

MEETING OF THE COMMISSIONERS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, SEPTEMBER 20, 2016
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

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

Commissioners Jose Araujo, John Flateau, Lisa Grey, Michael Michel,
Michael Rendino, Alan Schulkin, Simon Shamoun, Rosanna Vargas

Michael J. Ryan, Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Nina M. Crispino, Director, Personnel
Troy Johnson, Coordinator, Candidate Records Unit
Kenneth Moltner, Counsel to the Commissioners

GUEST: Anna-Maria Thomas
 Amanda Melillo, CFB
 Tammy Patrick, BPC
 Katharine G. Loving
 John Fortier, BPC
 Matthew Weil, BPC
 Don Palmer, BPC
 Kate Doran, LWV NYC
 John Smith
 Joseph Gallagher, CFB
 Robert Bauer, BPC
 Benjamin Ginsberg, BPC

President Guastella called the meeting to order at 1:34 P.M.

Commissioner Araujo moved to adopt the minutes for the September 6, 2016 meeting. Commissioner Flateau seconded the motion, with President Guastella abstaining. The motion was adopted.

Mr. Richman requested for the Provisional Certification of the September 13, 2016 Primary Elections for Delegates and Alternates to the Judicial Conventions and Members of the County Committee, for those holding conventions within the City of New York, and authorization to use the Commissioners' signature stamps on the Provisional Certifications. President Guastella designated Commissioner Araujo to be the second signatory for Richmond County. Secretary Umane designated Commissioner Michel to be the second signatory for New York County. Commissioner Schulkin moved to approve Mr. Richman's request. Commissioner Flateau seconded the motion, which was unanimously adopted.

Mr. Richman requested for an appointment of a Cover Sheet Review Committee for Independent Nominating Petitions to meet immediately after the meeting to review one (1) item. President Guastella and Secretary Umane were designated as the Cover Sheet Review Committee.

Commissioner Araujo requested to discuss a Queens personnel matter in Executive Session.

Commissioner Rendino requested to discuss a Bronx personnel matter in Executive Session.

Commissioner Flateau requested for an update on litigation in Executive Session.

Mr. Ryan introduced Robert F. Bauer and Benjamin L. Ginsberg, the former Co-Chairs of the Presidential Commission on Election Administration (PCEA) at the Bipartisan Policy Center (BPC). Mr. Bauer, Mr. Ginsberg, and their colleagues provided an overview of the PCEA and the BPC. Pursuant to Executive Order in 2013, the PCEA was established and comprised of election administrators and representatives who bring experience from the private and public sectors to help identify best practices in election administration. The mission was to identify best practices in election administration and to make recommendations to improve the voting experience. The PCEA created a Report and Recommendations to the President on issues that affect the American voting experience. Copies of the Report were previously distributed to the

Commissioners for review. The PCEA made various Recommendations such as methods to address voting wait times, modernization of the registration process, and suitable locations for polling places. The BPC is continuing to work with jurisdictions around the country on voting wait times, and have been asking jurisdictions across the country to self-collect the information on Election Day. The BPC's goal is to analyze voting wait times across the country to help build best practices and techniques to solve this issue. The BPC found that public schools are the best facilities for conducting elections, and the modernization of poll books and voter rolls reduced voting lines. The BPC requested for the Board's support to work with them on a voting time wait analysis project asking for poll workers to note how many people are standing in line every hour on Election Day. At the conclusion of the presentation, there was a Q&A session. Items discussed follow:

- Electronic poll books – Some jurisdictions across the country have implemented electronic poll books and were found to be more efficient and saved on resources;
- Online voter registration – It is a leading Recommendation by the PCEA. A total of 33 jurisdictions in the country currently utilize online voter registration which is tied into Department of Motor Vehicle (DMV) databases;

- Security of online voter registration – In response to Commissioner Flateau’s inquiry, the PCEA stated that online voter registration requires repeated expert sustained attention;
- Security of voting machines – In response to Commissioner Flateau’s inquiry, the PCEA stated that the current voting systems are considered behind in the day-to-day technology, and votes cannot be hacked the way in which they are tabulated in each jurisdiction;
- Voting wait time analysis project – Some states have agreed to sign-up all or some of their jurisdictions to participate in this project. The BPC relies on jurisdictions to self-collect data on Election Day and then provide that data back to BPC to be analyzed;
- Funding of the BPC – In response to Commissioner Rendino’s inquiry, the PCEA reported that the Commission expired when the Report and Recommendations were issued to the President. However, the Commission agreed to continue to be a bipartisan non-profit exercise to continue on the mission. The BPC currently has a \$20 million budget with 100 bi-partisan employees who work on numerous issues in the country. The

institution is funded by a variety of American private, corporate and individual donors;

- ADA accessibility in the poll sites – In response to Commissioner Flateau's inquiry, the PCEA reported that the 8,000 jurisdictions in the country face the same issue as required by law. The BPC found that public schools are the best facilities for voting across the country;
- All detailed information can be found in the PCEA/BPC's Annual Report which is posted on their website www.SupportTheVoter.gov.

President Guastella recognized Kate Doran, a representative of the League of Women Voters, who inquired about the Board's relationship with the PCEA and BPC.

Secretary Umane noted that there are significant ADA accessibility difficulties with public schools, and the Board released HAVA funds to the NYC DOE construction fund to make public schools more accessible. It was noted that the ADA standards for polling places are stricter than public school standards. Mr. Richman reported that the 57 county boards of elections in New York State designate public schools as the preferred

polling places as mandated per State Law. However, many of the NYC public schools do not meet the U.S. Department of Justice standards for poll site accessibility, and there is a lack of available capital funding to retrofit and make temporary improvements. Mr. Richman inquired about potential capital funds in the future. Tammy Patrick, former Commissioner on the PCEA, noted that it is always contingent of what happens in a jurisdiction in the November election which may spur additional capital funding moving forward. Ms. Patrick reported that most of the PCEA's Recommendations are already being done by the City Board. She noted that she observed many poll sites on September 13, 2016 Primary Day and commended the City Board for implementing ADA Coordinators in the polling places. On behalf of the Commissioners, Mr. Ryan thanked the PCEA and BPC representatives for their presentation.

President Guastella recognized Amanda Melillo, a representative of the New York City Campaign Finance Board, who announced that there is a Voter Assistance Advisory Committee (VAAC) public meeting tonight at 5:30 P.M. located at 100 Church Street.

Commissioner Vargas moved to convene an Executive Session for purposes of personnel and litigation matters. The motion was seconded and unanimously adopted.

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

- I. The Commissioners granted an advance of 100 discretionary hours for Philip DeStefano, a Voting Machine Technician in Queens, to be used intermittently on an as needed basis, effective immediately. Mr. DeStefano has been an employee since November 23, 1987;
- II. The Commissioners granted an advance of 77 hours for Diana Miranda, an Administrative Assistant in the Bronx Office, to be paid back with her accruals upon her return to work. Ms. Miranda has been an employee since October 19, 2009;
- III. The Commissioners granted an advance of 100 hours for Jose Polanco, an Administrative Assistant in the General Office, to be used intermittently on an as needed basis. Ms. Polanco has been an employee since 2007.

Commissioner Araujo moved to adjourn the meeting. The motion was seconded and unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, September 27, 2016 at 1:30 P.M.