

MEETING OF THE BOARD OF CANVASSERS
AND MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON MONDAY, DECEMBER 3, 2018 AT 1:00 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Rosanna Vargas
 Secretary John Wm. Zaccone

Commissioners Jose Araujo, John Flateau, Maria 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
Raquel Torres, Administrative Assistant, Candidate Records Unit
Anthony Andriulli, Deputy Chief Clerk, Staten Island Office
Lisa Sattie, Administrative Associate, Staten Island Office
Amanda Berinato, Chief Clerk, Queens Office
Bart Haggerty, Deputy Chief Clerk, Queens Office
Brendaliz Candelaria, Deputy Chief Clerk, Bronx Office
Rocco Cirotti, Administrative Associate, Bronx Office
Raymond Riley, Chief Clerk, Brooklyn Office
Daniel Ortiz, Deputy Chief Clerk, Brooklyn Office
Gregory Lehman, Chief Clerk, Manhattan Office
Cynthia Doty, Deputy Chief Clerk, Manhattan Office
Stephen Denkberg, Counsel to the Commissioners
Kenneth Moltner, Counsel to the Commissioners

GUEST: Abir Ahmed, for Samsul Haque
Wendy Byrne, LWV NYC
Katharine Loving, NYC CFB
Za Slemmons, NY1
Amanda Mellito, NYC CFB
Alan Flacks, Member of NY County Democratic Committee
Kate Doran, LWV NYC

President Vargas called the meeting to order at 1:12 P.M.

Pursuant to the provisions of Title 2 of Article 9 of the New York State Election Law, President Vargas convened the meeting of the Board of Canvassers for the purposes of certifying the recanvass of votes cast on November 6, 2018 in the General Election conducted in the City of New York.

To serve as the other Democratic Member of the Canvassing Board, President Vargas designated the Democratic Commissioner for their respective counties and Commissioner Araujo to serve with her for Bronx County and the multi-county recaps. Secretary Zacccone designated the Republican Commissioner for their respective counties as well as Commissioner Shamoun to serve with him for Richmond County and the multi-county recaps.

President Vargas reported that the November 6, 2018 General Election included the Election for all of the statewide offices of Governor and Lieutenant Governor, Comptroller, Attorney General, United States Senator as well as all Members of the New York State Senate, and Judges in all of the five counties within the City of New York. Since before the Election, the Board's staff has worked seven days a week, twelve or more hours a day, to ensure that every vote is counted accurately and correctly. Based on what the Commissioners observed in the field on Election Day, and the concerns expressed by the public, the Board is now focused on a comprehensive review of what transpired on November 6th and developing a plan to correct the problems and prevent a repetition of the events that occurred last month at the poll sites.

The Queens Office Chief Clerk and Deputy Chief Clerk and their staff have prepared and signed the Statement and Return of Canvas for the General Election conducted in Queens County on November 6, 2018. Ms. Berinato and Mr. Haggerty presented them to the Canvassing Board for review and approval. Ms. Berinato and Mr. Haggerty confirmed that the results presented are accurate and correct, all the provisions of the New York State Election Law and the Board's adopted Policies and Procedures

were complied with, and the audit of voter verifiable audit records for both the poll site and central count scanners required by Section 9-211 of the New York State Election Law has been successfully completed. There are no discrepancies. Based on that report, Commissioner Araujo moved that the Board of Canvassers certify the Statement and Return of Canvass for the General Election conducted in Queens County on November 6, 2018. Commissioner Michel seconded the motion, which was unanimously adopted.

The Bronx Office Deputy Chief Clerks and their staff have prepared and signed the Statement and Return of Canvas for the General Election conducted in Bronx County on November 6, 2018. Ms. Candelaria and Mr. Cirotti, on behalf of Mr. Ribustello, presented them to the Canvassing Board for review and approval. Ms. Candelaria and Mr. Cirotti confirmed that the results presented are accurate and correct, all the provisions of the New York State Election Law and the Board's adopted Policies and Procedures were complied with, and the audit of voter verifiable audit records for both the poll site and central count scanners required by Section 9-211 of the New York State Election Law has been successfully completed. There are no discrepancies. Based on that report,

Commissioner Siano moved that the Board of Canvassers certify the Statement and Return of Canvass for the General Election conducted in Bronx County on November 6, 2018. President Vargas seconded the motion, which was unanimously adopted.

The Brooklyn Office Chief Clerk and Deputy Chief Clerk and their staff have prepared and signed the Statement and Return of Canvas for the General Election conducted in Kings County on November 6, 2018. Mr. Riley and Mr. Ortiz presented them to the Canvassing Board for review and approval. Mr. Riley and Mr. Ortiz confirmed that the results presented are accurate and correct, all the provisions of the New York State Election Law and the Board's adopted Policies and Procedures were complied with, and the audit of voter verifiable audit records for both the poll site and central count scanners required by Section 9-211 of the New York State Election Law has been successfully completed. There are no discrepancies. Based on that report, Commissioner Flateau moved that the Board of Canvassers certify the Statement and Return of Canvass for the General Election conducted in Kings County on November 6, 2018. Commissioner Shamoun seconded the motion, which was unanimously adopted.

The Staten Island Office Chief Clerk and Deputy Chief Clerk and their staff have prepared and signed the Statement and Return of Canvas for the General Election conducted in Richmond County on November 6, 2018. Mr. Andriulli and Ms. Sattie, on behalf of Mr. Bosco, presented them to the Canvassing Board for review and approval. Mr. Andriulli and Ms. Sattie confirmed that the results presented are accurate and correct, all the provisions of the New York State Election Law and the Board's adopt Policies and Procedures were complied with, and the audit of voter verifiable audit records for both the poll site and central count scanners required by Section 9-211 of the New York State Election Law has been successfully completed. There are no discrepancies. Based on that report, Commissioner Guastella moved that the Board of Canvassers certify the Statement and Return of Canvass for the General Election conducted in Richmond County on November 6, 2018. Secretary Zaccone seconded the motion, which was unanimously adopted.

President Vargas noted that Commissioner Umame and Mr. Savino joined the meeting.

The Manhattan Office Chief Clerk and Deputy Chief Clerk and their staff have prepared and signed the Statement and Return of Canvas for the General Election conducted in New York County on November 6, 2018. Mr. Lehman and Ms. Doty presented them to the Canvassing Board for review and approval. Mr. Lehman and Ms. Doty confirmed that the results presented are accurate and correct, all the provisions of the New York State Election Law and the Board's adopt Policies and Procedures were complied with, and the audit of voter verifiable audit records for both the poll site and central count scanners required by Section 9-211 of the New York State Election Law has been successfully completed. There were five discrepancies that did not affect the outcome of the races. The Discrepancy Report is attached to the Return of Canvass. Based on that report, Commissioner Umame moved that the Board of Canvassers certify the Statement and Return of Canvass for the General Election conducted in New York County on November 6, 2018. Commissioner Schulkin seconded the motion, which was unanimously adopted.

The Commissioners thanked the staff of each Borough Office for their hard work.

Secretary Zaccone moved to approve and adopt the Recap Statement and Return of Canvass for the General Election conducted on November 6, 2018 for those public offices elected in Districts that cross county lines within the City of New York and whose respective counties' Statement and Return of Canvass has been approved today. President Vargas seconded the motion, which was unanimously adopted.

Secretary Zaccone moved to electronically affix the appropriate Commissioners' signatures as previously designated on each Statement and Return of Canvass. Commissioner Umame seconded the motion, which was unanimously adopted.

Pursuant to the provisions of Section 9-214 of the New York State Election Law and in accordance with the actions taken by the Board of Canvassers in the City of New York, President Vargas directed Board staff to transmit forthwith certified copies of the adopted Statements and Returns of Canvass to the New York State Board of Elections and the Secretary of State of the State of New York.

Commissioner Schulkin 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 Umane seconded the motion, which was unanimously adopted.

Commissioner Araujo moved to adopt the minutes for the November 13, 2018 meeting. Commissioner Guastella seconded the motion, which was unanimously adopted.

Mr. Richman reported that the Election Commissioners' Association (ECA) of the State of New York will be holding their annual Winter Conference from January 7, 2019 thru January 10, 2019 in Albany, NY. A copy of the packet was distributed to the Commissioners. Mr. Richman requested authorization for Executive Management and appropriate staff to attend the ECA's annual Winter Conference. Commissioner Guastella moved to authorize Executive Management and appropriate staff to attend the ECA's annual Winter Conference. Commissioner Flateau seconded the motion, which was unanimously adopted.

Secretary Zaccone moved to convene an Executive Session for personnel and litigation matters. Commissioner Siano seconded the motion, which was unanimously adopted.

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

- I. The Commissioners granted 210 hours advance of time to Sean Boyd, an Administrative Associate in the Bronx Office, retroactive to November 7, 2018. Mr. Boyd's agency start date is August 22, 2004.

Secretary Zaccone moved to adjourn the meeting. President Vargas seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, December 11, 2018 at 1:30 P.M.