

Approved July 22, 2008

**Minutes of the New York State Board of Elections
June 19, 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 Douglas Kellner. Commissioners present were James Walsh, Evelyn Aquila and newly appointed Gregory Peterson. Staff members present were: Stanley Zalen, Todd Valentine, Allison Carr, Elizabeth Hogan, Paul Collins, Robert Brehm, George Stanton, Kim Galvin and Deirdre Hammer. The guest list is attached.

Before the meeting started, Commissioner Kellner welcomed Commissioner Gregory Peterson to the Board. Commissioner Peterson was appointed to replace Helena Donohue. Everyone welcomed the new Commissioner and said words of praise for all the work Commissioner Donohue did during her 19 years of service to the Board.

Minutes of May 14th, 2008 - Approved as written – Vote was 4-0

Unit Updates:

- **Executive** – Todd Valentine reported on the development of an internal control reporting process. The report should be completed by the end of the summer
- Marie Woodward was hired as an Associate Confidential Auditor and Robert Eckels was promoted to Code Enforcement Specialist both in the Enforcement Unit. **The positions were approved 4-0.**
- Todd Valentine also reported on the Election Commissioners Association conference and that he and Stanley are having conference calls with the regional representatives to discuss any issues they may have.

Legal – Allison Carr reported on several subjects including:

- Update on the weekly conference call with the Justice Department.
- Special Counsel will send a letter to all County Executives and County Attorneys concerning the importance of the room, power and storage requirements.
- Commissioner Kellner asked for an update on the *Kapsis* litigation. Allison Carr reassured Commissioner Kellner that the Board would not take a position without checking with the Commissioners first.

Election Operations – In the absence of Anna Svizzero, Kim Galvin reported that her unit is working on several issues including:

- Weekly meetings are being held with SysTest and NYSTEC to review any problems that have arrived with the certification testing and delivery of the BMDs.
- Kim Galvin gave an update on the acceptance testing. *There was also a lengthy discussion on a couple of the counties wanting to do their own acceptance testing.*

NVRA - Bob Brehm reported on several subjects including:

- Daily work is being done on the county funding and making sure all surveys are complete.
- The Train the Trainer program was introduced at the Election Commissioners Conference and is being demonstrated in a few counties. The training sessions were to show how to use the accessibility features and interact with voters.

Campaign Finance - Elizabeth Hogan reported on several ongoing projects in her unit.

- Elizabeth and Bill presented the HAVA Complaint Procedure at the Election Commissioners Conference.

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

- Monitoring the equipment and software for NYSVoter
- There was a lengthy discussion on discontinuing the help desk support now but continuing the maintenance support with Saber. Commissioner Kellner asked for exactly what the terms of the contract will be.

Old Business –

- Deirdre Hammer reported on the NYSVoter auditing process. The Steering Committee has been meeting and is working on a final version of specific auditor duties.
- Bob Brehm and Kim Galvin reported on the proposed regulations part 6210 which are still in draft format. Further discussion needs to be had on the 6210 auditing provisions.
- Bob Brehm reported on the development of the proposal to prepare Public Service Announcements for voter outreach. They would like to expand the existing work with SOE Software.
- There was a vote on a resolution to transfer a portion of HHS grant money to the state account for SOE to enhance voter education online. **The vote was 4-0 in favor.**
- There was a vote to designate Allison Carr and Paul Collins as the hearing officers on the New York City HAVA complaint. **The vote was 4-0 in favor.**

New Business –

- Kim Galvin reported on the voting system change protocols. There was a lengthy discussion on what constitutes minor and major changes, also referred to as Tier 1 and Tier 2. The four Commissioners agreed that the staff may authorize diminimus changes in the ballot marking devices upon consultation with NYSTEC and SYStest without the need of formal certification of the changes to the device.
- There was a discussion on the New York City ballot and ES&S machines that need the upgrade to handle the New York City ballot.

The next board meeting was scheduled for July 22nd at noon in Albany.

The Board meeting was adjourned at 2:30p.m.