

**Minutes of the New York State Board of Elections
February 18, 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 and was called to order at 12:00 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, Elizabeth Hogan, William McCann, Anna Svizzero, Joe Burns, John Conklin and George Stanton. The guest list is attached.

Minutes of January 14th, 2010 – Minutes were accepted. **Commissioners Walsh, Kellner, Aquila and Paterson all voted to accept; 4 Yes and 0 no.**

Unit Updates:

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

- Focusing on the transition of the new voting machines. Reaching out to the State Education Dept., the Conference of Mayors, Association of Towns as well as the Fire Districts.
- Waiting for the budget negotiations with the Governor and the Legislature.
- The compliance with the MOVE Act (Military Oversees Voting Empowerment) is another important project the Board is working on.

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

- The weekly telephone conference calls with Department of Justice are ongoing.
- Supported the Operations Unit with the new voting machine rollout. Working with OGS on issues and also worked with the acceptance testing monitoring the number of machines with regard to the federal order.
- An appellate division case out of the second department was resolved.

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

- Nassau County purchase order has been finalized and now acceptance testing can begin on those voting machines.
- There have had meetings with the Pilot Review Committee and are working with NYSTEC on changes and edits to the regulations and procedures.

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

- Meetings are being held with the New York State Broadcasters' Association concerning the media campaign and the voter education campaign for this fall.
- Commissioner Aquila asked if language was an issue with the media campaign. John Conklin responded that the hope is that Spanish, Chinese and Korean will part of the radio campaign in New York City. Spanish will also be part of the television spot also.

Campaign Finance – William McCann reported on the projects in Campaign Finance and Enforcement, including:

- Late notices were sent out and also order to show cause notices to 486 people.
- Commissioner Aquila asked if judgments are getting paid to the general fund. William McCann responded that there is a steady amount that does pay.

ITU – George Stanton reported on several issues, including:

- Working with a couple of counties that have changed Internet service providers in regards to NYSVoter.
- The operating system neutral campaign finance software is almost complete. Waiting to see if there is going to be a new filing due to the ethics bill that was vetoed by the Governor.
- Attended a meeting with the Office for Technology regarding the unified statewide e-mail system for all state agencies.

Old Business: The MOVE Act was discussed during unit updates.

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

- Vote on a Resolution to approve costs associated with completion of the required single audit. **The motion on the resolution was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- Vote on a Resolution to approve the maintenance contract for services related to NYSVoter Data Replication to the disaster recovery database. **The motion on the resolution was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- Commissioner Kellner led a lengthy discussion regarding over-vote procedures on the new optical scan voting machines. A meeting was held with the advocacy groups who are concerned about this. The advocacy group explained what the issues were. We will meet in house to review the research and what it will take to modify the voting systems.

The next board meeting was tentatively scheduled for Tuesday, March 23rd.

The Commissioners then made a motion to go into Executive Session to discuss pending litigation and campaign finance enforcement cases. **(Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**

The meeting was adjourned 2:06 p.m. .