

MEETING OF THE BOARD OF CANVASSERS AND
THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, OCTOBER 3, 2017 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umame
 Secretary Rosanna Vargas

Commissioners Jose Araujo, John Flateau, Maria R. Guastella, Michael Michel, Alan Schulkin, Robert Siano, Simon Shamoun, 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
Nina M. Crispino, Director, Personnel
Troy Johnson, Coordinator, Candidate Records Unit
Rayvon Weaver, Project Coordinator, Candidate Records Unit
John Naudus, Manager, Electronic Voting Systems
Thomas Sattie, Associate Staff Analyst, Ballot Management
Greg Lehman, Chief Clerk, Manhattan Office
William A. Allen, Deputy Chief Clerk, Manhattan Office
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
 Nancy Wait
 Wendy Byrne, LWVNYC
 Mark Treyger, NYC Council Member
 Anna Scaife
 Katharine Loving, NYC Campaign Finance Board
 Alan Flacks, Member of NY Democratic Committee

President Umane called the meeting to order at 1:35 P.M.

President Umane opened the floor for New York City Council Member Mark Treyger, who advocated for and requested for the Board to participate in a Pilot Program at select poll sites in Brooklyn to include Russian and Haitian Creole language Interpreters. Commissioner Flateau reported that the Board received a letter from the NYC Mayor's Office of Immigration Affairs concerning this matter, and the Brooklyn Commissioners are currently reviewing the recommendations. On behalf of the Commissioners, President Umane thanked Council Member Treyger for his presentation.

Pursuant to the provisions of Title 2 of Article 9 of the New York State Election Law, specifically Sections 9-204, 9-210 and 9-212, President Umane called the meeting of the Board of Canvassers in the City of New York to order for the purposes of certifying the recanvass of votes cast on the September 12, 2017 Primary Election for the Public Office of Member of the City Council for the 1st Council District in the Independence Party.

President Umame designated Commissioner Michel to serve with him as the other Republican Member of the Canvassing Board to sign the certified statements.

Secretary Vargas designated Commissioner Schulkin to serve with her as the other Democratic Member of the Canvassing Board to sign the certified statements.

The Chief Clerk and Deputy Chief Clerk of Manhattan and their staff have prepared and signed the Return of Canvass for the September 12, 2017 Primary Election for the Independence Party Opportunity to Ballot Primary for the Public Office of Member of the City Council for the 1st Council District in the Borough of Manhattan, following a hand canvass of the ballots cast in accordance with the Board's Policies and Procedures. Mr. Lehman and Mr. Allen, presented the Return of Canvass to the Canvassing Board for review and approval. Mr. Lehman and Mr. Allen confirmed that the results presented are accurate and correct, and there are no discrepancies. Based on that report, Commissioner Schulkin moved that the Board of Canvassers certify the Return of Canvass for the September 12, 2017 Independence Party Primary Election for the Public Office of Member of the New York City

Council in the 1st Council District. President Umame seconded the motion, which was unanimously adopted.

Commissioner Zaccone moved to authorize the use of the Commissioners' signature stamps as appropriate on each Statement and Return of Canvass. Commissioner Schulkin seconded the motion, which was unanimously adopted.

Commissioner Michel moved to adjourn the meeting of the Board of Canvassers and to convene the weekly stated meeting of the Commissioners of Elections in the City of New York. Commissioner Shamoun seconded the motion, which was unanimously adopted.

Commissioner Zaccone moved to adopt the minutes for the September 26, 2017 meeting. Commissioner Flateau seconded the motion, with Commissioners Guastella and Siano abstaining. The motion was adopted.

President Umame recognized Nancy Wait, a member of the public, who requested to challenge a voter registration of a voter. Ms. Wait, an enrolled Democrat, submitted a signed "Challenge to a Voter Registration"

affidavit to the Commissioners challenging voter Nancy Wait, an enrolled blank, 553 8th Street, Apt. 16-L, Brooklyn, NY 11215, DOB 8/3/1967, VSN # 301418296. Mr. Ryan reviewed both voter registration records of Nancy Wait and reported that the buff cards each have different signatures and different date of births. Ms. Wait submitted both copies of the Board's annual Voter Information Notice that was delivered to her mailbox at the 1st floor apartment. Ms. Wait testified that the building only has 4 floors and that there is no 16th floor. It was also noted that there are two (2) Nancy Wait voter signature lines in the Poll List Book. Pursuant to the provisions of Section 5-220(1) of the New York State Election Law, Ms. Wait swore before the Commissioners challenging the voter registration of Nancy Wait, an enrolled blank, 553 8th Street, Apt. 16-L, Brooklyn, NY 11215, DOB 8/3/1967, VSN # 301418296. 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. Wait.

On behalf of Mr. Johnson, Mr. Richman presented the Draft Notice to All Candidates for the November 7, 2017 General Election. Copies of the draft were circulated to the Commissioners for review. Mr. Richman

reported that the Office of the General Counsel has reviewed and edited the draft Notice, and it meets the statutory requirements. Commissioner Araujo moved to adopt the Notice to All Candidates for the November 7, 2017 General Election. Commissioner Guastella seconded the motion, which was unanimously adopted. Commissioner Araujo requested for the Notice to be posted on the Board's website immediately.

Commissioner Araujo inquired about the status of the Board's website's redesign and usability. Mr. Ryan reported that Board's redesign has been completed and staff is currently testing each webpage and finalizing the firewall using new software. The Board will be using an Amazon based Cloud firewall and there will be a soft launch this month. Commissioner Zaccone requested for the Board to wait until after Election Day to avoid any complications. Mr. Ryan explained that it will be an internal only soft launch which will not be for the public. Commissioner Flateau inquired if New York State was attempted to be compromised during the 2016 elections. Mr. Ryan reported that New York State was not included on the New York State Governor's list, nor did he never receive any formal notification.

Mr. Ryan reported on the hours of operation for Friday, October 13, 2017 which is the last day to register to vote for the November 7, 2017 General Election. Executive Management recommended for the General Office to be open until 12:00 A.M. Midnight, and the Borough Offices to be open until 9:00 P.M. using minimal staff. Commissioner Flateau moved to adopt the hours of operation for Friday, October 13, 2017 as submitted. Commissioner Siano seconded the motion, which was unanimously adopted. This information will be posted on the Board's website.

Commissioner Michel presented the Commissioners' Ballot Committee Report to the full Board concerning the absentee and military ballots for the November 7, 2017 General Election. Copies of sample ballots were distributed to the Commissioners for review. Commissioner Michel reported that the Ballot Committee had requested for the largest font possible on the absentee and military ballots. It was noted that some Election Districts in Queens have five (5) required languages on the ballot. The largest font size would be 8 point on a single page, front and back, ballot. Mr. Naudus reported that the ballot would move onto 2-pages if the font is increased any larger. In response to Commissioner Flateau, Mr. Naudus reported that the Proposals will be printed in the required State Board's language. The Commissioners recommended for the Proposals

and voter instructions to be printed in the largest font size as possible on the ballot. Mr. Naudus reported that the Proposals will be printed vertical/stacked to utilize all available space on the ballot. Commissioner Shamoun inquired about the Party lines which do not have any candidates. Mr. Richman reported that it is required for them to appear even if they do not have any candidates according to Section 7-116 of the New York State Election Law. Commissioner Shamoun inquired about the wrap around as it appears not consistent on the ballot. Mr. Naudus reported that the write-in filtering computer software for the write-in boxes must be 4 timing marks wide to correspond with the ovals in order to intercept at the same time. President Umane moved to adopt the Commissioners' Ballot Committee Report for the military and absentee ballots for the November 7, 2017 General Election as presented, with a friendly amendment to increase the font size of the "Remember to Vote Both Sides" instructions as large as possible on each ballot. Commissioner Zaccone seconded the motion, which was unanimously adopted.

President Umane recognized Alan Flacks, a member of the public, who spoke about Robert's Rules of Order and a court Consent Order concerning Courthouse News Service V. Milton Tingling.

Secretary Vargas moved to convene Executive Session for purposes of personnel and litigation. Commissioner Shamoun seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and Mr. Ryan reported the following action taken in Executive Session:

- I. The Commissioners (9 - 0) unanimously appointed Mitchell Partnow as Project Coordinator in General Office, at the discretion of Executive Management. Commissioner Shamoun did not participate in this matter.

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

The next stated meeting of the Commissioners will be held on Tuesday, October 10, 2017 at 1:30 P.M.