

**Minutes of the New York State Board of Elections  
January 14, 2021**

The meeting of the New York State Board of Elections held remotely by WebEx was called to order at approximately 10:00 am. The meeting was chaired by Commissioner Peter Kosinski. Commissioners present were Commissioner Douglas Kellner, Commissioner Peter Kosinski, Commissioner Andrew Spano, Commissioner Anthony Casale and Public Finance Commissioner Ekow Yankah. Staff members present were Robert Brehm, Todd Valentine, Brian Quail, Kim Galvin, Nicholas Cartagena, William McCann, Tom Connolly, Brendan Lovullo, John Conklin, Cheryl Couser, and Bill Cross.

After opening statements from Commissioners Kellner and Kosinski, the meeting began with public comments concerning the certification of voting systems. There were 26 individuals who gave public comments, including the State League of Women Voters, Common Cause, two members of the State Assembly, a Westchester County Legislator, and a representative of Election Systems & Software. The public comments ended at approximately 12:20 pm.

The Commissioners, taking the agenda item for New Business, Voting Systems, out of order, had a discussion about the certification of voting machines. After the discussion, the Commissioners asked for staff to redraft two separate resolutions for the Commissioners' consideration at the next board meeting in place of Draft Resolution 21-03 certification of Dominion Voting Systems Modification.

The regular board meeting agenda proceeded at that time.

**Minutes from December 3, 2020** – Minutes were held over until the next monthly meeting.

**Unit Updates:**

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

- Executive Order 202.89 that impacts village elections was shared with Counties.
- Logistics of fitting a Public Finance staff in the existing BOE space and awaiting the Division of Budget's approval.
- The inability for the State Board to obtain approval from the Executive Chamber to hire several vacant staff positions.

**Counsel** – Brian Quail and Kim Galvin reported on several issues including:

- Litigation update on all open cases.
- Keeping track of issues that arise in the NY-22 litigation case so there is uniformity throughout the County Boards of Elections in the State.
- Compliance Statistics and percentage on Nonfilers who have been pursued by Enforcement.

**Election Operations** – Tom Connolly and Brendan Lovullo reported on several issues including:

- Certified Election Results were prepared after the last meeting and sent to the NYS Legislature, State Supreme Court and U.S. Congress for President for the Electoral College.
- Sent out an annual Statistical Survey to all the County Boards, as well as a survey on electronic poll book usage for the County Board's feedback and functionality. Staff then had a call with each E-poll book vendor to discuss that feedback and future updates.

- Working with IT and NYSTEC to formalize and document the process by which a new voter registration vendor may be approved for use by the county boards.

**Public Information** – John Conklin and Cheryl Couser reported on several issues including:

- Attending meetings for automatic voter registration and online voter registration.
- Finishing 2019 Annual report and beginning 2020 annual report.
- Posted a new HAVA voting systems page with all the voting system testing materials, as well as updated the website with 2021 political calendar, certified results of General Election and updated official parties on all forms.
- Submitted annual reporting to Election Assistance Commission on HAVA 2018 and HAVA 2020 security grant as well as the 251 grant. Submitted periodic report on HAVA CARES funding.
- Continuing outreach to counties that have not yet submitted a Cybersecurity remediation grant.

**ITU** – Bill Cross reported on projects IT is working on, including:

- CAPAS-FIDAS set to go live for January 25, 2021
- Issued a mini bid to vendors for software analysis and development for both online voter and automatic voter registration.
- Working on implementing the display of local ballot information for voter look up.

**Enforcement** – Risa Sugarman did not attend the board meeting and did not present a unit report.

· VOTE on Resolution 21-01 Motion to approve a Fair Campaign Code complaint resolution. The motion was approved unanimously (Commissioners Casale, Kellner, Kosinski and Spano voting in the affirmative; 4 Yes and 0 No).

· VOTE on Resolution 21-02 Motion to adopt Emergency Amendments and to propose Amendments to 9 NYCRR Subtitle V Part 6210 by adding 6210.21 related to providing voters the opportunity to cure certain absentee ballot deficiencies. The motion was approved unanimously (Commissioners Casale, Kellner, Kosinski and Spano voting in the affirmative; 4 Yes and 0 No).

**DISCUSSION:** Staff were requested to draft a statement in support of the bi-partisan County Boards of Elections and their performance during 2020 elections.

· Motion to adjourn the Board of Elections Commissioners' meeting and to begin the Public Campaign Finance Board Meeting. The motion was approved unanimously (Commissioners Casale, Kellner, Kosinski and Spano voting in the affirmative; 4 Yes and 0 No).

Next meeting scheduled for January 28, 2020

The meeting was adjourned at approximately 2:25 p.m.

Approved February 10, 2021  
VOTE: 4 YES – 0 NO