

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JULY 16, 2013
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umame

Commissioners Jose Araujo, Naomi Barrera, Julie Dent, Maria Guastella,
Michael Michel, Simon Shamoun, J.P. Sipp

Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Troy Johnson, Coordinator, Candidate Records Unit
John Naudus, Manager, Electronic Voting Systems
John Luisi, Agency Chief Contract Officer, Procurement
Stephen Thompson, HAVA Training Specialist, Election Day Operations
Debra Leible, Coordinator, Election Day Operations
Thomas Sattie, Associate Staff Analyst, Ballot Management
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
Kate Doran, LWV
Sophie Mancall-Bitel, LWV
Alex Voetsch
K. Loving, CFB
J. Melendez, NY DN
J. Phillips, Kavanagh
Amanda Osowski
B. Kearney, DOI
John D. Smith

Alan Flacks, Member of NY County Democratic Committee
David Seitzer, NYC Council
Anna-Maria Thomas
Kevin Tang, Councilwoman Gale Brewer
Eric Dobosh, Citizens Union
Alex Camarda, Citizens Union
M. Lloyd

President Umane called the meeting to order at 1:41 P.M.

Commissioner Dent moved to adopt the minutes of the July 2, 2013 and July 9, 2013 meetings. President Umane seconded the motion. Commissioners Barrera and Michel abstained on the July 2, 2013 minutes because they were not present. President Umane abstained on the July 9, 2013 minutes because he was not present. Ms. Sandow requested to table the minutes of the July 9, 2013 meeting. The minutes of the July 2, 2013 meeting were adopted and the minutes of the July 9, 2013 meeting were tabled.

Mr. Richman presented the draft of the proposed Board Procedures for the Use of the Lever Voting Machines in the September 2013 Primary and Potential Run-off Primary Elections. Copies of the draft procedures and revised substitution for Section 200 were distributed to the

Commissioners. The revised substitution was prepared by Mr. O'Grady, Mr. Naudus and Mr. Richman. The revisions more clearly prescribe the procedures to be followed and reflect the staff's recommendation for the best and most efficient practices. Mr. Richman summarized the proposed Board Procedures for the Use of the Lever Machines and the revised substitution. He recommended that the revised substitution for Sections 202(2) and a new 202(3) be adopted by the Commissioners for inclusion in the Board Procedures for the Use of the Lever Voting Machines in the September 2013 Primary and Run-off Primary Elections. Commissioner Araujo moved to adopt the proposed Board Procedures for the Use of Lever Voting Machine which includes the revised substitution. Commissioner Barrera seconded the motion, which was unanimously adopted.

President Umane opened the floor for questions and/or comments from Alan Flacks, a member of the public.

President Umane recalled that the Resolution concerning Chapter 99 of the Laws of 2013 was adopted at the previous meeting. He presented a revised Resolution for the Commissioners consideration. President Umane

reported that the revised Resolution is more specific concerning the lever voting machines and the 2013 Primary and potential Run-off Primary Elections. He explained that the revised Resolution may be helpful to outline some of the concerns and reasons why the Board wants to use the lever voting machines which may alleviate potential litigation. He stated that the sentiment is identical to the original adopted Resolution. President Umane recited the revised Resolution into the record. President Umane moved to adopt the revised Resolution as stated. Commissioner Barrera seconded the motion, which was unanimously adopted. Mr. Richman stated that he is concerned about the revised Resolution since the new language was formulated by the Mayor's Office and the NYC Law Department for the Board, an independent agency. Ms. Sandow stated that the NYC Law Department works with the Board and gave the Board advice.

Mr. Johnson reported on the number of petition volumes and objections filed for the 2013 Petition Filing Cycle to date. Copies of his reports were distributed to the Commissioners. Mr. Johnson summarized his reports. The borough breakdown for petition volumes filed follows:

- Manhattan – 438

- Bronx – 503
- Brooklyn – 496
- Queens – 268
- Staten Island – 69

The borough breakdown for Objections filed follows:

- Manhattan – 282
- Bronx – 72
- Brooklyn – 149
- Queens – 90
- Staten Island – 12

Mr. Richman reminded the Commissioners that the Hearings on Designating Petitions for the September 10, 2013 Primary Elections start on Tuesday, July 30, 2013.

Commissioner Araujo moved to post the revised Resolution on the Board's website. President Umane seconded the motion, which was unanimously adopted.

Mr. Thompson reported on the bonus incentive for poll workers. Generally, Inspectors and Coordinators receive an incentive of \$75 and Door Clerks and Interpreters receive an incentive of \$35 if they attend and pass the training class, and work two (2) election events. Mr. Thompson requested to change the bonus incentive this year to three (3) election events (Primary, Potential Run-off Primary and General Elections). The purpose is to encourage the poll workers to work all three (3) election events. The total amount of the bonus incentive remains the same and has been budgeted. President Umane moved to adopt the bonus incentive for the 2013 elections as reported and to revise the 2013 Poll Worker Guidelines. Commissioner Barrera seconded the motion, with Commissioner Araujo opposing. The motion was adopted. Commissioner Araujo recalled that he has opposed the poll worker bonus incentive in the past.

Mr. Thompson reported on Coordinator Training Classes. He requested to split the eight (8) hour training class into two (2) four (4) hour classes. One four (4) hour class will focus on the lever voting machines and one four (4) hour class will focus on the scanners. The 2009 Poll Worker Manual focuses on lever voting machines, Ballot Marking

Devices (BMDs) and accessibility which would be used in the lever voting machine training class. There is no change in compensation. Coordinators will be ineligible to work the elections if they do not attend the two (2) training classes. Executive Management supports the split training classes for the Coordinators. Commissioner Araujo requested for all Commissioners to receive a list of poll workers who do not attend the training classes for their respective borough. President Umane moved to split the Coordinator Training Classes class into two (2) four (4) hour classes. Commissioner Dent seconded the motion, which was unanimously adopted.

President Umane opened the floor for questions and/or comments by Alex Camarda, a representative of Citizens Union.

In Mr. Ward's absence, Mr. Luisi presented the Vacancy Report dated July 16, 2013. A copy of the report is in the agenda.

Commissioner Barrera requested to discuss a Bronx personnel matter in Executive Session.

Commissioner Shamoun requested to discuss a Brooklyn personnel matter in Executive Session.

Commissioner Dent moved to convene an Executive Session for purposes of personnel. President Umane seconded the motion, which was unanimously adopted.

Following Executive Session, the public meeting resumed and President Umane announced the actions taken in Executive Session:

- I. The full Board of Commissioners voted to terminate Hector Ramirez, an Associate Staff Analyst in the General Office, effective immediately;
- II. The Commissioners appointed the Cover Sheet Review Committee schedule which follows:
 - July 17th – Commissioners Michel and Araujo
 - July 19th – Commissioners Michel and TBD
 - July 23rd – Commissioners Umane and Barrera

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

The next stated meeting of the Commissioners is scheduled for Tuesday, July 23, 2013 at 1:30 P.M.