

MEETING OF THE BOARD OF CANVASSERS AND  
MEETING OF COMMISSIONERS OF ELECTIONS

HELD ON TUESDAY, OCTOBER 2, 2012

AT 1:30 P.M.

42 BROADWAY, 6<sup>th</sup> FLOOR, COMMISSIONERS' HEARING ROOM  
NEW YORK, NY 10004

---

PRESENT:       President Maria R. Guastella  
                  Secretary Frederic M. Umane

Commissioners Araujo, Barrera, Dent, Polanco, Schacher, Sipp, Soumas,  
Stupp

Dawn Sandow, Deputy Executive Director  
John Ward, Finance Officer  
Dorothy Delayo, Director, Personnel  
Valerie Vazquez, Director, Communications and Public Affairs  
John Naudus, Manager, Electronic Voting Systems  
Raphael Savino, Director, Campaign Finance Enforcement Reporting  
Troy Johnson, Coordinator, Candidate Records Unit  
Stephen Thompson, HAVA Training Specialist, EDO  
Beth Fossella, Coordinator, Voter Registration  
John O'Grady, Chief Voting Machine Technician, VEOU  
Joel Bermejo, Temporary Contract Attorney, OGC  
Giacomo Kmet, Temporary Contract Attorney, OGC  
Anthony Andriulli, Deputy Chief Clerk, Staten Island Office  
Lisa Sattie, Administrative Associate, State Island Office  
Anthony Ribustello, Deputy Chief Clerk, Bronx Office  
Marricka Scott-McFadden, Deputy Chief Clerk, Bronx Office  
Timothy Gay, Deputy Chief Clerk, Manhattan Office  
Gregory Lehman, Chief Clerk, Manhattan Office  
Diane Rudiano, Chief Clerk, Brooklyn, Office  
Maryrose Sattie, Deputy Chief Clerk, Brooklyn Office  
Marie Lynch, Deputy Chief Clerk, Queens Office  
Robert Pataky, Administrative Associate, Queens Office  
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kate Doran, LWV  
Michelle Bright, Citizens Union  
John D. Smith  
Caryn Schreiber, NYDLL  
Will Colegrove, for Council Member Gale Brewer  
Cathy Gray  
Geneva Butts  
Alan Flacks, Member of NY County Democratic Committee  
Marianna Blume  
A.B. Britton, KLC GOP USA

---

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

President Guastella announced that pursuant to the provisions of Title 2 of Article 9 of the NYS Election Law, specifically Section 9-204, the Commissioners will conduct the meeting of the Board of Canvassers in the City of New York to certify the results of the September 13, 2012 Primary Elections.

President Guastella designated Commissioner Araujo to serve as the second Democratic Member of the Canvassing Board for the respective counties and to serve with her for Richmond County and the multi-county recaps.

Secretary Umame designated Commissioner Stupp to serve as the second Republican Member of the Canvassing Board for the respective counties and to serve with him for New York County and the multi-county recaps.

Mr. Andriulli and Ms. Lisa Sattie presented the Return of Canvass for the Party Primary Elections conducted in Richmond County on September 13, 2012 for review and approval. Mr. Andriulli and Ms. Sattie confirmed that the results presented in the reports are accurate and correct. All provisions of the NYS Election Law and the Board's adopted Policies and Procedures were complied. There are no discrepancies to report. The audit of voter verifiable audit records required by Section 9-211 of the NYS Election Law has been successfully completed. Commissioner Araujo moved that the Board of Canvassers certify the Return of Canvass for the Party Primary Elections conducted in Richmond County on September 13, 2012. Commissioner Stupp seconded the motion, which was unanimously adopted.

Mr. Ribustello and Ms. Scott-McFadden presented the Return of Canvass for the Party Primary Elections conducted in Bronx County on

September 13, 2012 for review and approval. Mr. Ribustello and Ms. Scott-McFadden confirmed that the results presented in the reports are accurate and correct. All provisions of the NYS Election Law and the Board's adopted Policies and Procedures were complied. There are no discrepancies to report. The audit of voter verifiable audit records required by Section 9-211 of the NYS Election Law has been successfully completed. Commissioner Barrera moved that the Board of Canvassers certify the Return of Canvass for the Party Primary Elections conducted in Bronx County on September 13, 2012. Commissioner Polanco seconded the motion, which was unanimously adopted.

Ms. Lynch and Mr. Pataky presented the Return of Canvass for the Party Primary Elections conducted in Queens County on September 13, 2012 for review and approval. Ms. Lynch and Mr. Pataky confirmed that the results presented in the reports are accurate and correct. All provisions of the NYS Election Law and the Board's adopted Policies and Procedures were complied. There are no discrepancies to report. The audit of voter verifiable audit records required by Section 9-211 of the NYS Election Law has been successfully completed. Commissioner Stupp moved that the Board of Canvassers certify the Return of Canvass

for the Party Primary Elections conducted in Queens County on September 13, 2012. Commissioner Araujo seconded the motion, which was unanimously adopted.

Commissioners Araujo and Stupp thanked the Queens Office for their hard work during the 2012 September Primary Election while preparing for the 2012 November General Election.

Ms. Rudiano and Ms. Sattie presented the Return of Canvass for the Party Primary Elections conducted in Kings County on September 13, 2012 for review and approval, except for 50<sup>th</sup> District Democratic Male State Committee. Ms. Rudiano and Ms. Sattie confirmed that the results presented in the reports are accurate and correct. All provisions of the NYS Election Law and the Board's adopted Policies and Procedures were complied. There was one (1) discrepancy which was resolved and did not affect the results. The audit of voter verifiable audit records required by Section 9-211 of the NYS Election Law has been successfully completed. Commissioner Schacher moved that the Board of Canvassers certify the Return of Canvass for the Party Primary Elections conducted in Kings

County on September 13, 2012. Commissioner Dent seconded the motion, which was unanimously adopted.

Mr. Lehman and Mr. Gay presented the Return of Canvass for the Party Primary Elections conducted in New York County on September 13, 2012 for review and approval, except for 75<sup>th</sup> District Democratic Alternate and Judicial Delegates. Mr. Lehman and Mr. Gay confirmed that the results presented in the reports are accurate and correct. All provisions of the NYS Election Law and the Board's adopted Policies and Procedures were complied. There were no discrepancies. The audit of voter verifiable audit records required by Section 9-211 of the NYS Election Law has been successfully completed. Secretary Umame moved that the Board of Canvassers certify the Return of Canvass for the Party Primary Elections conducted in New York County on September 13, 2012. Commissioner Soumas seconded the motion, which was unanimously adopted.

Secretary Umame moved to authorize the use of the Commissioners signature stamps as appropriate on each Statement and Return of

Canvass. Commissioner Barrera seconded the motion, which was unanimously adopted.

On behalf of the Commissioners, Secretary Umame thanked all staff for their hard work during the recanvass of the 2012 September Primary Election.

Commissioner Dent moved to adjourn the meeting of the Board of Canvassers and to convene the weekly stated meeting of the Commissioners of Elections in the City of New York. Commissioner Barrera seconded the motion, which was unanimously adopted.

Commissioner Dent moved to table the minutes of the September 4, 2012 meeting. President Guastella seconded the motion, which was unanimously adopted.

Mr. Naudus reported on the State Board's request to distribute educational materials to voters and Poll Workers concerning Over Voter and Double Vote messages. A copy of the materials is in the agenda. Mr. Naudus reported at the previous meeting that the State Board's

educational materials had incorrect information about the messages. He submitted the City Board's corrections to the State Board and they revised the materials. The materials are still pending pre-clearance from the U.S. Department of Justice (DOJ). Mr. Naudus requested authorization to print the corrected educational materials and to place them in the ED Supply Carts and Coordinator packets for the 2012 General Election. The materials will be pulled if they are not pre-cleared by the DOJ. Commissioner Araujo moved to authorize Mr. Naudus' recommendation to ensure that the Board is prepared for the 2012 General Election. Commissioner Polanco seconded the motion, which was unanimously adopted.

Mr. O'Grady requested that the Borough Offices combine zero (0) voter Election Districts (EDs) at poll sites citywide. Zero (0) voters occurred after the ED Redistricting and some districts overlapped into the ocean and rivers. Mr. O'Grady reported that these zero (0) voter EDs will be reduced after the City Council Redistricting Project. Commissioner Barrera moved to authorize the Borough Offices to combine zero (0) voter Election Districts at poll sites citywide. Commissioner Schacher seconded the motion, which was unanimously adopted.

Ms. Vazquez presented an update on the AD Monitoring Team Reporting Tablet to be used on Election Day. She reported that twenty (20) Executive Office Teams will participate in the pilot for the 2012 General Election. There will be a total of twenty (20) tablets distributed. Some features of the tablet include:

- Check-in/Check-out of poll sites
- Filling out ADA Journals in real-time
- Filling out AD Monitor Reports in real-time
- Camera feature for photo documentation

Ms. Vazquez reported that all information will be routed and saved to a computer server at the Board. If there are any poll site issues, the resolution time will be shorter since it would be entered in real-time. Ms. Sandow stated that these Tablets will reduce the additional work of data entering all the reports into the computer system after Election Day.

Ms. Vazquez reported on the poster distribution and the phone kiosk advertisement concerning the QR smart phone code. She stated that the QR code takes users to the Board's website where they can view their sample ballot and the Poll Site Locator. She stated that thirty (30) phone booths will have the poster advertisement which is no cost to the Board.

Ms. Vazquez confirmed that the QR code will be placed in the Board's legally required newspaper ads as well. She reported that Mr. O'Grady will be distributing the QR code posters to all poll sites citywide, NYCHA facilities, NYC Public Libraries and Elected Official Offices.

President Guastella recognized Alan Flacks, a member of the public, who suggested for the QR code poster to be simple in design with large images and for each zip code to have a phone kiosk advertisement. Ms. Vazquez stated that the poster has to be in all covered languages so it reduces the amount of images.

President Guastella recognized Kate Doran, a member of the public, who asked if the Board can post a prominent banner across the Board's website stating the last day to register. Ms. Vazquez stated that they will add that banner.

Ms. Fossella presented the monthly report of voter registrations for September 1, 2012 – October 2, 2012. Copies of the report were distributed to the Commissioners. Ms. Fossella reported that a total of 132,431 registrations were submitted to the Board citywide. Secretary

Umane reminded the good government groups and community organizations to submit their voter registrations to the Board as soon as possible to ensure that the voters' names will be printed in the Poll Books.

Mr. Ward presented the Comparative Expenditures Report dated October 2, 2012. A copy of the report is in the agenda.

Commissioner Schacher moved to convene an Executive Session to discuss litigation. Commissioner Dent seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and President Guastella reported the following action taken by the Commissioners in Executive Session:

- I. Charles S. Webb, III, the Republican Counsel to the Commissioners, has resigned from the Board. Kenneth M. Moltner was unanimously appointed as the Republican Counsel to the Commissioners, with the outgoing annual salary of \$49,701, effective October 9, 2012.

President Guastella moved to adjourn the meeting. Secretary Umane seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, October 9, 2012 at 1:30 P.M.