
Douglas Kellner: Good afternoon. My name is Douglas Kellner, I call the meeting to order and ask fellow Commissioners to introduce themselves.

Jim Walsh: Jim Walsh.

Gregory Peterson: Greg Peterson

Andrew Spano: Andy Spano

Douglas Kellner: And would the staff introduce themselves please? Todd

Todd Valentine: Todd Valentine

Kim Galvin: Kimberly Galvin

John Conklin: John Conklin

Elizabeth Mowrey: Elizabeth Mowrey

Risa Sugarman: Risa Sugarman

Tom Connolly: Tom Connolly

Joe Burns: Joe Burns

Anna Svizzero: Anna Svizzero

Kathleen O'Keefe: Kathleen O'Keefe

Bob Brehm: Bob Brehm

Douglas Kellner: And then we welcome Risa Sugarman who is here for her first meeting as Director of Enforcement. We ask our guests to identify themselves please.

Brad Williams: Brad Williams. I'm with the New York State Independent Living Council.

Steven Charles: Steven Charles, New York State Independent Living Council

Brian Quail: Brian Quail, Schenectady County Board of Elections

Bill McMillan: Bill McMillan, Libertarian Party of New York

Aimee Allaud: Aimee Allaud, League of Women Voters of New York State

Shaikh Aman: Shaikh Aman, IT

Douglas Kellner: I'm sorry?

Shaikh Aman: Shaikh Aman, IT

Jimmy Vielkind: Jimmy Vielkind, from Capital New York

Casey Seiler: Casey Seiler from the Times Union. Jimmy and I have to fight for this seat?

Douglas Kellner: Tom would you get them another chair please? Alright. We welcome our guests. The first item on the agenda is the approval of the minutes of August 1st. Is there a motion?

Jim Walsh: So moved.

Andrew Spano: Second

Douglas Kellner: Those in favor of approving the minutes say aye.

[chorus of ayes]

Opposed? The minutes are approved.

We will now have our unit reports. We'll start with our co-executive directors Bob Brehm and Todd Valentine.

Bob Brehm: There's been a lot of activity since our last meeting in August as we identified the new Enforcement Council has started so that was change generally in the building to accommodate the space. We've been working with Risa and OGS and others to make the space, move some things around, get the equipment hooked up. So I think it's not all done but I think it's done in a way that people are able to function as we continue to do that work.

There have been a number of staff changes or additions since then also. So our Admin people have helped to bring the paperwork for Risa's staff and there are a number of new people that we've also brought in for the Compliance Unit. We've had three approvals for three new staff members there, two will start on September 11th as Compliance Review Auditors, Laurie Barone and Rebecca Jones, and then one more will start on September 25th, Jamie Salm and I know Todd has a fourth person that's in the works for approval so we can work to bring that unit up to full staff, or that subunit up to full staff. I think the other personnel issue generally is we have the vacancy still in CIO so we've

been meeting weekly, Dave Loomis and Adam Gigandet from our cluster we had for the State Information Technology Unit that meet with Todd and I weekly to kind of review where we are with the technology projects. There's probably a little bit of project grief because we don't have our own CIO. We're working to interview the people. We're setting up a second interview with at least one of the applicants; Dave has been sitting in on those interviews which I think is very helpful to get his perspective. So we're making progress on that front.

I think one of the other long-term projects that we have been working on is the procurement under the NYSVoter Refresh Program of the vendor to do the work. We just, I think that's a project that we had started to contract last June and we just got word yesterday morning that it was completed. So 1, it's taken a long time, but we're at least happy that it's finally done.

So from a staff we're heading in the right direction. From the contracting it took us a long time. It put us a little bit behind I think but we're still making progress in that regard. And there have been an awful lot of issues related to petitions which I think you'll hear from everybody from the units just because on this many specs there's a lot of people chipping in to help as best they can and working late hours in order to find the current with making sure that we're ready for your September 26th meeting for the State level specs that we have. I think we continue to monitor it you know, every day but I think we're not panicking yet. I think we have a plan in place with the help of the staff working extended hours that we should be well prepared to get you a report by then without any risk that we'll miss the deadline.

Douglas Kellner: Anything else Todd?

Todd Valentine: And we do have a primary election on Tuesday I don't want to forget that. And so you can hear more details on we're preparing for the election night reporting system to be up and running for that primary as well as looking forward to the general elections in more detail. On the translations for the ballots are still in progress.

Douglas Kellner: Alright. Next is, new titles, Counsel and Compliance Unit, Kim Galvin and Kathleen O'Keefe.

Kim Galvin: Go ahead.

Kathleen O'Keefe: Okay thanks Kim. I'm going to leave the petition summary to Kim she's been working very diligently with that.

The call center is getting a large volume of phone calls and we are continuing to process registrations, resignations, terminations and they've also give us significant assistance on responses to subpoena production. We have started interviews for a vacancy in that unit and it's crucial we fill that. We're hoping to do that quickly. One of our Council

secretaries has retired and we are looking to fill that position in addition to the Compliance positions that Bob has already discussed.

The last Board Meeting, the Board certified one candidate for the Public Financing Program. We have not received any additional candidates that opted to participate. So we have that one candidate. As of today, the participating candidate has not yet met all the eligibility requirements to receive matching funds. We've been working closely with this person. We've designated point people from the staff to work with him. My understanding is that the program that is necessary to run this program itself, the computer program is going to be up and running. I'm hoping that Elizabeth may address that a little bit more. I guess there's a difference between preproduction and postproduction that I'm not entirely clear what that means but I understand once it's in production, he can start submitting his matchable contributions.

We have e-mailed him, talked to him on the phone, dealing with this treasure; we're really trying to offer as much support as we possibly can because of the newness of the whole program.

Compliance reviews are ongoing. We had the 32 pre-primary filings as well as the 11-day pre-primary reviews. They've been conducted, we're happy to say and amendments are currently coming in to correct any deficiencies that we have identified and we're hoping that those will all be done in a timely manner. To date, the common reporting issues regarding deficiencies just so people are aware are linked to missing data, addresses, names, check numbers and how to properly report reimbursements. Oftentimes people pay say a staff or campaign worker a large sum of money for reimbursements but they haven't broken it down what exactly are those reimbursements for and they need to do that.

We have started the initial steps to redesign the program here at the Board and other people are much more knowledgeable about that but the Councils Unit is involved in that discussion.

Just two quick items I want to bring up besides the petition litigation that happens in the State Court. We have been served with papers challenging the proposed redistricting amendment. Those papers are due five days before the 12th, they'll be going out today to the court and the litigants on the other side. The return date, as I said is the 12th. We expect to be in court and that the court will deal with this matter in an expedited way, the way that the election law requires. So that is Albany Supreme Court on the 12th with respect to that issue.

We also have been served with papers in a federal matter that has originally started in the state courts. It has to do with the statewide slate and a petition that was invalidated. That matter actually was addressed in Albany Supreme Court and the Appellate Division

Court of Appeals denied leave to appeal and they are now in federal court and our papers for that are due to tomorrow at 1:00. That's basically it.

Kim Galvin: Yes just to add on that we have been very busy. It's difficult with all the new processes starting for everybody to get a handle on the ebb and flow of things and we're finding that the follow up calls on the compliance reviews take a lot of time. So you have the July periodic that went out at the end crossing the 32-day pre-primary, crossing with the 11-day pre-primary. So that staff is, you know there are not that many of them as we're adding to them and they've been very busy with that which also detracts from the amount of pool that we have to do the specs and we have thousands and thousands of pages of specs filed against these independent petitions and again, only a limited amount of staff to actually work them.

In addition, we have 12 new lawsuits filed 2 days ago on the Independent Nominating Petitions that are all returnable starting tomorrow to the 11th and we won't have any of the work product done in time or the hearings held so I'm trying to notify the courts as soon as possible that you know, I'm still trying to track down index numbers and do what I have to do to let the courts know that we'll forward them all of the information as soon as it is done. And as they said, staff is working late, working on the weekends; we're doing everything we can to move the process along.

So we haven't really had time to sit down and iron out some new processes that we have to look forward to with the new Enforcement Unit. So, that's basically all. We've been, we've been very busy.

Douglas Kellner: Roughly what are the percentages of Campaign Finance disclosure filings that need follow up after the Compliance Reviews?

Kathleen O'Keefe: What I've been told is about 1/3 are in compliance when they come in.

Kim Galvin: Right or 66%.

Kathleen O'Keefe: Now all of those are not "deficiencies" some of those are training type issues but they all require responses so whether it's training or deficiencies you really are engaging with that.

Kim Galvin: And because it was new we erred on the side of no leeway because the treasurers and you'll find as they file additional reports they're getting much better at it and their correcting their mistakes as they go. But one missing zip code and they got a deficiency letter. They're not very happy about it but we need them to understand the process moving forward and how it's going to work. We didn't feel comfortable drawing an arbitrary line and making a decision so we wanted everyone that did something wrong

to understand this was a new process, this is what was going to happen and so, but they are getting better.

Douglas Kellner: So that started with the July 15th filing?

Kathleen O'Keefe: It did right.

Douglas Kellner: And then for that how many are filed, couple thousand in July?

Kim Galvin: I think it's at least...

Bob Brehm: Since July we've have over 6000 reports filed. About 6400 reports have been filed for either the July periodic and amendment, you know 32-day or the 11-day. But since then through this morning that's how many have been filed.

Kathleen O'Keefe: And close 1/3 of those have been completed at this point. So I mean, as Kim pointed out they're overlapping, then the amendments come in and you're dealing with the amendments because we give them 30 days. I mean, we're obligated to deal with these amendments in a timely manner so there's constant attention to what amendments are coming in and then going back to what the new filings require.

Kim Galvin: The amendments have to almost be entirely re-reviewed because you'll find that you know, the treasurers that are not used to this sort of activity will fix, all their reimbursement issues but forgot to fix their addresses or...

Kathleen O'Keefe: Or change something that was good already.

Kim Galvin: Yeah or change something that was good because they made a mistake and you know, some people their treasurers resigned right in the middle of it. So now we have a few treasurers that were like, dude you've got to go back and fix this, and they didn't do it originally so that's taking a great deal of patience and training on the part of the very few, what is there 6 people doing all this work, 7 people maybe. So it's, it's busy. They're doing a great job though.

Gregory Peterson: How do you send that back though? Do you send a list to a treasurer for instance?

Kim Galvin: Yeah.

Gregory Peterson: You have 1, 2, 3 that has to be corrected.

Kim Galvin: It's a compliance checklist. It's the items that are out of sync and then there's a note section and then we give them the individual person assigned to, that actually did the review so it's not going through the phone banks, its coming directly to

the person that did the audit that did the review because they're most familiar with the deficiencies and that seems to be working out well except for now they have a friend and a number so they call for a whole variety of things not related to their filings but you know whatever it takes we'll continue down the path.

Kathleen O'Keefe: The staff is really great and very knowledgeable and very hardworking. It's very impressive considering how new the program is.

Douglas Kellner: Thank you. For Election Operations, Anna Svizzero

Anna Svizzero: Thank you Commissioners. Unfortunately we did not have time to prepare a written monthly report for you so I can bring you up to date with regard to filings. The federal independent petitions that were filed 9 were received 10 sets of rejections, 10 sets of specifications, and the attendant acceptances and other correspondence was all processed with the independent petitions for statewide and Senate and Assembly. 46 petitions were received. I don't have a count on the candidates that were filed within all of those petitions. There were 56 acceptances, 70 sets of objections, 44 sets of specifications. So that just quantifies everything you've just heard from the Council's Office.

We have everybody working on specs that we can. That's always a daunting process because there isn't a huge consistency between the abbreviations that one objector uses on one petition to another petition from another part of the state. So ideally if we had a list and we made everybody use it, that would be helpful but we have not been successful in that approach. So there is a learning curve every time you pick up a set of specs and have to start over again. But again, we keep saying it all the time. We have so few people working on this and so many of our mission critical items all happening at the same time that we really want to give all of the staff a round of applause if we could because they are coming in early 7:00, 7:30, staying until 6:30, 7:00 at night working on all of these and we're hoping we're not frying them so that when they come in, in the morning they're fresh to start over again. We learned those lessons years ago.

We also have received in the real world of election operations ES&S on their Central Count System had submitted a change for their uninterrupted power source on their central account. It's a Diminimus process. There is no testing involved. We simply need to advise the Board that our testing lab has determined that it is Diminimus and there isn't any issue with it so we'll be notifying the county boards of that acceptance of their report and that alternate source for the UPS, sorry, the overnight mail for specs, that's what I have on my mind.

We understand New York City might be buying the Central Count System so we particularly want to get this to them so that when they get their new systems there isn't the end of life item in it, it comes to them with the newly approved one and then we'll add that to that correspondence.

We are participating with IT in the Candidate Management System upgrades. We're not quite sure what IT is calling them but they've been very patient with us because we haven't had the time to sit down and meet with them one on one but our staff has been working with their staff and hopefully we'll get together with Hope and others to have a meeting with Joe and I to make sure that that's on track and that we get all the changes that we're looking for.

With regard to Clear Ballot and their submissions as a Central Count Voting System we're awaiting source code. They submitted it to their own lab and we're waiting for that final report to be sent to our lab and at that point they will send us a software package and we'll be able to begin testing on that product. So as soon as we receive that we'll let you know in case any of you are interested and want to be here for that. Because it's a really different approach to counting ballots.

Our team has been supporting county boards with building ballots for the primary and getting ready for the election on Tuesday with other issues relating to pole watchers and pole sites and consolidation and any number of other issues and nothing particularly outstanding on the radar. I think everybody just is expecting a good turnout and its business as usual beyond that and we'll certainly enhance this at our monthly report that we'll give you at the next Board Meeting. Joe did you have anything to add?

Douglas Kellner: Has anything started with respect to the report that the Board of Elections is required to prepare on the use of lever voting machines by villages in special districts?

Anna Svizzero: We've had some preliminary conversation. I am working on a draft outline right now of an approach that I'll share with everyone. I've been doing it at home at night because there isn't much time during the day to have a single train of thought that's uninterrupted. But we're hoping to get feedback from county boards, particularly those that have expressed reluctance at this because of the impact on their operations as well as the county boards that have been very successful in making equipment and the process available to other jurisdictions such as schools, villages, fire districts, water districts, library districts, etc. So there are a couple of dynamics there and we're going to put together a list of county boards that Bob and Todd can review to see if we can make them an AdHoc Committee. We also need to reach out to NYSAC, NYCOM the groups that are the stakeholders for all of those special districts and create a way to have a conversation with them. We think the report needs to be objective. It needs to be all encompassing but clearly there is a spirit in a letter of how the state legislation has not been met and it's been 10 years. Everyone has certainly had ample time to evaluate this issue.

Kim Galvin: Is that your objective view?

Anna Svizzero: Yes. I think that's objective. The law is the law. If you want to ask me what I think, I'll share it with you off the record but we'll put an outline together, we'll get it to the directors and to the four of you and if that approach is agreeable then we'll move forward. That's also going to be a timeliness issue because I believe that report is due the end of January, and we'll be busy certifying an election at least through the middle of December. So it's on a parallel track. February would be a little tough.

Douglas Kellner: Alright thank you. Anything else? Next is Public Information, John Conklin.

John Conklin: Thank you Commissioner. Well as is often the case whatever the other units are talking about that they're doing, we're getting questions about. So we're very busy with public and media inquires about the primary, independent nominating petitions for state and federal offices, the 32-day and 11-day pre-primary financial disclosure reports and the hearing processes for all the petitions. We had 59 FOIL requests in August. We are having regular meetings with IT and Election Ops to coordinate the posting of the election night results on our website for the primary. The 2013 annual report is done and has been posted to the website. We're working on an estimate for the newspaper publishing requirements for the statewide ballot proposals. Everybody in our entire unit has been assisting in a petition review and challenge process. Bob already mentioned the meetings to begin the NYSVoter Refresh and the CIO interview process, we've been part of that as well. Tom's been working on the translations for the ballot proposals as well. We posted the state certification for the ballot for the September 9th primary. We posted the text for the three statewide ballot proposals. We posted a list of the independent nominating petitions for federal office and for state office. We did a press release for the voter registration deadline for the primary and the annual report has been posted to the website. So do you have anything to add Tom?

Tom Connolly: Yeah I just want to give a little bit more information on a couple of things with regard to the translations, I just wanted to thank the New York City Board and also one of the attorney's from Doug's Office for their assistance in reviewing some of the translations that we had gotten from our vendor. We worked with them to kind of provide some feedback to our vendor as far as what sounds a little bit, what sounds better from a legal perspective but also what's more commonly used down in the City. We did receive our final translations yesterday and they have been provided to New York City. We will be providing the Spanish to the other counties that need to use the Spanish language for the ballot proposals. The vendor will also be starting the process of recording the audio in the different languages for use with the ballot marking devices.

Beyond that, the next most important thing is the MOVE Act and so we do have a federal election in November. There are a number of deadlines that need to be met, the first one coming next week the day after the primary which is just the initial survey from all the counties who are hopefully listening, to know that they have to kind of certify to us that they are ready to meet the 45-day deadline that's required under federal law. The next

date after that would be the following week which is the 17th when they're supposed to give us all of their candidates for a federal ballot. That's important because we provide that information to the Federal Voting Assistance Program. We also utilize in some of our online tools to make sure that anyone who wants to use the federal write-in absentee ballot can see the list of candidates that they're entitled to vote for.

And of course, the most important deadline that would be coming up would be September 20th which is the deadline to mail federal ballots to all military and special federal voters.

Bob Brehm: Transmit

Tom Connolly: Transmit sorry yes which could be by mail, fax or e-mail. And there are people who get theirs by fax.

The other important thing that we had to deal with two years ago is that being that through the timeframe of certifying the state primary and the certification of the federal candidates, the list of state and local candidates will not be ready in time for the 45-day deadline to transmit the ballots. So like 2 years ago we will have again 2 ballots that will be going to military voters. The special federal voters are only entitled to vote in federal offices so they'll get that ballot and that goes out 45 days before. The military voters will get the initial ballot which will only have federal offices on it and then they'll get a subsequent ballot for the state and local offices on the 32-day deadline under state law which is October 3rd. As we reminded the counties 2 years ago and we'll be reminding them again, we'll be sending out a whole bunch of information, it's very important that we keep the ballots separate. We have the track, the statistics on all these ballots for the Department of Justice. So it's important that we have a good clear statistics on the numbers that are going out and that are coming back in for the federal office.

So, beyond that, I think the only other thing that we didn't mention is with regard to the Public Financing Program like was said, the Comptroller candidate has not yet certified as he is qualified or not for the qualifications but should that occur, then John and I have already started discussions about one of the other triggers that can pop in which would be the debate that Board of Elections is required under the law to facilitate. So we've kind of started discussions on what would need to go into that as far as to make that happen. But other than that, I think I'm good.

Douglas Kellner: Kim.

Kim Galvin: I just don't know if it's worth mentioning that if you said they started to record their BMDs and stuff, I don't know if the lawsuit on the redistricting language they should do it last. Or I'm sure there's not going to be a change to it but until that court case is decided, there could be a change to the language that they need to...

Tom Connolly: And we've had the process where I think if we had to re-record or retranslate we could. I mean you know right now I think that we're just better off having everything ready to go should as soon as possible.

Kathleen O'Keefe: And just a note on that. I did include information about that in the papers to make sure the court is aware that we have to do these translations as well as the publication so that when we get there on the 12th, I can potentially let the court know where we are on that at that point.

Douglas Kellner: When will the translations of the ballot proposals be posted on the website?

Tom Connolly: We could probably facilitate that today because we received them yesterday afternoon so...

Douglas Kellner: Well I think they should go up as soon as possible especially if somebody finds some glaring error then they can let us know.

Anna Svizzero: Can we send them to the county boards before we post them so that we...

Tom Connolly: Sure.

Douglas Kellner: Well let's do it if you're ready let's do it now then so that we can get them up. Alright thank you. So next is Information Technology, Elizabeth Mowery.

Elizabeth Mowrey: Thank you Commissioner. As Bob mentioned we are very happy that the contract was approved and that the NYSVoter Refresh Project can resume. At the end of the last contract we had finished the proof of concept which proved the NYSVoter applicant can run on a virtual environment with the upgraded hardware and software. Our next step is to finalize the hardware specifications and then start working with ITS to acquire the necessary hardware and software for the new Refreshed environments.

The Candidate Management and Campaign Finance Redesign Project, we're keeping that moving forward. We do have a project manager on-site but we are in the process of hiring a technical lead, a senior programmer and also an ITS III. In the interim we are currently working on requirements gathering and analysis of the current environment. We're finalizing the scope document and as Anna mentioned, we are setting up meetings with our user groups.

We are in pretty good shape for the September primary. All the counties have sent their zero files for the election night reporting and now our staff can get the election setup process to capture that information on election night.

We are also working with the counties to send us any changes to their polling sites so we can update the NYSVoter Pole Site locator for the primary.

And lastly, we do have a new addition to our Data Communications Group and that's Mike Alois. I hope I said his name right. He started in August, very knowledgeable and a great fit for our Data Communications Team and that team has been especially busy last month getting ready for the new Enforcement Unit. They made additions to the user management system, set up new PCs, set up new network accounts and e-mail accounts for ten new users in the Enforcement Unit.

Douglas Kellner: Thank you. With respect to the Campaign Finance Computer system that you're developing, would you go into a little more detail in terms of just where we are in putting together the requirements and who are the user groups and how the drafts will be circulated?

Elizabeth Mowrey: That I can't give you much more information on because I'm not really on that team.

Bob Brehm: I think generally Raj has been the project manager. At our last meeting we had mentioned that we were starting with the kick-off, there couldn't be a worst time to start a project than now for two reasons; the money was identified in the budget in January but it wasn't made available for use until April to get the technical help to do the business plan. So we were looking for four people under that pot of money and so far they've identified one, the project manager. So we are starting preliminary work with him. He has been reaching out to get an idea of the project and what the, preliminary meetings just to keep it going and right now that includes the units in the building. And we did have a discussion with Risa just yesterday because she's the newest constituency group I guess because we'll need to incorporate her needs into the Scope document. So we'll have to have that. So we've identified to Raj and to Dave Loomis and Adam during our technical meeting that they need to find an appropriate time to sit down and find a way to incorporation that conversation. But also since we're touching now to Candidate Management, etc. there are certain county board systems in place that need to be party to it and we set up NYSVoter, we've had a constituency group of county boards, we'll just have to make sure that we accommodate what they're using. If it's homegrown or if it's a commercial product and we like to have as many different people at the table as possible that have a perspective. When we've done some of the Campaign Finance redesign, that unit when we did the, whatever we called that last revision had a number of treasurers that were a constituency group as a focus group before we took it out of production and put it online, they would do some work and give some feedback as to whether or not they thought it was good. So we'd at least have to identify perhaps a group like that when it got timely. So there's a number of different groups that we'd have to include but it really is dependent on getting the technical help to be able to do the analysis and then to meet with people. The problem is meeting with us is difficult now.

Meeting with the counties is very difficult now and the vendors for the county are busy supporting them for the upcoming election. So to say if we started in February, it would have been better, we wouldn't be as busy, yes, but they're doing what they can. Without those other 3 H bits people and I know we've talked to the Deputy Secretary it's on our conversation with him and with the technical people. We really need that help to make sure that we don't have a bigger loss of time.

Douglas Kellner: Well obviously we all agree that this is a priority project to the agency and so I understand all the problems in terms of getting the startup. I haven't seen any paperwork in terms of draft reports or anything in the works in more than 6 months so when I heard Elizabeth's report, I'm glad to see its moving forward, but I feel like I'm not in the loop on any of this. And in terms of the user groups, I think it's very important that we include input from people who are doing the filing, and that we also contact people who are trying to get information off the system as well because the press and the good government groups that are downloading the information off the system also have a lot of input in terms of setting up the requirements, and that I hope that the early drafts of the requirements will be widely circulated so that there could be lots of feedback and input so that we do get the best system we can get out of this. And it wouldn't hurt also to check with some of the other states to see if there are systems that we can use as models.

Bob Brehm: I know we did a little bit of that preliminary work with Dave when he was doing the general Scope and also that's kind of a starting point. Raj has organized from our project planning the various stages where the help will come in so pretty much that preliminary Scope document, and Liz and Bill at that early conversation with Dave Loomis had looked at a number of different vendors had reached out to us and a couple of states. So I know there's been that level Raj has, himself as the project manager, re-review that to see if there's anything more out there that we missed.

Douglas Kellner: Alright thank you. Anything else? Alright. And so we welcome our new Director of Enforcement Risa Sugarman.

Risa Sugarman: We began according to the statue on September 1st and our first day in the office was September 2nd on Tuesday. And I'd like to thank all the people at the Board, they've been very helpful to me over the past couple of months, the end of June when I was confirmed by the Assembly and the Senate. We've done a lot of work and sometimes it was early in the morning or after work because I was still working at Tax so I had to finish up my work at Tax so a lot of times the calls and the e-mails were early in the morning before I got to work or later in the evening after I got home from work. So I really appreciated all the work that everybody here at BOE did in helping me getting everything done.

So we are here, we have computers, we're working. We do have an e-mail for the public to get in touch with us. It's Enforcement@elections.ny.gov so if the press. Okay.

Kim Galvin: In all these years no one has ever taken pictures of us.

Kathleen O'Keefe: We didn't bring a sign.

Gregory Peterson: You're learning the roles awful fast.

Risa Sugarman: Hey I've been in public stuff for a long time. So that would be an easy way for the public to get in touch with us if they want to. So that's what we're going to be doing here. We are going to be up and running. I have staff here already, more staff coming on board on Monday. I can feel my face is bright red now. I'm glad I'm not wearing that jacket. I gave up wearing red a long time ago, and three more positions to hire. So that's what we're doing.

Douglas Kellner: Alright well and I hope you'll let us know if you need anything from the Commissioners.

Risa Sugarman: I certainly will. I have people tell me that I'm not shy although I can't understand that.

Douglas Kellner: Alright. I don't believe we have any old business on the agenda so we'll turn this to new business and the petition rulings. So who's going to organize the presentation for them?

Bob Brehm: I think before we get started we have on page 2 Todd had recommended an amendment to the report so I would at least get it to you so you'll have it. There's some preliminary work that we are doing today. It's on the state filing report.

Douglas Kellner: Because we have 2...

Bob Brehm: There's a federal, there's a single page related to federal independent petition filing and then there's a 3-page related to the state filing.

Douglas Kellner: Okay so it's there here.

Bob Brehm: So we're just recommending that we hold those over until the September 26th because they fit in with some of the other work we're doing that is still pending.

Douglas Kellner: I should, alright so...

Bob Brehm: So that you have it or the 4 of you have it so you know what we're recommending.

Douglas Kellner: Alright so we should start with the federal independent filing petition right, so that's the single page report that we have and the report is finding invalid the petitions of Anthony Tolda for member of Congress in the 3rd District and Joseph Marthone in the 5th District. And those are based on prima facie rulings and then Grant Lally in the 3rd District for insufficient signatures, and Christopher Day in the 17th District for insufficiency signatures based on staff findings on the objections that were submitted.

Bob Brehm: That did not require a hearing.

Douglas Kellner: And then there were hearings for Christopher Day in the 17th District, I see Christopher Day has two different petitions; one is for the Stop Common Core where it's invalid, and then the other is for the Preserve Hudson Party where after the hearing it was found to be valid. And then Scott Smith in the 18th District petition is invalid for insufficient signatures.

Bob Brehm: Correct.

Douglas Kellner: We'll take a vote on approving the staff report.

Jim Walsh: So moved

Douglas Kellner: Those in favor say aye.

[Chorus of ayes]

Opposed? So it's unanimous that the staff report for the federal independent petitions is adopted.

Then for state office independent petitions filed, for those that we have been able to complete so far which is not everything. This is still in the works right?

Bob Brehm: Right.

Douglas Kellner: Alright but based on prima facie review petitions for Sloan, Stevens, Clifton and Grimaldi statewide office insufficient signatures. Carey, Moss, Antonacci and Cahill insufficient signatures. And what is this, based upon lack of Lieutenant Governor Acceptance petition fails to nominate a Lieutenant Governor candidate, thus the petition is invalid for that additional reason.

Then there was an Opportunity To Ballot petition for 38th Senate District invalid for insufficient signatures and filed late. Garvey for Senate in the 8th District insufficient signatures, Bell in the 103rd Assembly District, Salka in the 121st Assembly District, Jasiewicz in the 110th Assembly District, Vrooman in the 111th Assembly District, Katz

in the 94th Assembly District, Green-Brown in the 104th Assembly District, all insufficient signatures. Parietti in the 38th Senate District filed late and insufficient signatures.

An independent petition for Justice of Supreme Court in the 9th Judicial District insufficient signatures. And then 4 candidates who did not file timely acceptances, Stevens for Lieutenant Governor, Moss for Lieutenant Governor, Antonacci for Comptroller, Cahill for Attorney General, all on other parties, they're on the ballot in other places right?

Kim Galvin: I hope so.

Douglas Kellner: So those were all invalid for lack of acceptance and in the 98th Assembly District candidate J.B. Romaine declined and no substitution was filed. So that invalidates the petition.

And then based on objections, we're ruling invalid objections to the two sets of objections to the Sloan petitions, then we're dismissing objections to

Kim Galvin: No those are being put over.

Douglas Kellner: I'm going to Salka now, I'm skipping the ones that are being put over. Salka 121st Assembly District, we're dismissing the objections because they were late.

Bob Brehm: But we've also prima facie said the petition was invalid.

Douglas Kellner: Alright and then staff findings on Sloan for Governor insufficient signatures, Clifton and Grimaldi insufficient signatures, Bell 103rd Assembly District insufficient signatures, Parietti 38th Senate District insufficient signature, Katz 94th Assembly insufficient signatures, Marcellino 5th Senate District insufficient signatures, Green-Brown Assembly 104th District insufficient signatures, Vrooman Assembly 111th District insufficient signatures, Romaine Supreme Court 9th District insufficient signatures, Garvey Senate 8th District insufficient signatures, Salka 121st Assembly insufficient signatures, Jasiewicz 110th Assembly insufficient signatures and we haven't had any of the hearings yet. Okay.

So is there a motion to approve the report from...those in favor say aye

[Chorus of ayes]

Opposed? The report is adopted.

We have one personnel matter, do we need an Executive Session for that? So I'm very pleased to introduce and propose that we hire as Deputy Council Brian Quail. Brian say hello to everyone.

Brian Quail: Hello folks. It's been a privilege to be an Election Commissioner for 8 years in Schenectady County and I am hopeful that you will approve this appointment and I certainly stand ready to answer any questions you have.

Greg Peterson: Do you want to hold up something?

Douglas Kellner: Thank you Brian. Alright those in favor say aye.

[Chorus of ayes]

Opposed? And then we don't have any compliance or enforcement cases so I don't think there's any other business for Executive Session. We talked about our next meeting being September 26th am I correct?

Bob Brehm: That's Friday, it's as late as possible so that we can make sure we got our certification done by September 29th which is Monday and the biggest threat to the calendar is always the late filings with regard to the JD districts. It always kind of squeezes in right then. So that's at our next meeting.

Douglas Kellner: Alright. We stand adjourned then. Thank you all.