

Approved # 3228

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, MARCH 15, 2016
AT 1:30 P.M.

42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Bianka Perez
Secretary Frederic M. Umane

Commissioners Jose Araujo, John Flateau, Lisa Grey, Michael Michel,
Michael Rendino, Alan Schulkin, Simon Shamoun

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Nina M. Crispino, Director, Personnel
Sherwin Suss, Agency Chief Contracting Officer, Procurement
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Cathy Gray, LWV NYC
Katharine Loving, NYC CFB
Bhatti
Sunj-ah Han, Citizens Union
Kate Doran, LWV NYC
John D. Smith
Pratistha Koirala

President Perez called the meeting to order at 1:40 P.M.

President Perez noted that the LiveStream web camera is currently down, but the video recording of the meeting will be posted on the Board's website before the close of business.

Commissioner Araujo moved to approve the minutes for the March 8, 2016 meeting. Commissioner Flateau seconded the motion, which was unanimously adopted.

Secretary Michel requested to discuss a Queens personnel matter in Executive Session.

Mr. Ryan reported on the Board's Recommended Revisions in the New York State Election Law for 2016. Copies of the Board's 2015 Recommended Revisions were distributed. Mr. Ryan reported that there were no changes since 2015 and requested authorization to reprint the 2015 Recommended Revisions for Year 2016 and to distribute to the various Legislators in Albany next week. Commissioner Flateau suggested for the Board to conceptually support some form of Early Voting in New York. It was noted that the Board has never taken a position on Early Voting in the past and Early Voting failed 6 - 6 by the Legislative Committee at the previous NYS Election Commissioners' Association Meeting.

Commissioner Flateau moved for the Board to conceptually support some form of Early Voting as part of the Board's legislative package indicated in the cover letter. Commissioner Araujo seconded the motion, with Commissioner Michel opposing, and Commissioners Shamoun, Grey, Perez, and Umane abstaining. The motion was not adopted. Commissioners Shamoun, Grey, Perez, and Umane noted that they abstained because they need detailed background information in order to make an informed decision based on different variables of Early Voting in New York City. President Perez recommended for Mr. Richman to research Early Voting for a future Commissioners' Meeting. Secretary Umane inquired about the priority and order of the Board's proposals, and recommended to emphasize the proposals concerning ballot usability and increasing poll workers' compensation. Commissioner Araujo recommended also emphasizing closing public schools on Primary Day. Mr. Ryan reported that the Board's proposals will be in the order of priority and the top three (3) proposals would be in the same order as last year - ballot usability (16-01), increasing poll workers' compensation (16-02), and closing public schools on Primary Day (16-03). President Perez moved to accept the Board's Recommended Revisions in the New York State Election Law for 2016. Secretary Umane seconded the motion, which was unanimously adopted.

On behalf of Mr. Johnson, Mr. Richman presented the Draft Notice to all Candidates for the April 19, 2016 Presidential Primary Election. Copies of the draft were circulated. It was reported that the Draft Notice was prepared in consultation with various members of Board staff and meets all statutory requirements. President Perez moved to adopt the Notice to all Candidates for the April 19, 2016 Presidential Primary Election as submitted. Secretary Umane seconded the motion, which was unanimously adopted.

Commissioner Flateau inquired if the special refresher training is underway for poll workers working in the Special Election's Assembly Districts. Mr. Ryan reported that the Borough Offices are on track with the refresher training sessions.

Mr. Ryan reported on the New York City Council Committee on Governmental Operations FY 2017 Preliminary Budget Hearing which was held on March 14, 2016. The Board's Testimony was straightforward and the Mayor's placeholder budget is \$89 million for the Board. The Board's operating costs is \$135 million depending if the poll workers' compensation increases by law. Currently, there is a pending bill in the State Legislature to increase Poll Workers' compensation from \$130 to \$250 and

Coordinators' compensation from \$200 to \$350 statewide. The pending bill falls shy of what the Board's Commissioners recommended which is \$300 for Poll Workers and \$400 for Coordinators. Mr. Ryan reported that he will work diligently with the Mayor's Administration to finalize the budget. He noted that he does not anticipate any shortfalls as the Board has been fully funded over the past several budget cycles. The budget will be finalized the first week of May. Mr. Ryan reported that Committee Chair Ben Kallos also discussed public job postings and background checks for certain key employees at the Board. He noted that these inquiries will be discussed by the Commissioners' Personnel Committee. Commissioner Flateau noted that the difficulty of poll worker recruitment was discussed as well. Mr. Ryan informed the Council's Committee that the Commissioners have authorized a 17 year old poll worker pilot program. The topic of municipal employees as poll workers was discussed as well.

Mr. Ryan reported that there was a Finance Committee meeting last Friday in which several matters were discussed. There are two (2) contracts recommended for Commissioners' approval. The information follows:

1. Speak-At-Ease - This contract is to provide certified translators and interpreters in the federally mandated languages to the

Board as needed. It was obtained through a competitive sealed bid, and is a placeholder if the current language translators and interpreters could not fulfill their duties. The contract will contain a not to exceed amount of \$500,000. If the Board does not use their staff, then the Board does not pay. Commissioner Flateau inquired if Speak-At-Ease had the capability for Russian and Creole translations. He was advised that the bid went out for only the four (4) DOJ mandated languages: Spanish, Chinese (Cantonese & Mandarin), Korean, and Asian-Indian (Bengali). It was noted that certified translators and interpreters are exempt from being a member of a political party at the Board. Commissioner Araujo moved to adopt the Speak-At-Ease contract. Secretary Umane seconded the motion, which was unanimously adopted.

2. Norcom – This contract is to provide new cabling to the Manhattan Borough Office. It was obtained through a competitive sealed bid. Secretary Umane reported that this is necessary wiring for the current faulty telephone lines especially for Election Day. The contract is for \$77,969. Secretary Umane moved to adopt the Norcom contract.

Commissioner Schulkin seconded the motion, which was unanimously updated.

For informational purposes, Mr. Ryan reported that the Board's website and social media output will be refreshed to be optimized for smaller devices, such as smart phones and tablets, in order to be accessed appropriately by the public. The updates would be made by the technology division of Vanguard before the April 19, 2016 Presidential Primary Election under a citywide requirements contract. There were no objections from the Commissioners to move forward with these updates.

Mr. Ryan reported that there is an accessibility pilot proposal for the April 19, 2016 Presidential Primary Election. The Advance Group vendor, a subdivision of Mayflower Movers, will work with National Ramps, a manufacturing vendor. National Ramps staff will work with The Advance Group's certified technicians from the beginning to the end of the process of inventory, storing, delivering, installing, and uninstalling temporary ramps at poll sites on Election Day. The Advance Group has facilities in Queens and Northern New Jersey. The pilot's contract would be under \$100,000 and would serve approximately 27 poll sites. If the pilot is successful, staff will bring it back before the Commissioners to make a determination to

proceed or not to proceed with a negotiated acquisition. Commissioner Araujo commended the Board's ACCO for this proposal and noted that this pilot is a great step for making every poll site accessible citywide.

President Perez recognized Harris Bhatti, a member of the public, who requested a revision to the State Board's Independent Nominating Petition sample.

President Perez recognized Pratistha Koirala, a member of the public, who advocated about same day voter registration in New York State.

President Perez moved to convene Executive Session for litigation and personnel matters. The motion was seconded and unanimously adopted.

Following Executive Session, the public meeting resumed and Mr. Ryan reported the following actions that were taken in Executive Session:

- I. The Commissioners appointed John Ahn to serve as a Korean Interpreter, with a payroll title of Administrative

- Assistant and annual salary of \$43,549, effective immediately after Personnel and Payroll processing;
- II. The Commissioners unanimously terminated Katrina Harris, an employee from the Queens Office, after a Disciplinary Hearing;
 - III. Voting Machine Technicians that have taken and passed the certified tests prepared by the vendor, and remain in good standing, will be eligible for a performance based salary increment in the amount of \$2,500, which will be imposed subject to Commissioner discretion over the course of time, post certification of the elections, not to exceed \$7,500 over time.

President Perez 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, March 29, 2016 at 1:30 P.M.