

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, MAY 10, 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 John Flateau, Maria R. Guastella, Lisa Grey, Michael Michel, Michael A. 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-Diaz, Director, Communications & Public Affairs
Nina M. Crispino, Director, Personnel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Brian Douglas
 Anna-Maria Thomas
 Esmeralda Simmons
 Laurie Wen, City Council
 Kate Doran, LWV NYC
 Susan Lerner, Common Cause/NY
 Katharine Loving, CFB
 Louis Armistean
 Catherine Gray
 Diana Finch
 A.B. Britton, KLC GOP USA
 Nisi Jacobs
 Nathan Tempey, Gothamist
 B. Bridges, WNYC

President Perez called the meeting to order at 1:44 P.M.

Mr. Ryan reported that there are some issues concerning the Reform Party for the June 28, 2016 Federal Office Primary Election. The issues affect four (4) Congressional Districts (6th C.D. in Queens, 8th C.D. in Brooklyn/Queens, 9th C.D. in Brooklyn, and 16th C.D. in Bronx). Mr. Ryan reported that staff is currently preparing a report on various options and plans which will be presented to the Commissioners at the next meeting for their review.

Mr. Richman presented the draft Petition Filing Calendar for the September 13, 2016 State and Local Primary Elections. Copies of the draft Calendar were circulated to the Commissioners. Mr. Richman recommended scheduling the Hearings on Designating Petitions on Tuesday, August 2, 2016 at 10:00 A.M., and continuing on Wednesday, August 3, 2016, and Thursday, August 4, 2016, if necessary. Mr. Richman recommended scheduling the Hearings on Opportunity to Ballot (OTB) Hearings on Tuesday, August 9, 2016 at 1:30 P.M. Commissioner Schulkin moved to adopt the Petition Filing Calendar for the September 13, 2016 State and Local Primary Elections as submitted. Commissioner Grey seconded the motion, which was unanimously

adopted. Mr. Richman noted that the last day to file the Statement of Party Positions is Tuesday, May 24, 2016.

Mr. Ryan requested to add an item to the agenda concerning office hours. All boroughs, except for Staten Island, are conducting the June 28, 2016 Federal Office Primary Election. The last day to accept voter registrations is Friday, June 3, 2016. Executive Management recommended the following schedule to accept voter registrations at the General Office:

- Friday, June 3, 2016 from 9:00 A.M. – 9:00 P.M.
- Saturday, June 4, 2016 from 10:00 A.M. – 4:00 P.M.

Mr. Ryan noted that Executive Management will determine on Friday, June 3rd if the Saturday, June 4th schedule will be necessary. Executive Management recommended the following schedule for the Borough Offices, except Staten Island, for the acceptance of absentee ballot applications:

- Tuesday, June 21, 2016 from 9:00 A.M. – 7:00 P.M.
- Thursday, June 23, 2016 from 9:00 A.M. – 7:00 P.M.
- Saturday, June 25, 2016 from 10:00 A.M. – 4:00 P.M.
- Sunday, June 26, 2016 from 10:00 A.M. – 4:00 P.M.

Commissioner Guastella moved to adopt the proposed schedule as prepared by Executive Management. Commissioner Michel seconded the motion, which was unanimously adopted.

Mr. Ryan reported that he received an invitation from Congresswoman Nydia M. Velazquez requesting participation in a joint town hall entitled, "Fragile at Fifty: The Urgent Need to Strengthen and Restore the Voting Rights Act." The co-hosts are Congresswoman Grace Meng and Congressman Hakeem Jeffries. Copies of the invitation were distributed to the Commissioners. Mr. Ryan would serve as a panelist with other governmental representatives and would not participate in the public Q&A session. Secretary Umane raised concerns that Congresswoman Velazquez has an upcoming Primary and does not feel it is appropriate timing for the Board, as an independent agency, to participate. Commissioner Schulkin moved to authorize Mr. Ryan to attend the joint town hall. Commissioner Flateau seconded the motion, with Secretary Umane abstaining. The motion was adopted.

Secretary Umane requested to add an item to the agenda concerning New York County and Ballot on Demand printing for the military and federal ballots. He reported that New York County has over 4,500 military and

federal ballots and there are concerns about printing and mailing them by Saturday without the assistance of the ballot printing vendor. Secretary Umane inquired if the Manhattan Office will be receiving assistance, or if other Borough Offices can help print these ballots. Ms. Sandow reported that the Board's EVS Department will help the Manhattan Office to ensure all ballots will be printed and mailed in a timely manner. She reported that the Manhattan Office Chief Clerk, Deputy Chief Clerk, and their staff prefer to move forward using the Ballot on Demand system.

Secretary Umane noted that President Perez and Commissioner Rendino joined the meeting.

Secretary Umane moved to adopt the minutes of the May 3, 2016 meeting. Commissioner Rendino seconded the motion, with Commissioner Guastella abstaining. The motion was adopted.

Commissioner Flateau requested for a status update on resolving the voter issues in Brooklyn. Mr. Ryan reported that respective staff members have been working closely with the State Board to discuss and resolve the transmission issues to ensure both systems are maintained as accurately and as timely as possible. For the citywide voters who were identified as

having been removed from the voter rolls in a manner the Board could not document as having been done properly, the next step is for their votes to be counted. Prior to Voter History, staff will reactivate these voters back into "Active" status, and their Voter History will be properly updated in the system. With respect to the balance of the list, staff will review and ensure that these individuals did not make an attempt to re-register since the purging because if these voters are automatically reactivated, their re-registrations can be undone in the system. In the next two (2) weeks, staff will identify those individuals that appear on the list and make them "Active" in the system. This list will be reviewed in a timely matter before the June 28, 2016 Federal Office Primary Election. Commissioner Rendino inquired what steps the Board will take to ensure this issue does not happen again. Mr. Ryan reported that staff is currently researching options. There will be no list maintenance work until February 2017, after the Presidential General Election's Voter History has been completed. The only updates in the system will be concerning the National Change of Address (NCOA) and the deceased. Commissioner Shamoun noted that this is an opportunity to analyze the procedures and to create better and innovative ways of doing things moving forward. Mr. Ryan noted that the Board's technical staff is communicating with the State Board today and will

report back to Executive Management. He added that there will be a series of meetings and changes to the electronic system.

President Perez opened the floor to members of the public and allowed each member two (2) minutes to speak:

1. Diana Finch, a Bronx poll worker, inquired about the valid/invalid affidavit ballot notification letters to voters, and inquired about ballots that are cast into the system containing no votes;
2. Nisi Jacobs inquired about the cost of the Presidential Primary Election, and what steps the Board is taking before the June Primary;
3. Susan Lerner, a representative of Common Cause/NY, inquired about the total number of affidavit ballot envelopes that were deemed valid and invalid;
4. Brian Douglas inquired how voters can check if their affidavit ballot envelope was deemed valid or invalid;
5. Kate Doran, a representative of the League of Women Voters, inquired if affidavit ballot envelopes are kept sealed if deemed invalid.

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

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

- I. The Commissioners unanimously granted an advance of 175 hours for Ellen Giwa, an Administrative Assistant in the Executive Office, to be utilized after the exhaustion of her leave balances, and to be paid back upon her return to work. Ms. Giwa has been an employee for less than 10 years;
- II. The Commissioners unanimously granted an advance of 210 hours for Anthony Ribustello, Deputy Chief Clerk of the Bronx Office, retroactive to April 20, 2016;
- III. The Commissioners unanimously appointed Guy Ognibene, a Trainer Assistant in the General Office, to the Administrative Associate title that was vacant. The Trainer Assistant title was returned to the Queens Office;
- IV. The Commissioners unanimously hired Joshua Dolecal and Matthew K. Holder, both to the title of Computer Programmer, in the General Office's Tablet Unit, with annual

starting salaries of \$65,000. It was noted that the salary range for this position was \$65,000 - \$85,000. These positions were posted as previously announced, and all of the applicants that had the minimum qualifications met with a panel of employees, and then was referred to Executive Management for further interviews. These hires are effective subject to notification and the start date from the Personnel Department.

Mr. Ryan noted that when the votes were taken in Executive Session, Commissioner Grey and Commissioner Guastella had already departed Executive Session.

The next stated meeting of the Commissioners will be held on Tuesday, May 17, 2016 at 1:30 P.M.