

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, NOVEMBER 12, 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 Jose Araujo, Naomi Barrera, Julie Dent, Maria Guastella,
Michael Michel, Michael Rendino, Simon Shamoun, J.P. Sipp

Michael J. Ryan, Executive Director
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
Dorothy Delayo, Director, Personnel
Giacomo Kmet, Temporary Contract Attorney, OGC
Anibal Luque, Temporary Contract Attorney, OGC
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
 Kate Doran, LWV
 John D. Smith
 Michael A. Benjamin
 Chester Soria
 K. Loving, CFB
 I. Hoffman, Common Cause/NY
 W. Colegrove, NYCC
 R. Sharpe, DOI
 A. Almazan, DOI
 A. Brunden, DOI

President Umame called the meeting to order at 1:36 P.M.

Commissioner Araujo requested to discuss a Queens Personnel matter in Executive Session.

There was a consensus among the Commissioners to table the minutes of the October 22, 2013 and October 29, 2013 meetings.

Mr. Ryan requested to discuss a personnel matter in Executive Session.

Mr. Ryan reported the following information concerning the November 5, 2013 General Election:

- The Board experienced were very few problems on Election Day with respect to NYC Department of Education poll sites;
- The ADA Journals which concerns accessibility issues will be presented to the Commissioners as soon as the information is

finalized;

- Ballot jams were the biggest issue according to the Call Center Incident Tickets with respect to the Ballot Marking Devices (BMD) and Scanners;
- The total preliminary amount of votes cast was 1,039,608;
- The Certification process is ongoing and the paper canvass starts today in the Borough Offices;
- The Voting Machine Technician's (VMT) average response time for a BMD incident ticket was 36 minutes, and 50 minutes for a Scanner incident ticket. These timeframes are limited in analysis because the VMT has to manually close out the case in the computer system. It appears the response times for both BMD and Scanner incidents were less lengthy than it appeared on the computerized report;
- The Manhattan Phone Bank received a total of 1,334 calls, the Staten Island Phone Bank received a total of 883 calls, and a total of 124 e-mails were received;
- The total preliminary amount of Call Center Incident Reports logged citywide was 4,983. It was noted that there may be duplicates in the system.

Mr. Ryan reported that good government groups stated that the Board ran the November 5, 2013 General Election smoothly. In January 2014, sample ballots will be available for review. The biggest problem faced on Election Day was the small size of the font. The Commissioners and staff would like to resolve any other ballot layout issues as soon as possible before the next election. Mr. Ryan reminded that the Board does not have absolute authority over the ballot layout. The Board has to follow the NYS Election Law. Mr. Ryan reported that there was great feedback on the large poster-sized ballots in the poll sites citywide. The Board may continue to print these posters in the future if the font size on the ballot is too small. The delivery of the Portable Memory Devices (PMDs) was conducted more smoothly than the 2012 Election and it is expected that it will be even better in the future. The Board implemented the new election night results web site for the General Election. It was the first time the unofficial election results were posted on the Board's web site in real-time. Results were electronically updated in periodic intervals of 10 minutes. The unofficial results were not as detailed as the NYPD's or the Associated Press' results because the Board's new web site was a test run. This was done by design; Board technical staff and ES&S staff did not want the Board's web site to crash. Moving forward, the election night results web

site will be designed with more details and electronically updated in periodic intervals of 5 minutes. AD Monitor Tablets were utilized citywide on Election Day. There were some airborne technology signal issues which is a vendor issue.

Mr. Ryan reported that he received a Notice of Public Hearing from the NYS Assembly Standing Committee on Election Law scheduled on Monday, December 9, 2013. A copy of the notice is in the agenda. The subject is to examine solutions to make voting, in person and absentee, more accessible for all voters, and to examine moving the State Primary Election to June, beginning 2014. The Committee will take oral testimony relating to the range of issues. Mr. Ryan requested direction from the Commissioners.

President Umane noted that Commissioner Dent joined the meeting.

Commissioner Araujo inquired about the new Election Night Results (ENR) Process which was conducted citywide on November 5, 2013. Mr. Ryan reported that the new ENR Process went well citywide. There was improvement from the 2012 General Election. Board staff will work on

the PMD collection process from over 1,200 poll sites citywide as well as the uploading speed in order to get the results even faster for future elections. The new ENR Process helped in terms of accuracy.

President Umane recognized Kate Doran, a representative of the League of Women Voters, who reported that the new, large, ED/AD Signs for the poll sites were very helpful for the poll workers and voters on Election Day.

Mr. Ryan requested to close the Board's Offices on Friday, November 29, 2013, which is the day after Thanksgiving, in lieu of working on Election Day, as per past practice. Commissioner Dent moved to approve Mr. Ryan's request to close the Board's Offices on November 29, 2013. Commissioner Barrera seconded the motion, which was unanimously adopted.

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

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

- I. Joseph Cintron, a Trainer Assistant in the Queens Office, was appointed to the title of Administrative Assistant, effective immediately;
- II. Jose Cintron, a Financial Clerk in the General Office, was appointed to the title of Trainer Assistant, which was Joseph Cintron's former title, effective immediately;
- III. A Disciplinary Hearing was scheduled on November 8, 2013 for Arlene Balter, a Clerk in the Queens Office, and with the approval of her attorneys, Ms. Balter waived her rights to a Hearing and accepted the determination to be placed on one (1) year probation, commencing November 8, 2013.

Commissioner Michel moved to adjourn the meeting. Commissioner Araujo seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, November 19, 2013 at 1:30 P.M.