

**Minutes of the New York State Board of Elections
February 28, 2012**

The meeting of the Commissioners of the New York State Board of Elections held at the offices of the New York State Board of Elections, 40 Steuben Street, Albany, New York in the 4th Floor Conference Room was called to order at 12:15 p.m. The meeting was chaired by Commissioner James Walsh. Commissioners present were Douglas Kellner, Evelyn Aquila and Gregory Peterson. Staff members present were: Robert Brehm, Todd Valentine, Paul Collins, William McCann, Cheryl Couser, Anna Svizzero, Joe Burns, John Conklin, Tom Connolly and Dan Valvo. The guest list is attached.

Minutes of January 12, 2012 – Minutes were accepted (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).

Unit Updates:

Executive – Robert Brehm and Todd Valentine reported on several issues including:

- Working with the OGS and the restacking committee concerning our move.
- The Election Assistance Commission has notified states that there is money that has been reallocated to the remaining states. We received our share the other day.
- Met with DMV to review a plan they have to streamline their paperwork and use electronic voter registration activity integrated during the DMV transaction.
- Worked on different political calendars and responses to federal court.

Legal – Kim Galvin and Paul Collins reported on activities related to the Legal Unit including:

- Received pre-clearance from Department of Justice concerning the over vote screens devised by ES&S on an errand basis on both the scanner and ballot marking device.
- The over vote case has been resolved with the DOJ. Still pending with DOJ is the order of the June non-presidential federal primary.
- Paul Collins also gave an update on a few other outstanding cases.

Election Operations – Anna Svizzero reported that the Election Operations unit is working on several ongoing issues including:

- Working with OGS on contract renewals for the testing labs for NYSTEC and also the voting systems.
- Discussing with OGS ways to consider the procurement of central count voting systems.
- There was a discussion concerning the over-vote issues and ballot design in New York City. Bob Warren and John Ferri will go to the Bronx and review the over-vote issues.

PIO/NVRA – John Conklin reported on several ongoing projects in the PIO/NVRA unit.

- Until a replacement for George Stanton's position as our IT's Chief Information Officer, John Conklin and Tom Connolly are working on some decisions with IT.

Campaign Finance – Bill McCann reported on the projects in Campaign Finance and Enforcement, including:

- Initial testing has been completed on the operations system neutral software and a post analysis is being conducted.
- Waiting on a response for the continuing legal education application. The independent expenditure regulation mandated by Chapter 399 of 2011 was published in the State Register.

ITU – Dan Valvo had nothing to add to the Unit Update

Old Business: Discussion of Proposed 2012 Legislation. The Commissioners held a lengthy discussion of the proposed legislation.

New Business: The Commissioners took action on several issues including:

- VOTE on petition rulings **The motion was approved unanimously (Commissioners Walsh, Kellner, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- Discussion on having a meeting with Chief Administrative Judge to discuss the 2012 political calendar and all the changes made on it for this year.
- VOTE on Resolution to Authorize Additional Expenditure of HAVA Funds for Court –Ordered Voting Machine Modifications and Testing. **The motion was approved unanimously (Commissioners Walsh, Kellner, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- The next board meeting will be Thursday, May 3rd at noon.

The meeting was adjourned 2:15 p.m.