

Proposed Minutes

Minutes of the New York State Board of Elections May 1, 2024

The meeting of the Board of Commissioners 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 4th floor conference room and was called to order at approximately 12:28 p.m. The meeting was chaired by Commissioner Peter Kosinski. Commissioners present were Anthony Casale, Henry Berger, and Essma Bagnuola. Staff members present were Kristen Zebrowski Stavisky, Raymond J. Riley III, Thomas Connolly, Brendan Lovullo, Brian Quail, Amy Hild, Jude Seymour, Aaron Suggs, Kathleen McGrath, Jennifer Wilson, Hope Hardwick, and Enforcement Counsel Michael Johnson.

The Board of Canvassers met to certify the election results from April 2, 2024 Presidential Primary. Commissioner Kosinski made a motion to adopt the results 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).**

The Board of Canvassers was adjourned, and the meeting of the Commissioners of the New York State Board of Elections convened at 12:30 p.m.

Minutes from February 6, 2024 and March 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).

Motion to approve the ballot access determinations 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).**

Unit Updates:

Executive – Ray Riley reported on several items including:

- Renovation and space planning update.
- Automatic Voter Registration update.
- Continued meetings with state and federal agencies, including Department of Homeland Security related to cybersecurity and infrastructure security.

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

- Preparation of the Presidential Primary results for certification.
- Processing of ballot access documents.
- Voting system and vendor update.
- Collected required surveys and data from county boards and provided support.

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

- Petition litigation update.
- Compliance statistics.

Enforcement – Michael Johnson reported on the Enforcement Division including:

- Enforcement report detailing the following closed investigations:
 - E2021-115, E2022-105, E2023-059, E2023-062, E2023-063
 - E2023-073, E2023-075, E2023-076, E2023-080, E2023-098
 - E2023-108, E2023-117, E2023-135, E2023-142, E2023-149
 - E2023-150, E2023-163, E2023-165, E2023-176, E2024-003
 - E2024-009
- Non-filer litigation update.

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

- Traditional and social media update.
- County board outreach for early voting and poll site information in addition to the
- Resumption of County Board visits.
- Grants update.

ITU – Tom Connolly reported on projects the IT unit is working on, including:

- Automatic Voter Registration (AVR) software update.
- Secure Elections Center (SEC) update.
- Tabletop exercise with County Boards scheduled for July.

Old Business:

- None.

New Business:

· VOTE on Resolution 24-10 to certify the amount of public matching funds necessary to fund 2024 Primary Election payments to participating candidates. **The motion was approved unanimously (Commissioners Berger and Kosinski voting in the affirmative; 2 Yes and 0 No).**

· VOTE on Resolution 24-11 to discontinue the use of the Teamwork/OpSCAN Voting system. **The motion was approved unanimously (Commissioners Bagnuola, Berger, Casale, and Kosinski voting in the affirmative; 4 Yes and 0 No).**

· MOTION to adjourn. **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 1:24 p.m.



**New York State Board of Elections
Approved Resolution 24-10
May 1, 2024**

**Resolution Certification of the Amount of Public Matching Funds Necessary to
Fund 2024 Primary Election Payments to Participating Candidates**

WHEREAS, in accordance with Section 95 of the State Finance Law, the Co-Chairs of the State Board of Elections are required to certify to the Comptroller of the State of New York the amount necessary to fund estimated payments from the New York State Campaign Finance Fund established by Section 92-t of the State Finance Law as often as necessary for the primary, general or special elections.

WHEREAS, the primary election for State Senate and State Assembly will be held on June 25, 2024, and the first issuance of public matching funds to eligible participating candidates in this primary is scheduled for May 13, 2024;

WHEREAS, the New York State Public Campaign Finance Board staff has determined that primary payments based on ballot access determinations would not exceed \$20,262,500;

NOW, THEREFORE, BE IT RESOLVED that the Co-Chairs of the State Board of Elections certify that \$20,262,500 is necessary to fund the payments pursuant to Title II of the Election Law.

**Approved May 1, 2024
VOTE 4 YES – 0 NO**



New York State Board of Elections

APPROVED RESOLUTION 24-11

**RESOLUTION TO DISCONTINUE THE USE OF THE TEAMWORK/OPSCAN
VOTING SYSTEM**

WHEREAS, pursuant to Election Law § 7-208 “[p]rior to the use of any voting machine or system in any election in the state...the manufacturer and/or vendor of such voting machine, system or equipment shall place into escrow with the state board of elections a complete copy of all programming, source coding and software employed by the voting machine, system or equipment...”; and

WHEREAS, pursuant to State Board of Election Regulations 9 NYCRR 6209.6 the “State Board may require that additional items be escrowed[.]” and the “vendor shall ensure that the voting system's software has been escrowed as set forth in Election Law Section 7-208...”; and

WHEREAS, the software and any other additional items for the Teamwork/OpScan system were placed into escrow as required by law; and

WHEREAS, the Teamwork/OpScan system is no longer in use in any county in New York State; and

WHEREAS, the Teamwork/OpScan system is not going to be considered for use in any county in New York State in the future.

NOW THEREFORE BE IT RESOLVED, that the State Board does hereby discontinue the use of the Teamwork/OpScan system in New York State; and

BE IT FURTHER RESOLVED, that the escrow of software and other items for the Teamwork/OpScan system is no longer required.

Approved May 1, 2024

4 YES – 0 NO