

**Minutes of the New York State Board of Elections
April 16, 2015**

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 12:10 p.m. The meeting was chaired by Commissioner Peter Kosinski. Commissioners present were Douglas Kellner, Andrew Spano and Gregory Peterson. Staff members present were: Robert Brehm, Todd Valentine, Kathleen O’Keefe, Kimberly Galvin, Brian Quail, Bill McCann, Anna Svizzero, John Conklin, Tom Connolly, William Ryan and Risa Sugarman. The guest list is attached.

Minutes of January 12, 2015 – Minutes were accepted (Commissioners Kellner, Spano and Peterson voting in the affirmative, Commissioner Kosinski abstained; 3 Yes and 0 No).

Unit Updates:

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

- Bill Ryan has joined our staff as Chief Security Officer in our IT unit.
- Preparing for the ECA Summer Conference which will be held the end of May in Cooperstown.
- NYSVoter Refresh Project should be completed by the end of this year.
- CAPAS/FIDAS update will be completed sometime in 2016.

Legal – Kathleen O’Keefe reported on activities related to the Counsel/Compliance Unit including:

- Non- filer letters went out for the January Periodic.
- Kathleen and Brian went to the Kings County Board of Elections and saw how the print on demand absentee ballot machine worked.
- The legislative agenda has been completed.

Election Operations – Bob Brehm reported that the Election Operations unit is working on:

- Joe Burns, the Deputy Director of Election Operations has left the agency to pursue other employment.
- Staff did the required acceptance testing on the central count system.

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

- The new voter registration forms have been printed.
- Working with IT to prepare for Election Night Reporting for the Special Election in May.
- Tom Connolly attended a Council for State Government and the Federal Voting Assistance Program conference in Florida.

ITU – Bill Ryan reported on projects IT is working on:

- The data center migration is being finalized. The move is scheduled for May 29th.
- With regard to the CAPAS/FIDAS upgrade, initial sets of webinars or conference calls will be held with different groups to get feedback on the system.

Enforcement – Risa Sugarman reported on the Enforcement Unit:

- A case management program has been obtained and is being loaded onto our computers.

- Attending meetings for the CAPAS.FIDAS upgrade.
- We have a new attorney that started this last month, Jay Arnold.

Old Business:

- **VOTE on the Resolution to accept the amended Campaign Finance Contribution Limits. The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**

New Business

- **VOTE on Regulation Part 6218 in relation to Civil Enforcement Hearings. The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**
- **VOTE on Regulation Part 6203 in relation to Investigations. The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**
- **VOTE on Resolution regarding appointment of members of the Division of Election Law Enforcement as Special Investigator. The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**
- There was discussion on the receipt of two requests for a board opinion on personal use. The Commissioners agreed that Counsel will prepare an informal opinion to these requests.
- **VOTE to rescind the 1996 opinion on Limited Liability Companies. The motion failed. (Commissioners Kosinski and Peterson voted No; Commissioners Kellner and Spano voted Yes).**
- **VOTE to go into Executive Session. The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**
- The next board meeting will be June 10th.

Executive Session:

- **VOTE to deny the Chief Enforcement Counsel pursuant to Election Law subdivision 5 of section 3-102 and 3-104 (3) in relation to request #6-15, 7-15 and 8-15. The motion was approved. (Commissioners Kellner, Spano and Peterson voted in the affirmative. Commissioner Kosinski abstained. The vote was 3 Yes and 1 Abstained).**
- **VOTE to authorize the Chief Enforcement Counsel pursuant to Election Law subdivision 5 of section 3-102 and 3-104 (3) in relation to request #9-15 through 13-15. The motion was approved. (Commissioners Kellner, Spano and Peterson voted in the affirmative. Commissioner Kosinski abstained. The vote was 3 Aye and 1 Abstained).**
- No action was taken on request #10-15.

The meeting was adjourned 1:35 p.m.