

**Minutes of the New York State Board of Elections
April 9, 2013**

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 North Pearl Street, Albany, New York in the 5th Floor Conference Room and was called to order at 12:05 p.m. The meeting was chaired by Commissioner James Walsh. Commissioners present were Douglas Kellner, Evelyn Aquila and Gregory Peterson.

The Board of Canvassers considered a motion to amend the certification of the General Election results for the November 6, 2012 Election. **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 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 North Pearl Street, Albany, New York in the 5th 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, Kim Galvin, Paul Collins, Liz Hogan, William McCann, Anna Svizzero, Joe Burns, John Conklin, Dave Loomis and Tom Connolly. The guest list is attached.

Minutes of February 6, 2013 – 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 new Business Service Center for our purchasing process.
- NY Office of the Inspector General has a new program for statewide uniform guidelines.
- Internal control meetings were held and report will be filed the end of the month.
- Monthly conference calls with the County Election Commissioners are being held.
- Mandatory meetings for Project sunlight were also held.
- Bob Brehm was in Chautauqua County for the Village Election to see the Pilot Program for electronic poll books.
- Bob and Todd are on the NASS Taskforce in Emergency Preparedness.

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

- Financial Disclosure reports are due to JCOPE by May 15th.
- The challenge by Nassau County and the Nassau County Board of Elections challenging the new electronic voting system is over
- The Supreme Court has denied a motion for a writ of certiorari over the challenge to our ban of out of state petition gatherers.

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

- Updated the election results for the November General Election.
- Functional testing on the ES&S Bengali upgrade is completed.
- The unit is performing functional testing on the Dominion's Central Account System.
- Processed 21 reimbursement vouchers for shoebox activity for the county boards.

- Made suggestions to NYC in response to feedback concerning how to conduct the run-off election. Provided them the sections of our existing procedures and some options for them.
- Initiated a national side survey in regards to the cost of ongoing maintenance for the voting system software as the 5 year warrant is expiring.

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

- Waiting on a couple of units to provide information for the 2012 annual report.
- Working with IT on an access toll for counties to provide poll site surveys.
- John and Tom will participate on a conference call with open.ny.gov website.

Campaign Finance – Elizabeth Hogan had nothing to add to the written report for Campaign Finance and Enforcement

- Campaign finance seminars will start in May.
- Work with the IT Dept. is ongoing to developing new software.
- Initiating the process to sue for collection of outstanding judgments.

ITU – Dave Loomis had nothing to add to ITU's written report.

- Working with Campaign Finance to move to software that is able to support the newest technology.

Old Business:

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

- **DISCUSSION** on Central Count Absentee Systems. The Election Operations Unit needs to report to the Commissioners if the machines are being audited through manual audits and also the results of those audits.
- **VOTE** on Resolution to pay expenses related to HAVA administration complaint alternative dispute resolution surfaces. **(The motion was adopted. The Commissioners voted 4-0 to adopt).**
- **VOTE** on Resolution to pay additional expenses for litigation resolution relative to new voter screen alerts and related certification testing. **(The motion was adopted. The Commissioners voted 4-0 to adopt).**
- **VOTE** on Resolution for certification of upgrade to S&S DC200 pre-sync based optical scan voting system and Automark ballot marking devices. **(The motion was adopted. The Commissioners voted 4-0 to adopt).**
- **VOTE** on Resolutions to amend the voter registration application and affidavit ballot application in regards to adding an optional e-mail address. **(The vote was tabled)**
- **VOTE** to adopt the preliminary determinations from Campaign Finance Unit. **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- The next meeting will be May 23, 2013.

The meeting was adjourned 1:15 p.m.