

MEETING OF THE COMMISSIONERS OF ELECTIONS  
IN THE CITY OF NEW YORK  
HELD ON TUESDAY, OCTOBER 9, 2018 AT 1:30 P.M.  
42 BROADWAY, 6<sup>th</sup> FLOOR, COMMISSIONERS' HEARING ROOM  
NEW YORK, NY 10004

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PRESENT:       President Rosanna Vargas  
                  Secretary John Wm. Zaccone

Commissioners Jose Araujo, John Flateau, Marie R. Guastella, Michael Michel, Alan Schulkin, Simon Shamoun, Robert Siano, Frederic M. Umame

Michael J. Ryan, Executive Director  
Dawn Sandow, Deputy Executive Director  
Pamela Perkins, Administrative Manager  
Georgea Kontzamanis, Operations Manager  
Steven H. Richman, General Counsel, Office of the General Counsel  
Raphael Savino, Deputy General Counsel, Office of the General Counsel  
Valerie Vazquez, Director, Communications & Public Affairs  
Steven Guglielmi, Director, Personnel  
Troy Johnson, Coordinator, Candidate Records Unit  
Rayvon Weaver, Project Coordinator, Candidate Records Unit  
Kenneth Moltner, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST:       Katherine Garrity, NYC CFB  
              Wendy Byrne, NYC LWV  
              Katharine Loving, NYC CFB  
              Kate Doran, LWV  
              Bill Cortese  
              Martin Connor  
              Mary Tadeshe

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President Vargas called the meeting to order at 2:14 P.M.

Commissioner Siano moved to adopt the minutes from the September 27, 2018 meeting. Commissioner Flateau seconded the motion, with Commissioner Michel abstaining. The motion was adopted.

Mr. Ryan requested ratification of the October 3, 2018 Commissioners' determination, via telephone conference, concerning the distribution of Military, Federal and UOCAVA ballots as per 52 USC Sec. 20302 (s). Mr. Ryan provided a brief overview. Since 2010, the State Board has operated a downloadable ballot website for the Scytl system which generates absentee ballots for Military and Overseas voters. Those voters have to proactively request their ballot by filling out an online form. There is an option for the voter to choose only absentee ballot access via website and not receive a ballot by mail. To ensure the Scytl downloadable system was working properly, the Board took precaution and mailed Military and Overseas voters absentee ballots to ensure they received a ballot. Mr. Ryan reported that over the course of time, there has been confusion with some requestors voting on a Scytl downloadable ballot and then receiving a physical ballot in the mail. There has been Borough Office staff confusion as well during the canvassing process. Executive Management and staff recommended forgoing the mailing of the physical

absentee ballot to every Military and Overseas voter and only mailing the absentee ballot when it is specifically requested by the voter. The Commissioners granted permission via telephone conference. Mr. Ryan reported that the Board met the deadline last week to mail out any requested Military and Overseas absentee ballots. Commissioner Schulkin moved to ratify the prior action by the Commissioners via telephone conference held on October 3, 2018. Commissioner Guastella seconded the motion, which was unanimously adopted.

President Vargas called the Hearing on the Candidate Record Unit's (CRU) Prima Facie Defects relating to Independent Nominating Petition of Mary Tadeshe, Candidate for the New York State Senate in the 28<sup>th</sup> State Senate, on the independent body "Independent Democrat Party". Mr. Moltner called the calendar for the Hearing. There were no appearances. The Commissioners' determinations are reflected on the CRU Prima Facie Report on file at the Board. Mr. Richman reported that the same candidate filed petitions for a different Senatorial District in Queens County today. In addition, the Candidate Records Unit is waiting to receive a Specification of Objection today relating to a General Objection for the Reform Party in Richmond County. Mr. Richman requested

authorization to schedule Hearings for these matters on next Tuesday, October 16, 2018 at 1:30 P.M. and to issue proper notification. There was consent among the Commissioners to schedule the Hearings.

Mr. Ryan noted that Commissioner Shamoun has not joined the meeting yet and recommended to convene an Executive Session before proceeding to Item #3 on the agenda. Secretary Zaccone moved to convene Executive Session for litigation and personnel matters. Commissioner Guastella seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed.

President Vargas noted that Commissioner Shamoun has joined the meeting via video teleconference.

President Vargas convened the Hearings on Specifications of Objections that were filed relating to the Certificate of Nomination from the 13<sup>th</sup> Democratic Judicial District Convention. President Vargas stated the procedures to be followed during the Hearings and called upon

Mr. Richman to call the Calendar for the Hearings. Mr. Richman called the Calendar for the Hearings. There were appearances by a candidate and/or their representative which is noted on the Counsels' Reports on file at the Board. The Commissioners' determinations are reflected on the Counsels' Reports on file at the Board.

President Vargas moved to adjourn the Hearings and resume the regular stated meeting. The motion was seconded, and unanimously adopted.

Mr. Ryan reported the following action that was taken in Executive Session:

- I. The Commissioners granted 140 hours Advance of Time to Gail Kearney, a Permanent Clerk in the Brooklyn Office, retroactive to October 1, 2018. Ms. Kearney's agency start date is January 31, 2016.

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

The next stated meeting of the Commissioners will be held on  
Tuesday, October 16, 2018 at 1:30 P.M.