

MEETING OF THE BOARD OF CANVASSERS  
AND MEETING OF THE COMMISSIONERS OF ELECTIONS  
IN THE CITY OF NEW YORK  
HELD ON TUESDAY, AUGUST 24, 2021 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 Frederic M. Umane  
                      Secretary Miguelina Camilo

Commissioners Jose Araujo, Rodney Pepe-Souvenir, Simon Shamoun,  
Patricia Anne Taylor, John Wm. Zaccone

Dawn Sandow, Deputy Executive Director  
Georgea Kontzamanis, Operations Manager  
Wilma Brown Phillips, Administrative Manager  
Hemalee J. Patel, General Counsel  
Raphael Savino, Deputy General Counsel  
Kenneth Moltner, Counsel to the Commissioners  
Steven B. Denkberg, Counsel to the Commissioners  
Rayvon Weaver, Project Coordinator, Candidate Records Unit  
Matthew Graves, Project Coordinator, Candidate Records Unit  
Don Bosco, Chief Clerk, Staten Island Office – Virtually  
Anthony Andriulli, Deputy Chief Clerk, Staten Island Office – Virtually

GUEST:           Will Furero, for John Clinton  
                      Stanley K. Schlein, Esq., for John Clinton  
                      Steven Balson-Cohen, Esq., Richmond County Republican Party  
                      Kit Rangopal, NBC News  
                      Anthony Reinhart, SI GOP  
                      Kate Doran, LWV

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President Umane called the meeting to order at 1:42 P.M.

Pursuant to the provisions of Title 2 of Article 9 of the New York State Election Law and the Charter of the City of New York, President Umane called the meeting of the Board of Canvassers in the City of New York to order for the purposes of re-certifying the manual canvass of votes cast for the June 22, 2021 Republican Primary Election for Mayor of the City of New York, Staten Island Borough President, and the 50<sup>th</sup> City Council District in Richmond County following a canvass of two (2) additional ballots as directed by court order.

President Umane designated Commissioner Shamoun as the other Republican Commissioner to serve as a Member of the Canvassing Board to sign the Certified Statements.

Secretary Camilo designated Commissioner Taylor as the other Democratic Commissioner to serve as a Member of the Canvassing Board to sign the Certified Statements.

The Chief Clerk and Deputy Chief Clerk of the Staten Island Office and their staff have prepared and signed the Return of Canvass of ballots cast in the June 22, 2021 Republican Primary Election for the Mayor of the City of New York, Staten Island Borough President, and Member of the City Council for the 50<sup>th</sup> Council District in Richmond County, in accordance with this Board's

Policies and Procedures and pursuant to a court order directing the Board to canvass two (2) additional ballots. The Statements were presented to the Canvassing Board for review and approval. Mr. Bosco and Mr. Andriulli confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of the poll site and central count scanners required by Article 9 of the New York Election Law has been successfully completed. There were no changes to the elections. Based on that report, Commissioner Taylor moved that the Board of Canvassers certify the Return of Canvass for the June 22, 2021 Republican Primary Election for the Mayor of the City of New York, Staten Island Borough President, and Member of the City Council for the 50<sup>th</sup> Council District. Commissioner Zaccone seconded the motion, which was unanimously adopted.

Commissioner Zaccone moved to approve and adopt the Recap Statement and Return of Canvass for the Citywide Public Offices as well as those Council Districts which cross borough lines for the Republican Primary held on June 22, 2021. Commissioner Taylor seconded the motion, which was unanimously adopted.

President Umame moved to authorize the use of the Commissioners' electronic signatures as appropriate on each Statement and Return of Canvass. Secretary Camilo seconded the motion, which was unanimously adopted.

Commissioner Taylor 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 Zaccone seconded the motion, which was unanimously adopted.

President Umame called the Hearings on Specifications of Objection RH-12 through RH-19 and RH-20 for the November 2, 2021 General Election. The Counsels' Reports were previously circulated for review. Notice was sent to the candidates' representatives as required. President Umame stated the procedures to be followed during the Hearings and called the Calendar for the Hearings. The matters follow:

1. Specifications of Objection RH-12 through RH-19 seeks to challenge the timeliness of the filing of the Minutes of the Democratic Judicial Convention in Richmond County for Supreme Court Justices in the 13<sup>th</sup> Judicial District. Notices of Appearance were filed by Stanley K. Schlein, Esq. for the Candidates and Steven Balson-Cohen, Esq. for the Objector. President Umame

opened the floor for Mr. Schlein and Mr. Cohen. After both sides were heard, Secretary Camilo moved to adopt the bipartisan Counsels' Report which finds that Specifications of Objection RH-12 through RH-19 are not as stated and the candidates should remain on the ballot for the November 2, 2021 General Election. Commissioner Taylor seconded the motion, which was unanimously adopted.

2. Specifications of Objection RH-20 seeks to challenge Republican Certificate of Nomination, Judicial Convention Minutes, and related document of Richmond County, Supreme Court Justices in the 13<sup>th</sup> Judicial District. Notices of Appearance were filed by Steven Balson-Cohen, Esq. for the Candidates and Stanley K. Schlein, Esq. for the Objector. President Umane opened the floor for Mr. Schlein and Mr. Cohen. After both sides were heard, Commissioner Zaccone requested for a brief summary of the Counsels' Reports on this matter. Ms. Patel and Mr. Savino each provided a summary of their Counsel Report. Secretary Camilo recalled that this matter was previously discussed at a past meeting. After discussion, Secretary Camilo moved to find that Specifications of Objection RH-20 are as stated and the candidates should not be on the ballot for the November 2, 2021 General

Election. In a roll call vote, there were four (4) in favor (Camilo, Araujo, Pepe-Souvenir, Taylor), one (1) opposed (Shamoun), and two (2) abstentions (Umane, Zaccone). The motion was not adopted. It was noted that there will be a judicial decision on this matter.

Ms. Patel reported on the Certificate of Declination filed by the Working Families Party (WFP) for the Member of City Council, 39<sup>th</sup> City Council District, Kings County, for the November 2, 2021 General Election. This matter was placed on second call from the previous Commissioners' Meeting directing the Legal Department to conduct further review and research. Ms. Patel reported that the Legal Department made an inquiry and recommended to restore candidate Bob Cohen to the ballot for the WFP in the 39<sup>th</sup> City Council District, Kings County, to validate the Certificate of Declination for candidate Bob Cohen, and to validate the filed Certificate of Substitution for candidate Shahana K Hanif. It was noted that there was an initial inconsistency which was found and corrected. President Umane moved to adopt the Legal Department's recommendation as presented. Commissioner Zaccone seconded the motion, which was unanimously adopted. Commissioner Zaccone thanked the Legal Department for researching this matter.

President Umane moved to convene an Executive Session for litigation and personnel matters. Secretary Camilo seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed. President Umane reported the following action unanimously adopted in Executive Session:

1. A Subcommittee consisting of the Commissioners' Executive Committee and Queens Commissioners will conduct a Hearing on Thursday, September 9, 2021 at 12:00 P.M. concerning the judicial candidacy of Daniel Kogan in Queens County who may be running for two (2) separate Public Offices and how it should be resolved. Notice will be sent to the candidate's representative as required.

The next stated meeting of the Commissioners is scheduled for Tuesday, September 14, 2021 at 1:30 P.M. which is subject to change.

President Umane adjourned the meeting.