

MEETING OF THE  
COMMISSIONERS OF ELECTIONS  
IN THE CITY OF NEW YORK  
HELD ON TUESDAY, JULY 23, 2013  
AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR, COMMISSIONERS' HEARING ROOM  
NEW YORK, NY 10004

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

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  
John Ward, Finance Officer  
Dorothy Delayo, Director, Personnel  
Troy Johnson, Coordinator, Candidate Records Unit  
Debra Leible, Coordinator, Election Day Operations  
Stephen Thompson, HAVA Training Specialist, Election Day Operations  
Kenneth Moltner, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST:       Monica Bartley, CIDNY  
                  Amanda Osowski  
                  J. Melendez, NYDN  
                  M. Raimondi, DOI  
                  Kate Doran, LWV  
                  Alex Voetsch, NYDLC  
                  B. Kearney, DOI  
                  Emmanuel Arnavo, NALEO  
                  K. Loving, CFB  
                  Cathy Gray

David Seitzer, NYC Council  
Dakota An  
Artyov Matusov, Council  
Marie Crawford Lemmitt, Iwachiw  
Alan Flacks, Member of NY County Democratic Committee

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President Umame called the meeting to order at 1:30 P.M.

Mr. Richman requested to add the proposed Calendar for the Hearings on Designating Petitions for the September 10, 2013 Primary Elections to the agenda.

President Umame requested to report on a meeting which was held yesterday.

Commissioner Guastella moved to adopt the minutes of the July 9, 2013 and July 16, 2013 meetings. Commissioner Araujo seconded the motion. President Umame abstained on the July 9, 2013 minutes and Secretary Soumas abstained on the July 9, 2013 and July 16, 2013 minutes because they were not present. The motion was adopted.

Mr. Richman presented a referral of a potential fraudulent Designating Petition and related documents to the New York County District Attorney's Office concerning Petition Volume NY 1301293 for Walter Iwachiw for Mayor. This matter has been referred by the Cover Sheet Review Committee. This is a petition which contains computer generated names and addresses and what appear to be not original signatures. The candidate has filed both a cover sheet and amended cover sheet in which the candidate as contact person affirms that the petition contains a sufficient number of signatures to qualify for the ballot. In the past, the Commissioners determined to refer these matters to the District Attorney's Office in the respective borough. It was noted that about three (3) years ago, Walter Iwachiw was referred to the Queens County District Attorney's Office for a different matter. Commissioner Araujo reported that he is the Court Examiner for Mr. Iwachiw's mother's guardianship and the case is still open. Commissioner Araujo recused himself from this matter. Secretary Soumas moved to refer this matter to the New York County District Attorney's Office. Commissioner Michel seconded the motion, with Commissioner Araujo abstaining. The motion was adopted.

Mr. Richman submitted the New York City Council's Counsel to the Committee on Rules, Privileges, and Elections request for determinations as to whether three (3) specific Council Members will face opponents in the September 2013 Primary Election. A copy of the letter is in the agenda. Mr. Richman requested for the Commissioners authorization to comply with this request. Secretary Soumas moved to comply with the City Council's request. Commissioner Araujo seconded the motion, which was unanimously adopted.

Mr. Johnson reported on the number of Specifications filed for the 2013 Petition Filing Cycle. Copies of the report were distributed to the Commissioners. The borough breakdown for Specifications filed follows:

- Manhattan – 126
- Bronx – 25
- Brooklyn – 81
- Queens – 56
- Staten Island – 3

Based on Mr. Johnson's report, Mr. Richman recommended the following Calendar for the Hearings on Designating Petitions for the September 10, 2013 Primary Elections:

- Tuesday, July 30<sup>th</sup> – 10:00 A.M. Bronx County, 11:00 A.M. Stated Meeting of the Commissioners, 12:00 P.M. Richmond County, 1:30 P.M. Citywide Offices, 2:00 P.M. Queens County
- Wednesday, July 31<sup>st</sup> – 10:00 A.M. Kings County, 2:00 P.M. New York County
- Thursday, August 1<sup>st</sup> – 10:00 A.M. Call of Deferred Matters (if any)

Commissioner Araujo moved to adopt the proposed Calendar for the Hearings on Designating Petitions for the September 10, 2013 Primary Elections. Commissioner Barrera seconded the motion, which was unanimously adopted. A copy of the Calendar will be posted on the Board's website.

Ms. Vazquez presented the proposed pilot program to recruit bipartisan attorneys to serve as poll workers on Election Day by providing CLE (Continuing Legal Education) credit for poll working training in lieu of payment which has the potential to cut operating costs. Copies of the

report prepared by Ms. Vazquez and Ms. Leible were distributed to the Commissioners. Ms. Vazquez summarized the report. If approved, the bipartisan team of consultants would recruit two-hundred (200) bipartisan attorneys to act as inspectors for the 2013 election cycle. The Board's goal is to recruit qualified, civic minded individuals to work on Election Day, and it would provide cost savings by providing free CLE credit for poll worker training in lieu of payment for training. In the past, the New York Democratic Lawyers Council (NYDLC) has received CLE approval for a two (2) hour poll worker course. This course contains many of the same topics covered in the Board's poll worker training course, and Board staff believes that course could be modified into a four (4) hour poll worker training course. The attorneys would be trained and tested as regular poll workers. There are many ready partners in the legal community who can assist with poll worker recruitment. The attorney poll workers would be paid as regular poll workers for their work on Election Day. The pilot program would be implemented for the 2013 November General Election if approved. Board staff recommends that the Commissioners approve the incorporation of this proposal into the State's Poll Worker Education and HAVA Training Grant and retain a bipartisan team consisting of the Executive Director of the NYDLC and the Republican National Lawyer's Association (RNLA) to

implement this program. The cost is not exceeding \$10,000 for each attorney for a cost not to exceed \$20,000. Ms. Vazquez stated that citywide attorney poll workers could have significant and historic effects on elections and could become a model across the State and Country. President Umane stated that he is in favor of the pilot program, but not in favor of paying the NYDLC and the RNLA to implement this program. President Umane opened the floor for questions and/or comments from Alex Voetsh, the Executive Director of the NYDLC, and Catherine Gray, a poll worker. Executive Management supports this pilot program. Ms. Sandow stated that the bipartisan team of attorney poll workers would be assigned to poll sites where there is a history of difficulty. The attorneys would assist with opening and closing of the polls as well as poll site management. Commissioner Barrera moved to approve the pilot program to recruit bipartisan attorneys to serve as poll workers on Election Day. Commissioner Guastella seconded the motion, with Commissioner Soumas opposing and President Umane abstaining. The motion was adopted.

Mr. Ward presented the Comparative Expenditures Report dated July 23, 2013. A copy of the report is in the agenda.

President Umane reported that he and Commissioner Guastella had a cordial meeting with representatives from the NYC Department of Investigation yesterday.

Commissioner Araujo 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 Commissioners authorized an over max (i.e. waived the conversion of excess vacation hours into sick hours) of accrued time for three (3) Managers:
  - Pamela Perkins, Administrative Manager
  - Steven Ferguson, Director, MIS
  - Sheila DelGiorno, Chief Clerk, Staten Island Office
- II. The Commissioners authorized the hiring of five (5) temporary employees at the Financial Clerk's pay rate of \$17.07 per hour, for the period from August 5, 2013 through the end of the 2013 Run-off Election to assist the

processing of the 2013 Primary and Run-off Elections.

Commissioner Araujo opposed;

- III. The Commissioners reviewed the policy regarding Cover Sheet Review with respect to apartment numbers, and clarified their position that a discrepancy between a petition and cover sheet where one contains an apartment number and the other does not shall not be deemed to be a defect.

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

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

The next stated meeting of the Commissioners is scheduled for Tuesday, July 30, 2013 at 11:00 A.M.