

MEETING OF THE COMMISSIONERS OF ELECTIONS  
IN THE CITY OF NEW YORK  
HELD ON TUESDAY, DECEMBER 18, 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 John Flateau, Maria R. Guastella, Michael Michel,  
Alan Schulkin, Robert Siano, Frederic M. Umane

Michael J. Ryan, 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  
Sherwin Suss, Agency Chief Contract Officer, Procurement  
Kenneth Moltner, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kate Doran, LWV  
Wendy Byrne, LWV NYC  
Katharine Loving, NYC Campaign Finance Board  
Evelyn Brown

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President Vargas called the meeting to order at 1:46 P.M.

Commissioner Guastella moved to adopt the minutes for the  
December 11, 2018 meeting. President Vargas seconded the motion, with

Commissioners Flateau, Michel, Shamoun, and Umane abstaining. The motion was not adopted. There was a consensus among the Commissioners to table the minutes for one (1) week.

Mr. Richman presented the Updated Revised Draft Independent Nominating Petition Rules. Copies of the Draft were previously circulated to the Commissioners for review. Commissioner Umane recommended edits to Rules D1, D3, D4, C2 (j), the definition of “petition” on Page 2, and in the last paragraph on Page 3. Mr. Ryan noted that 3,750 petition signatures are required to qualify to be on the ballot for Public Advocate. Commissioner Flateau requested clarity on Rule A3 concerning the sufficient number of signatures to qualify a candidate to appear on the ballot. Mr. Richman provided an overview of Rule A3. He noted that Candidate Records Unit staff conducts a standard weight test where they review the number of signatures on the first petition page and the number of petition pages filed. There was discussion among the Commissioners about how the ballot order is established by the weight test. Commissioner Schulkin moved to adopt the Independent Nominating Petition Rules as amended. Commissioner Umane seconded the motion, with Commissioner Flateau abstaining. The motion was adopted.

Mr. Richman noted that temporary Contract Attorney Joshua Williams will be leaving the Board to pursue a new career. Mr. Richman introduced the two (2) new temporary Contract Attorneys Michael Bryant and Travis Grodin. The Commissioners congratulated Mr. Williams and welcomed the new attorneys to the Board.

President Vargas recognized Evelyn Brown, a member of the public, who challenged the voter registration of Laveine Sam, 12 E. 57<sup>th</sup> Street, Brooklyn, NY 11203, VSN #412657441. Ms. Brown reported that she has been receiving voter mail for Mr. Sam at her address. She explained that she has owned her home since 1983 and no one else has lived there. The Commissioners reviewed the voter registration of Mr. Sam. It was found that Mr. Sam's address is 12-27 E. 57<sup>th</sup> Street, Brooklyn, NY 11234 on his buff card, but entered as 12 E. 57<sup>th</sup> Street in the AVID system. Mr. Ryan reported that this matter will be addressed. Ms. Brown signed and submitted her "Challenge to a Voter Registration" affidavit to the Commissioners. Pursuant to the provisions of Section 5-220(1) of the New York State Election Law, Ms. Brown swore before the Commissioners challenging the voter registration of Laveine Sam, 12 E. 57<sup>th</sup> Street, Brooklyn, NY 11203, VSN #412657441. This voter will be placed on the

Challenge List in accordance with Section 5-220(2) of the New York State Election Law. A bi-partisan team will conduct the required inquiry into this challenge pursuant to the provisions of Article 5 of the New York State Election Law.

Mr. Ryan requested to add a Commissioners' Finance Committee Report to the agenda. Mr. Suss provided an overview of the report. There was a request for afterhours car service for the Brooklyn Office at 345 Adams Street which is set to expire at the end of the calendar year. Earlier this year, the Commissioners approved the awarding of this contract to Skyline. Skyline could not provide the services needed and the contract was terminated. Through an emergency declaration, VIP car service was the next lowest bidder and was substituted to provide service for the petition, Primary and General Election cycles. Mr. Suss reported that this contract has to be re-bid for the period commencing January 1, 2019 through the remainder of the term of the original contract which is December 31, 2021. VIP car service was awarded for the afterhours service for the Queens VMF and keeping with the current policy of not awarding more than one location to a car service company, VIP car service were ineligible to bid on the most recent solicitation. The most recent

solicitation received three (3) bids and Elite Limousine Plus was the lowest bidder for January 1, 2019 through December 31, 2021 with the contract not to exceed \$702,360. Mr. Suss requested full Board approval of the Commissioners' Finance Committee's recommendation to move forward with the Elite Limousine Plus contract. Commissioner Shamoun inquired about alternative car service App companies. Mr. Suss reported that he prepared a report on car service App companies such as Uber and Lyft and will continue reaching out to those companies for the Board. Commissioner Schulkin moved to adopt the Commissioners' Finance Committee Report. Commissioner Shamoun seconded the motion, which was unanimously adopted.

Commissioner Umane moved to authorize a Commissioners Subcommittee, consisting of an equal number of Democrats and Republicans, if a quorum is not present at the next meeting due to the holidays and the Election Commissioners' Association's Winter Conference. Commissioner Flateau seconded the motion, which was unanimously adopted.

President Vargas moved to convene an Executive Session for personnel matters. Secretary Zaccone seconded the motion, which was unanimously adopted.

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

- I. The Commissioners approved the assignment allocation for temporary employees to accommodate the Special Election with the authorization of hiring up to a total of 368 temporary employees, pursuant to the borough allocations as previously discussed;
- II. The Commissioners granted 210 hours Advance of Time to Liliana Taylor, a Clerk in the Queens Office, retroactive to December 17, 2018. Ms. Taylor's agency start date is June 12, 2011;
- III. The Commissioners approved Georgea Kontzamanis' request to seek a written waiver from the New York City Conflicts of Interest Board.

On behalf of the Commissioners, President Vargas wished everyone a happy holiday.

Commissioner Umane moved to adjourn the meeting. President Vargas seconded the motion, and unanimously adopted.

The next stated meeting of the Commissioners will be held on Friday, January 4, 2018 at 1:30 P.M.