

MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, AUGUST 19, 2008
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR HEARING ROOM
NEW YORK, NY 10004

P R E S E N T: President James Sampel

Commissioners Dent, Graham, Schacher, Soumas, Polanco, Yennella

Marcus Cederqvist, Executive Director
George Gonzalez, Deputy Executive Director
Steven H. Richman, General Counsel
John Ward, Finance Officer
John Owens Jr., Campaign Finance Enforcement
Joseph LaRocca, Coordinator, Candidate Records Unit
Steven Denkberg, Counsel to the Commissioners

GUEST: Andrea Senteno, Citizens Union
 Marjorie Shea, Women's City Club
 Alyssa Usui, Voters Assistance Commission
 Isreal Rodriguez, NYC Council
 Teresa Hummel, Community Church of New York

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

President Sampel announced that the Commissioners would conduct Hearings relating to Delegates and Alternate Delegates to the Judicial Convention – Kings and Richmond Counties prior to the regular Board meeting.

The General Counsel reported that in accordance with the Commissioners' direction, notice was given to all interested and necessary parties concerning today's Public Hearing to consider the Board's staff Preliminary Findings of Prima Facie Defects [Independence Party], Specifications of Objections [SI – 08, SI – 09, SI – 10, & SI – 12] and other concerns relating to the designation of Delegates and Alternate Delegates to a Judicial Convention elected in the September 8, 2008 Primary Election for Richmond and Kings Counties. The results are reflected on the Counsel's Reports.

The Coordinator of the Candidate Records Unit provided the Commissioners with a list of County Committee Candidates from both the Democratic and Independence Party for their determination. The results are reflected on those Reports.

The General Counsel requested the appointment of a Petition and Cover Sheet Review Committee for Independence Nominating Petition matters. Following consultation, President Sampel designated himself and Commissioner Yennella as the Commissioners Committee for this afternoon.

Commissioner Soumas moved to adjourn the Public Hearing and convened the Board's regular meeting. President Sampel seconded the motion, which was adopted unanimously.

President Sampel moved to approve the revised minutes of the July 8th and July 15th meetings. Commissioner Graham seconded the motion, which was adopted unanimously.

President Sampel moved to table the minutes of the July 22nd, July 29th, August 7th, and August 12th meetings. Commissioner Dent seconded the motion, which was adopted unanimously.

The Executive Director provided the Commissioners with Burson-Marsteller's Draft Public Information Plan for their review. He asked for approval to schedule a date for Burson-Marsteller representatives to attend a meeting and present their proposed plan. The Commissioners unanimously agreed. Commissioner Soumas asked the Executive Director to post the date on the Board's website to inform the public.

The Executive Director reported that Board staff held a meeting with the State Board of Elections regarding the NYC Board of Election's HAVA Formal Complaint which was unanimously approved by the Commissioners of Elections in the City of New York alleging violations of Title III of the Help America Vote Act of 2002 (42 U.S.C. §§ 15481 – 15485) and related State Law by the New York State Board of Elections, pursuant to §3-105 of the New York State Election Law.

The Coordinator of Election Day Operations provided the Commissioners with the Poll Worker Exception Report for the September 9, 2008 Primary Election. After discussion, President Sampel moved to designate three sites per each Assembly District in New York, Bronx, Staten Island, and Queens. Commissioner Graham seconded the motion, which was adopted unanimously. Commissioner Graham suggested that the President and Secretary meet with Executive Management to work out a feasible plan for Brooklyn

The Coordinator of Election Day Operations distributed a copy of the draft HAVA Grant Spending Plan for the Commissioners' approval. Commissioner Soumas stated that he would like assurance that Marcus

Cederqvist and George Gonzalez will oversee this project. They both agreed they would. Commissioner Soumas moved to approve the HAVA Grant Spending Plan as submitted. Commissioner Graham seconded the motion, which was adopted unanimously.

The Coordinator of Election Day Operations asked the Commissioners for approval to place the name BMD/Inspectors on the ID cards. The Administrative Manager expressed agreement to the plan, stating that these identification cards would distinguish those who have been trained on the BMDs. After discussion, Commissioner Polanco moved to add a distinctive mark on the cards rather than the name BMD/Inspector. Commissioner Soumas seconded the motion. The Commissioners unanimously agreed that Senior Management and the MIS staff should work on a possible resolution and report it at their next meeting.

The Director of the MIS Department provided the Commissioners with a cost estimate for the Board to obtain 50 seats at 311 for the General Election. Based on a report submitted by the Phone Bank Supervisor, Mr. Ferguson reported that it would cost \$81,000 to hire the 50 operators to

assist with phone bank calls on Election Day. Commissioner Sampel moved not to approve this project due to the lack of monies in the Board's budget. Commissioner Graham seconded the motion, which was adopted unanimously.

The Coordinator of the Voter Registration Unit provided the Commissioners with a copy of the local Registration Report and asked for their approval. Ms. Fossella recommended three sites per Assembly District for 2 days as follows:

- A) October 7, 2008 (date selected by the Borough Chief Clerks and Deputy Chief Clerks); and
- B) October 11, 2008 (date selected by the State Board)

Commissioner Yennella moved to adopt the plan as recommended. Commissioner Graham seconded the motion, which was adopted unanimously.

The Finance Officer John Ward provided the Commissioners with the Vacancy Report dated August 19, 2008.

President Sampel moved to convene an Executive Session to discuss personnel matters. Commissioner Polanco seconded the motion, which was adopted unanimously.

President Sampel moved to adjourn. Commissioner Polanco seconded the motion, which was agreed to unanimously.

President Sampel announced that the next Board meeting will be held on Tuesday, August 26, 2008.