

MEETING OF THE COMMISSIONERS OF ELECTIONS  
IN THE CITY OF NEW YORK  
HELD ON TUESDAY, JANUARY 30, 2018 AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR, COMMISSIONERS' HEARING ROOM  
NEW YORK, NY 10004

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PRESENT:       President Rosanna Vargas  
                  Secretary John Wm. Zaccone

Commissioners Jose Araujo, John Flateau, Michael Michel, Alan Schulkin,  
Simon Shamoun, Robert Siano, Frederic M. Umane

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  
Steven Guglielmi, Director, Personnel  
Valerie Vazquez, Director, Communications and Public Affairs  
Kenneth Moltner, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST:       Wendy Byrne, LWVNYC  
                  Kate Doran, LWVNYC  
                  Amanda Melillo, CFB

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President Vargas called the meeting to order at 1:35 P.M.

Commissioner Araujo moved to adopt the minutes for the  
January 23, 2018 meeting. Commissioner Michel seconded the motion,  
with Commissioner Siano abstaining. The motion was adopted.

Mr. Ryan provided a preliminary update on the Ohio v. Randolph Institute Oral Argument pending in the United States Supreme Court. Commissioner Flateau had requested an update on this matter. Mr. Ryan explained that Ohio boards of elections send out registration Confirmation Notices to voters who do not vote after two (2) General Elections. If they do not receive a response from the voter and do not vote over the subsequent four (4) years, they are removed from the voting rolls. The argument focused on whether a state could send a registration Confirmation Notice based on a person's failure to vote. Ohio's policy is a challenge of the National Voter Registration Act (NVRA). Mr. Ryan reported that the Circuit Court sided with the Plaintiff's oral argument, and the Supreme Court's ruling is due by the end of June 2018. He noted that this case will provide guidance to the Board moving forward with List Maintenance, State Law and Regulations. Commissioner Flateau inquired if this matter could impact the Consent Decree. Mr. Ryan reported that it would not undo anything in the Consent Decree.

Mr. Ryan reported that he was contacted by the State Board and is waiting for a report concerning the 2007 NYS Voter System. The State Board is currently conducting a cleanup in voter data and reported that there are a total of 78,000 voters in NYC who may be potential duplicates

or deceased voters who did not get removed from the rolls. Mr. Ryan reported that the Borough Offices are aware of this preliminary report. It was noted that March 28, 2018 is the deadline to finish all work to meet the 90 day window for the June Primary Election.

Mr. Ryan presented a Draft Inclement Weather Policy for the Board. Copies were distributed to the Commissioners for review. Mr. Ryan reported that the draft policy mirrors the Consistent with Continuity of Government objectives and Agency Continuity of Operations Plans of the City of New York. He reported that the draft policy addresses the use of applicable leave balances, unforeseen transportation circumstances, lateness, and reporting to alternative work sites. Mr. Ryan noted that the City and State are not always on the same page with respect to weather emergencies and this policy would still allow the Commissioners' discretion. It was noted that each borough could be affected differently during inclement weather conditions. Commissioner Schulkin recommended for the draft to clearly state that the policy is only for severe weather emergencies. President Vargas moved to adopt the Inclement Weather Policy as presented which includes the Commissioners' discretion. Secretary Zaccone seconded the motion, which was unanimously adopted.

Secretary Zaccone moved to convene an Executive Session for personnel and litigation matters. Commissioner Araujo seconded the motion, which was unanimously adopted.

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

- I. The Commissioners granted 105 hours Advance of Time to Yessenia Duran, a Temporary Clerk in the Bronx Office, retroactive to February 1, 2018. Mr. Duran's agency start date is October 1, 2017;
- II. The Commissioners granted 210 hours Advance of Time to Shanette Brown, an Administrative Assistant in the General Office, effective January 28, 2018, to be used as needed. Ms. Brown's agency start date is January 27, 2008;
- III. The Commissioners granted 35 hours Advance of Time to Dominique Davis, a Trainer Assistant in the Manhattan Office, retroactive to January 19, 2018. Ms. Davis' agency start date is April 6, 2014.

President Vargas moved to adjourn the meeting. The motion was seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, February 6, 2018 at 1:30 P.M.