

**Minutes of The New York State Board of Elections
Thursday, August 16, 2007**

The meeting of the New York State Board of Canvassers was called to order at 1:10 p.m. at the New York State Board of Elections, 40 Steuben Street, Albany, New York. Canvassers present were Co-Chairmen Douglas Kellner and Neil Kelleher, Commissioners Evelyn Aquila and Helena Donohue. The meeting was chaired by Commissioner Kelleher. Staff present were: Peter Kosinski, Stanley Zalen, Todd Valentine, Lee Daghlian, Bob Brehm, Anna Svizzero, Allison Carr, George Stanton, Liz Hogan.

The Board of Canvassers met to certify the special election held on July 31, 2007 for the 105th Assembly District. It was so moved to certify George Amodore as the winner and **the vote was unanimous**. The meeting of the Board of Canvassers adjourned at 1:20 P.M. The regular meeting of the Commissioners convened at that time.

Minutes of August 2, 2007 - approved as amended

At this time, Commissioner Kellner moved that the board adopt the Plan B procedures for 2007 set forth in Proposal Number One, that was set forth at the last Commissioners meeting. **The vote was unanimous to accept those procedures**. Commissioner Kellner moved at this time to adjourn to Executive Session to discuss Justice Department issues and other legal issues. **It was unanimously approved to adjourn to Executive Session**.

The regular meeting of the New York Board of Elections was called to order at 2:55pm

Unit Updates:

- **Legal Unit:** - Todd Valentine reported on several issues:
 - Update on our discussion with the Department of Justice's federal lawsuit – what was discussed and what the Board has agreed to is to inform the Department of Justice that we are going to put together a revised HAVA implementation plan and that as part of that we will be scheduling a meeting with the county board of elections within the next two weeks to help formulate that plan to include accessibility at every polling site in 2008.
 - Our reply brief is due August 17th on the *Lopez v. Torres* case which will be heard by the United State Supreme Court this fall.
 - Mr. Valentine also reported that they continue to work on the voting machine maintenance regulations.
- **Election Operations:** Anna Svizzero reported on several issues:
 - The evaluation committee recommended an ITA selection to the Co-Executive Directors, who had been authorized by the Board to accept or reject that recommendation. The Co-Executive Directors did accept the recommendation to award the ITA contract to SysTest which was then forwarded to the Comptroller's Office. The Comptroller's Office then indicated that they would not approve the contract.

- In the interim, other issues arose, including the EAC certification of an additional ITA and a significant increase in the number of systems being submitted for certification. Therefore, staff is recommending that the contract for an ITA be re-bid. Commissioner Kellner moved that the Commissioners authorize the Co-Executive Directors to approve the bid documents for the ITA in consultation with the Office of General Services. **That motion was approved unanimously.**
- **NVRA/PIO:** Lee Daghlian reported on several issues:
 - The State Fair preparation are almost complete.
 - The county funds for HAVA and the training schedule for NVRA .
- **Campaign Finance:** Liz Hogan reported on a long list of projects being undertaken in the Campaign Finance and Enforcement Units.
- **ITU:** George Stanton reported on several issues:
 - NYSVoter and New York City connecting up to the system. After a discussion, Commissioner Kellner moved that the board direct the Co-Executive Directors to respond to the New York City Board of Elections with regard to their hook up to NYSVoter with the consensus of our discussion immediately. **The motion passed 3-0. (Commissioner Donohue had to leave).**

The Commissioners tentatively set Tuesday, September 11th at noon for the next board meeting.

Commissioner Kellner reported that the commissioners discussed the status of the CIBER contract in executive session, but took no formal action.

There was a discussion of the request of Open Voting Solutions to waive certification testing fees. The matter will be carried as old business for the next meeting of the commissioners.

The meeting was adjourned at 4:00 p.m.