

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, APRIL 1, 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 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: Kate Doran, LWV
 Adam Bermudez
 Rushelle Sharpe, DOI
 Carolyn Sheehan, DOI
 Katherine Loving, CFB
 Celeste Katz
 John D. Smith
 B. Taylor
 Monica Bartley, CIDNY

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

Commissioner Umane moved to adopt minutes of the March 25, 2014 meeting. Commissioner Guastella seconded the motion, with Secretary Michel and Commissioner Castorina abstaining. The motion was adopted. Secretary Michel and Commissioner Castorina abstained because they were not present at that meeting.

Mr. Ryan reported that he testified before the City Council's Committee on Governmental Operations on Fiscal Year 2015 Preliminary Budget on March 25, 2014. A copy of the Board's Testimony is in the agenda. Mr. Ryan clarified that there was a misstatement which disseminated to public circles indicating that the Board requested for an additional \$54.5 million of funding which is not correct. Mr. Ryan clarified that \$23.8 million of these monies were already expended that the Board was not budgeted for. \$14 million was not a request for salary raises, but to make up for past salary and equity, in comparison to other NYC agencies; the Board was staking out a position. \$8.8 million was for the Mayor's Office Program to Eliminate the Gap (PEG), and approximately \$7 million was for the proposed Voting Information Center kiosk. Mr. Ryan noted that the proposed kiosk was the beginning of a conversation.

President Soumas noted that Commissioner Dent joined the meeting.

Mr. Ryan reported that the State Board approved the elimination of Voter Registration “Buff” Cards citywide. A copy of the State Board’s letter is in the agenda which was received on March 26, 2014. Mr. Ryan recalled that this matter was discussed previously, and reiterated that the elimination of buff cards is an extensive process that will happen over time. Staff is currently analyzing the disposal of documents of low to no cost with assistance of the vendor Shredability.

Mr. Ryan reported that the agenda has been finalized for the ES&S Workshop for the Board which is scheduled on Thursday, April 3, 2014 in Omaha, NE. A copy of the ES&S Workshop program is in the agenda. This work trip was approved by the full Board at a previous meeting. The finalized list of staff attending is Mr. Ryan, Mr. Naudus, Commissioners Castorina, Dent and Guastella.

Mr. Richman presented the draft Recommended Revisions to the New York State Election Law for 2014. Copies of the draft package were circulated to the Commissioners last month for review. The draft includes

the Board's approved 2013 Recommended Revisions with edits to recommended changes and edits to reflect legislative changes that were enacted in some form during the last legislative session. Mr. Richman reported that Mr. Ryan submitted revisions to Proposal #14-18 as well. A copy of Mr. Ryan's modified proposal is attached to the draft package.

The new proposals address the following:

- adverse judicial determinations made over the last year (Proposal "A");
- to save funds by allowing the Board to combine EDs with less than ten (10) voters into an ED at the same poll site with the same ballot configuration without regard to the number of voters in the combined ED (Proposal "B");
- to change the date when the National Change of Address check is run to reflect the current political calendar (Proposal "C") and
- an alternative to Draft Proposal #14-04 submitted by EVS Director John Naudus (Proposal "D").

Mr. Richman recommended for the Board to renew last year's Proposals with edits to recommended changes and edits to reflect legislative changes that were enacted in some form during the last legislative session, to adopt

modified Proposal #14-18, to adopt Proposals A, B, and C, and to not adopt Proposal D. President Soumas moved to adopt the recommendation made by Mr. Richman. Commissioner Dent seconded the motion, which was unanimously adopted. Mr. Richman noted that the final Recommended Revisions package will be distributed to the New York State Governor and Legislature.

Mr. Richman recommended for the Board to start planning for the Board's annual State Government Education and Information Program in Albany, NY for late April/Early May. Commissioner Dent moved for the Board to start planning. President Soumas seconded the motion, which was unanimously adopted.

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

Commissioner Umane noted that there is a New York State Bar Association (NYSBA) CLE class on Election Law on April 30, 2014 in Manhattan. Mr. Richman reported that Board staff has attended CLE classes in the past at the Board's expense because it is job related, and

requested authorization for the Commissioners and staff to attend the class. The request complies with the NYC Comptroller's Directive No. 6. The cost is \$125 for NYSBA Members and \$225 for Non-Members. Commissioner Umane moved to allow the Board's counsels and any Commissioner who is an attorney to attend the CLE class on Election Law which qualifies for the NYC Comptroller's Directive No. 6. President Soumas seconded the motion, which was unanimously adopted. Commissioner Umane suggested for the Commissioners who are not attorneys, but would like to attend and observe the CLE class, to contact Mr. Richman for further information.

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

Following Executive Session, the open public meeting resumed and President Soumas reported that a Queens litigation matter was discussed in Executive Session and Secretary Michel abstained from the discussion and vote.

President Soumas moved to adjourn the meeting, which was seconded and unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, April 8, 2014 at 1:30 P.M.