

MEETING OF THE BOARD OF CANVASSERS AND THE
MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JUNE 4, 2019 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President John Wm. Zaccone

Commissioners Jose Araujo, Miguelina Camilo, John Flateau, Michael Michel, Simon Shamoun, Tiffany Townsend, Frederic M. Umane

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
Steven Guglielmi, Director, Personnel
Rayvon Weaver, Project Coordinator, Candidate Records Unit
Matthew Graves, Project Coordinator, Candidate Records Unit
Raymond Riley, Chief Clerk, Brooklyn Office
Khadijah Overstreet, Administrative Associate, Brooklyn Office
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
Stephan Hirsch, NYC Cyber Command
David Chen, NYC Council
Adam Edwards, Common Cause
Wendy Byrne, LWV NYC
Anna Sacerdote, NYCLU
Laura Wood
Perry Grossman, NYCLU
Pat Nolan, BVA
Kate Doran, LWV
Amanda Melillo, CFB

Jordan Pantelone, CFB
Jan Combopano, Brooklyn Voters Alliance
Bonnie Delaune, Mayor's Office
Jarret Berg, Vote Early NY

President Zaccone called the meeting to order at 1:39 P.M.

Pursuant to the provisions of Title 2 of Article 9 of the New York State Election Law, President Zaccone 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 May 14, 2019 in the Special Election conducted in the 45th Council District in Kings County for the Office of the New York City Council.

To serve as the other Republican Member of the Canvassing Board, President Zaccone designated Commissioner Shamoun, Republican Commissioner for Kings County, to serve with him to sign the Certified Statements. To serve as the other Democratic Member of the Canvassing Board, Commissioner Araujo designated Commissioner Flateau, Democratic Commissioner for Kings County, to serve with him to sign the Certified Statements.

President Zaccone reported that the May 14, 2019 Special Election was conducted pursuant to the provisions of the New York City Charter and the New York State Election Law.

The Chief Clerk and Deputy Chief Clerk of Brooklyn and their staff have prepared and signed the Statement and Return of Canvass for the Special Election conducted in the 45th Council District in Kings County on May 14, 2019. Mr. Riley and Ms. Overstreet, on behalf of Mr. Ortiz, presented them to the Canvassing Board for review and approval. Mr. Riley and Ms. Overstreet 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 have been successfully completed for these contests. There were no discrepancies. Based on that report, Commissioner Flateau moved that the Board of Canvassers certify the Statement and Return of Canvass for the Special Election conducted in the 45th Council District in Kings County on May 14, 2019. Commissioner Shamoun seconded the motion, which was unanimously adopted.

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

Commissioner Umane 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 Araujo moved to adopt the May 28, 2019 minutes. Commissioner Townsend seconded the motion, with Commissioner Camilo abstaining. The motion was adopted.

Mr. Richman requested for an appointment of a Commissioners' Petition Cover Sheet Review Committee for Independent Nominating Petitions to meet immediately after the Stated Meeting. President Zaccone and Commissioner Camilo volunteered to serve on the Commissioners' Petition Cover Sheet Review Committee.

Mr. Ryan reported that Amanda Melillo, the Director of Public Relations at the New York City Campaign Finance Board (CFB), will provide a presentation of CFB's voter registration portal. The portal was established in accordance with Local Law 238 and is scheduled to be implemented in sixteen (16) days. During the presentation, the following concerns and recommendations were raised about CFB's voter registration portal:

- Security concerns for accepting voters' signatures online instead of wet signatures;
- CFB's voter registration files are not updated in real time like the Board's voter registration system. The CFB receives the Board's voter files on a monthly basis and uploads them into their system;
- There is a potential false impression that voters might think they are being automatically registered to vote or their registration is being automatically updated via CFB's portal;
- Concerns about Board staff processing CFB's forms in a timely matter during busy voter registration deadlines. CFB will have to print and deliver their registration forms

to the Board which may become an issue if they are dropped off at the Board on the last day to register;

- Question of time stamping the forms as being timely received at the Board;
- Concerns about electronic data transfer in Phase 2 of CFB's portal using a Third Party to cut and paste signatures on voter registration forms;
- It was found that the "I do not want to enroll in a Political Party" check box function needs to be fixed. That function did not populate in the final form;
- It was recommended that the U.S. Citizen affirmation should be safeguarded and appear one more time before the voter finalizes their registration form;
- It was recommended that the final message to the voter should read similar to, "Your application will be submitted to the Board of Elections" in bolded and red.

Ms. Melillo will provide Executive Management with hard copies of the portal's screen shots for any further recommendations and/or concerns.

The Commissioners thanked Ms. Melillo for her presentation.

Commissioner Umame moved to convene an Executive Session for litigation purposes. Commissioner Townsend seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed. President Zaccone reported that they discussed several litigation matters and an attorney-client privilege matter. No formal action was taken at this time.

Mr. Richman recalled that last week the Commissioners authorized the respective Borough Committees to advise staff of any additional changes adding to the list of Early Voting sites and recommended for a motion to be placed on record. President Zaccone moved for the full Board to ratify the Borough Committees decisions for the addition of Early Voting sites, which is subject to change, and have been posted on the Board's website. Commissioner Michel seconded the motion, with Commissioner Umame abstaining. The motion was adopted.

President Zaccone recognized the following speakers for public comment:

1. Perry Grossman; and

2. Jarret Berg.

President Zaccone reminded that the Special Meeting of the Commissioners to determine an Electronic Poll Book and Ballot on Demand vendor is scheduled on Friday, June 7, 2019 at 3:30 P.M.

The next stated meeting of the Commissioners will be held on Tuesday, June 11, 2019 at 1:30 P.M.

President Zaccone moved to adjourn the meeting. Commissioner Michel seconded the motion, which was unanimously adopted.