

Approved May 14, 2008

**Minutes of the New York State Board of Elections
April 16, 2008**

The meeting of the Commissioners of the New York State Board of Elections held at 40 Steuben Street, Albany, New York in the 4th Floor Conference Room at the offices of the New York State Board of Elections in Albany, New York 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 Helena Donohue. Staff present were Stanley Zalen, Todd Valentine, Allison Carr, Paul Collins, Elizabeth Hogan, William McCann, George Stanton, Anna Svizzero, Kim Galvin, Deirdre Hammer and Greg Fiozzo. The guest list is attached.

Minutes of March 26, 2008 - Approved as written – Vote was 4-0

Unit Updates:

Executive - Todd Valentine spoke about an extension of the 10 year lease for 40 Steuben Street and a further discussion of the renovations to take place shortly when we move to the 5th floor.

Legal – Allison Carr reported that the weekly status updates to the Justice Department and the Courts are continuing.

CIBER has sent us a Notice of Intent to File a Claim was received last fall. The attorneys for both parties have been talking.

Allison Carr and Paul Collins are in the progress of updating The Election Law Update for 2008.

Election Operations - Anna Svizzero reported that her unit is working on several issues.

Annual reports are still being received from the counties.

The Election Operations unit is still meeting with NYSTEC and SysTest on the certification process of voting machines.

Acceptance testing for machines is still underway at the State Campus under the direction of Bob Warren, the Certification Manager.

There was discussion on additional staffing needed to fill three positions.

Lastly, they have prepared materials for the annual conference and are working with Lee Daghlian to make sure the conference goes well.

NVRA - In the absence of Lee Daghlian and Bob Brehm, Greg Fiozzo gave a short report on various subjects going on within the unit. SOE is at the Board filming video for the online training and voter outreach program.

Campaign Finance - Elizabeth Hogan reported on several subjects including the revision of the handbook is at the printers and should be back next week.

The Process Server RFP bids are due on April 22nd.

The Campaign Finance Seminar schedule has been finalized and is on the website for attendees to register. The seminars begin on May 13th.

The HAVA Administrative Complaint Process is being worked on.

Also, under Liz Hogan's direction, the State HAVA Plan is being updated.

ITU - George Stanton outlined several projects that the unit is still working on.

Creating a system for Campaign Finance on mutual filing software.

To replace Oracle with a new database server and new hardware.

George Stanton also updated the Commissioners on the work it takes to support the NYSVoter system along with Saber. It is a complex system and requires that it is looked after constantly.

NCOA processing will start over the next couple of weeks and he hopes to get it out to the counties by the beginning of May.

George Stanton also alerted the staff that the annual technology plan for the agency has to be done by June and he asked that department heads let him know of their wants and needs for any technology projects during the next year.

Old Business - There was discussion on several points in old business:

George Stanton reported on the dissemination of the New York State voter audit plan. The Executive Directors need to assign staff to work on the audit.

Kim Galvin gave an update on voting machine maintenance and audit regulations

A discussion on SysTest compliance with posting of test materials. Commissioner Kellner asked that a letter be sent immediately to SysTest on this issue of posting testing materials and the fact that there should be no proprietary information and also that they comply by the 23rd of April. If they do not comply, Commissioner Kellner suggested that the Board issue a subpoena for such documents. It was moved by Commissioner Kellner and seconded by Commissioner Aquila. **The vote was 4-0 motion carried.**

A status report on compliance with performance bond payments by the Election Operations unit. A motion was made by Commissioner Kellner to send a letter to Liberty notifying that they are in default since we didn't receive their performance bond. They have until the 28th of April to do so or they would be in default. This motion was seconded by Commissioner Aquila. **The motion was carried 4-0.**

The update on Acceptance Testing is taking place at the State Campus was given by Anna Svizzero. Anna Svizzero also gave an update on the Liberty BMD verification issue.

A discussion and vote on the Resolution to increase voting machine vendor testing fee escrow amounts. Commissioner Kellner made a motion that the resolution (which is attached) as amended be moved, it was seconded by Commissioner Aquila. **The vote was 4-0 in favor.**

There was additional discussion about the billing from SysTest and a number of hours, etc. for their testing procedures.

New Business -

A review of the State Board Commissioners 2008 Planning Calendar led to the scheduling of the next two board meetings. They were scheduled for May 14th and June 11th at noon in Albany.

Without going into Executive Session to discuss cases, Commissioner Kellner moved to adopt the preliminary recommendation from staff on cases: CMP06-46 and 52 were closed. CMP06-50 was closed but opened as an investigation. The motion was seconded by Commissioner Donohue. The vote was 4-0

The meeting was adjourned at 1:30p.m.