract Attorney, OGC
Kenneth M. Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kate Doran, LWV
 Cathy Gray
 John D. Smith
 Alan Flacks, Member of NY County Democratic Committee

President Umane called the meeting to order at 1:34 P.M.

President Umane called the meeting of the Board of Canvassers in
the City of New York to certify the results of the November 6, 2012 General

Election in New York County pursuant to the provisions of Title 2 of Article 9 of the New York State Election Law, specifically Section 9-204.

President Umane stated that at the Commissioners' Meeting held on December 18, 2012 the Commissioners designated a Committee to (1) perform all the duties and functions of the Board of Canvassers with respect to November 6, 2012 General Election held in New York County and all applicable districts that cross county boundaries, (2) that said Committee be composed of four (4) Commissioners (2 Democrats and 2 Republicans), and (3) that Committee will meet upon the call of the Committee Chair when the respective Statement and Return of Canvass is ready for review.

President Umane provided background information. The November 6, 2012 General Election included the Election for President of the United States, which always generates a high voter turnout. In addition, that Election was conducted in the aftermath of Super Storm Sandy. Executive Order 62 issued by the Governor on the eve of the Election resulted in thousands of additional affidavit ballots being cast by voters from the City of New York. The Commissioners adopted administrative guidelines for our

staff to insure that as many of these affidavit ballots as possible were cast and canvassed. These guidelines were pre-cleared by the Attorney General of the United States under the Voting Rights Act. Since before the Election, the Board's staff has and continues to work seven (7) days a week, twelve (12) hours or more a day to ensure that every vote is counted accurately and correctly.

President Umame noted that Commissioners Barrera and Polanco joined the meeting.

President Umame called upon the Chief Clerk and Deputy Chief Clerk of New York County. It was reported that the Chief Clerk and Deputy Chief Clerk of New York County were not present. President Umame tabled the Meeting of the Board of Canvassers until the arrival of the Chiefs.

Commissioner Araujo moved to adopt the minutes of the December 11, 2012, December 18, 2012, December 28, 2012 and January 3, 2013 meetings. Commissioner Dent seconded the motion, with Secretary Soumas abstaining. The motion was adopted. Secretary

Soumas noted that he abstained because he was not present at some of the meetings.

Commissioner Schacher requested to discuss a Brooklyn personnel matter in Executive Session. President Umane stated that there is a Staten Island personnel matter to be discussed in Executive Session as well.

Mr. Luisi requested final approval of the supplemental petition photocopying contract with J.P. & Kings Services LLC. He stated that most of the photocopying is done in-house at the Board, but when the volume is too great the Board uses an outside vendor for assistance. Mr. Luisi sent out bids to fourteen (14) vendors. The Board received one (1) response from vendor J.P. & Kings Services LLC which is located in Manhattan. He noted that the vendor underbid. Mr. Luisi and Mr. Lavelle, the Contract Manager, performed a site visit and they confirmed that the vendor is capable of printing. Mr. Luisi recommended awarding the supplemental petition photocopying contract to J.P. & Kings Services LLC for four (4) years. Mr. Ward stated that the previous supplemental photocopying contract did not use all of the allocation. The previous contract was allocated for \$2,000,000, but the Board only used

approximately \$1,000. Commissioner Schacher moved to adopt the supplemental photocopying contract with J.P. & Kings Services LLC. Commissioner Stupp seconded the motion, which was unanimously adopted. President Umane noted that site visits should be done on a bipartisan basis in the future.

Mr. Ward reported on the Vacancy Report dated January 15, 2013. A copy of the report is in the agenda.

President Umane reconvened the Meeting of the Board of Canvassers in the City of New York.

President Umane called upon the Chief Clerk for New York County. Mr. Lehman presented the signed Statement and Return of Canvass for the General Election conducted in New York County on November 6, 2012. Mr. Lehman confirmed that the results presented are accurate and correct. All provisions of the NYS Election Law and the Board's adopted Policies and Procedures were complied with. There was (1) discrepancy which is indicated on the Discrepancy Report. Mr. Lehman confirmed that the audit

of voter verifiable audit records required by Section 9-211 of the New York State Election Law has been successfully completed.

President Umane moved that the Board of Canvassers certify the Statement and Return of Canvass for the General Election conducted in New York County on November 6, 2012. Secretary Soumas seconded the motion, which was unanimously adopted.

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

President Umane reported that the Republican Commissioners request to hold a Republican caucus before Executive Session.

Commissioner Polanco noted that he did not sign-in at last week's meeting and would like the record to reflect that he was present.

President Umame moved to convene an Executive Session to discuss personnel matters. Secretary Soumas seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and President Umame reported on the actions taken in Executive Session:

- I. The Commissioners terminated Roy Ellefson, an Administrative Assistant in the Executive Office, effective immediately;
- II. Stephen Thompson, an Administrative Assistant in the Executive Office, received a \$10,000 raise. Commissioner Araujo abstained and Commissioner Soumas opposed;
- III. The Commissioners set guidelines for the temporary employees in the Borough Offices and Executive Office. All temporary employees will be terminated on Friday, January 18, 2013 and a certain number of temporary employees will be rehired. Approximately 80 temporary employees will be hired in the Executive Office (40 Republicans and 40 Democrats). The

Borough Offices were allocated the following amount of temporary employees to be hired as needed for the election cycle:

- Manhattan – 35 Reps and 35 Dems
- Bronx – 30 Reps and 30 Dems
- Brooklyn – 45 Reps and 45 Dems
- Queens – 50 Reps and 50 Dems
- Staten Island – 20 Reps and 20 Dems

President Umane moved to adjourn the meeting which was unanimously adopted.

The next stated meeting of the Commissioners is scheduled for Tuesday, January 22, 2013 at 1:30 P.M.