

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JULY 9, 2019 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President John Wm. Zaccone
 Secretary Patricia Anne Taylor

Commissioners Miguelina Camilo, John Flateau, Michael Michel,
Simon Shamoun, Tiffany Townsend, 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
Steven Guglielmi, Director, Personnel
Sherwin Suss, Agency Chief Contract Officer, Procurement
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Adam Edwards
 Kate Doran, LWV
 Jan Combopiano, Brooklyn Voters Alliance
 David Marango, BVA
 Bonnie Nelson, BVA
 Wendy Byrne, LWV NYC
 Patricia Alan, BVA
 Rachel Weissberger
 Bonnie Delaune, City Hall
 Katharine Loving, NYC CFB
 Wennie Chin, NYIC
 Gary Popkin
 Rosemarie Hameed

President Zaccone called the meeting to order at 1:45 P.M.

Commissioner Flateau moved to adopt the minutes of the June 26, 2019 meeting. Commissioner Camilo seconded the motion, with Commissioner Michel abstaining. The motion was adopted.

President Zaccone moved to adopt the amended minutes of the June 18, 2019 meeting which includes personnel actions that were taken in Executive Session. Secretary Taylor seconded the motion, which was unanimously adopted.

Mr. Ryan requested to add an item to the agenda. He reported that the Board received written testimony from Assemblymember Harvey Epstein. Copies of the testimony were distributed to the Commissioners for review. There was a consensus among the Commissioners for the Office of the General Counsel to review Assemblymember Epstein's recommendations and to provide a report within two (2) weeks.

Mr. Ryan provided a preliminary update on the June 25, 2019 Primary Election. The information is as follows:

- The total number of voters who participated in the election will be provided once Voter History is completed. For the large contests, approximately 47,000 voters participated in the Surrogate Race in Kings County. Approximately 85,000 voters participated for the District Attorney race in Queens County;
- Election Night Results Reporting (ENR) for Unofficial Results
 - 99.1% of the Portable Marking Devices (PMDs) reported results;
 - In periodic intervals, there were over 1 million hits on the Board's website. The website hit a peak time between 10:00 P.M. – 10:15 P.M.;
 - A total of 1,074 PMD's were uploaded by 9:15 P.M. Mr. Ryan noted that there has been a consistent trend in past elections for peak ENR reporting at 9:15 P.M.;
- Voting Equipment Operations Unit (VEOU)
 - A total of three (3) poll sites opened late in Queens, Brooklyn, and Staten Island. One (1) was a NYCHA related issue and two (2) were a NYPD related issue;
 - There were a total of forty-six (46) Scanner ballot jams;
 - There were a total of thirty-three (33) Ballot Marking Device (BMD) jams. Mr. Ryan noted that the BMD's are

aging and are in need of replacement, however, there are factors outside of the Board to get them replaced;

- A total of two (2) BMD's and eight (8) Scanners were replaced citywide;
- The average repair time for a machine was 50 minutes;

- Tablets

- There was 97% confirmed connectivity to Election Insight software;
- There were some Mi-Fi connectivity issues which will be addressed when the Electronic Poll Books are introduced alongside the Tablets. There is an acquisition request for Cradle Points which is a more industrial application for wi-fi connectivity through Verizon and AT&T simultaneously. Cradle Points and Cradle Point Supply Cart options will be presented to the Commissioners' Finance Committee for review and approval in the future;

- Poll Workers

- There were 300 poll worker calls relating to missing supplies. The majority of supplies were found within the poll site. Staff delivered supplies to those sites where necessary;

- ADA Ramp Systems

- There was one (1) cross sloping issue. Mr. Ryan noted that ADA compliance issues have been reduced significantly since the Board has periodic communications with the Disability Rights Advocates.

Mr. Ryan will provide additional information after the June 25, 2019 Primary Election is certified.

Mr. Suss provided an update on the Electronic Poll Book (E-Poll) and Ballot on Demand (BOD) Printer implementation. Copies of his status report were circulated to the Commissioners for review. Mr. Suss provided an overview of his report. Mr. Ryan reported that the current failsafe plan is to store and charge the E-Poll Books in the 4312 Warehouse in Brooklyn. There is available space and electricity for staff to work in zones for each borough. Mr. Ryan recalled that additional office space requests have been submitted to DCAS for each borough's Early Voting Unit. President Zaccone requested for a strong effort to secure space in each borough to help ensure accountability and to avoid staff traveling to another borough to work. Mr. Suss provided a report on the BOD B&W Printer and requested approval to move forward with the purchasing. Commissioner Shamoun requested for specifications report for KnowInk's Apple iPad, BOD Printer

and Charging Cart including all components for the Commissioners to review before voting on this item. There was a consensus among the Commissioners to table this item for one (1) week.

On behalf of the Commissioners, President Zaccone requested that any item that needs to be voted on to be provided to the Commissioners at least one (1) week in advance of the meeting.

Ms. Sandow joined the meeting.

Mr. Suss reported on Early Voting poll site compensation. He submitted a list of the Board's Early Voting poll sites to the NYC Department of Citywide Administrative Services (DCAS) and they provided the Board with Co Star's Submarket Report of specific rents for ten (10) year long term leasing to use as a guideline. Copies of Co Star's Report were circulated to the Commissioners for review. The submarket rents vary differently in each borough and in certain areas. Mr. Suss confirmed that there was no additional analysis conducted by DCAS to refine the rents for nine (9) days of Early Voting. The Board noted that the Early Voting sites are more than a basic square foot when calculating costs, and will require additional services such as security, electricity,

custodians, et. al. After discussion, President Zaccone requested for Ms. Kontzamanis, working with the Chief Clerks and Deputy Chief Clerks, to obtain lists of incidental costs from the October Early Voting private sites for further discussion on poll site compensation.

Commissioner Michel requested for a new trucking company for Queens County. He reported that the current company did not comply with their agreement and that the RFP Trucking contract expires at the end of the year.

Commissioner Shamoun requested to discuss a personnel matter in Executive Session.

President Zaccone added an Executive Session to discuss litigation and personnel matters.

Commissioner Flateau moved to convene an Executive Session for litigation and personnel. Commissioner Michel seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed. President Zaccone reported that there were two (2) updates on litigation and there were no reportable actions. There was one (1) action taken on a personnel matter which will be reported at a later date.

The following action was taken by unanimous decision by the Board of Commissioners in Executive Session:

- I. Jeffrey E. Lodge, a Senior Voting Machine Technician, was granted 140 hours of an Advance of Time. This grant is effective July 8, 2019. Mr. Lodge's agency start date is September 25, 2005.

President Zaccone recognized the following speakers for public comment:

1. Jan Combopiano;
2. David Marango;
3. Gary Popkin;
4. Rosemarie Hameed.

The next stated meeting of the Commissioners will be held on Tuesday, July 16, 2019 at 1:30 P.M.

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