

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, OCTOBER 22, 2013
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umane
Secretary Gregory C. Soumas

Commissioners Naomi Barrera, Julie Dent, Maria Guastella, Michael Michel, Michael Rendino, Simon Shamoun, J.P. Sipp

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
John Ward, Finance Officer
Valerie Vazquez, Director, Communications & Public Affairs
Dorothy Delayo, Director, Personnel
Troy Johnson, Coordinator, Candidate Records Unit
Thomas Sattie, Associate Staff Analyst, Candidate Records Unit
Giacomo Kmet, Temporary Contract Attorney, OGC
Anibal Luque, Temporary Contract Attorney, OGC
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kate Doran, LWV
Katharine Loving, NYC CFB
Judith Taber
Anna Claire Lopez, for Assembly Member Brian Kavanagh
Michael Benjamin
Carolyn Sheehan, DOI
Elie Greenbaum, DOI
David Seitzer, NYC Council

Will Colegrove, NYC Council
Alex Camarda, Citizens Union
John D. Smith
Anna-Maria L. Thomas
Celeste Katz
Alan Flacks, Member of NY County Democratic Committee
Eric Friedman, CFB

President Umane called the meeting to order at 1:44 P.M.

President Umane reported that that an Executive Session for purposes of personnel and a Challenge to a Voter's Registration will be added to the agenda.

President Umane moved to table the minutes of the October 8, 2013 meeting. The motion was seconded and unanimously adopted.

Mr. Johnson reported that the Candidate Records Unit received a Specification of Objection today concerning the Certificate of Election of Members of the Kings County Republican County Committee to Fill Vacancies. Mr. Richman stated that there is no provision in the law mandating the Commissioners to rule on internal Party matters.

In addition, the Objection was received past the deadline, and there is a Court Hearing in January 2014. President Umane recommended for the Court to handle this matter because the Commissioners are not in the position to review it. As a City agency, the Board will accept and file the document.

Mr. Ryan reported on the Board's contribution to the 9/11 Memorial Museum Collection. There were several SHOUP voting machines in and around the World Trade Center on 9/11 and Board staff preserved those historical machines. There is one (1) particular SHOUP machine that has missing family members' photos and information posted on it. The 9/11 Memorial Museum curators visited the preserved SHOUP machines and are interested in that particular one. Mr. Ryan presented a photograph of that machine. He reported that he contacted the Smithsonian Political History Museum as well and he will follow up with them at a later date. Mr. Ryan contacted the NYC Law Department and NYC Department of Citywide Administrative Services concerning the donation process. The SHOUP machine qualifies as memorabilia for the 9/11 Memorial Museum. Mr. Ryan requested approval from the Commissioners to commence the donation process. President Umane inquired about the process. Mr. Ryan

reported that DCAS has to make the transfer to the museum since the machines are City property which requires a sign-off from the Board. President Umame moved for Mr. Ryan to start the procedure to donate one (1) SHOUP voting machine to the 9/11 Memorial Museum Collection. Commissioner Dent seconded the motion, which was unanimously adopted.

Mr. Ryan presented the draft Poll Worker Exception Report for the November 5, 2013 General Election. Copies of the draft report were distributed. Commissioner Barrera moved to approve the Poll Worker Exception Report for the November 5, 2013 General Election. Secretary Soumas seconded the motion, which was unanimously adopted.

Mr. Ryan presented the draft Closing Procedures and Return of Canvass for the November 5, 2013 General Election. Copies of the draft were distributed. Mr. Ryan summarized the procedures. He reported that Board staff met with Assembly Member Brian Kavanagh and these procedures were drafted to satisfy his bill. Mr. Ryan reported that the results tape will no longer be cut-up into Election Districts. There will be a total of three (3) results tapes – one (1) for the poll site's wall, one (1) for

the Board's materials, and one (1) for the news press. Mr. Ryan noted that the Board is working closely with the Associated Press. Commissioner Guastella moved to adopt the Closing Procedures and Return of Canvass for the November 5, 2013 General Election. Secretary Soumas seconded the motion, which was unanimously adopted.

President Umane opened the floor for questions and/or comments from Alex Camarda, a representative of Citizens Union, who inquired about how the results are tallied on Election Night.

President Umane opened the floor for questions and/or comments from Alan Flacks, a member of the public, who inquired about the tally sheet.

Mr. Ward presented the Vacancy Report dated October 22, 2013. A copy of the report is in the agenda.

President Umane opened the floor for Judith Taber, a member of the public, who challenged a voter's registration. Ms. Taber presented her Challenge to a Voter Registration form. She reported that voter Arthur A.

Faiella moved from her current address, 400 Central Park West, Apt. 6T, New York, NY 10025 in July 1995 and discovered that he has been using her address to vote in previous years. Ms. Taber swore before the Commissioners, pursuant to the provisions of Section 5-220(1) of the NYS Election Law, challenging the Voter Registration of Arthur A. Faiella, 400 Central Park West, Apt. 6T, New York, NY 10025, VSN# N1226390. Commissioner Sipp requested to verify this matter before moving forward. President Umane placed this item on second call.

President Umane opened the floor for questions and/or comments from Alan Flacks, a member of the public, who spoke about the relocation of his poll site, and the final recertification of the Judicial Convention Delegates and Alternates races for the 69th, 72nd and 75th ADs in Manhattan for the September 10, 2013 Primary Election.

President Umane recalled the challenge to a voter's registration. The Commissioners verified the challenge and directed staff in the Manhattan Office to conduct the required inquiry into this challenge pursuant to the provisions of Article 5 of the NYS Election Law. Pending the completion of review, the voter is to be placed on the Challenge List, in accordance with

Section 5-220(2) of the NYS Election Law. Secretary Soumas recommended referring this matter to the District Attorney's Office after the review has been completed, if necessary.

President Umane moved to convene an Executive Session for purposes of personnel. Commissioner Dent seconded the motion, which was unanimously adopted.

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

- I. The Commissioners unanimously granted an advance of two (2) weeks of sick leave for Luann Kubler, a Clerk in the Brooklyn Office.

President Umane moved to adjourn the meeting. The motion was seconded and unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, October 29, 2013 at 1:30 P.M.