

**Minutes of the New York State Board of Elections
November 17, 2014**

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 North Pearl Street, Albany, New York in the 5th Floor Conference Room was called to order at 12:25 p.m. The meeting was chaired by Commissioner Douglas Kellner. Commissioners present were James Walsh, Andrew Spano and Gregory Peterson. Staff members present were: Robert Brehm, Todd Valentine, Kim Galvin, Kathleen O’Keefe, Brian Quail, Bill McCann, Anna Svizzero, Joe Burns, John Conklin, Tom Connolly and Risa Sugarman. The guest list is attached.

Minutes of September 26, 2014 – Minutes were accepted (**Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No**).

Unit Updates:

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

- Election Night Reporting was a success.
- Bob Brehm visited Onondaga County BOE on Election Day to witness the electronic poll book pilot program.

Legal – Kim Galvin reported on activities related to the Counsel/Compliance Unit including:

- The candidate for the Public Financing Pilot Program did not meet eligibility requirements.
- There are now 8 recognized parties in New York State.
- Working with IT on updating the FIDAS and CAPAS systems.

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

- Clear Ballot Central Count certification testing will start in about three weeks.
- Continue to resolve complaints from Election Day.
- Working with IT on upgrades to the CAPAS system.
- Sent to the county commissioners a count-down schedule to use.

PIO/NVRA – John Conklin reported that the PIO/NVRA unit is working on several issues.

- The ballot proposals were printed in the newspapers.
- Will be having a follow-up meeting this week on the Election Night Reporting System

ITU – Robert Brehm reported on projects IT is working on:

- Bob Brehm and Todd Valentine are meeting weekly with the IT senior staff.
- NYSVoter Refresh Project and CAPAS/FIDAS project are both moving along.

Enforcement – Risa Sugarman reported on the Enforcement Unit:

- Working with Civil Service on a process to appoint hearing officers.
- Weekly meetings with the Co-Executive Directors.

Old Business:

- VOTE to extend emergency regulations on Independent Expenditures and Public Financing
The motion was approved unanimously (Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.)

New Business:

- VOTE on Resolution Appointing Members of the Division of Election Law Enforcement as Special Investigators. After a discussion the resolution was amended to temporarily appoint Risa Sugarman as Special Investigator. **The motion was approved unanimously (Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.)**
- The next board meetings are scheduled for December 15th and January 12th.
There was a motion to go into Executive Session. **The motion was approved unanimously (Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.)**

The meeting was adjourned 1:45 p.m.



14-11

**New York State Board of Elections
APPROVED RESOLUTION – November 17, 2014**

**Resolution of the State Board of Elections Renewing Emergency
Regulation 6200.10(Independent Expenditures) and 6200.11 (Public
Financing of the Election for the Office of the State Comptroller)**

WHEREAS, the State Board of Elections adopted emergency regulations which were issued on August 20, 2014; and

WHEREAS, emergency regulations are effective for an initial period of ninety days;
and

WHEREAS, New York State Board of Elections finds it necessary that this Board take further action to renew the emergency regulations for a second period of sixty days;

NOW THEREFORE BE IT RESOLVED THAT New York State Board of Elections renews emergency regulations 6200.10 (Independent Expenditures) and 6200.11 (Public Financing of the Election for the Office of the State Comptroller for an additional sixty (60) days.

Approved November 17, 2014

Vote4-0



**New York State Board of Elections
PROPOSED RESOLUTION – November 17, 2014**

**RESOLUTION APPOINTING MEMBERS OF THE DIVISION OF ELECTION
LAW ENFORCEMENT SPECIAL INVESTIGATORS PURSUANT TO
ELECTION LAW § 3-107**

WHEREAS, the state board of elections chief enforcement counsel, established pursuant to Election Law section 3-100, shall conduct all investigations necessary to enforce the provisions of the Election Law, and

WHEREAS, Risa Sugarman has been chosen by the Governor and confirmed by the NYS Senate and Assembly pursuant to Election Law § 3-100 (3-a), and

WHEREAS, Risa Sugarman has appointed three (3) investigators to assist her in the investigations conducted in her Division, and

WHEREAS, Election Law § 3-107 states that special investigators shall have all the powers of a peace officer as set forth in Criminal Procedure Law section 2.20 for the purpose of enforcing the provisions of the Election Law, and

WHEREAS, Peace Officer designation makes numerous investigatory tools available to the Division of Election Law Enforcement which are not available without such designation, and

WHEREAS, Election Law § 3-107 confers upon the state board of elections authority to appoint special investigators to take charge of the investigation of cases arising under the election law,

NOW, BE IT RESOLVED, that the following are appointed special investigators pursuant to Election Law § 3-107 –

RISA S. SUGARMAN

GENEVRA CUSHMAN

MICHAEL FRATERRIGO

ANDREW PETERSON