

**Minutes of the New York State Board of Elections  
January 18, 2022**

A meeting of the New York State Board of Canvassers was held remotely via WebEx at the office of the New York State Board of Elections, and was called to order at approximately 12:29 p.m. The meeting was chaired by Commissioner Douglas Kellner. Commissioners present were Anthony Casale, Peter Kosinski, and Andrew Spano. Staff members present were Kristen Zebrowski Stavisky, Todd Valentine, Brian Quail, Aaron Suggs, Tom Connolly, Brendan Lovullo, John Conklin, Jennifer Wilson, Mike Haber, and Michael Johnson of the Enforcement Division.

**I. Certification of Election Results from November 2, 2021**

The Board of Canvassers met to approve an amendment to the certified election results from November 2, 2021. The motion was approved unanimously (Commissioners Casale, Kellner, Kosinski and Spano voting in the affirmative; 4 Yes and 0 No).

Motion to adjourn the meeting. The motion was approved unanimously (Commissioners Casale, Kellner, Kosinski and Spano voting in the affirmative; 4 Yes and 0 No).

The Board of Canvassers was adjourned, and the meeting of State Board of Elections was convened at 12:30 p.m.

**Minutes from December 14, 2021** - Minutes were approved as written. The motion was approved unanimously (Commissioners Casale, Kellner, Kosinski and Spano voting in the affirmative; 4 Yes and 0 No).

**Unit Updates:**

**Executive** – Todd Valentine and Kristen Zebrowski Stavisky reported on several items including:

- Awaiting meeting with new project manager from Office of General Services (OGS) for upcoming space planning construction.
- Continued meetings on Online Voter Registration (OVR) and Automatic Voter Registration (AVR), a contract has been awarded to a vendor but has not been completed yet.
- The Elections Commissioners Assoc. Conference rescheduled from January 18 – 21 to March 1-4, 2022.

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

- Continuing work with county boards to complete their annual statistical survey.
- Assisting in drafting guidance on new early canvass legislation for county boards.
- Chenango County was the first county to go live with NextVote voter registration system.
- Working with IT and PIO to implement an absentee tracking system through the state absentee portal.

**Legal** – Brian Quail reported on activities related to the Counsel/Compliance unit including:

- Litigation update.
- Compliance statistics.
- Drafting regulations needed to implement early canvassing legislation.
- Preparing proposed legislative agenda for upcoming conference.

**Enforcement** – Michael Johnson reported on the Enforcement Division:

- Working on establishing an in-house case management system to track Enforcement cases.
- Working with OGS to prepare for move to tenth floor.
- Conducting comparative research with other states to see how they handle non-filers.
- Developing a website which will be a link from the State Board’s website.

**PIO/NVRA** – John Conklin and Jennifer Wilson reported that the PIO/NVRA unit is working on several issues:

- Helped Election Assistance Commission promote National Poll Worker Recruitment Day which was January 25, 2022.
- Posted political calendar to website.
- Held annual staff training for accessibility in December.
- Grants update.

**ITU** – Mike Haber reported on projects IT is working on:

- Evaluated team responses and selected a designated vendor for OVR and AVR.
- Evaluating requirements for new legislation for absentee ballot tracker.
- Presented at NYS Local Government Information Technology Director’s Assoc. (NYSLGITDA) Fall conference.

**Old Business:**

- DISCUSSION on changing the affidavit ballot forms. Since the absentee canvass law was signed, changes will be made to the affidavit envelope to reflect that, a mockup of the envelope will be dispersed at the next board meeting.
- DISCUSSION on employee’s appointments and how to expedite the process.

**New Business:**

- VOTE on Resolution 22-01 to approve the appointment of Deputy Counsel Kevin Murphy. The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Casale voting in the affirmative; 4 Yes and 0 No).
- VOTE on Resolution 22-02 to approve the Governor’s Appointments Office directive to adjust salaries for the Co-Executive Directors. The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Casale voting in the affirmative; 4 Yes and 0 No).
- DISCUSSION on Smart Voter project.
- MOTION to adjourn the meeting. The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Casale voting in the affirmative; 4 Yes and 0 No).

Next meeting scheduled for March 4, 2022.

The meeting was adjourned at approximately 2:09 p.m.



**New York State Board of Elections  
Approved RESOLUTION 22-01  
January 18, 2022**

**RESOLUTION APPOINTING KEVIN MURPHY  
TO THE POSITION OF DEPUTY COUNSEL**

**WHEREAS**, there currently exists a vacancy within the New York State Board of Elections in the Deputy Counsel position effective May 25, 2021 due to the promotion of William McCann Jr

**WHEREAS**, Kevin Murphy has indicated a willingness to serve as Deputy Counsel, and

**NOW, THEREFORE, BE IT RESOLVED**, that Kevin Murphy be and hereby is appointed Deputy Counsel effective January 18, 2022 with a start date to be determined.

**Approved January 18, 2022  
VOTE: 4 YES – 0 NO**



# **New York State Board of Elections**

## **Proposed RESOLUTION 22–02**

### **PROPOSED RESOLUTION TO PERMIT CERTIFICATION TESTING OF DOMINION VOTING SYSTEMS DEMOCRACY SUITE 5.16 VOTING SYSTEM**

**WHEREAS**, the New York State Board of Elections is in receipt of a completed application from Dominion Voting Systems to certify their Democracy Suite 5.16 (D-Suite 5.16) Voting System; and

**WHEREAS**, the certification described in the request, including the testing of Election Management System (EMS), ImageCast Voter Activation (ICVA), ImageCast Evolution (ICE), ImageCast Precinct (ICP), ImageCast Precinct 2 (ICP2), ImageCast Central (ICC), ImageCast X Ballot Marking Device (ICX BMD) and Adjudication (ADJ); and

**NOW THEREFORE BE IT RESOLVED** that the New York State Board of Elections authorizes the testing for the certification request made by Dominion Voting Systems for Democracy Suite 5.16 (D-Suite 5.16) Voting System.