

**Minutes of the New York State Board of Elections
December 12, 2019**

Due to an evacuation of 40 North Pearl Street, the meeting of the Board of Canvassers of the New York State Board of Elections was convened at the office of the Department of Environmental Conservation, 625 Broadway, Albany, New York in the 14th Floor Conference Room and was called to order at 12:05 p.m. The meeting was chaired by Commissioner Peter Kosinski. Commissioners present were Douglas Kellner, Gregory Peterson, and Andy Spano.

The Board of Canvassers considered a motion to certify the results of the November 5, 2019 General Election. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**

The meeting of the Commissioners of the New York State Board of Elections held at the office of the Department of Environmental Conservation, 625 Broadway, Albany, New York on the 14th Floor Conference Room was called to order at 12:15 p.m. The meeting was chaired by Commissioner Peter Kosinski. Commissioners present were Douglas Kellner, Gregory Peterson, and Andy Spano. Staff members present were Robert Brehm, Todd Valentine, Brian Quail, Kim Galvin, Nick Cartagena, Bill McCann, Tom Connolly, Brendan Lovullo, John Conklin, Cheryl Couser, and Bill Cross. Guests in attendance were Jennifer Wilson of NYS League of Women Voters and Bill Mahoney of Politico.

Minutes of October 2, 2019 – Minutes were approved as written. **The motion was 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:

- Participating in Early Voting round tables with County Boards and vendors to discuss successes and challenges with 2019 implementation.
- Early voting turn out
- Budget planning and concerns, and how to pay to implement the Online Voter Registration (OVR) system.

Legal – Kim Galvin reported on activities related to the Counsel/Compliance unit including:

- Public Financing Campaign Commission and the requirements it will take.
- The volume of phone calls Counsel’s office received regarding the “time off to vote” law.
- Litigation related to the Common Cause lawsuit.
- Status of LLC statements of identity.

Election Operations – Tom Connolly reported that the Election Operations unit is working on several ongoing issues including:

- The unit visiting early voting sites in every county.
- Continuing testing with Dominion, ES&S and Clear Ballot voting systems.
- Preliminary discussions with new vendors: Hart InterCivic and Democracy Works regarding certification process.

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

- Processed 150 FOIL requests in October and 99 in November.
- Issued three press releases for: Voter registration deadline, unofficial turn out numbers for early voting, and the NYS Senate and NYS Assembly Election Law Committees' Joint Hearing testimony.
- Introduced new Voter Registration form which allows 16-year-olds to pre-register to vote effective Jan 1st, 2020.

ITU – Bill Cross reported on projects IT is working on:

- Development is continuing the CAPAS-FIDAS project.
- Discussions with Center for Technology and Government (CTG) on increasing security for new Election infrastructure

Enforcement– Risa Sugarman did not attend the board meeting and did not present a unit report.

Old Business:

- VOTE on a verbal Resolution that resolved the following: “BE IT RESOLVED that effective immediately Special Investigators of the state board of elections shall not be permitted to possess or use any firearm in their capacity as a Special Investigator for the state board of elections, and it is the policy of the state board of elections that its Special Investigators shall not be armed, and BE IT FURTHER RESOLVED that notice of the adoption of this resolution shall be provided to the Chief Enforcement Counsel within one day of the date of its adoption.” **The resolution was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**
- Fair Campaign Code matter taken off old business as it is still subject to litigation and will likely be resolved in Court.

New Business:

- VOTE on Resolution 36 to approve Regulation 6210.7 and 6210.10 ballot accountability. **The regulation was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**
- VOTE on Resolution 37 to approve Emergency Regulation 6211 procedures for Early Voting. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**
- VOTE on Resolution 38 to publish proposed 6200.2 exclusion of 10 Day Post Primary report. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**
- VOTE on Resolution 39 to approve HAVA Fund expenditure. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**
- VOTE on Resolution 40 relating to the reappointment of three hearing officers. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**
- Next board meeting is scheduled for January 16th, 2020.
- VOTE on motion to go into Executive Session to discuss litigation and Enforcement. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**

- Motion to adjourn the meeting. **The motion was approved unanimously (Commissioners Kellner, Kosinski, Spano and Peterson voting in the affirmative; 4 Yes and 0 No).**

The meeting was adjourned at 2:00 p.m.