JUAN CARLOS "J.C." POLANCO SECRETARY

JOSE MIGUEL ARAUJO
NAOMI BARRERA
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
J.P. SIPP
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FREDERIC M. UMANE
COMMISSIONERS



### **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

### MARCUS CEDERQVIST EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS ADMINISTRATIVE MANAGER

### AGENDA COMMISSIONERS' MEETING TUESDAY, FEBRUARY 2, 2010 AT 1:30 P.M.

- 1. Minutes
  - a) 01/12/10
- 2. Marcus Cederqvist
  - a) HAVA Update
  - b) Special Election 24<sup>th</sup> Assembly District, February 9, 2010
  - c) Special Election 44<sup>th</sup> Council District, March 23, 2010
- 3. Steven H. Richman
  - a) Hearings for March 23, 2010 Special Election to Fill the Vacancy in the New York City Council in the 44<sup>th</sup> Council District, Borough of Brooklyn
  - b) Report on 2010 ECA Winter Conference
- 4. John Ward
  - a) Comparative Expenditures
  - b) Vacancy Report
  - c) January Budget Plan

### **For Your Information**

- Tuesday, February 2, 2010, 11:30 AM Election Law Room 715 LOB (Millman)
- Certificate of Vacancy 44<sup>th</sup> Councilmanic District
- ECA 2010 Legislative Agenda
- ECA 2010 Legislative Packet
- The City of New York January 2010 Plan
- HAVA Weekly Report Week Ending, January 28, 2010
- HAVA Weekly Report Week Ending, January 21, 2010
- Designation of Special Term for Election Matters Within the New York State Supreme Court for Tuesday, February 9, 2010 Special Election
- Chairpersons and Members of the Committees of the Council
- For Immediate Release: Mayor Bloomberg Announces Appointment of Micah Lasher as Director of State Legislative Affairs
- Letter to Hon. Mark Page, Director Office of Management and Budget

### News Items of Interest

The Daily News: New Scan Voting Machines Reliable Move to the Future

JUAN CARLOS "J.C." POLANCO SECRETARY

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Commts Action Item

MARCUS CEDERQVIST EXECUTIVE DIRECTOR

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STEVEN H. RICHMAN
GENERAL COUNSEL
Tel: (212) 487-5338
Fax: (212) 487-5342
E-Mail:
srichman@boe.nyc.ny.us

February 1, 2010

TO:

The Commissioners of Elections in the City of New York

FROM:

Steven H. Richman, General Counsel

COPIES:

Marcus Cederqvist, George Gonzalez, Pamela Perkins, John

Owens, Troy Johnson, Rosanna Rahmouni, Diane Rudiano,

Maryrose Sattie, Steven Denkberg & Charles Webb

RE:

HEARINGS FOR MARCH 23, 2010 SPECIAL ELECTION TO FILL THE VACANCY IN THE NEW YORK CITY COUNCIL IN THE 44<sup>th</sup> COUNCIL DISTRICT, BOROUGH OF BROOKLYN

Attached for your information, files and appropriate action is a copy of the proclamation issued on Monday, February 1, 2010 by the Honorable Michael R. Bloomberg, Mayor of the City of New York, pursuant to the provisions of Sections 25(b)(1) and 25(b)(6) of the New York City Charter proclaiming that a Special Election be held on Tuesday, March 23, 2010 to fill the vacancy in the New York City Council in the 44<sup>th</sup> Council District, Borough of Brooklyn, caused by the resignation of Simcha Felder.

In accordance with the provisions of the New York State Election Law, the New York City Charter and your prior actions, the Board issued the attached "Calendar for Independent Nominating Petitions for the March 23, 2010 Special Election in the 44<sup>th</sup> Council District" on February 1, 2010.

The Brooklyn Borough Office was sent copies of the Calendar and directed to post and distribute the same and the Calendars have been added to the website.

### **SCHEDULING OF HEARINGS**

Please note that the **last day to file Independent Nominating Petitions** is **Tuesday, February 16, 2010.** General Objections must be received by February 19, 2010 and the last day to file Specifications of Objections for Independent Nominating Petitions is Thursday, February 25. 2010.

In recommending the following schedule, it is anticipated that if necessary, the staff would be able to work over the weekend to complete any Clerks' Reports in time for transmission to the candidate and objector by Monday, March 1, 2010 at or before 1:30 PM.

Accordingly, I recommend that in the event that **hearings** relating to said petitions are required to be held, you set <u>Tuesday. March 2, 2010 for said hearings</u>,

Thank you for your attention to this matter.

**Attachments** 



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

### **PROCLAMATION OF ELECTION**

As a result of the resignation of Simcha Felder from the City Council, effective January 31, 2010, a vacancy has been created in the seat he has held as a Council Member for the forty-fourth Council district. Accordingly, pursuant to the authority vested in me by Section 25(b)(1) and 25(b)(6) of the New York City Charter, I hereby proclaim that a special election shall be held in the forty-fourth district on March 23, 2010 to elect a council member to serve until December 31, 2010. Pursuant to Section 25(b)(7) of the Charter, nomination of candidates in this election shall be by independent nominating petition.

DATED: February 1, 2010

Michael R. Bloomberg

Mayor

5010 LEB -1 BW 15: 50

### CALENDAR FOR INDEPENDENT NOMINATING PETITIONS MARCH 23, 2010 SPECIAL ELECTION MEMBER OF CITY COUNCIL 44th COUNCIL DISTRICT, BROOKLYN

*********************	***********
Date of Proclamation & First Day to circulate Petitions9 a.m.	February 1, 2010 – Midnight, February 16, 2010
FOR PETITIONS FILED ON:	<b>General Objections Must</b>
	Be Received By:*
Monday, February 1	Thursday, February 4
Tuesday. February 2	Friday, February 5
Wednesday, February 3	Monday, February 8
Thursday, February 4	Monday, February 8
Friday. February 5	Monday, February 8
Monday, February 8	Thursday, February 11
Tuesday, February 9	Tuesday, February 16
Wednesday, February 10	Tuesday, February 16
Thursday, February 11	Tuesday, February 16
Tuesday, February 16	Friday, February 19
General Objections Filed On:	Specifications Must be
	Received By:*
Thursday, February 4	Wednesday, February 10
Friday, February 5	Thursday, February 11
Monday, February 8	Tuesday, February 16
Thursday, February 11	Wednesday, February 17
Tuesday, February 16	Monday, February 22
Friday, February 19	Thursday, February 25
Last day to file Certificate of Acceptance or Declination of Nom	
Last day to fill vacancy caused by Declination of Nomination	February 17
Last day to institute court proceedings with regard to independFebruary 23, 2010 or (3) three business days after hearing	lent nominating petitions ng where petition is invalidated.
Last day to submit proof of service of Specifications The day	y after specifications are filed.
Board of Elections hearings on Independent Nominating Petitic 42 Broadway, 6 <sup>th</sup> Floor Hearing Room— <u>TO BE DETERMINED BY ELECTIONS IF NECESSARY.</u>	ons at Executive Office, THE COMMMISONERS OF

<sup>\*</sup>Board of Elections is open for filing from 9 AM to 5 PM. The Board of Elections will remain open until Midnight only if a specified filing date for objection(s)/ specification(s)/certificate(s) is the last day to file said objection(s)/ specification(s)/certificate(s).

For information, call the Board of Elections at 212-487-5300.

Issued By: The Board of Elections in the City of New York on February 1, 2010

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ADMINISTRATIVE MANAGER

JOHN J. WARD FINANCE OFFICER

DATE:

January 26, 2010

TO:

Commissioners

FROM:

John J. Ward

**Finance Officer** 

RE:

**Comparative Expenditures** 

FY<sub>10</sub>

P.S. Projection through 1/22/10 Payroll:

\$10,546,600

FY10

P.S. Actual through 1/22/10 Payroll:

\$16,861,321

Difference

(\$6,314,721)

Overtime pays two weeks ending 1/08/10

### **OVERTIME USAGE**

General Office		19,919
Brooklyn		16,169
Queens		4,597
Bronx		2,165
New York		7,729
Staten Island		415
	Total	\$50.994

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ADMINISTRATIVE MANAGER

JOHN J. WARD FINANCE OFFICER

DATE

February 02, 2010

TO:

Commissioners

FROM:

John Ward

Finance Officer.

RE:

Vacancies

0
\$40,628
\$28.655
\$27,927
\$40,628
\$27,927

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JOHN J. WARD FINANCE OFFICER

To Commissioners BOE NYC From Finance Officer BOE NYC

January 29, 2010

On Thursday January 28, 2010, the Mayor released the January Budget Plan showing adjustments to FY10 and FY11.

November Plan FY10	January Plan FY10	January Plan FY11
PS \$17,543,014	PS \$26,252,076	PS \$17,756,641
OTPS <u>\$68,675,379</u> Total \$86,218,393	OTPS <u>\$82,175,379</u> Total \$108,427,455	OTPS <u>\$49,316,283</u> Total \$67,072,924

FY10 PS increase of \$8,709,062

Funding adjustment \$7,000,000 (One Time)
Union and Managerial raises \$1,709,062 (Base Line)

FY10 OTPS increase of \$ 13,500,000 Runoff

FY11 PS funding of \$17,756,641 Inadequate base line Additional \$1,495,435 cut

FY11 OTPS funding of \$ 49,316,283 Inadequate base line Additional \$4,489,096 cut Reduction of \$14,870,000 in HAVA funding

Headcount OMB 319 BOE NYC 351

### TUESDAY, FEBRUARY 2, 2010

### 11:30 AM--ELECTION LAW ROOM 715 LOB (MILLMAN)

### Assembly Print:

1458

WRIGHT--

An act to amend the election law, in relation to maintenance requirements

for the board of elections in the city of New York

1509

WRIGHT--

An act to amend the election law, in relation to audit of voter verifiable

records

1941-B

BENJAMIN--

An act to amend the election law, in relation to publication of candidates

to be voted upon at an election

8525

RUSSELL--

An act to amend the election law, in relation to appointment of commis-

sioners of election



### THE CITY OF NEW YORK OFFICE OF THE CITY CLERK

141 WORTH STREET NEW YORK, N.Y. 10013

MICHAEL McSWEENEY
CITY CLERK, CLERK OF THE COUNCIL

TEL: (212) 669-8898 FAX: (212) 669-3300

E-MAIL: mmcsweeney@cityclerk.nyc.gov

WEBSITE: www.cityclerk.nyc.gov

February 1, 2010

Honorable Julie Dent President Board of Elections 32 Broadway, 7th Floor New York, New York 10004

Re:

Certificate of Vacancy

44<sup>th</sup> Councilmanic District

Dear President Dent:

Please be advised that pursuant to Section 4-106 of the New York State Election Law, I hereby file the attached Certificate of Vacancy for the 44<sup>th</sup> Councilmanic District, which is located within the Borough of the Brooklyn.

Very truly yours,

Michael McSweeney

City Clerk

Clerk of the Council

Encl.

### **CERTIFICATE OF VACANCY**

A vacancy in the position of Council Member currently exists, having resulted from the resignation of Council Member Simcha Felder, 44<sup>th</sup> Councilmanic District, Borough of Brooklyn, effective on January 31, 2010.

Dated: February 1, 2010

Michael McSweeney

City Clerk

Clerk of the Council

7010 FFR -- PM 5: EE

### Tuesday, February 2, 2010

### Summary - A02399

Back | New York State Bill Search | Assembly Home

### See Text

Bills

### A02399 Summary:

BILL NO A02399

SAME AS No same as

SPONSOR Gantt

COSPNSR

MLTSPNSR

Amd SS6-146 & 7-104, rpld S7-104 sub 6, El L

Prohibits multiple party designations for candidates for public office, except for a judicial office; provides that where a person has been designated as candidate for nomination of more than one party for the same public office and accepts designations of a party of which such person is not enrolled, all such other designations shall be deemed to have been declined.

### A02399 Actions:

BILL NO A02399

01/15/2009 referred to election law 01/06/2010 referred to election law

### A02399 Votes:

### A02399 Memo:

BILL NUMBER: A2399

TITLE OF BILL: An act to amend the election law, in relation to prohibiting multiple party designations for candidates for public office and to repeal subdivision 6 of section 7--104 of such law relating thereto

PURPOSE OR GENERAL IDEA OF BILL: The purpose of this bill is to prohibit multiple party designations for candidates for public office, except for judicial offices.

Bills Page 2 of 2

SUMMARY OF SPECIFIC PROVISIONS: Section 1) Amends section 6-146 of the election law to provide: THAT IF A PERSON WHO HAS BEEN DESIGNATED AS A CANDIDATE FOR THE NOMINATION OF MORE THAN ONE PARTY FOR THE SAME PUBLIC OFFICE, EXCEPT JUDICIAL OFFICE, ACCEPTS THE DESIGNATION OF A PARTY OF WHICH HE IS NOT ENROLLED, ALL OTHER SUCH DESIGNATIONS OF SUCH CANDIDATE FOR SUCH OFFICE SHALL BE DEEMED TO HAVE BEEN DECLINED. IF THE PERSON WHO ACCEPTS THE NOMINATION OF AN INDEPENDENT BODY FOR AN OFFICE, EXCEPT JUDICIAL OFFICE, IS ALSO NOMINATED BY A PARTY FOR SUCH OFFICE SUCH NOMINATION OF SUCH INDEPENDENT BODY SHALL BE DEEMED TO HAVE BEEN DECLINED.

Section 2) Amends subdivision 5 of section 7-104 of the election law to provide that: NO PERSON MAY BE THE CANDIDATE OF MORE THAN ONE PARTY OR INDEPENDENT BODY OF THE SAME OFFICE, EXCEPT JUDICIAL OFFICE.

Section 3) Subdivision 6 of section 7-104 of the election law is repealed and subdivisions 7, 8, 9, and 10 are renumbered 6, 7, 8, and 9.

Section 4) Effective date.

JUSTIFICATION: The existence of a multiple party system in New York State offers diverse groups an opportunity to nominate candidates who may articulate the ideology and public policy goals of constituencies whose views they share. Providing this opportunity for electoral participation is a fundamental tenet of our system of democratic government.

At the same time, however, permitting candidates for elective office to secure the cross-endorsements of two or more political parties not only erodes the two party system, but also effectively deprives minor party candidates of a place on the ballot and the opportunity to compete for votes based upon the ideologies, values and party platform goals that the minor party purports to represent.

This bill proposes to prohibit multiple party designations by candidates for public office, except judicial office.

PRIOR LEGISLATIVE HISTORY: 2007-2008: A.1190

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS: None.

EFFECTIVE DATE: This act shall take effect on the first of December next succeeding the date on which it shall have become a law.

Contact Webmaster

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Bills Page 1 of 2

### Tuesday, February 2, 2010

### **Summary - A02483**

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### See Text

### A02483 Summary:

BILL NO A02483

SAME AS No same as

SPONSOR Pretlow

COSPNSR

MLTSPNSR

Amd S3-202, El L

Relates to the terms of office of commissioners of elections; increases such terms from two to four years.

### A02483 Actions:

BILL NO A02483

01/16/2009 referred to election law 01/06/2010 referred to election law

### A02483 Votes:

### A02483 Memo:

BILL NUMBER: A2483

TITLE OF BILL: An act to amend the election law, in relation to the terms of office of election commissioners

 ${\tt PURPOSE}$  OF  ${\tt BILL}$  : Relates to the terms of office of commissioners of election.

SUMMARY OF SPECIFIC PROVISIONS: This act shall amend Subdivision 1 of section 3--202 of the election law. It will extend the term of office of an election commissioner to a four year period statewide beginning January 1st of each odd numbered year.

Page 2 of 2

JUSTIFICATIONS: The term of office of an election commissioner is two years, by amending this section it would extend the term to a four year period to conform the rest of the State to the same term as the commissioners in New York City and the Counties of Allegany, Broome, Cattaraugus, Chautauqua, Erie, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Livingston, Madison, Monroe, Ontario, Orange, Putnam, Rockland, St. Lawrence, Saratoga, Schenectady, Seneca, Suffolk, Sullivan, Tioga, Warren, Washington, and Wyoming.

LEGISLATIVE HISTORY: New bill

FISCAL IMPLICATIONS : None

EFFECTIVE DATE: This act shall take effect immediately and shall apply to all elections occurring on and after November 2008.

**Contact Webmaster** 

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Bills Page 1 of 2



### Tuesday, February 2, 2010

### **Summary - A01308**

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### See Text

### A01308 Summary:

BILL NO A01308

SAME AS Same as S 1836-A

SPONSOR Wright (MS)

COSPNSR Kavanagh, Rosenthal, Paulin

MLTSPNSR Farrell, Lifton, Weinstein

Amd S3-400, El L

Authorizes the board of elections to employ election inspectors to work half-day shifts with adjusted compensation; county boards of election shall prescribe the necessary rule and procedures to ensure proper poll site operation.

### A01308 Actions:

BILL NO A01308

01/07/2009 referred to election law

02/25/2009 reported referred to ways and means

02/25/2009 reported

02/26/2009 advanced to third reading cal.134

03/02/2009 passed assembly

03/02/2009 delivered to senate

03/02/2009 REFERRED TO ELECTIONS

06/02/2009 SUBSTITUTED FOR S1836A

06/02/2009 3RD READING CAL.451

07/16/2009 COMMITTED TO RULES

01/06/2010 DIED IN SENATE

01/06/2010 RETURNED TO ASSEMBLY

01/06/2010 ordered to third reading cal.114

01/20/2010 passed assembly

01/20/2010 delivered to senate

01/20/2010 REFERRED TO ELECTIONS

### A01308 Votes:

BILL: A01308 DATE: 01/20/2010 MOTION:

YEA/NAY: 142/000

Page 2 of 2

```
Abbate Y Calhoun Y Espaill Y Hyer-Sp Y Mayerso Y Pretlow Y Stirpe Y
Alessi Y Camara Y Farrell Y Jacobs Y McDonou Y Quinn Y Sweeney Y
Alfano Y Canestr Y Fields Y Jaffee Y McEneny Y Rabbitt Y Tedisco Y
                                                                       Raia Y Thlere -
Amedore Y Carrozz ER Finch Y Jeffrie Y McKevit Y Raia
Arroyo Y Castro Y Fitzpat Y John Y Meng Y Ramos
Aubry Y Christe Y Gabrysz Y Jordan Y Mill JM Y Reilich Y Titus Y
Bacalle Y Clark Y Galef Y Kavanag Y Mill M Y Reilly Y Tobacco Y
Ball Y Colton Y Gantt Y Kellner Y Millman Y Rive J Y Towns Y
Barclay Y Conte Y Gianari Y Kolb Y Molinar Y Rive N Y Townsen Y Barra Y Cook Y Gibson Y Koon Y Morelle Y Rive PM Y Weinste Y Barron Y Corwin Y Giglio Y Lancman Y Nolan Y Robinso Y Weisenb Y Benedet Y Crespo Y Glick Y Latimer Y Oaks Y Rosenth Y Wright Y
Benjami Y Crouch Y Gordon Y Lavine Y O'Donne Y Russell Y Zebrows Y
Bing Y Cusick Y Gottfri Y Lentol Y O'Mara Y Saladin Y Mr Spkr Y Boyland Y Cymbrow Y Gunther Y Lifton Y Ortiz Y Sayward Y Boyle Y DelMont Y Hawley Y Lope PD Y Parment Y Scarbor Y Brennan Y DenDekk Y Hayes Y Lope VJ Y Paulin Y Schimel Y
Brodsky ER Destito ER Heastie Y Lupardo Y Peoples Y Schimmi Y
Brook-K Y Dinowit Y Hevesi Y Magee Y Peralta Y Schroed Y
Burling Y Duprey Y Hikind ER Magnare Y Perry Y Scozzaf Y
Butler Y Englebr Y Hooper Y Maisel Y Pheffer Y Skartac
Cahill Y Errigo Y Hoyt Y Markey Y Powell Y Spano
                                                                       Skartad Y
```

### A01308 Memo:

BILL NUMBER: A1308

TITLE OF BILL: An act to amend the election law, in relation to employment of election inspectors

PURPOSE OR GENERAL IDEA OF BILL: To allow the local boards of elections to utilize election inspectors for half-day shifts

SUMMARY OF SPECIFIC PROVISIONS: This bill amends section 3-400 of the election law to authorize local boards of elections to employ election inspectors to work half-day shifts, provided that at least one inspector from each of the two major political parties is present at the poll site for the entire time that the polls are open.

JUSTIFICATION: The adoption of new voting machines pursuant to the federal Help America Vote Act and New York laws implementing HAVA, requires that local boards of elections have flexibility when employing election inspectors. This bill provides such flexibility without requiring the use of half-day election inspectors.

PRIOR LEGISLATIVE HISTORY: 2007 - A.644 2006 - A.11074

FISCAL IMPLICATION : None

EFFECTIVE DATE:, This act shall take effect immediately.

Contact Webmaster

Page display time = 0.0242 sec

Bills Page 1 of 2



### Tuesday, February 2, 2010

### **Summary - A01941**

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### See Text

### A01941 Summary:

BILL NO A01941B

SAME AS Same as S 3236

SPONSOR Benjamin (MS)

COSPNSR

MLTSPNSR Hooper

Amd S4-122, El L

Removes the provision requiring a candidate's residence to be published prior to an election.

### A01941 Actions:

BILL NO A01941B

01/14/2009 referred to election law

03/11/2009 reported

03/12/2009 advanced to third reading cal.215 05/26/2009 amended on third reading (t) 1941a

05/20/2009 alliended on third reading (t) 1941a

06/03/2009 amended on third reading (t) 1941b

01/06/2010 referred to election law

### A01941 Votes:

### A01941 Memo:

BILL NUMBER: A1941B

TITLE OF BILL: An act to amend the election law, in relation to publication of candidates to be voted upon at an election

PURPOSE OR GENERAL IDEA OF BILL: To exclude candidates address of residence from published list of candidates provided by the county board of elections.

Bills Page 2 of 2

SUMMARY OF SPECIFIC PROVISIONS: This bill would amend Section 1 of section 4-122 of the election law, as amended by chapter 359 of the laws of 1989.

JUSTIFICATION:; This bill would mandate the county board of elections to exclude candidates address of residence from published list of candidates provided by the county board of elections.

PRIOR LEGISLATIVE HISTORY: June 12, 2006, March 7, 2007

FISCAL IMPLICATIONS: None

EFFECTIVE DATE: This act shall take effect immediately.

Contact Webmaster

Page display time = 0.0238 sec

Page 1 of 2



### Tuesday, February 2, 2010

### **Summary - A05881**

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### See Text

### A05881 Summary:

BILL NO A05881

SAME AS No same as

SPONSOR Diaz

COSPNSR

MLTSPNSR

Amd S3604, Ed L

Relates to school session days; prohibits school on general election day.

### A05881 Actions:

BILL NO A05881

02/23/2009 referred to education

03/31/2009 reported

04/02/2009 advanced to third reading cal.290

05/04/2009 recommitted to education 05/04/2009 enacting clause stricken

### A05881 Votes:

### A05881 Memo:

BILL NUMBER: A5881

 $\mbox{\footnotemark}$  TITLE OF BILL : An act to amend the education law, in relation to school session days

PURPOSE OR GENERAL IDEA OF BILL: The bill would require schools throughout the state to be closed on the day of the general election in November. This will allow boards of elections to utilize schools for poll sites more often while safeguarding schoolchildren and eliminating the interruption of instruction in the classroom on election day.

Bills Page 2 of 2

SUMMARY OF SPECIFIC PROVISIONS: Section 1 of the bill amends subdivision 8 of section 3604 of the education law to remove general election day from the list of days exempted from mandatory school closure.

Section 2 is the effective date.

### JUSTIFICATION:

The need for suitable poll sites on election day has never been greater. Across New York state, new ballot marking devices will be placed in each poll site beginning with the primary election in September 2008 to allow individuals with disabilities to vote privately and independently. However, while ballot marking devices may be accessible, many poll sites are not. In the near future, all existing voting machines in New York will be replaced by electronic optical scanners which have numerous features that the current machines do not and that will require a reconfiguration of election districts and poll sites to maximize the efficient use of the new machines

Schools are ideal poll sites because they are public buildings, usually are accessible to the disabled and have ample parking. The election law reflects a preference for using schools as poll sites by stating:

A building exempt from taxation shall be used whenever possible as a polling place if it is situated in the same or a contiguous election district, and may contain as many distinctly separate polling places as public convenience may require. The expense, if any, incidental to its use, shall be paid like the expense of other places of registration and voting. If a board or body empowered to designate polling places chooses a public school building for such purpose, the board or agency which controls such building must make available a room or rooms in such building which are suitable for registration and voting and which are as close as possible to a convenient entrance to such building and must make available any such room or rooms which the board or body designating such building determines are accessible to physically disabled voters as provided in subdivision one-a

(Election Law S 4-104 3 emphasis added ). However, the use of schools for poll sites when school is in session often disturbs the usual schedule of the entire school day, as well as the instruction occurring in individual classrooms. Moreover, increased concerns about the safety of schoolchildren while at school makes school officials reluctant to open up their schools for a public use while children are present in the schools.

By requiring that schools be closed statewide on election day, as they are in New York City currently, this bill would increase the availability of accessible public buildings for poll sites while causing minimal disruption to a school and no security risks to students.

PRIOR LEGISLATIVE HISTORY : None

FISCAL IMPLICATION : None

EFFECTIVE DATE: This act would take effect immediately.

Contact Webmaster

Page display time = 0.024 sec

Bills Page 1 of 2



### Tuesday, February 2, 2010

### **Summary - A08692**

### Back | New York State Bill Search | Assembly Home

### See Text

### A08692 Summary:

BILL NO A08692

SAME AS Same as S 5989

SPONSOR Millman

COSPNSR Benjamin

MLTSPNSR

Rpld S4-100 sub 6, amd SS4-100 & 4-104, El L

Relates to consolidation of election districts; provides that deployment of voting systems, election workers and election resources shall be in sufficient number to accommodate the numbers of voters eligible to vote in such polling place; repeals certain provisions of the election law.

### A08692 Actions:

BILL NO A08692

06/03/2009 referred to election law 06/10/2009 reported referred to rules 06/15/2009 reported 06/15/2009 rules report cal.263 06/15/2009 ordered to third reading rules cal.263 01/06/2010 referred to election law

### **A08692 Votes:**

### A08692 Memo:

BILL NUMBER: A8692

TITLE OF BILL: An act to amend the election law, in relation to the alteration of election districts by the board of elections; and to repeal certain provisions of such law relating thereto

PURPOSE OR GENERAL IDEA OF BILL: The bill is intended to provide the

boards of elections flexibility regarding election districts to capitalize on the features and capabilities of the new voting machines which will replace the existing voting machines and to ensure that poll sites have adequate space.

SUMMARY OF SPECIFIC PROVISIONS: Section 1 of the bill repeals election law S  $4-100\,(6)$  which allows a board of elections to alter election district lines when a legislative body of a town or city fails to do so and grants the boards of elections the authority to create, consolidate, divide or alter election districts.

Section 2 of the bill provides a one time waiver of the prohibition on consolidating election districts between February twentieth of a calendar year ending in seven and December first of a calendar year ending in zero, provided that the outer boundary or perimeter of the consolidated districts is not altered.

Section 3 of the bill provides that polling places using new voting machines or systems may contain more than 1 election district provided that such voting machine or system produces separate and distinct vote totals for each election district.

Section 4 of the bill provides that a poll site must be of sufficient size to accommodate voting machines and privacy booths as required by state board of elections rules and regulations. It also provides that the number of voting machines, election workers and election resources must be sufficient to accommodate the number of voters eligible to vote in such poll site.

Section 5 of the bill is the effective date.

JUSTIFICATION: In 2005, the election law was amended to provide that the boards of elections throughout the state assume possession and ownership of all voting machines and that such boards designate poll site locations. In 2009 and 2010, New York State will be replacing the existing mechanical voting machines with electronic voting machines that comply with the Help America Vote Act and recently enacted state law. This bill is intended to balance the desire to keep costs down with the efficient and orderly administration of elections.

The new machines have features and capabilities, such as the ability to tabulate multiple official ballots that the current machines do not. The bill allows the use of one machine for more than one election district provided it produces separate and distinct totals for each election district. The boards of elections should be given the authority to

create, consolidate, divide or alter election districts, in addition to picking the poll sites, to best utilize the new machines. The other provision in the bill, the I time waiver, is also intended to reflect the capabilities of the new machines and provide flexibility as New York makes the transition to new voting machines. Finally, in order to prevent drastic cost cutting measures that could render elections chaotic or slow, the bill requires that sufficient space, voting machines, election workers and resources be provided to accommodate those voters that are eligible to vote at a poll site.

PRIOR LEGISLATIVE HISTORY: None

FISCAL IMPLICATION: This bill would allow the boards of elections to better utilize their voting machines and reduce the cost of running elections.

EFFECTIVE DATE: This act shall take effect immediately.

Contact Webmaster

Page display time = 0.0242 sec



### Tuesday, February 2, 2010

### **Summary - A02482**

Back | New York State Bill Search | Assembly Home

### See Text

### A02482 Summary:

BILL NO A02482

SAME AS No same as

SPONSOR Pretlow

COSPNSR

MLTSPNSR

Amd S3-204, El L

Relates to the appointment of commissioners of elections; provides that once a party recommends a person for commissioner of elections the local legislative body automatically approve the appointment of such person.

### A02482 Actions:

BILL NO A02482

01/16/2009 referred to election law 01/06/2010 referred to election law

### **A02482 Votes:**

### A02482 Memo:

BILL NUMBER: A2482

TITLE OF BILL: An act to amend the election law, in relation to the appointment of commissioners of elections

PURPOSE OF BILL : Relates to the appointment of commissioners of election  $% \left( 1\right) =\left( 1\right) +\left( 1\right) +$ 

SUMMARY OF SPECIFIC PROVISIONS: This act shall amend Section 1. Subdivision 4 of section 3-204 of the election law, as amended by chapter 455 of the laws of 1984. It shall provide for commissioners of election to be appointed by the county legislative body, or in the

city of New York, by the city council. Provided, however, that the legislative body shall automatically approve any recommendations for commissioners of elections by a party.

JUSTIFICATIONS: If the legislative body shall fail to appoint any person recommended by a party for appointment as a commissioner pursuant to this section, then the members of such legislative body who are members of the political party which filed such certificate may appoint such person. If none of the persons named in any of the certificates filed by a party are so appointed within sixty days after the filing of any such certificate, then such party may file another certificate within thirty days after the expiration of any such sixty day period recommending a different person for such appointment. If a party fails to file a certificate within the time prescribed by this section, the members of the legislative body who are members of such party may appoint any eligible person to such office and the legislative body shall automatically approve any recommendations by the party.

LEGISLATIVE HISTORY : New bill

FISCAL IMPLICATIONS : None

EFFECTIVE DATE: This act shall take effect immediately

Contact Webmaster

Page display time = 0.0234 sec

### **George Gonzalez**

From: Diane Wade [dwade@saratogacountyny.gov]

Sent: Monday, February 01, 2010 3:11 PM

To: William Wood; William Scriber; William Montfort; William Campbell; William Biamonte; Wendy

Simpson; Virginia Martin; Veronica Olin; Veronica King; Tony Scannapieco; Toni Scalise; Tom Turco; Tom Paolangeli; Tom Ferrarese; Tom Burke; Todd Valentine; Thomas Brown; Tarry Breads; Susan Castine; Sue Fries; Steve Dewitt; Sindy Brazee; Shelly Pazzanese; Sheila Ross; Sharon White; Sean Hennessey; Schuyler; Sara Davies-Griffins; Ruth Vezzetti; Ruth Same; Rodney Gaebel; Robin Alger; Robert Brehm; Robert Brechko; Robert Bennett; Richard Siebert; Richard Shultes; Richard Clark; Richard Atkins; Reginald LaFayette; Ralph Mohr; Phoenix Graphics Inc1 (Phnix@phoenix-graphics.com); Peter Quinn; Peter Kosinski; Penny Ruest; Paula Schermerhorn; Paul Collins; Shona Doyle; Patricia Fanders; Pamela Perkins; Pamela Murran; Pam Mandryck; Nero Graham; Nancy Smith; Nancy Mottola Schacher (Commissioner); Nancy Quis; Nancy Leven, Michelle Crannage, Michael Northrup; Matthew Clyne; Marybeth Casey; Mary Sweeney; Mary Salotti; Mary Pines; Mary O'Dell; Mary Ann Yennella; Marty Smith; Marilyn O'Mara; Marie Metzler; Lynn Jones; Lyn May; Lori Lehenbauer; Lois McShane; Linda Madsion; Linda Forrest; Linda Coons; Lew Sanders; Laura Schoonover; Laura Costello; Larry Bugbee; Kim Galvin; Kevin Burleson; Kelley Penziul; Keith Osborne, Kathy Fleury, Kathy Carey, Kathleen Pietanzk, Kathleen Perez, Kathleen Mihm, Kathleen Anderson; Karen Gannon; Karen Davis; Julie Dent (Commissioner); Judy Peck;

Kathleen Anderson; Karen Gannon; Karen Davis; Julie Dent (Commissioner); Judy Peck; Judith Layhee; Juan Carlos-Polanco; Joyce Krebbeks; John Schermerhorn; John Perticone; John P. O'Grady; John DeGrace; Joe Burns; Joan Silvesti; Joan Mooney; Jerry Eaton; Jennie Morrill; Jeff Curtis; Jeanne Williams; Jeanne O'Rourke; Jason Nastke; Janice Burdick; Jane Connerton; James Walsh; James J. Sampel (Commissioner); Jack Bailey; Hilary Hillman; Henry Nicols; Helen Kiggins; Harriet Jenkins; Grerory Peterson; Gregory Soumas (Commissioner); Green, Norm; Graziano, John; George Stanton; George Gonzalez; Frederic

(Commissioner); Green, Norm; Graziano, John; George Stanton; George Gonzalez; Frederic M. Umane (external address); Fran Knapp; Faith Kaplan; Eugene Faughnan; Ellen Graziano; Elizabeth Hogan; Elizabeth Cree; Elaine McLear; Elaine Herdman; Ed Ryan; Ed McDonough; Douglas Kellnar; Doug French; Donna Mullahey; Donna English; Don Wart; Diane Wade; Diane Haslett Rudiano; Dennis Ward; Dennis Piedimonte; Debbie Pahler; Dawn Cassidy; David Mace; David Green; Dave Gamache; Cindy Jarvis; Cindy Goodrich; Christopher Rhodes; Cayuga; Cathy Rogers; Cathy Geier; Cass Lorow; Carolee Sunderland; Carol

Turney; Carol Franklin; Carol Engelmann; Brian Quail; Brian Abram; Brent Bogardus; Bonnie Becker; Bob Howe; Bill McCann; Bill Fruci; Bernadette Toombs; Bahren, Susan; Babette Hall; Art Brassard; Anna Svizzero; Ann Nortz; Ann Marie Kelly; Ann Jones; Anita Katz; Andrea

Basli; Amy Hild; Michele Brant

**Subject:** Fw: 2010 Legislative packet **Attachments:** 2010 Legislative Packet.doc

---- Original Message -----

From: Bill Fruci
To: Diane Wade

Sent: Monday, February 01, 2010 3:02 PM

Subject: 2010 Legislative packet

To: All ECA Members

From: Bill Fruci

In the attached file is the final 2010 ECA Legislative Package that was passed and adopted by our full membership at the winter conference last week in Albany.

I want to Thank Jerry Eaton, ECA Legislative Committee Chair, and all of the Legislative committee members for

all of their hard work and dedication in getting this task accomplished.
Furthermore, I will be sending a copy of our packet to the appropriate committee chairs in the Senate and Assembly and also to the Office of Governor.

Thank you,

Bill

### Election Commissioners' Association 2010 Legislative Agenda

### Legislative Committee members:

Jerry Eaton, Chairman, Jefferson County

Judy Peck, Vice-Chairman, Hamilton County

Dennis Ward, Erie County

Sue Fries, Cattaraugus County

Brian Quail, Schenectady County

Bernadette Toombs, Tioga County

Dave Mace, Essex County

Nancy Leven, Livingston County

Keith Osborne, Chemung County

Lewis Wilson, Schoharie County

Kevin Burleson, Cattaraugus County

Robert Brechko, Yates County

### Election Commissioners Association of New York State 2010 Legislative Agenda

- **Proposal 1:** Assembly Bill 2482. Relates to the appointment of commissioners of elections; provides that once a party recommends a person for commissioner of elections the local legislative body automatically approve the appointment of such person.
- Proposal 2: Assembly Bill 8692/Senate Bill 5989. Relates to consolidation of election districts; provides that deployment of voting systems, election workers and election resources shall be in sufficient number to accommodate the numbers of voters eligible to vote in such polling place; repeals certain provisions of the election law.
- Proposal 3: Assembly Bill 5881. The bill would designate Election Day a school holiday.
- **Proposal 4:** Assembly Bill 1941/Senate Bill 3236. Eliminate the need to publish the residence address of candidates.
- **Proposal 5:** Repeal Section 4-118 and 4-120 regarding publication notices in newspapers.
- **Proposal 6:** Allow Boards of Elections to be the exclusive authority on creating/amending the boundaries of Election Districts and increase number of voters in an election district.
- **Proposal 7:** Change the need for number of inspectors in consolidated poll sites (Section 3-400)
- **Proposal 8:** Amend Section 6-158(1) to start the designating petition process 30 days earlier.
- **Proposal 9:** Change the requirements for the location of poll sites. Would allow a Board to have voters from a contiguous district vote outside its town or city.
- **Proposal 10:** Assembly Bill 1308/Senate Bill 1836-A. This legislation would permit Boards to use half day Inspector shifts with proper adjustments. (This bill passed the Assembly in 2009)
- **Proposal 11:** Assembly Bill 2483. The legislation would standardize Commissioners appointments to a 4 year term statewide.
- Proposal 12: Assembly Bill 2399. Amend the law to disallow fusion voting in New York.
- Proposal 13: Prohibit candidates from being poll watchers in districts where they are running.

January 28, 2010

### The City of New York January 2010 Plan

Michael R. Bloomberg, Mayor Office of Management and Budget Mark Page, Director

# Detail Of All Other Agencies PEG Program

Thd

### PEG Program All Other Agencies

# AGENCY FIVE YEAR SUMMARY PROGRAM

### **Board of Elections**

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Dollars		(City	(City Funds in 000's)		
Baseline Per Adopted Plan - 6/18/2009	\$86,218	\$71,542	\$71,615	\$71,629	\$71,629
PEG Program	•	(6,178)	(6,178)	(6,178)	(6,178)
Expenditure Increases / Re-estimates	22,209	1,709	1,709	1,709	1,709
Financial Plan of 1/28/2010	\$108,427	\$67,073	\$67,146	\$67,160	\$67,160
Headcount	COSTRUCTION OF THE PROPERTY OF				
Baseline Per Adopted Plan - 6/18/2009	319	319	319	319	319
Financial Plan of 1/28/2010	319	319	319	319	319
WOODS AND WANTER AND W					

The City of New York January 2010 Plan

Michael R. Bloomberg, Mayor Office of Management and Budget Mark Page, Director

### Contingency Plan For Proposed State Budget Reductions

January 28, 2010

### **Contingency Plan**

	Oit.		(City Funds	s in 000's)	_
Description	City Personnel*	2011	2012	2013	2014
Department of Environmental Protection					
Additional PEG Program (State aid reduction)  This PEG will result in the reduction of 14 positions through layoffs with a consequence of approximately 5,100 less asbestos/air/noise complaints addressed per year.	(14)	(747)	(739)	(732)	(724)
Additional PEG Program (State aid reduction)  This PEG will result in the reduction of 8 positions through attrition with a consequence of approximately 1,200 less asbestos/air/noise complaints addressed per year.	(8)	(504)	(511)	(518)	(526)
Total Agency: Contingency Plan	(22)	(1,251)	(1,250)	(1,250)	(1,250)
Mayoralty					
State Budget Impact PS Reduction - Layoff (Mayor)  An additional 36 positions will be eliminated via layoff.	(36)	(2,836)	(2,836)	(2,836)	(2,836)
State Budget Impact PS Reduction - Layoff (OLR)  An additional 9 positions will be eliminated via layoff.	(9)	(622)	(622)	(622)	(622)
State Budget Impact PS Reduction - Layoff (OMB)  An additional 28 positions will be eliminated via layoff.	(28)	(2,100)	(2,100)	(2,100)	(2,100)
Total Agency: Contingency Plan	(73)	(5,558)	(5,558)	(5,558)	(5,558)
Board of Elections					
State Budget Impact PS Reduction - Layoff  An additional 109 positions will be eliminated via layoff.	(109)	(5,560)	(5,560)	(5,560)	(5,560)
Total Agency: Contingency Plan	(109)	(5,560)	(5,560)	(5,560)	(5,560)
Office of the Actuary					
PS Reduction - Layoffs (7.2%)  An additional five positions will be eliminated via layoff.	(5)	(406)	(406)	(406)	(406)
Total Agency: Contingency Plan	(5)	(406)	(406)	(406)	(406)



## THE CITY OF NEW YORK

## SCHEDULES SUPPORTING THE EXPENSE BUDGET DEPARTMENTAL ESTIMATES FOR FISCAL YEAR 2011

DEPARTMENTAL ESTIMATES - FY11
OPERATING BUDGET
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 001 PERSONAL SERVICES

	MODIFIED	MODIFIED FY10-01/22/10		DEPARTMENTAL ESTIMATES FY11	
OBJECT CLASS IC REF OBJ DESCRIPTION	# PO	ı	POS	A A	INC/DEC # POS AMOUNT
CENTER:		 	! ! ! ! !		
BUDGET CODE: 0204 HAVA Funding 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED		1,130,000 1,130,000		1,130,000 1,130,000	
05 AMT TO SCHED 053 AMOUNT TO BE SCHEDULED-PS SUBTOTAL FOR AMT TO SCHED	2. 2. 4. 4.		24 24		
SUBTOTAL FOR BUDGET CODE 0204	24	1,130,000	24	1,130,000	
TOTAL FOR	24	1,130,000	24	1,130,000	
RESPONSIBILITY CENTER: 0001 EXECUTIVE MANAGEMENT					
BUDGET CODE: 0101 EXECUTIVE MANAGEMENT 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED	ΝМ	91,904 91,904	0 0	99,403 99,403	7,499
03 UNSALARIED 031 UNSALARIED SUBTOTAL FOR UNSALARIED		134,316 134,316		156,894 156,894	22,578 22,578
SUBTOTAL FOR BUDGET CODE 0101	7	226,220	71	256,297	30,077
TOTAL FOR EXECUTIVE MANAGEMENT	7	226,220	0	256,297	30,077
RESPONSIBILITY CENTER: 0002 DEPARTMENTAL OPERATIONS					
BUDGET CODE: 0201 DEPARTMENTAL OPERATIONS 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED	21	1,500,874	21 21	1,828,523 1,828,523	327,649 327,649
03 UNSALARIED SUBTOTAL FOR UNSALARIED		144,262 144,262		186,449 186,449	42,187 42,187

DEPARTMENTAL ESTIMATES - FY11
OPERATING BUDGET
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 001 PERSONAL SERVICES

DEPARTMENTAL ESTIMATES FY11

MODIFIED FY10-01/22/10

•	1 1 1 1 1	1 1 1 1 1 1 1 1 1				
OBJECT CLASS IC REF OBJ DESCRIPTION	# Pos	AMOUNT	# POS	AMOUNT	INC/DEC	C AMOUNT
1 1 1 1						
04 ADD GRS PAY 042 LONGEVITY DIFFERENTIAL 047 OVERTIME 050 PMTS TO BENEFIC DECSD EMPLOYES SUBTOTAL FOR ADD GRS PAY		87,008 2,292,462 1,605 2,381,075		87,008 2,292,462 1,605 2,381,075		
06 FRINGE BENES 067 SUPPLEMENTAL EMPLOYEE WELF BEN SUBTOTAL FOR FRINGE BENES		24,000		24,000 24,000		
SUBTOTAL FOR BUDGET CODE 0201	21	4,050,211	21	4,420,047		369,836
TOTAL FOR DEPARTMENTAL OPERATIONS	21	4,050,211	21	4,420,047		369,836
RESPONSIBILITY CENTER: 0003 FINANCE OFFICE						
BUDGET CODE: 0301 FINANCE OFFICE 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED	ωw	316,119 316,119	ωω	350,655 350,655		34,536 34,536
03 UNSALARIED 031 UNSALARIED SUBTOTAL FOR UNSALARIED		12,496		54,034 54,034		41,538 41,538
SUBTOTAL FOR BUDGET CODE 0301	v	328,615	9	404,689		76,074
TOTAL FOR FINANCE OFFICE	vo	328,615	vo	404,689		76,074
RESPONSIBILITY CENTER: 0004 DATA PROCESSING						
BUDGET CODE: 0401 DATA PROCESSING OFFICE 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED	8 8 7 7	1,934,984 1,934,984	8 8 7 7	2,151,449 2,151,449		216,465 216,465

216,465

275,000 275,000

275,000 275,000

03 UNSALARIED 031 UNSALARIED SUBTOTAL FOR UNSALARIED

SUBTOTAL FOR BUDGET CODE 0401

2,426,449

78

2,209,984

28

DEPARTMENTAL ESTIMATES - FY11
OPERATING BUDGET
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 001 PEPEROMAT. CEPUTED

SERVICES	
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700	
APPROPRIATION:	
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	MODIFIED	MODIFIED FY10-01/22/10		DEPARTMENTAL ESTIMATES FY11	TIMATES FY11	
OBJECT CLASS IC REF OBJ DESCRIPTION	# POS	ı	# POS	AMOUNT	INC	EC AMOUNT
TA PROCE	28	2,209,984	788	2,426,449	1 1 1 1 1 1 1 1 1 1	216,465
RESPONSIBILITY CENTER: 0005 CHIEF CLERK - BROOKLYN						
BUDGET CODE: 0501 BROOKLYN OFFICE 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED	6 9 9	2,265,744 2,265,744	69 69	2,514,892 2,514,892		249,148 249,148
03 UNSALARIED 031 UNSALARIED SUBTOTAL FOR UNSALARIED		153,839 153,839		189,779		35,940 35,940
SUBTOTAL FOR BUDGET CODE 0501	69	2,419,583	69	2,704,671		285,088
TOTAL FOR CHIEF CLERK - BROOKLYN	69	2,419,583	69	2,704,671		285,088
RESPONSIBILITY CENTER: 0006 CHIEF CLERK - QUEENS						
BUDGET CODE: 0601 QUEENS OFFICE 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED	5.54 5.44	1,751,427	5 T	1,942,709		191,282 191,282
03 UNSALARIED 031 UNSALARIED SUBTOTAL FOR UNSALARIED		146,308 146,308		174,671		28,363
SUBTOTAL FOR BUDGET CODE 0601	54	1,897,735	54	2,117,380		219,645
TOTAL FOR CHIEF CLERK - QUEENS	54	1,897,735	54	2,117,380		219,645
RESPONSIBILITY CENTER: 0007 CHIEF CLERK - BRONX						

BUDGET CODE: 0701 BRONX OFFICE

DEPARTMENTAL ESTIMATES - FY11
OPERATING BUDGET
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 001 PERSONAL SERVICES

	MODIFIED	MODIFIED FY10-01/22/10		DEPARTMENTAL ESTIMATES FY11	
				0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	INC/DEC
OBJECT CLASS IC REF OBJ DESCRIPTION	# POS	AMOUNT	# POS	æ	# POS AMOUNT
AL FOR F	443	1,530,432	43	1,684,073	153,641
02 OTH SALARIED 022 SEASONAL POSITIONS SUBTOTAL FOR OTH SALARIED				602	602
03 UNSALARIED 031 UNSALARIED SUBTOTAL FOR UNSALARIED		162,314 162,314		195,814 195,814	33,500
SUBTOTAL FOR BUDGET CODE 0701	43	1,692,746	43	1,880,489	187,743
TOTAL FOR CHIEF CLERK - BRONX	43	1,692,746	43	1,880,489	187,743
RESPONSIBILITY CENTER: 0008 CHIEF CLERK - MANHATTAN					
BUDGET CODE: 0801 NEW YORK OFFICE 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED	57 57	1,932,911 1,932,911	57	2,131,422 2,131,422	198,511 198,511
03 UNSALARIED 031 UNSALARIED SUBTOTAL FOR UNSALARIED		309,420		341,880 341,880	32,460 32,460
SUBTOTAL FOR BUDGET CODE 0801	57	2,242,331	57	2,473,302	230,971
TOTAL FOR CHIEF CLERK - MANHATTAN	57	2,242,331	57	2,473,302	230,971
RESPONSIBILITY CENTER: 0009 CHIEF CLERK - RICHMOND					
BUDGET CODE: 0901 STATEN ISLAND OFFICE 01 F/T SALARIED 001 FULL YEAR POSITIONS SUBTOTAL FOR F/T SALARIED	21	841,210 841,210	21 21	912,414 912,414	71,204
03 UNSALARIED 031 UNSALARIED SUBTOTAL FOR UNSALARIED		76,528 76,528		98,487 98,487	21,959 21,959

DEPARTMENTAL ESTIMATES - FY11
OPERATING BUDGET
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 001 PERSONAL SERVICES

	MODIFIED	MODIFIED FY10-01/22/10		DEPARTMENTAL ESTIMATES FY11	STIMATES FY11	
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		1 1 1 1 1 1 1			
	# POS	AMOUNT	# POS	AMOUNT	INC/DEC # POS	EC AMOUNT
SUBICIAL FOR BUDGET CODE 0901	21	917,738	21	1,010,901		93,163
TOTAL FOR CHIEF CLERK - RICHMOND	21	917,738	21	1,010,901		93,163
TOTAL FOR PERSONAL SERVICES	325	17,115,163	325	18,824,225		1,709,062

DEPARTMENTAL ESTIMATES - FY11 UNIT OF APPROPRIATION SUMMARY AGENCY: 003 BOARD OF ELECTIONS

UNIT OF APPROPRIATION: 001 PERSONAL SERVICES

	CURRENT	CURRENT MODIFIED	DEPARTMEN	DEPARTMENTAL ESTIMATES	
PERSONAL SERVICES	NUM POS	BUDGET AMOUNT	NUM POS	BUDGET AMOUNT	INC/DEC (-)
TOTALS FOR OPERATING BUDGET	325	17,115,163	325	18,824,225	1,709,062
FINANCIAL PLAN SAVINGS	9	427,851	-9	1,067,584-	1,495,435-
APPROPRIATION	319	17,543,014	319	17,756,641	213,627
FUNDING SUMMARY		CURRENT MODIFIED	DEPARTMENT	DEPARTMENTAL ESTIMATES	INC/DEC (-)
CITY OTHER CATEGORICAL CAPITAL FUNDS - I.F.A. STATE FEDERAL - C.D. FEDERAL - OTHER INTRA-CITY SALES		17,543,014		17,756,641	213,627
TOTAL		17,543,014		17,756,641	213,627

## DEPARTMENTAL ESTIMATES - FY11 POSITION SCHEDULE AGENCY: 003 BOARD OF ELECTIONS UNIT OF APPROPRIATION: 001 PERSONAL SERVICES

DEPARTMENTAL ESTI FY11

ANNUAL RATE	!	172,753	, 19	97,89	09'77'	125,47	40 'CCT'	10/6/ 19 086	448,9	146,84	533,82	00,46	98,	571,05	110,43	94,	106,	105,	94,	1,	966	100,	, 197,	182,	97,735	111	2.097,	840,	301,	201,	211,	66	251, 265	82,	84,	202,	32,	29,32	9	212,
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MIN-MAX RATE		,492-212,6	0,328- 78,	492-212, 711- 90	492-217	9.492-212.	8,528- 78,73	9,492-212,61	0,241-107,	0,500- 56,	- 81,	5,243-	1,734- 91,	9,052- 71,	9,492	9,492-212	9,492-212,61	9,492-212,	8/1- 55,	0,703- 50,	/03-50,/0	9,492-212,61	472-244 400 010	9,432-212,01 9,492-312,61	9.492-212.61	0,703-50,	659- 42,	659- 42,	659- 42,	71-	492-212,	799- 48,7	323- 29,	7,323- 29,3	23- 29,3	9,323- 29,3	9,323- 29,3	23- 29,3	9,323- 29,3	29,323- 29,323
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DEPARTMENTAL ESTIMATES - FY11
POSITION SCHEDULE
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 001 PERSONAL SERVICES

DEPARTMENTAL ESTI FY11

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	LINE		1190	1191	1192	1193	1194	1195	1198	1201	1202	1203	1205	1206	1211	1212	1214	1215	1217	1236	1237	1238	1239	1240	1242	1243	# # 7 7	1245	1240	1240	0 7 7 7	177 T	1250	1251	1253	1254	1255	1301	1302	

DEPARTMENTAL ESTIMATES - FY11
POSITION SCHEDULE
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 001 PERSONAL SERVICES

PAY TITLE   BANK   # CODE   MIN-MAX RATE   # POS ANNUAL RATE   # POS ANNUAL RATE	PAY BANK/# OBJECT: 001 FULL YEAR POSITIONS POSITION SCHEDULE FOR U/A 001 INCREASE/ (DECREASE) TO AUTHORIZED FU TOTAL FOR U/A 001
	DESCRIPTION OBJECT: 001 FULL TION SCHEDULE FOR EASE/(DECREASE) T(

NOTE: ABOVE DATA REFLECTS FULL-TIME ACTIVE POSITIONS AND SALARIES AS OF 11/27/09

DEPARTMENTAL ESTIMATES - FY11
OPERATING BUDGET
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 002 OTHER THAN PERSONAL SERVICES

MODIFIED FY10-01/22/10

DEPARTMENTAL ESTIMATES FY11

OBJECT CLASS IC REF OBJ DESCRIPTION	# CNTRCT	ŢN	CINTR	AMOUNT	INC/DEC # CNTRCT AMOUNT	_
RESPONSIBILITY CENTER:			 			1
BUDGET CODE: 0204 HAVA Funding 40 OTHR SERÆCHR 414 RENTALS - LAND BLDGS & STRUCTS 499 OTHER EXPENSES - GENERAL SUBTOTAL FOR OTHR SERÆCHR	_	303,642 15,170,000 15,473,642		352,329 300,000 652,329	14, 14,	48,687 14,870,000- 14,821,313-
SUBTOTAL FOR BUDGET CODE 0204		15,473,642		652,329	14,	,821,313-
TOTAL FOR		15,473,642		652,329	14,	14,821,313-
RESPONSIBILITY CENTER: 0002 DEPARTMENTAL OPERATIONS						
NTAL OPERATIONS AUTOMOTIVE SUPPLIES & MAT MOTOR VEHICLE FUEL SUPPLIES + MATERIALS - GE		1,155 3,000 82,779		1,155 3,000 82,779		
		545,000 260,000 24,000		500,000 260,000 24,000		45,000-
117 POSTAGE 199 DATA PROCESSING SUPPLIES SUBTOTAL FOR SUPPLYSEMATL		2,000,000 180,000 3,095,934		2,000,000 210,000 3,080,934		30,000
30 PROPIY&EQUIP 300 EQUIPMENT GENERAL 302 TELECOMMUNICATIONS EQUIPMENT 305 MOTOR VEHICLES 314 OFFICE EURITURE 315 OFFICE EQUIPMENT 319 SECURITY EQUIPMENT		150,000 30,000 32,000 250,000 50,000		150,000 30,000 250,000 50,000 95,000		32,000-
		210,000 15,000 832,000		210,000 15,000 800,000		32,000-
40 OTHR SER&CHR 858001 40B TELEPHONE & OTHER COMMUNICATINS 856001 40G MAINT & REP OF MOTOR VEH EQUIP 856001 40X CONTRACTUAL SERVICES-GENERAL 858001 40X CONTRACTUAL SERVICES-GENERAL		412,838 10,020 8,800		412,838 10,020		8,800-

# DEPARTMENTAL ESTIMATES - FY11 OPERATING BUDGET AGENCY: 003 BOARD OF ELECTIONS UNIT OF APPROPRIATION: 002 OTHER THAN PERSONAL SERVICES

DEPARTMENTAL ESTIMATES FY11

MODIFIED FY10-01/22/10

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OBJECT CLASS IC REF OBJ DESCRIPTION	# CNTRCT	AMOUNT	# CNTRCT	AMOUNT	INC/DEC # CNTRCT AMOUNT	II.NI.
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CONTRACTUAL S		000.000	! !	000-1		
_	CATINS	•		300,000		
_		100,000		100,000		
	EQUIP	200		200		
		400,000		400,000		
417		400,000		400,000		
42C		574,039		574,039		
		111,748		111,748		
		15,000		15,000		
	SNERAL	13,200		13,200		
	PECIAL	10,600		10,600		
453 OVERNIGHT TRVL EXP-GENERAL	7	7,100		7,100		
	7	æ		8,100		
499		1,016,197		016		
SUBTOTAL FOR OTHR SERECHR		4,388,142		4,379,342		8,800-
60 CNTRCTL SVCS 600 CONTRACTUAL SERVICES GENE	RAL	667,000	8	1,500,000		833,000
602 TELECOMMUNICATIONS MAINT	۵	1,000	<b>∞</b>	1,000		•
	П	31,132	н	1,132		30,000-
		416,000	7	220,000		196,000-
		200,000	Н	200,000		
PRINTING	σ	13,007,500	O	13,007,500		
SECURITY	<b>~</b>	250,000	H	200,000		-000'09
			<b>-</b>			8,800
		3,260,000	თ	2,750,000		510,000-
		190,000	н,	190,000		
682 PROF SERV LEGAL SERVICES	-	150,000	н	150,000		
TL SVCS	36	18,363,832	36	18,419,632		55,800
SUBTOTAL FOR BUDGET CODE 0201	36	26,679,908	36	26,679,908		
BUDGET CODE: 0202 ELECTION PAYMENTS 40 OTHR SERÆCHR 414 RENTALS - LAND BLDGS & STRUCTS	RUCIS	440.000		300.000	•	140.000-
				1.500,000	-	000.009
		440,000		1,800,000	i -i	360,000
60 CNTRCTL SVCS 686 PROF SERV OTHER	П	21,326,430	н	14,716,430	9'9	6,610,000-
SUBTOTAL FOR CNTRCTL SVCS	г	1,326,	н	14,716,430	9'9	6,610,000-

DEPARTMENTAL ESTIMATES - FY11
OPERATING BUDGET
AGENCY: 003 BOARD OF ELECTIONS
UNIT OF APPROPRIATION: 002 OTHER THAN PERSONAL SERVICES

	MODIFIED	MODIFIED FY10-01/22/10		DEPARTMENTAL ESTIMATES FY11	M	
OBJECT CLASS IC REF OBJ DESCRIPTION	# CNTRCT	AMOUNT	# CNTRCT		INC/DEC # CNTRCT	່ບໍ່
SUBIOIAL FOR BUDGET CODE 0202		21,766,430	1	16,516,430	1 1 1 1 1 1 1 1 1 1	5,250,000-
TOTAL FOR DEPARTMENTAL OPERATIONS	37	48,446,338	37	43,196,338		5,250,000-
RESPONSIBILITY CENTER: 0003 FINANCE OFFICE						
BUDGET CODE: 0203 DCAS Intracity 40 OTHR SERÆCHR 856001 41D RENTALS - LAND BLDGS & STRUCTS SUBTOTAL FOR OTHR SERÆCHR		13,679,751 13,679,751		18,929,751 18,929,751		5,250,000 5,250,000
SUBTOTAL FOR BUDGET CODE 0203		13,679,751		18,929,751		5,250,000
TOTAL FOR FINANCE OFFICE		13,679,751		18,929,751		5,250,000
TOTAL FOR OTHER THAN PERSONAL SERVICES	37	77,599,731	37	62,778,418		14,821,313-

DEPARTMENTAL ESTIMATES - FY11
UNIT OF APPROPRIATION SUMMARY
AGENCY: 003 BOARD OF ELECTIONS

UNIT OF APPROPRIATION: 002 OTHER THAN PERSONAL SERVICES

		CURRENT MODIFIED	 	AL ESTIMATES	
OTHER THAN PERSONAL SERVICES	H	BUDGET AMOUNT	INTRACITY \$	BUDGET AMOUNT	INC/DEC (-)
TOTALS FOR OPERATING BUDGET	14,884,130	77,599,731	20,125,330	62,778,418	14,821,313-
FINANCIAL PLAN SAVINGS		8,924,352-		13,462,135-	4,537,783-
APPROPRIATION		68,675,379		49,316,283	19,359,096-
FUNDING SUMMARY	CURRENT	CURRENT MODIFIED	DEPARTMENT	DEPARTMENTAL ESTIMATES	INC/DEC (-)
CITY OTHER CATEGORICAL CAPITAL FUNDS - I.F.A. STATE FEDERAL - C.D. FEDERAL - OTHER INTRA-CITY SALES		68,675,379		49,316,283	19,359,096-
TOTAL		68,675,379		49,316,283	19,359,096-

DEPARTMENTAL ESTIMATES- FY11 AGENCY SUMMARY

AGENCY: 003 BOARD OF ELECTIONS

### PERSONAL SERVICES

		CURRENT MODIFIED		DEPARTMENTAL ESTIMATES	
PERSONAL SERVICES	NUM POS	BUDGET AMOUNT	NUM POS	BUDGET AMOUNT	- INC/DEC (-)
TOTALS FOR OPERATING BUDGET	325	17,115,163	325	18,824,225	1,709,062
FINANCIAL PLAN SAVINGS	-9	427,851	-9	1,067,584-	1,495,435-
APPROPRIATION	319	17,543,014	319	17,756,641	213,627
FUNDING SUMMARY	CURRENT	CURRENT MODIFIED	DEPARTME	DEPARTMENTAL ESTIMATES	INC/DEC (-)
CITY OTHER CATEGORICAL CAPITAL FUNDS - I.F.A. STATE FEDERAL - C.D. FEDERAL - OTHER INTRA-CITY SALES		17,543,014		17,756,641	213,627
TOTAL		17,543,014		17,756,641	213,627
OTPS MEMO AMOUNTS					

DEPARTMENTAL ESTIMATES- FY11 AGENCY SUMMARY

AGENCY: 003 BOARD OF ELECTIONS

OTHER THAN PERSONAL SERVICES

		CURRENT MODIFIED	DEPARTMEN	DEPARTMENTAL ESTIMATES	!
OTHER THAN PERSONAL SERVICES	INTRACITY \$	BUDGET AMOUNT	INTRACITY \$	BUDGET AMOUNT	INC/DEC (-)
TOTALS FOR OPERATING BUDGET	14,884,130	77,599,731	20,125,330	62,778,418	14,821,313-
FINANCIAL PLAN SAVINGS		8,924,352-		13,462,135-	4,537,783-
APPROPRIATION		68, 675, 379		49,316,283	19,359,096-
FUNDING SUMMARY	CURRENT	CURRENT MODIFIED	DEPARTME	DEPARTMENTAL ESTIMATES	INC/DEC (-)
CITY OTHER CATEGORICAL CAPITAL FUNDS - I.F.A. STATE FEDERAL - C.D. FEDERAL - OTHER INTRA-CITY SALES		68,675,379		49,316,283	19,359,096-
TOTAL		68,675,379		49,316,283	19,359,096-
PS MEMO AMOUNTS					

DEPARTMENTAL ESTIMATES - FY11
AGENCY SUMMARY
AGENCY: 003 BOARD OF ELECTIONS

	MODIFIED FY	MODIFIED FY10 - 01/22/10	DEPARTMENTAL	DEPARTMENTAL ESTIMATES FY11	
OQ.	POSITIONS	BUDGET AMOUNT	POSITIONS	BUDGET AMOUNT	INC/DEC AMT
PS TOTALS FOR OPERATING BUDGET FINANCIAL PLAN SAVINGS APPROPRIATION	325 6- 319	17,115,163 427,851 17,543,014	325 6- 319	18,824,225 1,067,584- 17,756,641	1,709,062 1,495,435- 213,627
OTPS TOTALS FOR OPERATING BUDGET FINANCIAL PLAN SAVINGS APPROPRIATION		77,599,731 8,924,352- 68,675,379		62,778,418 13,462,135- 49,316,283	14, 821, 313- 4, 537, 783- 19, 359, 096-
AGENCY TOTALS TOTALS FOR OPERATING BUDGET FINANCIAL PLAN SAVINGS APPROPRIATION	325 6- 319	94,714,894 8,496,501- 86,218,393	325 6- 319	81,602,643 14,529,719- 67,072,924	13,112,251- 6,033,218- 19,145,469-
FUNDING CITY CITY OTHER CATEGORICAL CAPITAL FUNDS - I.F.A. STATE FEDERAL - C.D. FEDERAL - OTHER INTRA-CITY SALES		86,218,393		67,072,924	19,145,469-

# The City of New York



### Capital Commitment Plan Fiscal Year 2010

Volume 3 January 2010

Michael R. Bloomberg, Mayor

2010-2013 Appropriations and Commitments with 2010 Plan and Forecast, and Actuals through November, Including Detailed Project Status Informations, by Budget Line FY 2010 AUTHORIZED COMMITMENT PLAN WITH FY 2010 PLAN AND FORECAST AND ACTUALS (\$ IN THOUSANDS / COMMITMENT TOTALS EXCLUSIVE OF IFA)

		CITY		CURRENT MILESTC
AGY ID NO IFDS	DESCRIPTION 003 IFA DESIGN	COST	ST COST 85 0	COMM DATE MILESTONE START END
850 PW335SSLS SVCS SVCS	Site Safety Lump Sum 001 SERVICES 002 SERVICES	<b>ថ</b> ភើ	600 500 0	06/10 06/11
850 PW335SS05 CTGY IFOT	SITE SAFETY #5 002 CONTINGENCY 003 IFA OTHER TECHNICAL SERVI		75 0 75 0	06/10 06/10
850 PW335SS06 CTGY IFOT	SITE SAFETY #6 002 CONTINGENCY 003 IFA OTHER TECHNICAL SERVI		75 0 75 0	06/12 06/12
856 PW335ASB4 CONS	VARIOUS PUBLIC BUILDINGS- ENVIRONMENTAL REMEDIATION 005 CONSTRUCTION	1,500	0 00	12/09
CT DEEN	FMS #: 856 813 BOARD OF ELECTIONS AS OF: 11/30/09 \$83,412,502.44 (CITY) : \$11,238,692.57 (CITY) \$44,847,547.99 (CITY) FY 10 * FY 11 * FY 12 * FY 13		*	\$70,000,000.00 (NON-CITY) \$.00 (NON-CITY) \$.00 (NON-CITY) \$.01 * FY 12 * FY 13 *
ADOPTED (C)* APPROPRIATIONS	* 1	* (C) * COMMITMENT PLAN	74,104 *	*
(NT)	k k	* (N)	*	*
į	AUG SEPT OCT NOV DEC	FEB	MARCH APRIL	MAY JUNE FY 10
* *	4,149 * * * 1,690 * *	1,258 * * *	* 50,463 * 50,463	3 * * * 16,544 * 74,104 3 * * 16 544 * 74 104
ACTUAL(C)* 4,	* * 1,690 T * * * * * * * * * * * * * * * * * *	*	**	*
	* * * *	* *	* *	* * *
FORCST (N) * ACTUAL (N) *	* * *	* *	* *	* * *
MGN PROJECT AGY ID NO	DESCRIPTION	CITY	Y NC	PLAN CURRENT MILESTONE COMM DATE MILESTONE START END
856 PW340BMD EQFN EQFN	BOE STATEN ISLAND VOTING MACHINES CQ 002 EQUIPMENT AND FURNITURE COMMUNICATIONS EQUIPMENT FF 003 EQUIPMENT AND FURNITURE OFFICE FURNITURE	QUIPMENT 400	0 0	06/10 06/10
856 PW340CALL EQFN	BOE CALL CENTER UPGRADE 001 EQUIPMENT AND FURNITURE	616	0	06/10
856 PW340CLIN CONS EQFN EQFN	BOE MOVE FROM 645 CLINTON STREET BROOKLYN 001 CONSTRUCTION FF 002 EQUIPMENT AND FURNITURE COMMUNICATIONS EQUIPMENT	4,149 607 QUIPMENT 921	9 7 1	07/09 01/10 06/10
856 PW340ELEC EQFN	BOARD OF ELECTIONS 001 EQUIPMENT AND FURNITURE	50,000	0	04/10

FY 2010 AUTHORIZED COMMITMENT PLAN WITH FY 2010 PLAN AND FORECAST AND ACTUALS (\$ IN THOUSANDS / COMMITMENT TOTALS EXCLUSIVE OF IFA)

MGN PROJECT AGY ID NO	DESCRIPTION		CITY	NC	PLAN COMM DATE	CURRENT MILESTONE MILESTONE START END
856 PW340EQP EQFN	SERVER AND STORAGE EQUIPMENT UPGRADE 001 EQUIPMENT AND FURNITURE		463	0	04/10	
856 PW340MANH EQFN EQFN	MANHATTAN ELECTIONS WAREHOUSE FF 002 EQUIPMENT AND FURNITURE CQ 003 EQUIPMENT AND FURNITURE	OFFICE FURNITURE COMMUNICATIONS EQUIPMENT	146 505	00	01/10 01/10	DEVSCOPE 06/04 09/04
856 PW340MAO CONS EQFN EQFN IFSP	BOE - 42 BROADWAY - MAN ADMIN OFFICE #3022 001 CONSTRUCTION FF 002 EQUIPMENT AND FURNITURE OFFICE CQ 005 EQUIPMENT AND FURNITURE COMMUNI 100 IFA CONSTRUCTION SUPERVIS	E #3022 OFFICE FURNITURE COMMUNICATIONS EQUIPMENT	2,381 626 505 276	0000	04/11 04/11 04/11 06/10	
856 PW340PMQA SVCS CO#: A SVCS	BOARD OF ELECTIONS PM/QA SERVICES 005 SERVICES 005 SERVICES		6,310 1,690	00	06/10 11/09	
856 PW340SOFT CONS	Board of elections software enhancements 002 CONSTRUCTION	81	3,700	0	01/90	
856 PW340VOM EQFN EQFN	VOM BOE MOVE FROM 1780 GRAND CONCOURSE - VO EQFN FF 005 EQUIPMENT AND FURNITURE COMM EQFN CQ 006 EQUIPMENT AND FURNITURE COMM	- VOTING MACHINES OFFICE FURNITURE COMMUNICATIONS EQUIPMENT	275 850		06/10 06/10	
856 PW340WARE CONS EQFN EQFN	WARE BOE - ADDITIONAL WAREHOUSE SPACE QUEENS CONS 002 CONSTRUCTION EQFN FF 004 EQUIPMENT AND FURNITURE OFFI EQFN CQ 005 EQUIPMENT AND FURNITURE COMM	EENS OFFICE FURNITURE COMMUNICATIONS EQUIPMENT	2,955 125 367	000	06/10 06/10 06/10	
				1	1	



### STATE BOARD OF ELECTIONS

James A. Walsh Chair Douglas A. Kellner Chair Gregory P. Peterson Commissioner Evelyn J. Aquila Commissioner

40 STEUBEN STREET
ALBANY, N.Y. 12207
Phone: 518/474-6367 Fax: 518/486-4546
website: www.elections.statc.ny.us

Todd D. Valentine
Executive Director
Robert A. Brehm
Executive Director
Kimberly A. Galvin
Special Counsel
Paul M. Collins
Deputy Counsel

January 29, 2010

Honorable Gary L. Sharpe United States District Court for the Northern District of New York James T. Foley U.S. Courthouse 445 Broadway, Room 441 Albany, New York 12207

Re: United States v. New York State Board of Elections, et al.

Civil Action No. 06-CV-0263 (GLS)

Dear Judge Sharpe,

We enclose herewith Status Report of the Defendant New York State Board of Elections for the week ending January 28, 2010.

Respectfully submitted,

s/	
Kimbe	erly A. Galvin (505011)
Specia	l Counsel
s/	
Paul N	1. Collins (101384)
Deput	v Special Counsel

### NEW YORK STATE BOARD OF ELECTIONS

### HAVA COMPLIANCE UPDATE Activities & Progress for the Period of 1/22/10-1/28/10

Following is a detailed report concerning the previous week's progress in implementing the terms of the Court's Order

### **PLAN A**

### **Overall Compliance Status Summary**

Overall, activities and progress toward HAVA compliance are on schedule with the revised timeline.

### **Contracting with Voting System Vendors**

Status of tasks in this category: on schedule

- OGS is working with NYSBOE and both vendors to finalize their most recent add requests.
- ES&S has challenged OGS's rejection of the Nassau Purchase Order. OGS is finalizing a response which will be shared with SBOE for its review.

### Testing, Certification, and Selection of Voting Systems & Devices

Status of tasks in this category: on schedule

- Overall progress of testing :
  - All counties have chosen a voting system vendor. NYC still needs to forward requisitions to OGS for processing and issues with the Nassau County requisitions are being reviewed by OGS and SBOE.

### NEW YORK STATE BOARD OF ELECTIONS

### **Delivery and Implementation of Voting Systems & Devices**

Status of tasks in this category: on schedule

- Acceptance testing continues at Building 3.
- Counties are being surveyed to ensure they have submitted requisitions for the election management software packages that enable implementation. EMS software and instructions are being delivered to all boards for which purchase orders have been processed.
- System upgrades and appropriate instructions for performing the upgrades for ballot markings devices and scanners have been sent to all counties.
- The Nassau County ES&S order is on hold at OGS until the outstanding issues are resolved.

### **HAVA COMPLAINT PROCESS**

### **NYC HAVA Complaint**

NYCBOE responded to the SBOE inquiry. SBOE is formulating a strategy to move forward and has advised the Department of Justice of the City Board's response. A decision regarding what action will be taken will be made early this year.

### HAVA COMPLIANCE UPDATE Activities & Progress for the Period of 1/15/10-1/21/10

Following is a detailed report concerning the previous week's progress in implementing the terms of the Court's Order

### **PLAN A**

### **Overall Compliance Status Summary**

Overall, activities and progress toward HAVA compliance are on schedule with the revised timeline.

### **Contracting with Voting System Vendors**

Status of tasks in this category: on schedule

- OGS is working with NYSBOE and both vendors to finalize their most recent add requests
- BOE had a telephone conference with SysTest to discuss their most recent invoices.
- ES&S was asked to provide an extension of its performance bond, which is due to expire on March 19, 2010.

### Testing, Certification, and Selection of Voting Systems & Devices

Status of tasks in this category: on schedule

- Overall progress of testing :
  - All counties have chosen a voting system vendor. NYC still needs to forward requisitions to OGS for processing and issues with the Nassau County requisitions are being reviewed by OGS and SBOE.

### **Delivery and Implementation of Voting Systems & Devices**

Status of tasks in this category: on schedule

- Acceptance testing continues at Building 3.
- Counties are being surveyed to ensure they have submitted requisitions for the election management software packages that enable implementation.

### HAVA COMPLAINT PROCESS

### **NYC HAVA Complaint**

NYCBOE responded to the SBOE inquiry. SBOE is formulating a strategy to move forward and has advised the Department of Justice of the City Board's response. A decision regarding what action will be taken will be made early this year.

JULIE DENT

JUAN CARLOS "J.C." POLANCO SECRETARY

JOSE MIGUEL ARAUJO
NAOMI BARRERA
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
JOHN .P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
FREDERIC M. UMANE
COMMISSIONERS



### **BOARD OF ELECTIONS**

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

MARCUS CEDERQVIST EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS ADMINISTRATIVE MANAGER

STEVEN H. RICHMAN GENERAL COUNSEL Tel: (212) 487-5338 Fax: (212) 487-5342 E-Mail: srichman@boe.nyc.ny.us

January 29, 2010

TO: The Commissioners of Elections in the City of New York

FROM: Steven H. Richman, General Counsel

COPIES: Marcus Cederqvist, George Gonzalez, Pamela Perkins, John

Owens, Rosanna Rahmouni, Valerie Vasquez-Rivera, Troy

Johnson, Steven Denkberg, & Charles Webb;

Chief Clerk & Deputy Chief Clerk – Queens Office;

Stephen Kitzinger, Esq., Assistant Corporation Counsel

Lester Paverman, Esq., Legal Bureau, NYC Police Department

RE: DESIGNATION OF SPECIAL TERM FOR ELECTION

MATTERS WITHIN THE NEW YORK STATE SUPREME COURT FOR THE TUESDAY, FEBRUARY 9, 2010 SPECIAL

**ELECTION** 

Attached hereto for your information, files and appropriate action is a copy of the Administrative Transfer Order #1 -2010 issued by the Honorable Fern A. Fisher, Deputy Chief Administrative Judge of the New York State Unified Court System for New York City Courts on January 25, 2010, designating a Special Term for Election Matters for the Tuesday, February 9, 2010 Special Election in the Civil Branch of the New York State Supreme Court, 11<sup>th</sup> District in and for Queens County to hear and determine all cases arising under the Election Law relating to eligibility for voting.

This Administrative Transfer Order also assigns Justices of the Supreme Court to hold such term during the times and at the location specified in the

transfer order. Please note that the Special Terms for Election Matters will be held at the Board's Queens Borough Office from 7:00 AM until 9:00 PM. Please make the appropriate arrangements to accommodate the Justices of the Supreme Court and their support personnel.

Please distribute copies of this order to members of your staff.

Note to the Chief and Deputy: If the assigned Justice does not appear at the scheduled time, please contact my office immediately so that appropriate notifications to the Deputy Chief Administrative Judge's office can be made and the situation addressed forthwith.

Thank you for your cooperation in this matter. If you have any questions, please call me.

Attachment



### STATE OF NEW YORK UNIFIED COURT SYSTEM

111 CENTRE STREET NEW YORK, NEW YORK 10013 646-386-4200

ANN PFAU
CHIEF ADMINISTRATIVE JUDGE

FERN A. FISHER
DEPUTY CHIEF ADMINISTRATIVE JUDGE
NEW YORK CITY COURTS

### ADMINISTRATIVE TRANSFER ORDER 1

Pursuant to the authority vested in me, I hereby temporarily designate a Special Term, of the Supreme Court, Civil Branch, Queens County, Eleventh Judicial District, for the Special Election to be held on Tuesday, February 9, 2010, to hear and determine all cases arising under the Election Law relating to eligibility for voting, and do assign the following Supreme Court Justices to hold such Special Term for Election Matters, in addition to their other assignments:

### QUEENS COUNTY Board of Elections 126-06 Queens Boulevard - Kew Gardens, New York 11475

7:00 A.M. to 2:00 P.M.

HON. WILLIAM ERLBAUM

2:00 P.M. to 9:00 P.M.

HON. GREGORY LASAK

Dated:

New York, New York January 25, 2010

FERN A. FISHER

Deputy Chief Administrative Judge New York City Courts

34:01 MA ES HAL OIOS

IN THE CITY OF NEW YORK

BE OF ELECTIONS

GENERAL COUNSEL

Commts FY1

Chairpersons and Members of the Committees of the Council, Allowances of Chairpersons and Officers of the Council and the creation of new committees of the Council.

The Committee on Rules, Privileges and Elections respectfully

### Reports:

That it recommends favorable consideration by the Council of the election of the chairpersons and members of the Committees on Aging, Civil Rights, Civil Service and Labor, Community Development, Consumer Affairs, Contracts, Cultural Affairs, Libraries and International Intergroup Relations, Economic Development, Education, Environmental Protection, Finance, Fire and Criminal Justice Services, General Welfare, Governmental Operations, Health, Higher Education, Housing and Buildings, Immigration, Juvenile Justice, Land Use, Lower Manhattan Redevelopment, Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disabilities Services, Oversight and Investigations, Parks and Recreation, Public Housing, Public Safety, Sanitation and Solid Waste Management, Small Business, Standards and Ethics, State and Federal Legislation, Technology, Transportation, Veterans, Waterfronts, Women's Issues, and Youth Services; and Chairpersons and members of the Subcommittees on, Landmarks, Public Siting & Maritime Uses, Planning Dispositions and Concessions, Zoning and Franchises, Drug Abuse, and Senior Centers, as specified in the following: and of the allowance, in addition to the salary for Council members serving as committee chairpersons or other officers of the Council pursuant to Section 26.b of the Charter of the City of New York, as specified below:

### **AGING**

LAPPIN, Chair ARROYO BREWER FOSTER GENTILE MARK-VIVERITO VACCA CHIN KOSLOWITZ ROSE KOO

### **CIVIL RIGHTS**

SEABROOK, Chair FERRERAS CHIN VAN BRAMER

### **CIVIL SERVICE & LABOR**

SANDERS, Chair GENNARO MARK-VIVERITO NELSON RECCHIA SEABROOK ULRICH

### **COMMUNITY DEVELOPMENT**

VANN, Chair FOSTER GENTILE KOPPELL MARK-VIVERITO REYNA SANDERS

### **CONSUMER AFFAIRS**

KOSLOWITZ, Chair

BARRON **COMRIE GENNARO KOPPELL** NELSON **FERRERAS** 

### **CONTRACTS**

MEALY, Chair **JACKSON JAMES** 

MARK-VIVERITO

NELSON

### **CULTURAL AFFAIRS, LIBRARIES** & INTERNATIONAL

**INTERGROUP RELATIONS** 

VAN BRAMER, Chair

COMRIE **DICKENS** LAPPIN **RECCHIA** WHITE DROMM

### **ECONOMIC DEVELOPMENT**

WHITE, Chair **EUGENE FERRERAS JAMES** REYNA VANN LANDER **LEVIN** WEPRIN

### **EDUCATION**

JACKSON, Chair

**BARRON FIDLER FOSTER GARODNICK** KOPPELL LAPPIN **RECCHIA** VACCA VANN CABRERA

CHIN DROMM **KOSLOWITZ** LEVIN ROSE WEPRIN

**IGNIZIO** ULRICH

### **ENVIRONMENTAL PROTECTION**

GENNARO, Chair **CROWLEY KOPPELL VALLONE** WHITE LANDER LEVIN

### **FINANCE**

RECCHIA, Chair

**BREWER COMRIE FIDLER FOSTER** JACKSON **KOPPELL** MEALY REYNA **RIVERA** VANN **CABRERA FERRERAS** KOSLOWITZ **VAN BRAMER** 

**IGNIZIO ODDO** 

### **FIRE & CRIMINAL JUSTICE**

CROWLEY, Chair

EUGENE GENTILE VALLONE RODRIGUEZ HALLORAN

### **GENERAL WELFARE**

PALMA, Chair ARROYO BREWER FOSTER WHITE LANDER LEVIN RODRIGUEZ VAN BRAMER

### **GOVERNMENTAL OPERATIONS**

BREWER, Chair DICKENS DILAN RECCHIA VALLONE

### HEALTH

ARROYO, Chair DICKENS EUGENE FERRERAS FOSTER MENDEZ RIVERA VALLONE VANN ROSE VAN BRAMER

### **HIGHER EDUCATION**

RODRIGUEZ, Chair BREWER SEABROOK VACCA CABRERA

ROSE WILLIAMS

### **HOUSING & BUILDINGS**

DILAN, Chair BREWER CROWLEY FIDLER JACKSON JAMES

MARK-VIVERITO

MENDEZ RIVERA WHITE WILLIAMS ULRICH ODDO

### **IMMIGRATION**

DROMM, Chair BARRON EUGENE RODRIGUEZ WILLIAMS

### JUVENILE JUSTICE

GONZALEZ, Chair ARROYO

SANDERS DROMM

### LAND USE

COMRIE, Chair **ARROYO BARRON DICKENS GARODNICK GONZALEZ JACKSON** LAPPIN MENDEZ PALMA **REYNA RIVERA SANDERS SEABROOK** VACCA VANN LANDER **LEVIN** WEPRIN **WILLIAMS HALLORAN** 

IGNIZIO KOO

### LOWER MANHATTAN REDEVELOPMENT

CHIN, Chair MENDEZ CABRERA LEVIN VAN BRAMER

### MENTAL HEALTH, MENTAL RETARDATION, ALCOHOLISM, DRUG ABUSE & DISABILITY SERVICES

KOPPELL, Chair BREWER CABRERA HALLORAN

### **OVERSIGHT & INVESTIGATIONS**

WILLIAMS, Chair NELSON ROSE WEPRIN KOO

### **PARKS & RECREATION**

MARK-VIVERITO, Chair CROWLEY FERRERAS GENTILE VACCA DROMM VAN BRAMER

### **PUBLIC HOUSING**

MENDEZ, Chair DILAN MARK-VIVERITO CHIN HALLORAN

### **PUBLIC SAFETY**

VALLONE, Chair DILAN FOSTER GARODNICK GENNARO GENTILE HALLORAN ULRICH

### **RULES, PRIVILEGES, &**

ELECTIONS
RIVERA, Chair
COMRIE
DICKENS
DILAN
FIDLER
JACKSON
VACCA
VANN
KOSLOWITZ
ODDO
QUINN

### SANITATION & SOLID WASTE MANAGEMENT

JAMES, Chair ARROYO GENNARO JACKSON NELSON

### **SMALL BUSINESS**

REYNA, Chair EUGENE JAMES CHIN KOO

### **STANDARDS & ETHICS**

DICKENS, Chair JACKSON PALMA RIVERA KOSLOWITZ IGNIZIO ODDO

### STATE & FEDERAL LEGISLATION

FOSTER, Chair DILAN FIDLER RECCHIA RIVERA SEABROOK CROWLEY

### **TECHNOLOGY**

GARODNICK, Chair BREWER JAMES KOPPELL WEPRIN

### **TRANSPORTATION**

VACCA, Chair BRÉWER GARODNICK KOPPELL

LAPPIN

MEALY NELSON

RODRIGUEZ

ROSE

VAN BRAMER IGNIZIO KOO

ULRICH

**VETERANS** 

EUGENE, Chair

SANDERS FIDLER

GENTILE CABRERA

DROMM

WATERFRONTS

NELSON, Chair

BREWER

VALLONE LANDER

ULRICH

**WOMEN'S ISSUES** 

FERRERAS, Chair

BARRON CROWLEY

CHIN

**YOUTH SERVICES** 

FIDLER, Chair

GONZALEZ

MARK-VIVERITO

**MEALY** 

**PALMA** 

CABRERA

**RODRIGUEZ** 

WILLIAMS

KOO

LAND USE SUB COMMITTEES

**LANDMARKS, PUBLIC SITING &** 

**MARITIME USES** 

LANDER, Chair

**ARROYO** 

**MENDEZ** 

PALMA

SANDERS

**WILLIAMS** 

KOO

**PLANNING, DISPOSITIONS &** 

**CONCESSIONS** 

LEVIN, Chair

BARRON

DICKENS

**GONZALEZ** 

**HALLORAN** 

**ZONING & FRANCHISES** 

WEPRIN, Chair

COMRIE

GARODNICK

JACKSON

LAPPIN REYNA

RIVERA

SEABROOK

VACCA

VANN

**IGNIZIO** 

**SUB COMMITTEES** 

**DRUG ABUSE (MENTAL HEALTH)** 

CABRERA, Chair

**SENIOR CENTERS (AGING)** 

ROSE, Chair

Speaker	Quinn	\$28,500
Majority Leader / Rules	Rivera	\$23,000
Deputy Majority Leader / Land Use	Comrie	\$20,000
Assistant Majority Leader/ Standards and Ethics	Dickens	\$15,000
Assistant Majority Leader/ Youth Services	Fidler	\$15,000
Majority Whip / Community Development	Vann:	\$11,000
Minority Leader	Oddo	\$18,000
Minority Whip	Ulrich	\$5,000
Standing Committees		
Finance	Recchia	\$18,000
Aging	Lappin	\$10,000
Civil Rights	Seabrook	\$10,000
Civil Service and Labor	Sanders	\$10,000
Consumer Affairs	Koslowitz	\$10,000
Contracts	Mealy	\$10,000
Cultural Affairs, Libraries, & International Intergroup Relations	Van Bramer	\$10,000
Economic Development	White	\$10,000
Education	Jackson	\$10,000
Environmental Protection	Gennaro	\$10,000
Fire and Criminal Justice Services	Crowley	\$10,000
General Welfare	Palma	\$10,000
Governmental Operations	Brewer	\$10,000
Health	Arroyo	\$10,000
Higher Education	Rodriguez	\$10,000
Housing and Buildings	Dilan	\$10,000
Immigration	Dromm	\$10,000
Juvenile Justice	Gonzalez	\$10,000
Lower Manhattan Redevelopment	Chin	\$10,000
Mental Health, Mental Retardation, Alcoholism,	Koppell	\$10,000
Drug Abuse & Disability Services	• •	
Oversight and Investigations	Williams	\$10,000
Parks and Recreation	Mark-Viverito	\$10,000
Public Housing	Mendez	\$10,000
Public Safety	Vallone	\$10,000
Sanitation and Solid Waste Management	James	\$10,000
Small Business	Reyna	\$10,000
State and Federal Legislation	Foster	\$10,000
Transportation	Vacca	\$10,000
Veterans	Eugene	\$10,000
Waterfronts	Nelson	\$10,000
Waternones Women's Issues	Ferreras	\$10,000
Subcommittees	CITCIGS	420,000
<del></del>	Weprin	\$4,000
Zoning and Franchises (Land Use)  Landmarks, Public Siting & Maritime Uses (Land Use)	Lander	\$4,000
Planning, Dispositions and Concessions (Land Use)	Levin	\$4,000
Drug Abuse (Mental Health)	Cabrera	\$4,000
•	Rose	\$4,000
Senior Centers (Aging)	, 1030	Ψ 1/000
Select Committee	Gentile	\$4,000
Libraries	Jenne	ψ 1/000

Page 1 of 3



Com Mty FYI

CLOSE WINDOW

FOR IMMEDIATE RELEASE PR- 033-10 January 21, 2010

### MAYOR BLOOMBERG ANNOUNCES APPOINTMENT OF MICAH LASHER AS DIRECTOR OF STATE LEGISLATIVE AFFAIRS

New Position of Fiscal Director of State Legislative Affairs Created to Increase the City's Advocacy on State Budget Matters

Mayor Michael R. Bloomberg today announced the appointment of Micah C. Lasher as Director of State Legislative Affairs. As Director, Lasher will be responsible for leading the Administration's State legislative agenda, relations with the Office of the Governor and State legislators and preparing the Administration's response to and negotiation of all proposed State legislation impacting New York City. The Mayor also appointed Timothy F. Mulligan as Fiscal Director of State Legislative Affairs, a newly created position specifically dedicated to working on State budget issues. Lasher currently serves as Executive Director of External Affairs for the Department of Education, where he oversees government affairs, community relations, media relations and the Office for Family Engagement and Advocacy. Working with previous Director of State Legislative Affairs Michelle L. Goldstein, Lasher helped lead the successful effort to negotiate and pass the renewal of mayoral control of the City's school system. Goldstein was appointed Executive Director of the City's Office of Federal Affairs earlier this month. Mulligan currently serves Assistant Director for Intergovernmental Relations for the Office of Management and Budget, where he has worked on all aspects of the State's budget and its impact on New York City, including Tier V pension reform. He also analyzed many pieces of federal legislation, including the impact of American Recovery and Reinvestment Act of 2009 on the City. The Mayor also announced Deputy Director of State Legislative Affairs Steven Williams has been given an expanded portfolio and increased responsibilities in advocating for the City in Albany.

"Micah has quickly proven himself to be an invaluable asset to our Administration and New Yorkers will be well served by having an advocate with his skill and dedication working for the City's priorities in Albany," said Mayor Bloomberg. "So many of the City's initiatives require State approval, and we have an ambitious agenda we want to achieve - ensuring the City is being treated fairly in the state budget process, creating an affordable pension system for new City employees, extending the progress in our schools, continuing our fight against illegal guns and reducing the unfunded mandates that unfairly burden city taxpayers. Michelle Goldstein did great work for us over the last three years, and I'm confident that we have the right

leader and we have the right team in place to build on that."

"Creating a new, senior-level position specifically dedicated to working on State budget matters speaks to the importance of the State budget for the City," said Director of the Office of Management and Budget Mark Page. "Tim's constant presence in the State budget process will allow us to efficiently and effectively work to discern the impact of State proposals and ensure the City is treated fairly by the State. During these difficult economic times, we have to identify opportunities to restructure the City-State relationship to achieve joint savings and preserve vital services for New Yorkers and Tim will help lead that effort."

"It's been a great honor working on behalf of the City's schools and I'm humbled that the Mayor is giving me the opportunity to continue that work and responsibility for the City's broader legislative agenda," said Lasher. "I come to the job with great respect for the members of the legislature, and will work day and night to partner with them in seeing the City through these difficult economic times."

Before joining the Bloomberg Administration, Lasher served as a chief aide to U.S. Representative Jerrold L. Nadler and was a founding partner of KnickerbockerSKD, a communications consulting firm advising elected officials at all levels of government, labor unions and leading nonprofits. He holds a bachelor's degree from New York University. He lives on Manhattan's Upper West Side with his wife.

Mulligan will continue in his role as Assistant Director for Intergovernmental Relations for the Office of Management and Budget, which he has held since 2006, while also assuming the new role of Fiscal Director of State Legislative Affairs. Prior to joining OMB, Mulligan served as Deputy Commissioner for Legislative Affairs at the City's Human Resources Administration. He is a graduate of the Woodrow Wilson School of Public and International Affairs at Princeton University, New York University School of Law and the NYC Urban Fellows Program. He lives in Queens with his wife and their three children.

Williams, who has been a member of the Mayor's State legislative team since 2006, has led efforts to secure crucial state funding for education, economic development projects and in the passage of tax policy initiatives to help balance the City's budget and further economic development. He has played a vital role in the passage of job creation legislation, an energy cost savings program and most significant reform of the City's tax code since the 1980s. Williams also provides day to day oversight of the Albany office and manages the City's legislative program. He has more than 20 years of experience working in Albany, including serving as Special Assistant to the Governor for Education and Economic Development in the Pataki Administration, Director of Public Affairs to the State Assembly Minority Conference, as well as positions with the New York State School Boards Association and the Partnership for New York City. Williams holds a bachelor's degree from University at Albany, State University of New York. He has two children and lives with his wife in Loudonville, NY.

### MEDIA CONTACT:

Stu Loeser/Marc LaVorgna (212) 788-2958

JULIE DENT PRESIDENT

JUAN CARLOS "J.C." POLANCO SECRETARY

JOSE MIGUEL ARAUJO
NAOMI BARRERA
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
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MARCUS CEDERQVIST EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS ADMINISTRATIVE MANAGER

January 19, 2010

VIA FAX AND MAIL
Hon. Mark Page
Director
Office of Management and Budget
75 Park Place
New York, NY 10007

Dear Mr. Page:

I am writing at the direction of the Commissioners of Elections to alert you that there will be a Special Election for an Assembly District in Queens and to request additional funds for this election event.

Governor David Paterson has executed a Proclamation calling for a Special Election on Tuesday, February 9, 2010 for the 24<sup>th</sup> Assembly District in Queens. This election is necessary due to the vacancy created by the resignation of Assemblyman Mark Weprin, who was elected to the New York City Council during the 2009 General Election. I have taken the liberty of enclosing a copy of Governor Paterson's Proclamation for your review. The cost of this additional election event is anticipated to be \$345,984.

In addition, Council Member Simcha Felder of Brooklyn's 44<sup>th</sup> Council District has announced that he will resign on January 31, 2010 to join the Office of the New York City Comptroller. Should such a vacancy occur, an additional Special Election will be required to fill this City Council position. The cost of this additional election event, which would occur in mid-March, is anticipated to be \$388,416. The combined anticipated cost for both Special Election events is \$734,400.

Hon. Mark Page January 19, 2010 Page 2

Please feel free to contact me if you have any questions or if I can be of any assistance with this matter.

Sincerely,

Marcus Cederqvist Executive Director

### **Enclosure**

cc: Hon. Michael R. Bloomberg, Mayor of the City of New York

Hon. Kevin Sheekey, Deputy Mayor for Government Affairs

Hon. Edward Skyler, Deputy Mayor for Operations

Hon. Christine C. Quinn, Speaker of the New York City Council

Commissioners of Elections of the City of New York

James A. Walsh Co-Chair

Gregory P. Peterson Commissioner

Todd D. Valentine Co-Executive Director



Douglas A. Kellner Co-Chair

Evelyn J. Aquila
Commissioner

Robert A. Brehm
Co-Executive Director

### MEMORANDUM

TO:

Commissioners of Elections:

Queens County (NYC)

FROM:

Robert A. Brehm

Co-Executive Director

Todd D. Valentine Co-Executive Director

DATE:

January 5, 2010

SUBJECT:

Special Election - 24th Assembly District

Please be advised that Governor David A. Paterson issued a proclamation for a special election for the:

24th Assembly District – due to the resignation of Hon. Mark S. Weprin.

The date of this special election has been set for February 9, 2010 and shall be conducted by you in a manner consistent with all special election provisions of the New York State Election Law and its rules and regulations.

Enclosed please find a copy of the Governor's proclamation and a calendar which sets forth all pertinent dates concerning this special election.

RAB/TDV/Is Enclosures

cc: NYS Party Chairs



### STATE OF NEW YORK

DAVID A. PATERSON GGVERNOR

PETER J. KIERNAN Coursel to the Governor

January 5, 2010

Robert Brehm, Director Todd D. Valentine, Co-Executive Director New York State Board of Elections 40 Steuben Street Albany, New York 12207-2108

Dear Messrs. Brehm and Valentine:

Enclosed please find a copy of a Proclamation that was executed by Governor Paterson, January 5, 2010, calling for four Special Assembly Elections on February 9, 2010. These special elections are necessary to fill vacancies in the 3<sup>rd</sup>, 15<sup>th</sup>, 24<sup>th</sup> and 89th Assembly Districts, including all or parts of Nassau, Suffolk, Westchester and Queen's counties, created by the resignations of Rob Walker, Patricia A. Eddington, Adam Bradley and Mark Weprin.

Please take the appropriate action required by your office with respect to this Proclamation

Peter J. Kiernan

Counsel to the Governor

Enclosures

RECEIVED JAN 0 5 2010

NYS Board of Elections

EXECUTIVE CHAMBER

STATE CAPITOL WWW.ny gov

ALBANY 12224

RECEIVED

010X & 0 MAL

NYS Board of Elections



State of M. " AULK

JAN 0 5 2010

estate to visitateas



### PROCLAMATION

WHEREAS, vacancies exist in the offices of New York State Assembly in Districts in the Counties of Nassau, Suffolk, Queens and Westehoster caused by the realgrations of: Rob Walker, Patricia A. Bodington, Mark Weprin and Adam Bradley, Members of New York State Assembly from the said Districts;

NOW, THEREFORE, I, David A. Paterson, Governor of the State of New York, pursuant to Section 42 of the Public Officers Law, do hereby order and proclaim that an election for Members of New York State Assembly in the place and for the unexpired term of, Rob Walker, Patricia A. Eddington, Mark Weprin and Adam Bradley to held in the said Districts: Nassau, Suffolk, Queens and Westahester counties on the ninth day of February, two thousand ten, such election to be conducted in the manner prescribed by law for election of New York State Member of Assembly.



GIVEN under my hand and the Privy Scal of the State this fifth day of January in the year two thousand

Frid A. Paterson

BY THE GOVERNOR

Scaretary to the Governor

## Teliable move to the future ew scan voting machines

n a recent vote, the New York City Board of Elections chose the Elections scan voting machines to replace our System and Software DS200 optical aged lever machines.

to the electoral process, while ensuring that every vote cast is counted accurate-The new machines will be used in this fall's primary and general elections, and will bring greater efficiency and accuracy

operation of these voting machines, in-As we prepare for this change, I want ability. The state Board of Elections engaged in a long and meticulous process every aspect of the programming and to assure all New Yorkers of their reliover almost three years, and examined

lions of lines of code, to make sure that they are trustworthy and accucluding reviewing mil-

Committee Last year, the Senate ensure that these machines would meet the took additional steps to highest standards and are trustworthy and reli-Elections

able. Last fall, the state Board of Eleccounties, which proved one thing: These machines produce results that the public Voters also can be assured that altions also instituted a pilot program using optical scan machines in 47 of our 62 can trust.

inserting their ballots incorrectly. There were minor privacy issues, but they were easily rectified.

York City, they will undergo even more ter the machines are delivered to New from Elections Systems & Software to sure proper functioning and accuracy. Afof Elections will work with personnel run a series of compliance tests to enare instituting the use of paper ballots that are a permanent record and can be used for an audit of the machine results though we are eliminating the lever, we



ating these machines, these are easily curable election management issues that have nothing to do with reliability. The ties some poll workers have had in operpressed regarding privacy due to the layout of the poll sites, as well as difficulonly instances when the machines re-While some concerns have been exin a close or suspect race, if necessary.

cated his intention but could not be read by the cling a candidate's name instead of filling in the portedly failed to count a machines, such as by cirvote were when the voter incorrectly marked the ballot in a way that indibubble next to the name. cy to the ... process.

efficiency & accurawill ... bring greater The new machines

The machines showed a minimal miscount, mainly from people Joseph Addabbo

Throughout this year, the state Board

testing before being used for the first All New Yorkers can be confident that they will have the most trustworthy and time in this September's primary elec-Board of Elections to inform and train efficient Election Day operation this year. tions, I encourage and will work with the our voters and poll workers to ensure an reliable voting machines available.

ward to working with individuals across our city to educate voters city Board of Elections to reach out to scan voting machines, I look forcommunities and districts to ensure they have the necessary resources to successs we make this transition to optical on their use. I also plan to work with the

tive, such as by allowing poll workers to our poll workers as well. As chairman of is my intention to pass whatever legislation we can to make the administration of our elections easier and more effecwork half-day shifts, and there is substantial support in the Senate for reforms I am concerned about the education of the state Senate Elections Committee, i fully complete this transition.

upon the priorities we had last year: to increase voter turnout because we've mittee chairman will continue building . My goals this year as Elections Commade the voting process easy, enjoyable, more accessible and efficient. to accomplish that.

represents western Queens' 15th Senate State Sen. Joseph Addabbo, a Democrat, District.