

**Minutes of the New York State Board of Elections
May 11, 2010**

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 Steuben Street, Albany, New York in the 4th 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 approve the Certification of election results from the March 16, 2010 Special Election for the 13th Senate District. **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 Steuben Street, Albany, New York in the 4th 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, Elizabeth Hogan, William McCann, Anna Svizzero, Joe Burns, John Conklin, George Stanton and Patrick Campion. The guest list is attached.

Minutes of March 23rd, 2010 – Minutes were accepted (**Commissioners Walsh, Kellner, Aquila and Peterson all voted to accept; 4 Yes and 0 no.**)

Unit Updates:

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

- Prepared for our annual conference which was held the end of the month.
- Submitted the waiver to the Federal Voting Assistance Program (FVAP) and we are waiting to hear from them.
- Submitted our request to the FVAP to participate in the federal pilot program. Hope to have everything confirmed to report to the county commissioners in June.
- Had a kick-off meeting with the federal auditors.

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

- A number of bills chaptered by the Governor that will require both county and staff coordination.
- Paul Collins commented on the federal litigation concerning Nassau County. The board has asked to have this dismissed and if not to refer to the Northern District.

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

- Distributed about 14 procedures to the county boards at our conference. The county boards can adopt our procedures or craft versions of their own.
- Acceptance testing is ongoing at the central acceptance test site here in Albany.

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

- All units have submitted their individual sections to the annual report which should be finished shortly.

Campaign Finance – Liz Hogan reported on the projects in Campaign Finance and Enforcement, including:

- The updated campaign finance handbook is now on our website.
- Campaign Finance Seminars have begun.

ITU – George Stanton reported on several issues, including:

- National Change of Address (NCOA) was processed last week.

Old Business:

- There was a discussion on the MOVE Act (Military and Overseas Voter Empowerment Act). Bob Brehm reported that the board would like a system in place by no later than July 15th. The biggest issue is having a budget in place so the state can pay for the portion that FVAP will not. There is a need for Congress to fully fund the requirement payment.

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

- There as a VOTE on Resolution to Allocate HHS 2010 VOTE Grant Funds to Local Boards of Elections. **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- VOTE on Resolution to Transfer Federal Grant Funds to the State Operations Account for Voter Education **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- VOTE on Resolution to Allocate HHS 2008 VOTE Grant Funds for Use By County Boards of Election **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- VOTE on Resolution to Adopt 9 N.Y.C.R.R. §6210.18 **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**

- VOTE on Resolution to Purchase Election Management **The motion was approved unanimously (Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- Anna Svizzero spoke about ES&S engineering change orders facilitation language translations and over-vote notice on certified ES&S and Dominion voting systems. If a supply is no longer available, the vendor has to find an alternative source then submit documentation to us which we provide to the testing lab. Due to the de minimus nature of that a Board vote is not required nor is the vendor required to be recertified. Anna Svizzero also mentioned that if we use the time during the summer to resolve the issues of language and functionality, then the vendors can include that work in whatever else they are working on and make an upgrade a single event.
- The Commissioners then made a motion to approve the recommendations on enforcement matters as set forth by the Enforcement staff. **(Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- The Commissioners voted to go into Executive Session to discuss personnel matters. **(Commissioners Kellner, Walsh, Aquila and Peterson voting in the affirmative; 4 Yes and 0 No).**
- The next board meeting was scheduled for Tuesday, June 22nd.

The meeting was adjourned 2:15 p.m.