

**Minutes of the New York State Board of Elections
November 17, 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 12:10 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, Kathleen O’Keefe, Kimberly Galvin, Brian Quail, Bill McCann, Anna Svizzero, Brendan Lovullo, John Conklin, Tom Connolly, Mark Goldhaber and Risa Sugarman. The guest list is attached.

Minutes and Executive Minutes of October 13th 2015 – Minutes and Executive Minutes were approved. **(The motions were approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.))**

Unit Updates:

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

- Election Night Reporting went smoothly. We posted results for the elections to fill a vacancy in the Senate and Assembly and also the Supreme Court races.
- Judge Sharpe signed the proposal for the Federal Primary calendar which is now posted on our website.
- Bob Brehm and Todd Valentine attended a public hearing roundtable discussion in Rochester led by Senator Funke to discuss making Election Day a non-instructional day at schools.
- Four pieces of legislation have been signed –changing the word “inmates” to “patients” in VA Hospitals, recognizing different postmarks, one that clarified not using pasters on ballots and the use of post-election auditing tools.

Legal – Kathleen O’Keefe reported on activities related to the Counsel/Compliance Unit including:

- Commissioners congratulated Kathleen on her new job as Legislative Counsel to the Speaker of the Assembly.
- Winding down campaign seminars will be held in December.
- Staff will present a presentation to Civic New York on November 20th.
- The Brennan Center LLC lawsuit and the lawsuit brought by Mr. Sloan are still pending.

Election Operations – Anna Svizzero reported that the Election Operations unit is working on:

- Four machine certification projects.
- Provided support to counties prior to the election.
- Commissioner Kellner asked that the report on lines and waiting times in poll sites from the PEW Center be distributed to the County boards along with the Commissioners of the five boroughs of NYC.

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

- Received many calls pertaining to voter registration deadlines for the upcoming Presidential Primary.
- Attended a demonstration for VoteRite Voting Systems.
- Tom Connolly and Cheryl Couser will be attending a meeting with Civic NY and Reinvent Albany in NYC on November 20th.

- Department of Justice has a proposal for an amendment to the MOVE Act and UOCAVA in regards to any ballot sent after the deadline would have to be sent by express delivery.

ITU – Mark Goldhaber reported on projects IT is working on:

- Focus groups for consumers and treasurers for the new CAPAS/FIDAS were held the end of October.
- An anticipated production date for the new CAPAS/FIDAS is March of 2017.
- Work will begin shortly on the design of the County VPN upgrade.

Enforcement – Risa Sugarman reported on the Enforcement Unit:

- In October 602 failure-to-file letters were sent out.
- Meetings with Bob Brehm and Todd Valentine to determine the administrative process of the hearing officers.
- Looking into how to proceed with the next mailing which will be the local filers.

Old Business:

- DISCUSSION on uniform FOIL policy for voter registration data. Staff will send out a draft to the County Commissioners for feedback.
- DISCUSS Independent Expenditure Regulation revisions. Staff is working on them and will have a draft at the next board meeting.

New Business:

- 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 December 15, 2015.

Executive Session:

VOTE to authorize the Chief Enforcement Counsel's to serve subpoenas pursuant to Election Law subdivision 5 of section 3-102 and 3-104 (3) in relation to Case # E28-2015. The motion was approved. (Commissioners Kellner, Spano voted in the affirmative, Commissioner Kosinski and Peterson voted No, and Chief Enforcement Counsel Sugarman breaking the tie voted in the affirmative. The vote was 3 Aye and 2 Nay).

The meeting was adjourned 3:10 p.m.