



EXPERIENCE
RELIABILITY
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INNOVATION

Election Systems & Software

December 17, 2013

Tom Burt

President
Chief Operating Officer

Michael J. Ryan
Executive Director
Board of Elections in the City of New York
Executive Office
32 Broadway, 7th Floor
New York, NY 10004

Dear Executive Director Ryan:

Election Systems & Software, LLC ("ES&S") has been in the Election Industry for over 30 years. As our only focus in business, we strive to provide quality solutions and great partnership to our customers. ES&S is our country's leader in the elections market and our goal is to remain the leader for many years to come. A big part of our responsibility as an industry leader is to recognize the importance of soliciting feedback from our customers. One of the many ways we accomplish this is through our National Customer Advisory Board. Our National Customer Advisory Board is comprised of both State and County Election Officials from across the country. The diversity that exists within the Advisory Board helps ES&S stay closely attuned to the needs and challenges of election officials throughout our industry.

Mr. Ryan, I am pleased to extend to you a formal invitation to join our National Customer Advisory Board and encourage you to give it strong consideration.

Please allow me to provide you with a few more details concerning the Advisory Board. The National Customer Advisory Board meets two to three times a year at various locations throughout the United States. Typically one of the meetings is held at our corporate headquarters in Omaha, Nebraska, and the other meetings are typically held at a customer location. The time commitment required on your part would be very minimal outside of your attendance at these meetings. The meetings generally take up a full working day.

The meetings include a review of the current and strategic direction of ES&S, potential new products, and overall election industry trends. Additionally, and potentially most valuable to you and your peers, there is always a substantial amount of time on the agenda for roundtable discussions between the election officials in attendance. This is your time to engage in discussion with your peers about the goals you are pursuing and the challenges you face in the pursuit of those goals. We focus heavily on creating an environment where you and your peers can share best practices and come away from the meeting with good ideas and advice on how to serve your voters even better.

Mr. Ryan, I hope you give this invitation strong consideration and I look forward to your reply.

Sincerely,

Tom Burt
President and Chief Operating Officer

EXECUTIVE OFFICE
BOARD OF ELECTIONS IN
THE CITY OF NEW YORK
2013 DEC 21 P 3:54

"Maintaining Voter Confidence. Enhancing the Voting Experience."

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JANUARY 7, 2014
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umame
Secretary Gregory C. Soumas

Commissioners Jose Miguel Araujo, Ronald Castorina, Maria R. Guastella,
Julie Dent, Michael Michel, Michael Rendino, Simon Shamoun

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Raphael Savino, Deputy General Counsel
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Jonas Siregar
Kevin Ramnaraine, CFB
John K. Smith
David Seitzer, NYC Council
Andrew Bruschi, DOI
Keith Schwam, DOI
Marianne Barcellone
Eric Friedman
Alan Flacks, Member of NY County Democratic Committee

President Umame called the meeting to order at 1:49 P.M.

President Umane welcomed the new Staten Island Republican Commissioner Ronald Castorina.

According to Section 3-212(1) of the New York State Election Law, the Commissioners elected the Board Officers for the Year 2014. Commissioner Araujo moved to designate Secretary Soumas as President for 2014. Commissioner Dent seconded the motion, which was unanimously adopted. President Umane moved to designate Commissioner Michel as Secretary for 2014. Commissioner Shamoun seconded the motion, which was unanimously adopted.

There was a consensus among the Commissioners to table the minutes of the December 17, 2013 Commissioners' Meeting.

Mr. Ryan reported that he received a letter from Tom Burt, the President and Chief Operating Officer of Election Systems and Software (ES&S), who formally invited him to join their National Customer Advisory Board. A copy of the letter is in the agenda. Mr. Ryan contacted the NYC Conflicts of Interest Board (COIB) to check if there would be any conflicts if he participated. COIB advised Mr. Ryan that funding would be

appropriate if the Commissioners deemed the participation to be necessary to carry on the business of the City. With respect to reimbursement, travel and meal expenses would be reimbursed as long as they are no more than necessary to complete the business. Mr. Ryan stated that it is important for NYC to have input in this process and requested approval to accept the invitation. President Soumas moved to approve Mr. Ryan's request to join the ES&S National Customer Advisory Board based on his report. Commissioner Guastella seconded the motion, which was unanimously adopted.

Mr. Ward presented the Vacancy Report dated December 31, 2013 and the Comparative Expenditures Report dated January 7, 2014. Copies of the reports are in the agenda.

President Soumas moved to appoint Jamaal Nelson to fill the Administrative Assistant position in the Manhattan Office, vacated by John Bonhomme, with an annual salary of \$42,659. Commissioner Rendino seconded the motion, which was unanimously adopted. President Soumas noted that John Bonhomme was a member of the NYPD's 2013 graduating class.

President Soumas stated that he saw a report in the news by the NYC Department of Investigation (DOI) which details that DOI Investigators posed as voters on multiple occasions on Election Day across the five (5) boroughs. There are sixty-three (63) separate purported felony violations. These DOI Investigators allegedly used incarcerated voters' names to vote, or they claimed that they were voters who moved to a new address and voted, and they admittedly signed the voter rolls. President Soumas stated that these are Civil Rights violations. President Soumas recalled that Rose Gill Hearn was the Commissioner of DOI during the time of the investigation and was recently appointed as the Chair of the NYC Campaign Finance Board (CFB). President Soumas moved to refer this matter to the five (5) District Attorney's Offices citywide, the New York State Office of the Attorney General, and the New York State Department of Corrections and Community Supervision (DOCCS), and to request an opinion letter from the New York City Law Department to see exactly how this matter affects the Election's Certification, and to copy these letters to Mayor Bill De Blasio. Commissioner Umame seconded the motion and requested for an amendment to the motion. Commissioner Umame stated that in reading DOI's report there was also a number of DOI Investigators who posed as poll workers and they witnessed improper conduct at the poll

sites that were violations of the Board's Poll Worker Manual and the NYS Election Law, but they did not act or report on this improper activity. Commissioner Umane questioned if these DOI poll workers should be paid for working on Election Day as they were trained by the Board in accordance with the law, but they did not fulfill their duties. Commissioner Umane stated that this matter should be investigated further and be included in the referral letters as well. President Soumas accepted Commissioner Umane's amendment to his motion. Commissioner Araujo abstained and Commissioner Shamoun opposed all referrals, except to request an opinion from the NYC Law Department. The motion was adopted. Commissioner Michel added that Voter History has to be reviewed as well because the posed voters did not actually vote on Election Day. The voter rolls may have to be corrected.

President Soumas recognized Alan Flacks, a member of the public, who stated that DOI's report contains some factual legal errors. Mr. Flacks quoted civil servant Beatrice Dolan, and stated that poll workers have to have common sense.

President Soumas moved to convene an Executive Session for

purposes of personnel. Commissioner Umame seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and President Soumas reported the following actions taken in Executive Session:

- I. The Commissioners filled the two (2) vacant Chinese Translators positions in the General Office. The Commissioners appointed BinQing Zheng and Shirley Lee.

President Soumas moved to adjourn the meeting. Commissioner Umame seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, January 14, 2014 at 1:30 P.M.



FREDERIC M. UMANE
PRESIDENT

GREGORY C. SOUMAS
SECRETARY

JOSE MIGUEL ARAUJO
RONALD CASTORINA Jr
JULIE DENT
MARIA R. GUASTELLA
MICHAEL MICHEL
MICHAEL A. RENDINO
SIMON SHAMOUN

COMMISSIONERS

MICHAEL J. RYAN
EXECUTIVE DIRECTOR

DAWN SANDOW
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

AGENDA COMMISSIONERS MEETING TUESDAY, JANUARY 7, 2014 AT 1:30 P.M.

1. Section 3-212(1) of The NYS Election Law – Election of Board Officers for the Year 2014
2. Minutes
 - a. 12/17/13
3. Michael J. Ryan
 - a. Letter from Tom Burt, President and Chief Operating Officer – Election Systems and Software (ES&S) re: The National Customer Advisory Board
4. John Ward
 - a. Vacancy Report
 - b. Comparative Expenditures
5. Executive Session
 - a. Personnel Matters

For Your Information

- December 24, 2013 Order of the Appellate Division, 2nd Department Modifying it's September 18, 2013 Decision and Order in Hayon v. Greenfield & the Board of Elections in the City of New York



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NAOMI BARRERA
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January 9, 2014

Via E-mail teburt@essvote.com and Regular Mail

Mr. Tom Burt
President & CEO
Elections Systems & Software
11208 John Galt Boulevard
Omaha, NE 68137

Re: National Customer Advisory Board

Dear Mr. Burt:

Re the above matter and as a follow-up to your letter dated December 17, 2014, please advised that your request was placed on the agenda for the meeting of the Board of Commissioners on Tuesday, January 7, 2014. I am pleased to advise you that the commissioners voted unanimously to approve my acceptance of your invitation to become a participating member of the National Customer Advisory Board.

By approving my participation at a public meeting stating that it is "in the interests of the City of New York", the minutes thereof will satisfy the requirement that approval be in writing. In addition to confirm the parameters of participation/travel are:

1. The travel is "in the interests of the City of New York";
2. The Board of Commissioners approves the travel in writing;
3. The travel, lodging and meals are "no greater than necessary" to conduct the required business (i.e. no first class airline tickets, presidential suite rooms and/or high priced steak dinners)

Thank you for your invitation and for your shared desires to serve the voters of the City of New York in the most effective and convenient manner possible. I look forward to our continued work in a spirit of mutual cooperation

Yours truly,

A handwritten signature in black ink, appearing to read "Michael J. Ryan". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Michael J. Ryan
Executive Director

C: Commissioners
Dawn Sandow, Deputy Executive Director