

**Minutes of the New York State Board of Elections
December 9, 2024**

The meeting of the Board of Canvassers of the New York State Board of Elections was held at the office of the New York State Board of Elections, 40 North Pearl Street, Albany, New York in the 5th floor conference room and was called to order at approximately 12:04 p.m. The meeting was chaired by Commissioner Henry Berger. Commissioners present were Essma Bagnuola, Anthony Casale, and Peter Kosinski. Staff members present were Kristen Zebrowski Stavisky, Raymond J. Riley III, Thomas Connolly, Brendan Lovullo, Amy Hild, Jude Seymour, Brian Quail, Kevin Murphy, Aaron Suggs, Kathleen McGrath, Jennifer Wilson, Laura Baker, and Enforcement Counsel Michael Johnson. Guest in attendance was Bill Mahoney of Politico.

The Board of Canvassers met to certify certain election results from the November 5, 2024, General Election. Commissioner Casale made a motion to approve the report as submitted by the staff. **The motion was approved unanimously (Commissioners Bagnuola, Berger, Casale, and Kosinski voting in the affirmative; 4 Yes and 0 No).**

· MOTION to adjourn the meeting. **The motion was approved unanimously. (Commissioners Bagnuola, Berger, Casale, and Kosinski voting in the affirmative; 4 Yes and 0 No).**

The Board of Canvassers was adjourned; and the meeting of the Commissioners of the New York State Board of Elections was convened at 1:53 p.m. following the meeting of the Public Campaign Finance Board.

Minutes from July 29, 2024, and September 12, 2024 - Minutes were approved. **The motion was approved unanimously (Commissioners Bagnuola, Berger, Casale, and Kosinski voting in the affirmative; 4 Yes and 0 No).**

Unit Updates:

Executive – Kristen Zebrowski Stavisky reported on several items including:

- Synopsis of November 5, 2024, General Election.
- Online and Automatic Voter Registration update.
- State Board of Elections Training Institute will be launched in 2025 to provide curriculum for certified poll worker training.

Election Operations – Amy Hild and Jude Seymour reported that the Election Operations unit is working on several issues including:

- Certification for General Election.
- Collecting annual statistical surveys from County Boards.
- Resumed acceptance testing of new and upgraded machines in 32 counties and almost 4,700 machines to date.

Legal – Brian Quail and Kevin Murphy reported on activities related to the Counsel/Compliance unit including:

- Litigation update.
- Compliance statistics.
- Candidate match program update.

Enforcement – Michael Johnson reported on the Enforcement Division including:

- Enforcement report detailing the following closed investigations:
 - E2023-129, E2023-143, E2023-146, E2023-152, E2023-153
 - E2023-155, E2023-157, E2023-159, E2023-162, E2024-008
 - E2024-024, E2024-026, E2024-030, E2024-036, E2024-042
 - E2024-054, E2024-056, E2024-065
- Compiling a report for Board Directors citing different issues voters encountered in their poll sites.
- Non-filer litigation update.

PIO/NVRA – Kathleen McGrath and Jennifer Wilson reported that the PIO/NVRA unit is working on several issues, including:

- Assisting voters throughout the state for the General Election.
- Website uploads and social media update.
- Grants update.

ITU – Laura Baker reported on projects the IT unit is working on, including:

- Geocoding all poll sites and providing that list to 911 centers throughout the state.
- A massive infrastructure refresh which runs all of the networks at the office and the data centers.
- Implementing a ticketing system to support the Board and a 24/7 monitoring system.

Old Business:

· None.

New Business:

· VOTE on Resolution 24-17 to add Part 6223 to 9 NYCRR Subtitle V Related to Automatic Voter Registration. **(Commissioners Bagnuola, Berger, Casale, and Kosinski voting in the affirmative; 4 Yes and 0 No).**

· VOTE on Resolution 24-18 to Approve Electronic Poll Book System upgrade ES&S ExpressPoll version 7.2.7.0. **The motion was approved unanimously (Commissioners Bagnuola, Berger, Casale, and Kosinski voting in the affirmative; 4 Yes and 0 No).**

· MOTION to go into Executive Session for personnel matters. The Board voted unanimously to approve a salary increase for both Co-Executive Directors. **The motion was approved unanimously. (Commissioners Bagnuola, Berger, Casale, and Kosinski voting in the affirmative; 4 Yes and 0 No).**

The meeting was adjourned at approximately 2:51 p.m.



New York State Board of Elections

APPROVED RESOLUTION 24-17

Resolution to Provide for Publication of Proposed Rulemaking, Part 6223 of Title 9 of NYCRR Related to Automatic Voter Registration, Pursuant to State Administrative Procedures Act (SAPA) § 202

WHEREAS, Title 9 of Article 5 of the Election Law provides for Automatic Registration at certain state agencies; and

WHEREAS, Election Law § 3-102 (1) provides the Board "shall have the power and duty to ... promulgate rules and regulations relating to the administration of the election process;" and

WHEREAS, Election Law § 5-900 provides the Board "shall promulgate rules and regulations for the creation and administration of an integrated and electronic voter registration process as provided for by this section;" and

WHEREAS, it is necessary to add part 6223 of Title 9 of the NYCRR in order to implement the provisions Title 9 of Article 5 of the Election Law;

NOW THEREFORE BE IT RESOLVED: that the office of counsel is hereby authorized and directed to take steps necessary pursuant to SAPA § 202 to provide for the publication of the proposed rulemaking related to adding Part 6223 of 9 NYCRR Subtitle V and to provide notice of the public comment period of sixty days thereafter.

Approved December 9, 2024

Vote 4 YES – 0 NO



APPROVED RESOLUTION 24-18

APPROVAL OF ELECTRONIC POLL BOOK SYSTEM

WHEREAS, Part XX of Chapter 55 of the New York Laws of 2019 authorizes the use of Electronic Poll Book Systems (EPBS) in New York State during elections; and

WHEREAS, said chapter law provides that the State Board of Elections "shall promulgate minimum security standards" for EPBSs being used in New York State; and

WHEREAS, said chapter law provides that the State Board shall "promulgate a list of devices that are approved for use" as EPBSs during elections; and

WHEREAS, one vendor has submitted a system configuration to be considered for approval as an EPBS for use in New York State; and

WHEREAS, the Election Operations Unit is tasked with evaluating the systems to ensure they meet security standards and other relevant standards; and

WHEREAS, the Election Operations Unit has conducted an evaluation of said systems, and has provided summary reports for the consideration of the Board; and

WHEREAS, vulnerability scanning was performed on the systems submitted, to the extent practicable, by staff of the State Board's Secure Election Center (SEC), and reports of their findings have been provided for the consideration of the Board; and

WHEREAS, having considered the reports and the results of evaluation conducted by the Election Operations Unit and the SEC, we do hereby recommend the approval of the system configuration submitted by the following vendor for use:

- ES&S ExpressPoll Version 7.2.7.0 with Windows 10 Enterprise 2019 LTSC IOT

NOW THEREFORE BE IT RESOLVED that the Commissioners of the New York State Board of Elections, at their meeting convened on December 9, 2024, do hereby approve the EPBS configuration submitted by the vendor above. Such approval is based on the specific EPBS hardware and software submitted by the vendor and reviewed by the State Board of Elections. Should the vendor make, or plan to make, any modifications or alterations to the EPBS configuration approved, such modifications or alterations shall be reviewed by the State Board of Elections for approval, consistent with all change management procedures and the use of such systems shall comply with all related State Board procedures and requirements.

**Approved December 9, 2024
VOTE 4 YES – 0 NO**