

Approved June 19, 2008

**Minutes of the New York State Board of Elections
May 14, 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 members present were: Stanley Zalen, Allison Carr, Elizabeth Hogan, Lee Daghlian, Robert Brehm, George Stanton, Anna Svizzero, Pat Tracey, Kim Galvin and Deirdre Hammer. The guest list is attached.

Minutes of April 16th and April 29th, 2008 - Approved as written – Vote was 4-0

Unit Updates:

Executive – no report given.

Legal – Allison Carr reported on several subjects including:

- Allison and Paul had a conference call with the attorneys from Ciber concerning the Ciber contract. Additional detailed invoices have been received and are being reviewed by the Election Operations Unit for accuracy.
- A meeting was held with a representative from Iron Mountain to discuss the escrow arrangement for the voting system vendor software.
- Weekly status calls with the Department of Justice continue to be held. Also, weekly written status reports are filed online.
- An error in printing the Part 6214 Campaign Contribution Limits table in the 2008 Election Law book has been corrected.
- The Counsel's Office has been requested to give a presentation at the ECA Summer Conference. We are preparing a Petition Process update for the conference.

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

- Weekly meetings are being held with SysTest and NYSTEC to review the certification testing of the Lot 1 voting systems and the delivery and acceptance testing of the Lot 2 BMDs.
- Acceptance testing is ongoing.
- Premier's testing has been halted at the request of the company.
- Readiness surveys regarding the county board's ability to own, deploy, monitor, track and otherwise be responsible for the new BMDs have been sent to the counties to complete. To date 34 completed surveys were returned. When all are returned Allison Carr and Paul Collins will discuss them with the Department of Justice during their weekly phone conferences.

NVRA - Lee Daghlian reported on several subjects including:

- The Boards annual conference in Syracuse was a success and a discussion was held on the location for future conferences as a way to cut costs. A vote was cast to return to Syracuse next year and look into having the conference locally in 2010. **The vote was 4-0 in favor.**
- Lee further reported that the updated NYSBOE website has been completed and is being favorably received. He thanked all that helped to update the website.
- Bob Brehm indicated that the State Board is participating in Governor Paterson's Expo on Assistive Technology on May 15th and will display the new ballot marking devices.
- Bob further reported that on May 23rd, the State Board will host a visitor from Pakistan arranged through the assistance of the US Department of State's International Leadership Program. The subject of the visit is titled "Support for the Blind" and we will discuss NYS voting procedures and will demonstrate the new ballot marking devices.
- Lee is retiring and this is his last Board meeting. The Commissioners thanked Lee for all of his years of service to the Board.

Campaign Finance - Elizabeth Hogan reported on several issues including:

- The 2008 campaign finance filer handbook has been completed and is back from the printers.
- The Campaign Finance seminars are being conducted throughout the state. Campaign Finance hopes that in the future a Web-based tutorial will be accessed on the State Boards website.
- Work continues with NYSTEC on the HAVA Complaint procedure. Liz Hogan commented on the counties need to fully understand the process and therefore will be presenting a session on this subject at the Election Commissioners Association conference in June.
- Liz Hogan provided an update on the status of the 2006 corporate over contribution audit review.
- Liz updated the Commissioners on several staff changes in the Unit and a general discussion on help desk support followed.

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

- NCOA processing has been completed. The counties are receiving the information in an electronic transfer rather than a CD.
- A discussion ensued concerning New York City compliance with list maintenance efforts and the program statewide to monitor compliance with the voter registration database maintenance provisions.

Old Business –

- Bob Brehm indicated that the review of the Part 6210 regulations is continuing. Commissioner Kellner suggested that the small changes that are needed in the 6209 regulations be put in the same regulations since the 6210 regulations have to repeal the last section of the 6209.
- Liz responded to Commissioner Kellner's question concerning the Governor's Office of Regulatory Reform (GORR) and the campaign finance regulations.

New Business –

- Anna Svizzero reported on a phone conference with Premiere and SysTest regarding the status of testing and the cost of the testing.
- Anna Svizzero presented a resolution to replenishing the account from which vendor specific certification costs would be paid to SysTest and also to NYSTEC. **The resolution (which is attached) was passed 4-0.**
- Anna Svizzero asked that the Board approve an upgrade on the Premier equipment. A copy of the report made by SysTest was provided to the Commissioners for their review. **The vote was 4-0 to approve.**
- Anna Svizzero also asked that the Board approve two changes (a hardware and software change) on the Dominion ballot marking device. **After a discussion, the vote was 4-0 to approve.**
- Bob Brehm asked that the Commissioners approve the request to sub-allocate \$89,750 from a 2006 HHS grant award to go to the NYS Commission on Quality of Care and Advocacy for Persons with Disability (CQCAPD) to pay for “Train the Trainer” sessions in the ECA regions on sensitivity issues related to voters with disabilities and the use of the specific ballot marking devices in 2008. **The vote was 4-0 to approve.**
- There was also a discussion on the policy use of HHS grant funds and the 2008 HAVA funds.

The next board meeting was scheduled for June 19th at noon in Albany.

The Commissioners went into Executive Session to discuss Cyber litigation and personnel matters.

The Board meeting was adjourned at 4:10p.m.