

**Minutes of the New York State Board of Elections  
March 23, 2010**

The meeting of the Board of Canvassers of the New York State Board of Elections was convened at the offices of the New York State Board of Elections, 40 Steuben Street, Albany, New York in the 4<sup>th</sup> Floor Conference Room and was called to order at 12:05 p.m. The meeting was chaired by Commissioner Douglas Kellner. Commissioners present were James Walsh and Evelyn Aquila.

The Board of Canvassers considered a motion to approve the Certification of election results from the February 9, 2010 Special Election for the 3<sup>rd</sup>, 15<sup>th</sup>, 24<sup>th</sup>, and 89<sup>th</sup> Assembly Districts. **The motion was approved unanimously (Commissioners Kellner, Walsh and Aquila voting in the affirmative; 3 Yes and 0 No).**

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 4<sup>th</sup> Floor Conference Room was called to order at 12:15 p.m. The meeting was chaired by Commissioner Douglas Kellner. Commissioners present were James Walsh and Evelyn Aquila. Staff members present were: Robert Brehm, Todd Valentine, Kim Galvin, Paul Collins, Elizabeth Hogan, William McCann, Anna Svizzero, Joe Burns, John Conklin and George Stanton. The guest list is attached.

**Minutes of February 18<sup>th</sup>, 2010** – Minutes were accepted (**Commissioners Walsh, Kellner and Aquila all voted to accept; 3 Yes and 0 no**).

**Unit Updates:**

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

- The application process to the US Election Assistance Commission for the 2010 requirement payment associated with the implementation of the MOVE Act has been completed and the payment has been wired.
- The Board received a request from the Legislature to bring voting equipment to the Legislative Office Building in early May so that the Legislature can view and operate the certified voting machines.
- There was a discussion concerning the shoebox money.

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

- An update on communication with the Department of Justice concerning compliance with the timeline. All counties have received their machines except for Nassau and New York City. The machines are ready for delivery and we are waiting to hear a schedule for delivery.

- Commissioner Kellner asked about the two law suits that have been settled. Paul Collins commented that one was that SUNY and CUNY disabilities services offices be added to the list of mandated NVRA offices. We are now waiting to hear what the Department of Justice wants to have New York do to come into compliance.
- Kim Galvin commented on the other law suit which has to do with Dominion suing New York City for their selection of ES&S voting machines. We are waiting on a final decision.
- Paul Collins commented that the Board has been pre-cleared on the amendment to ERMA, Part 6209, 6210 and the amendment to 6209.

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

- Prepared answers to questions for the asset management tracking system RFP. Will meet with NYSTEC, OGS and the RFP review committee before the end of the month.
- Training sessions have been reconvened for EMS and for the creating of test desks.
- Working on finalizing procedures and put them together in notebook fashion to give to the county commissioners at our conference.
- A few counties have yet to purchase the Election Management System (EMS). There was a lengthy discussion concerning what the four counties need to do.

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

- John Conklin reported on the extension contracts for HAVA money and the fact that four counties are still outstanding.

**Campaign Finance** – Liz Hogan reported on the projects in Campaign Finance and Enforcement, including:

- The January periodic went to judgment. There were 386 treasurers and candidates on the judgment.

**ITU** – George Stanton reported on several issues, including:

- the electronic filing system software is ready to be shown to Campaign Finance.

**Old Business:** Paul Collins spoke about a bill before the Governor. The Commissioners endorsed the bill and will recommend that the Governor sign it. **The endorsement was approved unanimously (Commissioners Kellner, Walsh and Aquila voting in the affirmative; 3 Yes and 0 No).**

- Kim Galvin added two bills to the legislative packet. There was a motion to add #9102 and 9108 to the legislative packet. **The motion was approved unanimously (Commissioners Kellner, Walsh and Aquila voting in the affirmative; 4 Yes and 0 No).**

- Two bills were also corrected in the legislative packet – bill# 10 and 12. **The motion to modify the two bills was approved unanimously (Commissioners Kellner, Walsh and Aquila voting in the affirmative; 3 Yes and 0 No).**

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

- Vote on a Resolution to allocate funds for NYSTEC Non Security Tasks. **The motion on the resolution was approved unanimously (Commissioners Kellner, Walsh and Aquila voting in the affirmative; 3 Yes and 0 No).**

The next board meeting was tentatively scheduled for Wednesday, April 21<sup>st</sup>.

The Commissioners then made a motion to go into Executive Session to discuss pending litigation and campaign finance enforcement cases. **(Commissioners Kellner, Walsh and Aquila voting in the affirmative; 3 Yes and 0 No).**

The Commissioners returned from Executive Session. **The Commissioners made a motion to approve all of the enforcement matters as amended. (Commissioners Kellner, Walsh and Aquila voting in the affirmative; 3 Yes and 0 No).**

The Commissioners made a motion to return to Executive Session to discuss personnel matters. No further official action will take place. **The meeting was adjourned 2:06 p.m. .**