

HEARINGS ON INDEPENDENT NOMINATING PETITIONS FOR THE
NOVEMBER 7, 2017 GENERAL ELECTION AND THE
MEETING OF THE COMMISSIONERS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, SEPTEMBER 5, 2017 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umane
 Secretary Rosanna Vargas

Commissioners John Flateau, Maria R. Guastella, Michael Michel,
Alan Schulkin, Simon Shamoun, Robert Siano, John Wm. Zaccone

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications
Troy Johnson, Coordinator, Candidate Records Unit
Rayvon Weaver, Project Coordinator, Candidate Records Unit
Michael Carmicino, Administrative Associate, Candidate Records Unit
Anthony Andriulli, Deputy Chief Clerk, Staten Island Office
Lisa Sattie, Administrative Associate, Staten Island Office
Gregory Lehman, Chief Clerk, Manhattan Office
William Anthony Allen, Deputy Chief Clerk, Manhattan Office
Bart Haggerty, Deputy Chief Clerk, Queens Office
Robert Pataky, Administrative Associate, Queens Office
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Katharine Loving, NYC Campaign Finance Board
 John Haggerty
 Mark Griffin, NYC Campaign Finance Board
 Daniel A., NYC Campaign Finance Board
 Rebecca Harary
 Ian Reilly

Chris Caren
Karmen Smith
Sobhurn Moore
Victoria Cambranes
Bronifoire
Montel Moseley
Sara Lind
M. Connor, for Haggerty
Wendy Byrne
Gustave Solis
Shenaque Sean Butler
Alan Flacks, Member of NY County Democratic Committee
Everly Brown
Derek Hamilton
Stuart Balberg
Gina Smith
Walter Iwachiw
Dennis Houdak, for Stop de Blasio

President Umame called the meeting to order at 1:37 P.M.

President Umame announced that the Commissioners will conduct the Hearings on challenges to Independent Nominating petitions for Public Offices to be contested in the November 7, 2017 General Election.

President Umame stated the procedures to be followed during the Hearing.

Before the Hearings commenced, President Umane recognized Cassandra Tsaknis, a member of the public, who requested to challenge the voter registrations of three (3) voters. Ms. Tsaknis explained that she purchased a building at 93 South 4th Street, Brooklyn, NY 11211 twelve (12) years ago and has been receiving Board mail for three (3) voters who do not reside there. Mr. Richman advised Ms. Tsaknis that she has to fill out “Challenge to a Voter Registration” forms for these voters. This item was placed on second call.

President Umane called upon Mr. Richman to call the Calendar for the Hearings. The Calendar was posted for the public as required.

Mr. Richman called the Legal Prima Facie Report. In selected instances, there were appearances by a candidate and/or their representative which is noted on the Legal Prima Facie Report on file at the Board. The Commissioners’ determinations are reflected on the Report on file at the Board.

Mr. Richman called the Candidate Records Unit’s Prima Facie Report. In selected instances, there were appearances by a candidate and/or their representative which is noted on the Candidate Records Unit

Prima Facie Report on file at the Board. The Commissioners' determinations are reflected on the Report on file at the Board.

Mr. Richman called the Counsel's Report on the Specification of Objections #RH6-1 filed by John F. Haggerty, Jr. to the Independent Nominating petition filed for Nicole Malliotakis to be a candidate for Mayor of the City of New York in the "Stop de Blasio" independent body in the November 7, 2017 General Election. There were appearances by a candidate and/or their representative which is noted on the Counsel's Report on file at the Board. The Commissioners' determinations are reflected on the Counsel's Report on file at the Board.

President Umane recalled the "Challenge to a Voter Registration" matter concerning three (3) voters. Cassandra Tsaknis submitted a signed "Challenge to a Voter Registration" affidavit to the Commissioners. Copies of these voters' registration records were reviewed by Board staff. Mr. Ryan explained the code status of these three (3) voters as it appears in the voter registration system. It was found that two (2) voters are in Federal Postcard Applicant (FPCA) status with no definite return date and their last known address is 93 South 4th Street, Brooklyn, NY 11211. These voters have been properly processed in the system. The third voter,

Arisleida Martinez, was registered at 93 South 4th Street, Apt. 2, Brooklyn, NY 11211 in 1996, and in 2012, she submitted an affidavit ballot using the address of 93 South 4th Street, Apt. 3, Brooklyn, NY 11211 and did not fill out a “Change of Address”. Ms. Tsaknis reported she has owned the building since 2004 and there is no Apt. 3 in the building, and Ms. Martinez does not reside there. Pursuant to the provisions of Section 5-220(1) of the New York State Election Law, Ms. Tsaknis swore before the Commissioners challenging the voter registration of Arisleida Martinez, 93 South 4th Street, Apt. 3, Brooklyn, NY 11211, VSN # 303076467. This voter will be placed on the Challenge List in accordance with Section 5-220(2) of the NYS Election Law. A bi-partisan team will conduct the required inquiry into these challenges pursuant to the provisions of Article 5 of the New York State Election Law. This matter will be reported back to the full Board and Ms. Tsaknis.

President Umame reconvened the Hearings.

Mr. Richman called the Clerks’ Reports for Specifications of Objections for Citywide Offices. In selected instances, there were appearances by a candidate and/or their representative which is noted on

the Clerk's Reports on file at the Board. The Commissioners' determinations are reflected on each Clerks' Report acted upon.

Mr. Richman called the Clerks' Reports for Specifications of Objections for New York County. In selected instances, there were appearances by a candidate and/or their representative which is noted on the Clerk's Reports on file at the Board. The Commissioners' determinations are reflected on each Clerks' Report acted upon.

Mr. Richman called the Clerks' Reports for Specifications of Objections for Citywide Offices from Queens County. In selected instances, there were appearances by a candidate and/or their representative which is noted on the Clerk's Reports on file at the Board. The Commissioners' determinations are reflected on each Clerks' Report acted upon.

President Umane recalled matters that were placed on second call. The Commissioners' determinations are reflected on each Report acted upon which are on file at the Board.

President Umane adjourned the Hearings and convened the regular stated meeting of the Commissioners.

Commissioner Guastella moved to adopt the minutes from the August 8, 2017 meeting. Commissioner Zaccone seconded the motion, with Commissioners Flateau and Shamoun abstaining. The motion was adopted.

Commissioner Guastella moved to adopt the minutes from the August 15, 2017 meeting. Commissioner Zaccone seconded the motion, with Commissioners Flateau and Michel abstaining. The motion was adopted.

Commissioner Guastella moved to adopt the minutes from the August 29, 2017 meeting. Commissioner Zaccone seconded the motion, with Commissioners Siano and Umane abstaining. The motion was adopted.

President Umane recognized Gina M. Smith, a member of the public, who requested to challenge a voter registration of one (1) voter. Ms. Smith submitted a signed "Challenge to a Voter Registration" affidavit with

attachments to the Commissioners. Ms. Smith explained that she believes voter Keith L. Lilly does not live at the address provided on his voter registration form based on her personal knowledge and public campaign finance records. Ms. Smith reported that she lives in the same building as Mr. Lilly. Pursuant to the provisions of Section 5-220(1) of the New York State Election Law, Ms. Smith swore before the Commissioners challenging the voter registration of Keith L. Lilly, 1295 5th Avenue, #12B, New York, NY 10029, VSN # 302635735. This voter will be placed on the Challenge List in accordance with Section 5-220(2) of the NYS Election Law. A bi-partisan team will conduct the required inquiry into these challenges pursuant to the provisions of Article 5 of the New York State Election Law. This matter will be reported back to the full Board and Ms. Smith.

President Umane moved to adjourn the meeting. The motion was seconded, and unanimously adopted.

President Umane reminded the public that the Primary Election will be conducted next Tuesday, September 12, 2017.

The next stated meeting of the Commissioners will be held on Tuesday, September 19, 2017 at 1:30 P.M.