Minutes of the New York State Board of Elections
July 27, 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 12:05 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, Brendan Lovullo, Tom Connolly, William Ryan and Risa Sugarman. The guest list is attached.

Minutes of June 10, 2015 – Minutes were accepted. (**The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.** The Executive Minutes were held over until the next meeting so they could be amended.

Unit Updates:

Executive – Robert Brehm and Todd Valentine reported on several issues including:
- The Presidential Primary will be held on Aril 19th 2016.
- Certified vacancies in the 19th and 52nd Senate Districts.
- Working on the Political Calendar for the June Federal Primary.
- Brendan Lovullo started as Deputy Director of Election Operations.

Legal – Kimberly Galvin reported on activities related to the Counsel/Compliance Unit including:
- A couple of cases have been filed as a result of the JD filings.
- Hearing Officer interviews are ongoing.
- Working on an issue with the filings that come through from the NYCCFB.
- Staff is working on the over-contribution audits.
- The Commissioners voted on re-enacting the Emergency Independent Expenditure Regulations that are published on our website. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**

Election Operations – Anna Svizzero reported that the Election Operations unit is working on:
- Petitions were received for Judicial Delegates and Alternates.
- Brendan Lovullo, Bob Warren and John Ferri were invited to the Secretary of State's Office in Harrisburg Pennsylvania to give a presentation on the security of our voting systems.
- CAPAS/FIDAS Project meetings are ongoing.
- The conversion of our County Board Info Portal to a Share Point Site is complete.
- The Commissioners voted to have NYCBOE provide a written plan by September 30th on how the Board plans to be in compliance with regulation 6210.19. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**

PIO/NVRA – Tom Connolly reported that the PIO/NVRA unit is working on several issues.
- Participated in the interviewing of the CIO position.
- Working with the counties and other states with regard to the cross check and military NCOA information.
- The deadline for the transmittal of the Primary ballots to the military is August 9th.

- Attending meeting s on the NYSVoter Refresh Project and the CAPAS/FIDAS Project.

ITU – Bill Ryan reported on projects IT is working on:
- Timeline for the completion of the CAPAS/FIDAS Project in December of 2016.
- Work order 3 for the NYSVoter Refresh Project was signed.
- Waiting for the server react to be delivered to the datacenter at the Nano Center.

Enforcement – Risa Sugarman reported on the Enforcement Unit:
- Interviewing for an auditor position.
- Conducting investigations and moving forward on process for more criminal referrals and litigation on failures to file.
- Breaking down the failure to file committees into targeted groups to look at them more closely to do batch reviews.

Old Business:

New Business:

- VOTE to adopt the staff report petition rulings. **The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**
- VOTE on Resolution to permit testing of upgrade of Dominion Voting System's Central Count System. **The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No**
- 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 September 1st

Executive Session:

VOTE to make criminal referral pursuant to Election Law §3-104(5)(b) in relation to Case #18-15. **The motion was approved (Commissioners Kosinski, Kellner and Peterson voting in the affirmative; Commissioner Spano recused himself. The vote was 3 Aye and 1 Recused).**

VOTE to make criminal referral pursuant to Election Law §3-104(5)(b) Case #19-15. **The motion was approved unanimously (Commissioners Kosinski, Kellner, Peterson and Spano voting in the affirmative. The vote was 4 Aye and 0 No).**

VOTE to make criminal referral pursuant to Election Law §3-104(5)(b) in relation to Case #20-15. **The motion was approved unanimously (Commissioners Kosinski, Kellner, Peterson and Spano voting in the affirmative. The vote was 4 Aye and 0 No).**

VOTE to make criminal referral pursuant to Election Law §3-104(5)(b) in relation to Case #21-15. **The motion was approved unanimously (Commissioners Kosinski, Kellner, Peterson and Spano voting in the affirmative. The vote was 4 Aye and 0 No).**

The meeting was adjourned 2:30 p.m.

New York State Board of Elections
APPROVED RESOLUTION – July 27, 2015

RESOLUTION TO PERMIT UPGRADE OF DOMINION VOTING SYSTEM'S

ImageCast CENTRAL COUNT SYSTEM, Version 4.14

WHEREAS, the New York State Board of Elections is in receipt of a request from Dominion Voting Systems to upgrade their ImageCast precinct-based and central count voting systems; and

WHEREAS, the portion of the upgrade request that concerns itself with the Dominion ImageCast central count voting system can easily be separated from the balance of the upgrade request; and

WHEREAS, the central count voting systems are under warranty and the upgrade will be provided at no charge to end-user counties; and

NOW THEREFORE BE IT RESOLVED that the New York State Board of Elections authorizes the testing for the upgrade request made by Dominion Voting Systems of their ImageCast central count voting system.

Approved July 27, 2015

VOTE 4-0