

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, FEBRUARY 25, 2014
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Gregory C. Soumas
 Secretary Michael Michel

Commissioners Jose Miguel Araujo, Ronald Castorina, Julie Dent, Maria R. Guastella, Michael Rendino, Simon Shamoun, Frederic M. Umane

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
Nina M. Crispino, Director, Personnel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
 Kate Doran, LWV
 Cathy Gray
 David Seitzer, NYC Council
 Keith Schwam
 Rushelle Sharpe, DOI
 John D. Smith
 L. Ramsiella, DOI
 Alan Flacks, Member of NY County Democratic Committee

President Soumas called the meeting to order at 1:32 P.M.

Commissioner Rendino moved to adopt the minutes of the February 11, 2014 and February 18, 2014 meetings. President Soumas seconded the motion, with Commissioner Guastella abstaining on the February 18, 2014 minutes. The motion was adopted. Commissioner Guastella abstained because she was not present at the February 18, 2014 meeting.

President Soumas noted that Commissioner Dent joined the meeting.

Mr. Ryan provided an update on the lever machine donation to the National September 11th Memorial and Museum. He reported that the salvage value of the two (2) lever machines is \$285.60 and payment was made to the City of New York. The Board followed the Procurement Rules. A copy of the DCAS sales order is in the agenda. The Board is currently finalizing a date for the delivery of the lever machines for the museum's permanent collection.

Mr. Ryan provided an update on webcasting. He reported that he inadvertently reported erroneous information at the previous meeting concerning webcasting and webconferencing at the Board. Those two (2)

systems are not identical and the Board currently has information on webconferencing. Mr. Ferguson has been researching information on these two (2) systems. Mr. Ryan recalled that the webcasting Intro was signed into law by former Mayor Bloomberg on December 2, 2013 and it takes effect 90 days after its enactment, which is March 2, 2014. In order to comply with the law, the Board will purchase a video camera and tripod to record the public meeting, and then upload the videos to www.YouTube.com (YouTube) for an interim basis. Mr. Ryan noted that the Board cannot control the advertisements on YouTube. After a webcasting system is implemented at the Board, the video camera and tripod will be used at various public voter outreach events. The Board has to purchase all of the necessary equipment to implement webcasting and one (1) vendor replied with a written proposal to date. All vendor proposals will be compared and made available to the Commissioners and public. The NYC Department of Information Telecommunications & Technology (DOITT) will upload the Board's public meeting videos on a short term basis. The next step is to establish a user-friendly webcasting environment. It was confirmed that DOITT does not have a master program for the Board, or for any other City agencies that have to implement webcasting, in order to accommodate the statute signed by the

former Mayor and City Council. Mr. Ryan reported that DOITT is concerned about the video storage capability for all of the City agencies, and they encouraged City agencies to purchase a service provider which would operate off a Cloud network. This would reduce the storage burden on the City of New York. Commissioner Dent inquired if the City will be enhancing the Board's budget to implement webcasting. Commissioner Umane stated that webcasting is an unfunded mandate.

President Soumas noted that Commissioner Araujo joined the meeting.

Commissioner Rendino requested to discuss the legal requirement of retaining voter registration cards, also known as buff cards, at the Borough Offices. President Soumas reported that Secretary Michel requested to add this item to agenda as well. Secretary Michel inquired how long the Board has to retain the buff cards according to the law. He noted that the Queens Office is moving and the Board would have to rent more space to store the buff cards. Buff cards are also stored on microfilm. Commissioner Dent raised a concern that sometimes Judges want to see original buff cards and inquired if copies of them would suffice. Mr. Ryan

reported that true copies would suffice according to the best evidence rule. Mr. Ryan reviewed Section 3-220 of the NYS Election Law which concerns buff card retention. It was confirmed that all buff cards are scanned-in and backed-up electronically. Secretary Michel moved for Executive Management to develop a draft policy procedure for the retention of buff cards. Commissioner Rendino seconded the motion. Before a vote was taken, President Soumas requested for the fiscal impact to be included in the draft resolution as well. Commissioner Umane requested for the amount of time and manpower it will take for staff to check that all buff cards are electronically backed-up properly. Commissioner Araujo inquired about the storage of the Board's Archive Books. Mr. Ryan reported that staff is researching the cost analysis for climate controlled storage facilities outside of New York City, in the 50 – 100 mile range. These storage facilities would be cheaper and would preserve the historical documents. Mr. Ryan reported that he has collected preliminary data for the estimated cost of City space to store the buff cards in each Borough Office per year.

The information follows:

- Brooklyn – 3,500 sq. ft., \$23.00 per sq. ft., \$80,500 per year
- Bronx – 1,900 sq. ft., \$14.82 per sq. ft., \$28,150 per year
- Manhattan – 2,000 sq. ft., \$25.50 per sq. ft., \$51,000 per year

- Queens – 2,289 sq. ft., \$29.14 per sq. ft., \$66,701 per year
- Staten Island – 500 sq. ft., \$23.40 per sq. ft., \$11,700 per year
- Total Citywide – 10,189 sq. ft., \$238,059.46 per year

Mr. Ryan reported that with the elimination of buff cards, it would free up work space to make a better working environment in the Borough Offices. He also reported that he is exploring storage options outside of New York City for the old lever machines which would be much cheaper. There was a consensus among the Commissioners for Executive Management to develop a draft plan concerning the elimination of buff cards in the Borough Offices.

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

Following Executive Session, the regular stated meeting resumed and President Soumas reported the following actions taken in Executive Session:

- I. Troy Johnson, the Coordinator of the Candidate Records Unit in the General Office, was granted a total of 420 sick leave hours

of discretionary time at the expiration of his current leave. This is in accordance with the City's time and attendance policies;

- II. Peggy Savitsky, an Administrative Assistant in the General Office, was granted a total of 420 sick leave hours of discretionary time at the expiration of her current leave. This is in accordance with the City's time and attendance policies.

Commissioner Umane moved to adjourn the meeting. President Soumas seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, March 4, 2014 at 1:30 P.M.