

THE MEETING OF THE
COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, FEBRUARY 5, 2013
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

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

Commissioners Araujo, Barrera, Dent, Guastella, Michel, Shamoun, Sipp

Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel/Campaign Finance Enforcement
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Valerie Vazquez, Director, Communications and Public Affairs
John Naudus, Manger, Electronic Voting Systems
Rachel Knipel, Coordinator, Language Assistance Program
Stephen Thompson, HAVA Training Specialist, EDO
Giacomo Kmet, Temporary Contract Attorney, OGC
Kenneth M. Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Alan Flacks, Member of NY County Democratic Committee
 Kate Doran, LWV
 Mark Javashaw
 Kevin Ramnaraine, NYC CFB
 Will Colegrove, NYC Council
 David Seitzer, NYC Council
 Artyou Matasav, NYC Council
 John D. Smith
 N. McNeil
 Alex Camarda, Citizens Union

President Umane called the meeting to order at 1:38 P.M.

President Umane held a moment of silence for former New York City Mayor Ed Koch who passed away last Friday.

President Umane welcomed the newly appointed Kings County Republican Commissioner Simon Shamoun.

Mr. Savino requested to add an item to the agenda concerning litigation.

Commissioner Barrera moved to adopt the minutes of the January 22, 2013 and January 29, 2013 meetings. Commissioner Dent seconded the motion. Commissioner Michel abstained on the January 22, 2013 minutes because he was not present at that meeting. Commissioner Shamoun abstained on the January 22, 2013 and January 29, 2013 minutes because he was not present at those meetings. The motion was adopted.

Mr. Naudus provided an update on the Bengali version of the Election Management System (EMS) Version 5.0.0.2. ES&S has completed all of their development and internal testing of the EMS and has turned the EMS and DS200 firmware to the State Board last week. ES&S will be turning over the AutoMARK this week. State Board certification is expected to be completed by the April 2013 deadline.

Mr. Naudus reported that the State Board requested for Mr. Naudus, Ms. Knipel, and the Bengali Translators to go to their Albany Office in March 2013 to review and test the Bengali language on the EMS, AutoMARK and DS200. Testing would take two (2) days. Commissioner Araujo moved for Mr. Naudus, Ms. Knipel and the Bengali Translators to go to the State Board's Office to test the Bengali language for the City of New York. Commissioner Barrera seconded the motion, which was unanimously adopted.

Mr. Ward reported on the Comparative Expenditures Report dated February 5, 2013. A copy of the report is in the agenda.

Mr. Ward reported that the NYC Office of Management and Budget (OMB) released the January Plan last week and the Board was funded \$24.1 million. The breakdown follows:

- \$20 million for Personnel Services (PS)
- \$3.5 million for Poll Worker PS
- \$400,000 for the Special Election
- \$250,000 for postage

Mr. Savino reported that he and Mr. Kitzinger, an Assistant Corporation Counsel of the NYC Law Department, appeared on the Flowers V. BOENYC Order to Show Cause in the Supreme Court of Queens County yesterday. Following oral argument, Judge Rosengarten dismissed the petition for lack of jurisdiction. Mr. Flowers remains off the ballot. Mr. Savino reported that before the Flowers case was called, Judge Rosengarten heard testimony from candidate Ovide on an unrelated matter, Barton and Leandre V. Marie Adan-Ovide. The Judge denied the Barton petition and Ovide remains on the ballot. No changes to the February 19, 2013 Special Election ballot were ordered.

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

The next stated meeting of the Commissioners is scheduled for Tuesday, February 12, 2013 at 1:30 P.M.