

**Minutes of the New York State Board of Elections
September 16, 2010**

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 12:05 p.m. The meeting was chaired by Commissioner Douglas Kellner. Commissioners present were James Walsh, Evelyn Aquila and Gregory Peterson. Staff members present were: Robert Brehm, Todd Valentine, Kim Galvin, Paul Collins, Elizabeth Hogan, William McCann, Anna Svizzero, Joe Burns, John Conklin, George Stanton and Patrick Campion. The guest list is attached.

New Business: VOTE on the Petition Rulings which included any prima facie matters, rulings on acceptance and authorizations report, rulings on objections (determinations with and without hearings) Full report attached. **(Commissioners Kellner, Walsh, Aquila and Peterson all voted to accept; 4 Yes and 0 no).**

Minutes of August 5th, 2010 – Minutes were accepted **(Commissioners Kellner, Walsh, Aquila and Peterson all voted to accept; 4 Yes and 0 no).**

Unit Updates:

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

- Staff was busy with the independent petitions and hearings.
- Work has been continuing on implementing the MOVE Act.

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

- Staff has been busy with the 60 + petition lawsuits that were filed to date.
- Paul Collins reported on the Nassau County law suit.
- Assisted Election Operations Unit with phone calls, etc
- There was a discussion on a new lawsuit with the Conservative Party and the Working Families Party. Paul Collins asked for authorization to have the Attorney General's office represent us. There was a motion to authorize. **(Commissioners Kellner, Walsh, Aquila and Peterson all voted to accept; 4 Yes and 0 no).**

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

- Helping the county board of elections design their ballots.
- Staff was out on election day visiting some of the counties. A report will be ready for the next board meeting.

- Extremely busy with petition activity.
- Acceptance testing has finished on the remaining scanners that New York City will use as back-up.
- Commissioner Kellner asked Anna to address the logic and accuracy testing issues of the BMD's in New York City.
- There was a lengthy discussion concerning the operation of the new machines on Election Day.

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

- Had quite a few phone calls from the press on Election Day and responded to some of their concerns.
- Received about 25 e-mails on election related issues. Will follow up with those and forward some to Anna Svizzero for her review.

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

- There are 6 financial disclosure reports due between the Primary and General Elections.
- There was an application in federal court for a temporary restraining order against the board to prohibit the board to allow a political action committee to set up a separate committee and that committee's have to disclose the candidates that it is endorsing instead of making direct expenditures.

ITU – George Stanton reported in the Unit Update

Old Business:

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

- VOTE on Resolution Approve Additional Funding for Temporary Contract Staff for Payment of an Asset Management System. **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- VOTE on Resolution to Allocate 2010 EAID – Vote Grant for CQCAPD. **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- There was a discussion on the usability of the ballot.
- VOTE to adopt the report from the campaign finance unit on the enforcement matters. **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- The next meeting was scheduled for October 7, 2010.
- There was a motion to go into Executive Session to discuss litigation matters. **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**

The meeting was adjourned 2:15 p.m.