

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, MAY 16, 2017
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umame
 Secretary Rosanna Vargas

Commissioners Jose Araujo, John Flateau, Maria R. Guastella, Michael Michel, Alan Schulkin, Simon Shamoun, Robert Siano, John Wm. Zaccone

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
Sherwin Suss, Agency Chief Contract Officer
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Alan Flacks, Member of NY County Democratic Committee
 Kate Doran, LWVNYC
 Katharine Loving, NYC Campaign Finance Board
 Rosemarie Hameed

President Umame called the meeting to order at 1:38 P.M.

Commissioner Schulkin moved to adopt the minutes for the May 9, 2017 meeting. Commissioner Guastella seconded the motion, which was unanimously adopted.

President Umane reminded the public that there is a Special Election in the 30th State Senate District in Manhattan next Tuesday, May 23, 2017. The Commissioners will not have a public meeting next Tuesday.

President Umane reminded the Commissioners that the deadline to submit Party Calls is on Tuesday, May 23, 2017.

President Umane noted that Secretary Vargas and Mr. Ryan joined the meeting.

President Umane added a Commissioners' Finance Committee Report to the agenda.

Mr. Ryan provided an update on the New York City Council Hearing on the Proposed Executive Expense, Revenue, Capital and Contract Budget Hearing for Fiscal Year 2018 which was held on Friday, May 12, 2017. Mr. Ryan and Mr. Sullivan testified before the City Council. The Board is expecting to receive an operating budget of approximately \$141 million which will be sufficient for three (3) out of four (4) election events – it excludes a potential Run-off Primary Election. Mr. Ryan informed the City Council that if there are any shortfalls, the issue will be

addressed. The City Council is aware of their obligations to fund any Run-off Election or Special Election in short notice. Mr. Ryan reported that another issue raised concerned affidavit ballots and the New York State statute that indicates to voters that if they want to challenge the validity of their ballot they have 20 days post election. Mr. Ryan explained to the City Council that given the volume in New York City it is physically impossible to process affidavit ballots within a 20 day window. The affidavit process commences after Certification. Mr. Ryan noted that a voter claimed poll workers sent her to various poll sites on Election Day and her affidavit ballot did not count. Board staff looked into this matter and found that this voter's last registration in the system was from 2000 and she moved four (4) times between 2000 and 2016. This voter did not notify the Board of any change of addresses, but the National Change of Address (NCOA) System captured her address each time. The Board had mailed her required annual "Voter Information Notice" to her current address which contained the voter's poll site information on the "Voter Card". Mr. Ryan examined her poll site's "Poll List Book" and she did not sign-in next to her name, but the other voters on the same page had signed-in. Mr. Ryan noted that it was unlikely the poll workers gave her wrong information as the other voters signed-in without an issue. It was found that this voter filled out an affidavit ballot at the wrong poll site so it was invalid. Mr. Ryan

stated that in this particular case, the Board did all they can do for the voter before the election and explained to the City Council that voters have personal responsibility to look up their poll site information before Election Day. Commissioner Schulkin reported that Council Member Ben Kallos stated that his wife's affidavit ballot was invalid. The Manhattan Borough Office staff researched this matter and found that her voter registration was in her maiden name. She did not notify the Board to change her last name in the system. In the poll site's "Poll List Book", there was a space for her maiden name and it was not signed. Commissioner Schulkin reported that her ballot was valid. Mr. Ryan noted that it is very important for the general public to notify the Board of any changes to their voter registration in order to be served efficiently on Election Day. He encouraged voters to look up their poll site information before Election Day by calling 866-VOTE-NYC or by using www.PollSiteLocator.com.

Commissioner Flateau inquired if voters were notified if their poll site was changed due to the Election District (ED) reapportionment before this Special Election. Mr. Ryan reported that the affected voters received a "Poll Site Change Notice" and all voters will receive the annual "Voter Information Notice" between August 1st and August 5th.

A highlighted banner will appear on the front of the annual “Voter Information Notice” if there was a poll site change.

President Umane recognized Alan Flacks, a member of the public, who inquired if the military ballots were mailed timely for the May 23, 2017 Special Election and if a Death Certificate is the only document accepted to cancel a voter.

President Umane recognized Kate Doran, a representative of the League of Women Voters, who requested for poll workers to be trained more on what to do when voters are not found in the Poll Book and poll worker referral slips.

President Umane presented the Commissioners’ Finance Committee Report. The Committee recommended the following requests to be approved by the full Board:

- I. **Sage Smith** – To increase the contract ceiling for Board consultant Sage Smith to include work on new and expanded projects. The projects and the expected costs follow:

1. **FMS/3 Interface Project** – \$120,000 – This will help the Board cut down and eventually eliminate the duplicate data

entry that currently exists for tracking financial document data.

2. Election Budget Project – \$180,000 – This is designed to capture the Board’s workflow, document review and signing rules relating to the pre-encumbrance and payment request process.
3. Ramp Delivery, Setup, Fulfillment and Image Verification Project – \$55,000 – To track and confirm the progress of installing ADA ramp systems prior to each election.
4. Election Hub Hosting and Support – \$145,000 – Increase for the MTA Poll Worker Recruitment Campaign continuance, Poll Site Locator traffic trends, Election inSite, and Election Responder Standby Dispatch extension rollout for tablets.

The total cost for this increase is \$500,000 and would be added to the current Sage Smith contract which expires on December 31, 2017. Commissioner Flateau inquired if there was M/WBE participation on the proposed contracts. Mr. Suss, ACCO, responded that Sage Smith is not M/WBE certified, but other proposed contracts are certified. President Umame moved for the full Board to approve the Commissioners’ Finance Committee recommendation to increase the contract ceiling for Board consultant Sage Smith to include work on new and expanded projects as

presented. The motion was seconded, with Commissioner Flateau abstaining. The motion was adopted. Commissioner Flateau abstained from voting because he was not present at the Commissioners' Finance Committee Meeting.

II. **Ramp Installation, Transportation, and Storage Contract** – This contract is to provide ADA compliance in the poll sites on Election Day. There is not one ramp vendor to supply the entire City of New York or one vendor per borough. Solicitation was sent out and twenty-seven (27) ramp vendors attended the mandatory pre-bid meeting. A total of twenty-one (21) vendors submitted bids on this contract. Mr. Suss and Ms. Caicedo visited the twenty-one (21) vendors' sites to inspect their storage facilities available space, security, and to verify their manpower and trucks. After the site visits, a total of eighteen (18) vendors are recommended to be awarded. Two (2) vendors are M/WBE certified. This contract is not to exceed four (4) years and the ceiling cost is \$47 million based on twelve (12) elections. Cost was calculated on price per linear foot for installation, transportation and storage. The five (5) boroughs were divided into twenty (20) geographic classes. The Board's Ramp Unit estimated the quantities and linear feet for each class. The actual amount of equipment for each class will not be known until final drafts of all poll

sites are received by the Board from ETA. The Borough Office Chief Clerks and Deputy Chief Clerks are aware of this project. The amount of vendors to service each borough is Manhattan – 5, Bronx – 3, Brooklyn – 6, Queens – 4, and Staten Island – 2. All vendors would be required to send their employees to annual training on ADA guidelines. The specifications of ramps would be built and set-up according to the court ordered specifications submitted by ETA. President Umame moved for the full Board to approve the Commissioners' Finance Committee recommendation to move forward with the Ramp Installation, Transportation, and Storage Contract as presented. The motion was seconded, with Commissioner Flateau abstaining. The motion was adopted. Commissioner Flateau abstained from voting because he was not present at the Commissioners' Finance Committee Meeting.

Commissioner Zaccone moved to convene Executive Session for purposes of personnel and litigation. The motion was seconded, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and President Umame reported that no action was taken in Executive Session.

Commissioner Zaccone moved to adjourn the meeting. Commissioner Schulkin seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, May 30, 2017 at 1:30 P.M.