

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JULY 23, 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 Jose Araujo, Miguelina Camilo, Michael Michel, Simon Shamoun, Robert Siano, 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
Raphael Savino, Deputy General Counsel
Steven Guglielmi, Director, Personnel
Sherwin Suss, Agency Chief Contract Officer, Procurement
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Shanel Davis, NY1
 Kate Doran, LWV
 Perry Grossman, NYCLV
 Bonnie Nelson, BVA
 Alan Flacks, Member of NY County Democratic Committee

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

Commissioner Araujo moved to adopt the minutes of the July 16, 2019 meeting. Commissioner Camilo seconded the motion, with Commissioner Siano abstaining. The motion was adopted.

Mr. Ryan requested authorization for Executive Management and staff to attend the New York State Election Commissioners' Association (ECA) Summer Conference scheduled from September 3, 2019 through September 6, 2019 in Saratoga Springs, NY. Copies of the ECA's Summer Conference packet were distributed to the Commissioners for review. Commissioner Umame moved to authorize Executive Management and staff to attend the ECA's Summer Conference. Commissioner Araujo seconded the motion, which was unanimously adopted.

Mr. Ryan recalled that the Commissioners unanimously adopted a policy at the previous meeting concerning the limit of time that each member of the public can address the Board. The Office of the General Counsel was directed to prepare draft language and ways to communicate the same to the public. Mr. Richman suggested adding language on each Public Notice for the Commissioners' Stated and Special Meetings which are posted on the Board's website, the Commissioners' Meeting Agenda,

and on signage posted in the public hearing room. Mr. Richman recommended the following text to be adopted by the Commissioners:

“Members of the public are encouraged to attend the public meeting and are welcome to speak at a time designated by the President of the Board, usually at the conclusion of the meeting’s agenda. Members of the public addressing the Commissioners are limited to no more than two minutes.”

Commissioner Araujo moved to adopt the suggested language and ways to communicate to the public as presented. Commissioner Camilo seconded the motion, which was unanimously adopted.

Mr. Ryan reported on compliance with Section 7-105 of the New York State Election Law concerning ballot accountability on Election Day. Copies of the amended Section 7-105 were distributed for review. Mr. Ryan recalled that a bill was recently passed to eliminate stubs and perforations on ballots. The State Board of Elections is scheduled to vote on regulations for ballot accountability requirements at their July 25, 2019 public meeting. These ballot accountability requirements do not apply to Early Voting; the poll pads are set up to link with the Ballot On Demand (BOD) Printers. Mr. Ryan reported that staff proceeded to print the Poll Worker Training Manuals with ballot accountability

procedures not using the ballot stubs and perforations due to the short timeframe, and to avoid the distribution of Special Instructions which causes confusion for poll workers on Election Day. Ms. Sandow reported that it is the same general ballot inventory procedures; however, poll workers will now make tick marks on the twenty-five (25) ballot packs' side strips and the Return of Canvass instead of ballot stub numbers. Mr. Ryan requested for the Commissioners' approval to move forward with training the poll workers on ballot accountability not using ballot stubs and perforations. There was a consensus among the Commissioners for the Board to move forward with the recommended poll worker training as presented and to adopt the removal of ballot stubs and perforations. Finalized procedures will be discussed at a later date after the State Board of Elections meeting on Thursday, July 25, 2019.

Mr. Suss reported on the Board's Early Voting equipment needs. These items were discussed at the previous meeting and additional information has been provided for the Commissioners' review and consideration. The information is as follows:

- Cradlepoint Devices
 - The price quote is still a work in progress. This item was tabled for one (1) week;

- Privacy Booths
 - Copies of the Voting Equipment Operating Unit's (VEOU) Preliminary Early Voting Scanner and Privacy Booth Requirements Report was distributed for review;
 - For informational purposes, VEOU is recommending to order a total of 1,451 Privacy Booths for Early Voting. Mr. Rodriguez has contacted the New York City Law Department and this item will have to be bid out. The Board has met its micro purchase threshold. There was a previously approved micro purchase order for 600 Privacy Booths;
 - There are currently four (4) vendors who manufacture Privacy Booths;
 - Modifications can be made to the Privacy Booths moving forward. It was noted that the current wheels damage easily and will be addressed moving forward. At the request of Commissioner Araujo, Mr. Suss will inquire with the vendors about the possibility of a 3-in-1 Privacy Booth before the contract is bid out;

- Mr. Suss will contact the New York City Finance Department about funding which will be addressed at a future meeting;
- Scanners
 - Mr. Suss reported that VEOU recommended ordering an additional 600 Scanners for Early Voting - ten (10) Scanners per poll site (570 total) and thirty (30) spares;
 - Commissioner Shamoun, in consultation with the Brooklyn Chief Clerk and Deputy Chief Clerk, requested for two (2) spare Scanners per site in Brooklyn, which would be tested and set-up in the poll site instead of the Voting Machine Facility. After discussion, there was a consensus among the Commissioners to have twelve (12) Scanners per Early Voting site citywide, as long as the poll site can accommodate two (2) extra, at a total of 114 additional spare Scanners citywide;
 - For informational purposes, Commissioner Umame stated that the Board is locked into purchasing the current aged Scanners which are presently certified by the State Board of Elections;

- Commissioner Umame moved to approve the purchasing of 600 Scanners for Early Voting. Commissioner Shamoun seconded the motion, which was unanimously adopted;
- Software License Agreement for Ballot on Demand (BOD)
 - The quote for the Software License is \$400 per unit for one (1) year. During negotiations, the vendor agreed to reduce the cost from \$600 to \$400 per unit at a total cost savings of \$300,000;
 - President Zaccone moved to adopt the procurement of the BOD's Software License for \$400 for one (1) year as presented. Secretary Taylor seconded the motion, which was unanimously adopted.

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

Commissioner Townsend joined the meeting.

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

The following action was taken by unanimous decision of the Board of Commissioners in Executive Session on July 23, 2019:

- I. Gail Rhames, Financial Clerk, was granted 210 hours of an Advance of Time. This grant is effective August 7, 2019. Ms. Rhames' agency start date is September 15, 2013.

The following actions were taken by unanimous decision of the Board of Commissioners in Executive Session on July 16, 2019:

- I. Troy Johnson, Project Coordinator, was granted 210 hours of an Advance of Time. This grant is effective July 9, 2019. Mr. Johnson's agency start date is June 10, 2004;
- II. Anthony Ribustello, Deputy Chief Clerk, was granted 28 hours of an Advance of Time. This grant is effective June 24, 2019. Mr. Ribustello's agency start date is August 6, 2006;

III. Frank Olivo, Senior Voting Machine Technician, was granted 98 hours of an Advance of Time. This grant is effective June 24, 2019. Mr. Olivo's agency start date is October 13, 2008.

President Zaccone recognized the following speakers for public comment:

1. Kate Doran;
2. Perry Grossman;
3. Alan Flacks; and
4. Bonnie Nelson.

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

Commissioner Umame moved to adjourn the meeting. Commissioner Townsend seconded the motion, which was unanimously adopted.