

**Minutes of the New York State Board of Elections  
October 4, 2016**

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 5<sup>th</sup> Floor Conference Room was called to order at 12:05 p.m. The meeting was chaired by Commissioner Douglas Kellner. Commissioners present were Peter Kosinski, Andrew Spano and Gregory Peterson. Staff members present were: Robert Brehm, Todd Valentine, Kim Galvin, Brian Quail, Bill McCann, Anna Svizzero, Brendan Lovullo, John Conklin, Tom Connolly and Risa Sugarman. The guest list is attached.

**Minutes of September 15, 2016** – Minutes were accepted (**Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No**). The Executive Minutes for September 15<sup>th</sup> were held over for revisions.

**Unit Updates:**

**Executive** – Robert Brehm and Todd Valentine reported on several issues including:

- Cyber security meetings have been held.
- Voter registration has picked up with DMV seeing an increase.
- NYSVoter Refresh Project is continuing.

**Legal** – Brian Quail reported on activities related to the Counsel/Compliance Unit including:

- Ballot Access Litigation is nearly complete.
- Making changes to accommodate chapter 286 of the Laws of 2016 for Independent Expenditure Committees.
- Worked with the IT Unit on the electronic filing of campaign materials.
- Meeting was held with the Enforcement Unit.

**Election Operations** – Anna Svizzero reported that the Election Operations unit is working on several ongoing issues including:

- Certified the State and Local Ballot.
- Working with NYSTEC for a test plan on functional testing on the automated audit tool.
- Dominion had an engineering change order which is Deminimus in nature.

**PIO/NVRA** – John Conklin reported that the PIO/NVRA unit is working on several issues.

- Very busy with phone calls concerning the Primary and General Elections.
- Meetings held with IT on Election Night Reporting.
- Posted the emergency IE regulations on our website.
- Reported to the Justice Department that all military ballots did go out 45 days before the election.

**ITU**

- The Case Management piece has been rolled out for testing.
- Working with ITS, Enterprise Information Security Office and the Counties on cyber security.
- Reviewing the project schedules and assessing where we are with those.

**Enforcement** – Risa Sugarman reported on the Enforcement Unit:

- Very productive meeting with Counsel on moving forward on the reviews of deficiencies.
- Preparing a special proceeding in reference to the Plattsburgh Franklin County Campaign.
- Commissioner Peterson made a motion to issue a subpoena to have the full poll sent to our Enforcement Counsel for her review. **(Commissioners Kosinski, Spano and Peterson voting in the affirmative, Commissioner Kellner voted No; 3 Yes and 1 No).**

**Old Business:**

- DISCUSSION on document Policy has been held over.
- DISCUSSION on Automated Audits.

**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 a proposed Opinion regarding publicly available websites. **The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**
- VOTE on a Resolution for NYSVoter Refresh Project. **The motion was approved unanimously (Commissioners Kosinski, Kellner, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.**
- The next board meetings is scheduled for November 17, 2016.

**The meeting was adjourned 2:15 p.m.**



16-18

## **New York State Board of Elections PROPOSED RESOLUTION – October 4, 2016**

### **RESOLUTION AUTHORIZING THE EXPENDITURE OF A SUM NOT TO EXCEED OF \$625,000 FROM THE STATE OPERATIONS HAVA FUND FOR PAYMENT OF THE COSTS ASSOCIATED WITH THE NYSVOTER REFRESH PROJECT.**

**WHEREAS** the New York State Board of Elections (State Board) has been actively engaged in implementing the Help America Vote Act (HAVA); and

**WHEREAS** the State Board has initiated a multi-year “NYSVoter Refresh Project” to upgrade the NYSVoter components that are no longer vendor supported or are near end-of-life; and

**WHEREAS** the State Board will be retaining the responsibility for the new information technology assets which will support the NYSVoter system as a result of the NYSVoter Refresh Project. These assets include servers, storage devices, and networking hardware; and

**WHEREAS** the staff hours required to implement the new systems is not covered by any existing agreement or contract; and

**WHEREAS** the staff resources required to implement the new systems exceeds those available from the State Boards internal Information Technology Unit

**NOW THEREFORE BE IT RESOLVED** that the Board does hereby approve the above-referenced request of the Information Technology Unit’s for the expenditure of such funds not to exceed of \$625,000 from the State Operations HAVA Fund for payment of costs to implement the new information technology assets to support the NYSVoter System.