

The Board of Canvassers of the New York State Board of Elections will meet on:

**Board of Canvassers/Commissioners Meeting
STATE BOARD OF ELECTIONS
Tuesday, December 14, 2021
Immediately following the meeting of the Public Campaign Finance Board
State Board Offices, 5th Floor
40 North Pearl Street
Albany, New York**

- I. Certification of Election Results for the November 2, 2021 Election.

**Board of Commissioners Meeting
(Following Certification)**

AGENDA

- II. Minutes from October 4, 2021 and November 10, 2021

- III. Unit Updates:

Executive:	<i>Kristen Zebrowski Stavisky and Todd Valentine</i>
Election Operations:	<i>Tom Connolly and Brendan Lovullo</i>
Counsel/Compliance	<i>Kim Galvin and Brian Quail</i>
Enforcement:	<i>Michael Johnson</i>
NVRA/PIO:	<i>John Conklin and Jennifer Wilson</i>
ITU:	<i>William Cross</i>

- IV. Old Business

- V. New Business

- a. Personnel

- i. Resolution approving Hearing Officer 21-20
- ii. Resolution approving Recommendation of Governor's Appointment Office 21-21
- iii. Appointment of Deputy Counsel, Resolution 21-22

- b. Regulations Part 6217.3, Resolution 21-23

- c. Discussion Item – Affidavit Envelope Format

- VI. Executive Session - if needed



**New York State Board of Elections
PROPOSED RESOLUTION 21-20**

December 14, 2021

**Resolution of the State Board of Elections approving
Thomas Swyers to serve as a Hearing Officer in
conjunction with Election Law § 3-104 (5)(a)**

WHEREAS, the Election Law was modified pursuant to Chapter 55 of the Laws of 2014 to include a hearing process for certain violations of the Election Law that do not otherwise warrant a criminal prosecution; and

WHEREAS, said hearing process, as established in Election Law § 3-104(5)(a), calls for the New York State Board of Elections to establish a list of prospective Hearing Officers, each of whom shall have been approved by a majority vote of the Board; and

WHEREAS, Thomas Swyers was previously appointed by the Board to serve as a Hearing Officer on January 24, 2019, for a term that will expire on December 31, 2021; and

WHEREAS, the Board wishes to reappoint Mr. Swyers to serve as a Hearing Officer for another term;

NOW THEREFORE BE IT RESOLVED that the New York State Board of Elections approves Thomas Swyers to serve as a Hearing Officer; and

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution expires December 31, 2023.



**New York State Board of Elections
PROPOSED RESOLUTION 21-21**

**Resolution to Approving Recommendation of Governor's Appointment Office to
Adjust Salaries for the Co-Executive Directors of the New York State Board of
Elections**

WHEREAS, the Governor's Center for Recruitment and Public Service (Governor's Appointments Office) conducted a review of salaries for heads of agencies that are outside of Executive Law Section 169; and

WHEREAS, the review found that the salaries for the Co-Executive Directors for the New York State Board of Elections were below the level for other comparable agencies; and

WHEREAS, on November 12, 2021 the New York State Board of Elections was notified of the review and the resulting recommendation that the Co-Executive Director salaries be adjusted to \$200,000 retroactive to January 1, 2021 and July 31, 2021 for Co-Executive Directors Valentine and Zebrowski Stavisky, respectively, to bring them in line with other comparable agencies;

NOW THEREFORE BE IT RESOLVED: that the New York State Board of Elections does hereby adjust the Co-Executive Directors salaries as recommended by the Governor's Center for Recruitment and Public Service.



**New York State Board of Elections
PROPOSED RESOLUTION 21-22**

December 14, 2021

**RESOLUTION APPOINTING AARON SUGGS
TO THE POSITION OF DEPUTY COUNSEL**

WHEREAS, there currently exists a vacancy within the New York State Board of Elections in the Deputy Counsel position effective May 25, 2021 due to the promotion of Nicholas R. Cartagena, and

WHEREAS, Aaron Suggs has indicated a willingness to serve as Deputy Counsel, and

NOW, THEREFORE, BE IT RESOLVED, that Aaron Suggs be and hereby is appointed Deputy Counsel effective December 14, 2021 with a start date to be determined.



**New York State Board of Elections
PROPOSED RESOLUTION 21-23**

Resolution to Adopt Amendments to Part 6217.3 to 9 NYCRR Subtitle V Related to Requirements County Voter Registration Systems Must Meet in Order to Connect to the Statewide Voter Registration System Pursuant to the State Administrative Procedures Act (SAPA) § 202

WHEREAS, by the unanimous vote of the Commissioners present at a meeting held on August 30, 2021, the New York State Board of Elections, pursuant to the authority of Election Law §§ 3-103(1) and 5-614(1) resolved to authorize Counsel's Office to file Proposed Rule Making with the New York Department of State related to requiring county boards of elections adhere to a minimum level of security standards in order to protect the local and statewide election system; and

WHEREAS, notice of proposed rulemaking amending Part 6217.3, with accompanying submissions as required by law, were duly filed with the Department of State and thereafter duly published in the New York State Register on September 29, 2021 (I.D. No. SBE-39-21-00002-P); and

WHEREAS, subsequent to the publication of proposed rulemaking, no public comments have been received; and

WHEREAS, no amendments to the proposed rulemaking are proposed;

NOW THEREFORE BE IT RESOLVED that the amendment to Part 6217.3, attached hereto, is hereby adopted and the Office of Counsel is authorized to file a Notice of Adoption indicating that such Part shall be effective upon publication in the New York State Register, and that further authority is granted to the Office of Counsel to file such other documents as may be required for the publication of such Notice of Adoption in the New York State Register and to effectuate the amendments to Part 6217 of Title 9 of the NYCRR.