

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, SEPTEMBER 9, 2025, AT 1:00 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umane
Secretary Jodi Morales

Commissioners Jose M. Araujo, Michael J. Coppotelli, *Marc A. Landis, Gino A. Marmorato, Frank R. Seddio, Simon Shamoun, Michele A. Sileo

Michael J. Ryan, Executive Director
Vincent M. Ignizio, Deputy Executive Director
Georgea Kontzamanis, Operations Manager
Michael D. Corbett, Administrative Manager
Grace Pyun, General Counsel
Raphael Savino, Deputy General Counsel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners
Tom Sattie, Director – Candidate Records Unit
Pete Holmberg, Coordinator – Candidate Records Unit
Sherwin Suss, Agency Chief Contracting Officer

GUESTS:
Jim Walden
Alan Schierenbeck
Melanie Ash, Esq.
Emilia Decaudin
Grace Rauh
Kyle Dontoh
Tabita Kaneene

*Commissioner Landis appeared remotely, but not at a publicly accessible location, and therefore did not cast any votes.

Michael J. Ryan, Executive Director, opened the weekly meeting of the Commissioners of Elections in the City of New York. He began with the

Commissioner's roll call and the introduction of Board staff, noting that he would call on other staff as needed as the proceedings continued.

Mr. Ryan continued with item #1 of the meeting agenda, the approval of the minutes of July 29, 2025, and September 2, 2025, Commissioners' Meetings, which had been previously tabled.

Hearing no objections or amendments, the minutes of July 29, 2025, and September 2, 2025, Commissioners' Meetings were adopted.

Mr. Ryan continued with item #2a. of the meeting agenda, for the November 4, 2025, General Election Ballot, Party Merges. Mr. Ryan acknowledged Tom Sattie, Director, and Pete Holmberg, Coordinator, of the Candidate Records Unit, to present the matters.

Mr. Sattie stated that, consistent with Section 7-104 of NYS Election Law, staff sent six notices to candidates, who, in Sections (c) or (e) of the Election Law section quoted, were required to merge either their single independent body with multiple party nominations, or if they filed multiple independent bodies, to merge into one independent body. Out of those six notices, three candidates did respond in the time requested by the Board, filed clear and easy to understand reports, and

there was no issue with those three candidates. There are three candidates that did not respond timely, and the Board is then hereby required to merge for them.

1st Candidate: Gonzalo Duran

Public Advocate Candidate for the Republican Party and the Conservative Party and filed an independent body known as United Alliance. In that case, Mr. Sattie suggested that the independent body, known as United Alliance, be merged with the Conservative Party. That would be consistent with past practice, in merging the independent body with the recognized party furthest to the right on the ballot.

2nd Candidate: Joseph Chou

Candidate for the City Council, 20th District in Queens, who filed two independent bodies. The first independent body is known as Asian United, and the second, initials FAFO. Mr. Sattie suggested that FAFO merge into Asian United. The reason being that Asian United was filed first.

3rd Candidate: Ricardo Pacheco

Candidate for City Council, 25th District in Queens, who also filed two independent bodies, known as Safe and Affordable and Stop the Casino. Mr. Sattie suggested that the Stop the Casino party merge into the Safe and

Affordable party line, for the same reason, being that the Safe and Affordable party line was filed first.

President Umane moved to adopt Mr. Sattie's suggestions as to the merger of the parties. Commissioner Araujo seconded the motion, which was adopted unanimously.

President Umane asked that Mr. Sattie state the names of the three candidates that did respond timely.

Candidate #1: Eric Adams

Candidate for Mayor – The two independent bodies that the candidate filed for were the Safe and Affordable line and the End Antisemitism line. The candidate chose the Safe and Affordable line.

Candidate #2: Dominick Romeo

Candidate for the 3rd Council District in Manhattan filed two independent bodies, one known as A Blue Collar, the second known as Fight and Deliver. The candidate chose A Blue Collar to be the party name listed on the ballot.

Candidate #3: Simcha Felder

Candidate for Council in the 44th District in Brooklyn had two party nominations, the Democratic Party and Conservative Party, and filed an independent body known as Law and Order. The candidate requested that the Law and Order party appear merged in with the Democratic Party.

Mr. Ryan continued with item 2b., the Prima Facia Calendar, and asked Mr. Sattie to proceed.

Mr. Sattie stated that on Friday, a certificate of declination was filed by a candidate, Jim Walden, running for Mayor of the City of New York, running on an independent line. The last day to file a declination for that office was May 30, 2025, based on the last day to file petitions. The declination was filed on Friday afternoon, and the Board sent notice to the candidate yesterday that a Prima Facia hearing would be held today. In consultation with the Legal Department, the staff believes that the certificate of declination filed was filed late, and that the candidate should remain on the ballot for that reason. Mr. Sattie noted that Mr. Walden is present today to present his case. Mr. Ryan confirmed that Mr. Walden did submit a Notice of Appearance and asked that Mr. Walden step up to address the Board.

Mr. Ryan informed Mr. Walden that comments are limited to 3 minutes, with multiple speakers and a vote pending on the next item. Some Commissioners are short on time, but if Mr. Walden needs more time and is willing to wait, his item can be second-called.

The Board will second-call Mr. Walden to allow him extra time to speak.

Mr. Ryan proceeded to item 2c. of the meeting agenda, the Certification of the Ballot, and called on Grace Pyun, General Counsel, and Raphael Savino, Deputy General Counsel, to present this matter.

Mr. Pyun stated that the contest list for the November 4, 2025, General Election was provided to the Commissioners with their meeting materials and includes all candidates and ballot proposals that would appear in the General Election ballot, upon their certification.

Ms. Pyun addressed the public and asked if there were any comments or appearances regarding the items proposed for the November 4, 2025 General Election ballot.

Mr. Ryan confirmed that he is aware of a group of individuals wishing to speak on the ballot proposals. For the clarification of the record, so everyone is

aware, Mr. Ryan stated that last week, the General Counsel for the New York City Council in follow-up to a letter that was sent by the City Council, encouraged the Board of Elections to not include the ballot proposals on the ballot based on certain objections, including lack of clarity and other things.

Last week, the Board of Elections did not have a quorum of Commissioners and could not have taken any legal action in any way, shape, or form and would not have taken any action without giving the other side of the issue an opportunity to speak. Mr. Ryan stated that there is someone here present from the City Council to observe the proceedings but has not requested to speak today.

However, Alan Schierenbeck, from the Charter Revision Commission, is here to speak with an opposing view. Mr. Ryan asked Mr. Schierenbeck to come up and try to summarize his opposition, briefly, while still getting his point across.

Alan Shierenbeck, Executive Director of the Charter Revision Commission, stepped forward and addressed the Board. The Commissioners thanked Mr. Shierenbeck for his appearance.

Mr. Ryan stated that Melanie Ash, an attorney with the New York City Law Department, has been requested by her superiors to speak regarding the process of drafting and preparation of the ballot questions.

Melanie Ash, an attorney with the NYC Law Department, stepped forward and addressed the Board. The Commissioners thanked Ms. Ash for her appearance.

Mr. Ryan acknowledged Emilia Decaudin, who requested to address the Board on this matter.

Emilia Decaudin, a resident of Long Island City, gave remarks in support of the ballot questions. The Commissioners thanked Emilia Decaudin for their appearance.

Mr. Ryan acknowledged Grace Rauh, from Citizens Union, to address the Board on this matter.

Ms. Rauh, Executive Director of Citizens Union, gave remarks in support of the ballot questions. The Commissioners thanked Ms. Rauh for her appearance.

Mr. Ryan acknowledged Kyle Dontoh to address the Board on this matter.

Mr. Dontoh gave remarks in support of the ballot questions. The Commissioners thanked Mr. Dontoh for his appearance.

Mr. Ryan acknowledged Sean Scott to address the Board on this matter.

Sean Scott gave remarks in support of the ballot questions. The Commissioners thanked Mr. Scott for his appearance.

Mr. Ryan acknowledged Tabita Kaneene to address the Board on this matter.

Tabita Kaneene, a member of the New York City New Liberals, gave remarks in support of the ballot proposals. The Commissioners thanked Mr. Kaneene for his appearance.

Mr. Ryan stated that this concludes the speakers that have signed up to speak this afternoon.

President Umane moved for the adoption of the ballot, including the proposals that have been submitted properly to the Board. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

Mr. Ryan continued with the next agenda item and asked that Jim Walden step up to address the Board. This matter was put on second call.

Mr. Walden thanked the Board for the opportunity to present his side of this matter. After giving remarks, Mr. Walden asked that the Board use the discretion that the law allows and remove his name from the ballot before certification. That will clear up any voter confusion, it would be consistent with his First Amendment rights, and it will not cause harm to anyone.

Commissioner Sileo asked to change her previous vote on item 2c., the Certification of the Ballot, to 'No' and asked that it be reflected in the record.

Commissioner Sileo also asked for clarification from either candidate or the Law Department: Is there anything misleading in and of itself of the name appearing on the ballot?

Vincent Ignizio, Deputy Executive Director, advised the Commissioner that the Legal Department staff will now advise the Board on this matter.

Mr. Ignizio noted that Commissioner Sileo would like to register a 'No' vote on the previous item. Without objection, it was so ordered.

In the previous vote, President Umane moved for the adoption of the ballot, including the proposals that have been submitted properly to the Board.

Commissioner Coppotelli seconded the motion, and it was adopted with a vote of 7 in favor and 1 opposed, Commissioner Sileo.

Ms. Pyun advised the Commissioners that in this case, the candidate seeking to withdraw filed a certificate of declination, and Legal's current reading of the Election Law is that a failure to file a certificate relating to the designation or nomination of a public office is a fatal defect. *Seawright v. NYC BOE*, that was cited by the candidate, upheld that view that election law deadlines are strict and can't be construed otherwise. That being said, this specific fact situation is unprecedented; however, the current methods of removing a candidate from the ballot is either a disqualification or a declination. In this case, a certificate of declination was filed, for which the deadline has passed.

Commissioner Sileo inquired: In that case, *Seawright v. NYC BOE*, the name appears on the ballot because the correct paperwork was filed, and no lateness of the certificate?

Ms. Pyun stated that the certificate was filed too late, which is the issue. The certificate of declination had to be filed by May 30, 2025, and in this case that deadline has passed. Existing Election Law, and in the case of *Seawright v. NYC BOE*, has held that Election Law deadlines are strictly to be held.

There was continued discussion on this matter.

President Umane stated that the matter will be discussed in Executive Session and advised Mr. Walden that he is welcome to wait for the Commissioners' resolution following the Executive Session.

Mr. Ryan continued with item #3 of the meeting agenda, the Report from the Finance Committee.

Mr. Ignizio acknowledged Sherwin Suss, the Agency Chief Contracting Officer, and asked that he present the items from the Finance Committee Meeting.

Mr. Suss presented the following:

Derive Technologies, LLC

This is a contract to obtain services for a Cisco Enterprise Agreement. The Cisco Enterprise Agreement (Cisco EA) will provide licensing, hardware warranties, and manufacturer support for the Board of Elections' Cisco infrastructure over a 5-year term. This agreement will cover Cisco Call Manager, routers, switches, all associated network modules, and Cisco IP phones. This infrastructure is essential for BOE communications and networking and plays a critical role in supporting daily operations. Cisco

operates only through resellers. This procurement was obtained through the noncompetitive small purchase process pursuant to PPB Rule 3-08. 23 companies were solicited, and the lowest-priced company was selected. This is a 5-year contract with a not-to-exceed amount of \$1,476,050.

Tritek Systems, Inc.

This is a contract to obtain licenses, maintenance, and support for the mail sorting machines for each borough. Since the software and equipment contain proprietary information, this contract was procured through negotiated acquisition pursuant to PPB Rule 3-04. This is a three-year contract with a one-year renewal to be exercised at the discretion of the Board under the same terms and conditions. The not-to-exceed amount of the 3-year contract is \$730,575.23.

Commissioner Seddio asked Mr. Suss to remove the .23 cents.

Know Ink

This is a company that provides the software, maintenance, and support of the iPads and ballot on demand printers used during early voting and iPads used on election day. This is a contract to purchase 1000 Kyocera printers for use as ballot on demand printers at early voting sites and Board offices to replace the OPKI printers, which are no longer manufactured or have

replacement parts. This contract was procured as an intergovernmental purchase using the existing NYS OGS contract. The not-to-exceed amount of this contract is \$1,250,000.

President Umane stated that the Finance Committee recommended these three contracts to the full Board for approval.

The contracts were approved unanimously.

President Umane stated that over the course of the summer, the Executive Committee approved certain contracts that required approval when no meetings were scheduled. As a member of the Executive Committee, President Umane moved to ratify those five agreements, which were included with the Commissioners' materials, for the same reasons as they are necessary and appropriate for the Board of Elections.

The five contracts were approved unanimously.

Dirad Technologies Inc.

This is a contract to replace and modernize the Board's call center with a Genesys Cloud Level System. The current system reached the end of its useful life and needed to be replaced. This contract was procured through the

M/WBE noncompetitive small purchase method pursuant to PPB Rule 3-08. 11 vendors were solicited, and the lowest priced vendor was selected. This contract provides migration to the cloud, training for staff, and support services for (4) years. The not-to-exceed amount of this contract is \$469,550.

Clear Ballot

This is a contract to provide software license, equipment maintenance, and support for the Clear Ballot System, which allows for the automated 3% audit of the voting equipment required by the New York State Election Law Section 9-211 and allowed by NYCRR Section 6210.20. Clear Ballot is the only system approved by the New York State Board of Elections to provide this specific service. This contract was procured through the New York State Office of General Services (OGS). The term of this contract is 4 years with a not-to-exceed amount of \$6,320,720.22.

Derive Technologies, LLC

This is a contract for the purchase of a two-year HPE Server Warranty. This contract ensures continuity of critical services of the Board's server network by minimizing downtime through rapid support and hardware replacement. It reduces operational risks, provides access to expert technical assistance, supports compliance with IT standards, and extends the useful life of the

agency's server infrastructure. This contract was procured through the M/WBE non-competitive small purchase method pursuant to PPB Rule 3-08. Six vendors were solicited, and the lowest-priced responsible vendor was selected. The term of this contract is two years. The not-to-exceed amount of this contract is \$130,682.

Global Domestic Advisory Group

This is a contract to provide enhanced security for computer access agency-wide and premises security for the General Office at 42-32 Broadway. This contract provides the software and printer for new staff ID cards, which will be used for dual authentication purposes for staff computer access. The new cards and software will also allow for the installation of card access controls at selected doors at Board offices, as well as biometric readers (fingerprint scan) access for the most secure Board office locations. The current contract provides for the cost of equipment for installation at the 42-32 Broadway offices but has the capability of expanding to other locations with only the cost of installation of the card and biometric readers at each location. This contract was procured through the M/WBE noncompetitive small purchase method pursuant to PPB Rule 3-08. Six vendors were solicited, and the lowest-priced responsible vendor was selected. The term of the contract is one year for licenses and installation, with a two-year additional equipment

service plan (total 3 years on equipment) with a not-to-exceed contract amount of \$289,274.68.

SHI International Corp.

This is a contract to provide licenses for the Check Point software firewall. This monitors and protects all forms of digital communication sent to the Board. The requested Check Point subscriptions are critical to sustaining comprehensive security coverage and operational efficiency for the BOE. The Enterprise-Based Protection package ensures all security appliances are equipped with next-generation threat prevention for the next three years, minimizing the risk of advanced cyber threats. Additionally, the Mobile Access Blade and Endpoint Protection licenses extend secure access to remote users and endpoints, ensuring that the BOE can operate safely and efficiently. This contract was procured through the NYC Office of Technology and Information (OTI) master service technology agreement contract. This contract is available for use by all NYC Agencies. This is a 3-year contract with a not-to-exceed amount of \$2,000,000.

The Commissioners thanked Mr. Suss for his presentation.

Commissioner Coppotelli moved to set the date of the next meeting for Tuesday, September 16, 2025 at 1:00 P.M., and to adjourn the regular stated

meeting to convene an Executive Session to discuss Litigation and Personnel Matters. President Umane seconded the motion, which was adopted unanimously.

Following the Executive Session, the open meeting resumed.

President Umane made a motion to move the Prima Facia Calendar. Commissioner Coppotelli seconded the motion, and it was adopted with a vote of 7 in favor and 1 opposed, Commissioner Sileo.

The candidate, Jim Walden, is on the ballot.

During the Executive Session, the following actions were taken by the unanimous decision of the Board of Commissioners:

- Gail Kearney, a Trainer Assistant, was granted an advance of 210 sick hours, effective as of July 15, 2025. Ms. Kearney's start date is January 31, 2016, and is a Brooklyn Democrat.
- Mozella Maxwell, a Financial Clerk, was granted an advance of 42 sick hours, effective as of August 1, 2025. Ms. Maxwell's agency start date is July 21, 2019, and is a Manhattan Democrat.

- Jillian Rapacciuolo, an Administrative Assistant, was granted an advance of 210 sick hours, effective as of August 20, 2025. Ms. Rapacciuolo's agency start date is July 20, 2015, and is a Staten Island Republican.
- Lawrence Beal, a Senior Voting Machine Technician, was granted 210 sick hours, effective as of August 14, 2025. Mr. Beal's agency start date is August 11, 2025, and is a Manhattan Republican.
- Timothy Edgerton, a Senior Voting Machine Technician, was granted 210 sick hours, effective as of August 15, 2025. Mr. Edgerton's start date is July 13, 2009, and is a Manhattan Democrat.
- Viola Hamilton-Keith, an Administrative Associate, was granted 210 sick hours, effective as of August 19, 2025. Ms. Hamilton-Keith's agency start date is June 22, 2014, and is a Manhattan Democrat.

The meeting was adjourned.

The next meeting of the Commissioners of Elections will be held on Tuesday, September 16, 2025, at 1:00 P.M.