

HEARINGS RELATING TO SPECIFICATIONS OF OBJECTIONS
AND RELATED MATTERS FOR JUDGE OF THE CIVIL COURT,
1ST MUNICIPAL COURT DISTRICT, RICHMOND COUNTY,
AND THE MEETING OF THE COMMISSIONERS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, SEPTEMBER 10, 2019 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President John Wm. Zaccone
 Secretary Patricia Anne Taylor

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

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Georgea Kontzamanis, Operations Manager
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications and Public Affairs
Troy Johnson, Coordinator, Candidate Records Unit
Rayvon Weaver, Project Coordinator, Candidate Records Unit
Steven Guglielmi, Director, Personnel
Thomas Sattie, Associate Staff Analyst, Ballot Management
Sherwin Suss, Agency Chief Contract Officer, Procurement
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Stanley Schlein, Esq.
 John Ciampoli, Esq.
 Kate Doran, LWV
 Adrienne Kivelson, LWV

President Zaccone called the meeting to order at 1:43 P.M.

President Zaccone noted that Commissioner Umame is participating by telephone.

President Zaccone called the Hearings relating on Specifications of Objections and related matters for public office of Judge of the Civil Court of the City of New York for the 1st Municipal Court District in Richmond County to be contested in the November 5, 2019 General Election.

President Zaccone stated the procedures to be followed during the Hearings and called upon Mr. Richman to call the Calendar for the Hearings. The Calendar was posted for the public as required.

Mr. Richman called the Counsels' Reports on Specifications of Objections RH 4-1, Objections of John S. Mahoney to the August 28, 2019 Affidavit submitted in relation to the Democratic Party Certificate of Nomination of Edwina Frances Martin as the candidate for Judge of the Civil Court in the City of New York for the 1st Municipal Court District in Richmond County. There were appearances by a candidate and/or their

representative which is noted on the Counsels' Reports on file at the Board. The Commissioners' determination is reflected on the Counsels' Reports on file at the Board.

Mr. Richman called the Counsels' Reports on Specifications of Objections RH 5-1, Objections of Christopher E. Campbell to the Independence Party substitution of Shawn Malachovsky as the candidate for Judge of the Civil Court in the City of New York for the 1st Municipal Court District in Richmond County. There were appearances by a candidate and/or their representative which is noted on the Counsels' Reports on file at the Board. The Commissioners' determination is reflected on the Counsels' Reports on file at the Board.

Commissioner Umane moved to adjourn the Hearings and to convene the regular stated meeting. President Zaccone seconded the motion, which was unanimously adopted.

President Zaccone noted that Commissioner Umane disconnected by telephone from the meeting.

Commissioner Araujo moved to adopt the minutes for the August 27, 2019 meeting. Commissioner Townsend seconded the motion, with Commissioner Siano abstaining. The motion was adopted.

Mr. Ryan reported that the Candidate Records Unit has received the following Applications for review and consideration:

1. Application of John C. Spataro to appear on the November 5, 2019 General Election ballot as John C. Spataro;
2. Application of Roy Anthony Beckford to appear on the November 5, 2019 General Election ballot as Anthony Beckford.

Copies of the Applications were distributed to the Commissioners for review and consideration. After review and discussion, President Zaccone moved to approve the Application of John C. Spataro for this limited purpose only. Commissioner Araujo seconded the motion, with Secretary Taylor abstaining. The motion was adopted. Commissioner Flateau moved to approve the Application of Roy Anthony Beckford to appear on the November 5, 2019 General Election ballot as Anthony Beckford. Commissioner Shamoun seconded the motion, which was unanimously adopted.

Commissioner Araujo presented the Commissioners' Ballot Layout Committee's recommendation to the full Board. Copies of sample ballots were distributed to the Commissioners for review. Commissioner Araujo reported that the Commissioners' Committee met and recommends for the full Board to approve the following layout for the 2019 General Election ballot:

- Side A will have a 12 point font citywide;
- 19" ballot for Queens and Brooklyn;
- 17" ballot for Bronx and Staten Island;
- Manhattan's ballot size is to be determined based on the required languages and City Charter Commission's proposals;
- Candidate names will wraparound with six (6) columns based on the Commissioners' ruling in the past;
- Side B of the ballot will contain the City Charter Commission's proposals in a 7 point font in order to fit on a single page ballot;

Commissioner Araujo reported that the Military and Absentee ballots have to be printed and mailed no later than September 20, 2019. Commissioner Araujo moved for the full Board to accept the Commissioners' Ballot Layout Committee's recommendation as presented. Secretary Taylor seconded the motion, which was unanimously adopted.

In response to Commissioner Flateau's inquiry, Executive Management reported that the City Charter Commission's proposals will be available in large print and poster sized in the poll sites for the voters. The City Clerk provided the Board with the City Charter Commission's proposals in English and in the required languages in August.

President Zaccone noted that the public should contact the City Charter Commission if they have any questions or concerns with the City Charter Commission's proposals.

Mr. Ryan provided updates on Early Voting. The information is as follows:

- Poll Worker Recruitment
 - A total of 5,448 poll worker applications have been submitted to the Board through ElectionDayWorker.com for the period of 7/1/19 – 9/10/19. Last year during the same time period, a total of 2,825 poll worker applications were submitted;
 - The Board partnered with Apartnership advertisers to recruit Chinese and Korean interpreters. To date, the Board received 164 Chinese interpreter applications and

40 Korean interpreter applications. This amount is an increase from the past;

- Procurement

- Mr. Suss provided a price quote on the United Rentals generators for the sixty-one (61) Early Voting sites in the event there is no electricity. The company will fully service the Board. They will deliver and set-up the generators, fuel, cables, and manpower them. The Board will ensure the poll site will be ADA compliant if a generator is installed. The not to exceed price quote is a total of \$263,477.15. Mr. Ryan noted that the new Ballot on Demand (BOD) systems and Electronic Poll Books will be expanding electric needs at the poll sites. Mr. Suss requested Commissioners' approval of the blanket order for United Rentals. Commissioner Araujo moved to approve the United Rentals request as presented. Commissioner Michel seconded the motion, which was unanimously adopted;
- Mr. Suss reported that the City's Chief Contractor of the New York City Law Department recommended license agreements for private poll sites in the future. A license

agreement is legal and flexible to accommodate payment to private sites. The Board will set the timeframe. Commissioner Araujo recommended a two (2) year agreement instead of a one (1) year agreement to help alleviate pressure from staff;

- Early Voting Sites

- Mr. Ryan reported that there are a total of 61 Early Voting sites citywide to date. The updated information is posted on the Board's website. Mr. Ryan noted that the Chief Clerks are working hard expanding the sites in each borough.

Mr. Richman reported on a litigation matter. A voter has sued the Board due to a slip and fall during the November 5, 2018 General Election in Brooklyn. Mr. Richman requested authorization for the NYC Law Department to defend the Board in this matter. Commissioner Flateau moved to approve the request. President Zaccone seconded the motion, which was unanimously adopted.

President Zaccone moved to convene Executive Session for a personnel matter.

Following Executive Session, the open public meeting resumed. President Zaccone reported that there was action taken on a personnel matter which will be reported at a later date.

The following actions were taken by unanimous decision of the Board of Commissioners in Executive Session:

- I. Jan Volkman, a Trainer Assistant, was granted 49 hours of an Advance of Time. This grant will be effective August 28, 2019. Mr. Volkman's agency start date is July 15, 2007.

President Zaccone recognized the following speaker for public comment:

1. Adrienne Kivelson.

The next stated meeting of the Commissioners will be held on Tuesday, September 17, 2019 at 1:30 P.M.

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