

MEETING OF THE BOARD OF CANVASSERS
IN THE CITY OF NEW YORK
HELD ON FRIDAY, DECEMBER 2, 2022 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: Secretary Simon Shamoun

Commissioners Jose M. Araujo, Michael J. Coppotelli, Jodi Morales, Keith Sullivan, Patricia Anne Taylor, Frederic M. Umane

Vincent M. Ignizio, Deputy Executive Director

Georgea Kontzamanis, Operations Manager

Hemalee J. Patel, General Counsel

Raphael Savino, Deputy General Counsel

Eric Butkiewicz, Associate Agency Counsel

Steven B. Denkberg, Counsel to the Commissioners

Kenneth Moltner, Counsel to the Commissioners

New York County: Stephen M. Evans, III, Chief Clerk

Cynthia Doty, Deputy Chief Clerk

Bronx County: Brendalize Candelaria, Deputy Chief Clerk

Rocco Cirotti, Administrative Associate

On Behalf of Dawn Sandow, Deputy Chief Clerk

Kings County: Raymond J. Riley, Chief Clerk

Daniel Ortiz, Deputy Chief Clerk

Queens County: Amanda Berinato, Chief Clerk

Bart J. Haggerty, Deputy Chief Clerk

Richmond County: Don Bosco, Chief Clerk

Anthony Andriulli, Deputy Chief Clerk

Mr. Ignizio opened the meeting with item #1 of the meeting agenda, and requested that the Commissioners Committee convene a meeting of the Board of Canvassers to certify the results of the November 8, 2022 General Election.

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, Secretary Shamoun called the meeting of the Board of Canvassers in the City of New York to order for the purposes of certifying the canvass of votes cast in the November 8, 2022 General Election conducted within the City of New York.

Secretary Shamoun designated Commissioner Umane to serve as the other Republican member of the Canvassing Board, and Commissioner Araujo designated Commissioner Taylor to serve as the other Democratic member of the Canvassing Board.

The Deputy Chief Clerks of the Bronx and their staff, have prepared and signed the Returns of Canvass for the November 8, 2022 General Election in Bronx County, in accordance with the Board's policies and procedures.

The Returns were presented to the Canvassing Board for review and approval.

Brendalize Candelaria, Deputy Chief Clerk and Rocco Cirotti, Administrative Associate, confirmed that the results presented are accurate and correct, and stated that there is one discrepancy to report.

Mr. Cirotti informed the Board of Canvassers that the discrepancy was due to a Poll Worker error at an Early Voting Poll Site. The Poll Worker manually printed and inserted a ballot into the machine as a regular ballot, which should have been processed as a provisional ballot.

Ms. Candelaria and Mr. Cirotti confirmed that the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law have been successfully completed.

Based on that report, Commissioner Morales moved that the Board of Canvassers certify the Returns of Canvass for the General Election conducted in Bronx County. Commissioner Araujo seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Bronx Staff of the Board of Elections, were adopted unanimously.

The Staten Island Chief and Deputy Chief Clerk, and their staff have prepared and signed the Returns of Canvass for the November 8, 2022 General Election in Richmond County, in accordance with the Board's policies and procedures.

The Returns were presented to the Canvassing Board for review and approval.

Don Bosco, Chief Clerk and Anthony Adriulli, Deputy Chief Clerk, confirmed that the results presented are accurate and correct, there are no discrepancies to report, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law have been successfully completed.

Based on that report, Commissioner Taylor moved that the Board of Canvassers certify the Returns of Canvass for the General Election conducted in Richmond County. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

Mr. Ignizio noted that for the purposes of voting, Commissioner Umane is not in a publicly accessible location, so his vote to either vote or to second will not be officially recorded, but there are multiple seconds for the previous motions of which Commissioner Umane did second the nomination.

Based on the forgoing, the Returns of Canvass prepared and submitted by the Staten Island staff of the Board of Elections, were adopted unanimously.

Commissioner Taylor thanked the Staten Island staff, and stated that the Commissioners appreciate all of their hard work.

Mr. Ignizio further noted that Commissioner Umane was also designated to serve as the second member of the Board of Canvassers, and being that he cannot vote, Secretary Shamoun will designate Commissioner Coppotelli as the second member of the Canvassing Board.

Secretary Shamoun designated Commissioner Coppotelli to serve as the other Republican member of the Canvassing Board.

The Brooklyn Chief Clerk and Deputy Chief Clerk, and their staff have prepared and signed the Returns of Canvass for the November 8, 2022 General Election in Kings County, in accordance with the Board's policies and procedures.

The Returns were presented to the Canvassing Board for review and approval.

Raymond Riley, Chief Clerk, and Daniel Ortiz, Deputy Chief Clerk, confirmed that the results presented are accurate and correct, there are no discrepancies to report, and the audit of the poll site and central count scanners

required by Article 9 of the New York State Election Law have been successfully completed.

Based on that report, Commissioner Araujo moved that the Board of Canvassers certify the Returns of Canvass for the General Election conducted in Kings County. Commissioner Taylor seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Brooklyn Staff of the Board of Elections, were adopted unanimously.

Secretary Shamoun thanked the Brooklyn Staff, as well as the staff citywide, for all of their hard work in conducting a successful election event. The Commissioner also thanked the staff for all of their hard work and dedication to the democratic process throughout the city.

The Queens Chief and Deputy Chief Clerk, and their staff have prepared and signed the Returns of Canvass for the November 8, 2022 General Election in Queens County, in accordance with the Board's policies and procedures, with the exception of the contest for Assembly District 23, as this is the subject of a mandatory manual canvass.

The Returns were presented to the Canvassing Board for review and approval.

Amanda Berinato, Chief Clerk, and Bart Haggerty, Deputy Chief Clerk, confirmed that the results presented are accurate and correct, there are no discrepancies to report, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law have been successfully completed.

Based on that report, Commissioner Araujo moved that the Board of Canvassers certify the Returns of Canvass for the General Election conducted in Queens County. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Queens Staff of the Board of Elections, were adopted unanimously.

The Manhattan Chief and Deputy Chief Clerk, and their staff have prepared and signed the Returns of Canvass for the November 8, 2022 General Election in New York County, in accordance with the Board's policies and procedures.

The Returns were presented to the Canvassing Board for review and approval.

Stephen Evans III, Chief Clerk, and Cynthia Doty, Deputy Chief Clerk, confirmed that the results presented are accurate and correct, there are no discrepancies to report, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law have been successfully completed.

Based on that report, Commissioner Taylor moved that the Board of Canvassers certify the Returns of Canvass for the General Election conducted in New York County. Commissioner Araujo seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Manhattan Staff of the Board of Elections, were adopted unanimously.

Commissioner Umame thanked the Manhattan staff for all of their hard work and diligence to get this job done, and their hard work throughout the election event.

Secretary Shamoun asked that the Board of Canvassers make a motion to approve and adopt the Recap Statements and Returns of Canvass for the November 8, 2022 General Election, for Districts containing parts of more than one borough.

Commissioner Araujo moved to approve and adopt the Recap Statements and Returns of Canvass for the Districts which cross borough lines. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

The Recap Statements and Returns of Canvass for Districts which cross borough lines within the City of New York for the General Election conducted on November 8, 2022 were approved.

Commissioner Coppotelli moved to authorize the use of the Commissioners' electronic signatures as appropriate on each Statement and Return of Canvass. Commissioner Araujo seconded the motion, which was adopted unanimously.

Commissioner Taylor moved to adjourn the Meeting of the Board of Canvassers, and convene the weekly stated meeting of the Commissioners, in the City of New York. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

The meeting of the Board of Canvassers was adjourned.

Following the meeting of the Board of Canvassers, the regular stated meeting of the Commissioners Committee resumed.

Mr. Ignizio continued with item #2 of the meeting agenda, and stated that this item is being deferred until the next Commissioners Meeting on Tuesday, December 6, 2022, due to the absence of a quorum.

Mr. Ignizio continued with item #3 of the meeting agenda, the New York State Election Commissioners' Association, NYSECA, 2023 Annual Winter Conference, scheduled to be held on January 17, 2023 through January 20, 2023, in Albany, New York.

Mr. Ignizio asked that the Commissioners Committee approve the attendance of the Executive Team, the Borough Chief and Deputy Chief Clerks, as well as any relevant unit Managers. Mr. Ignizio noted that the Commissioners are welcome to attend, and the conference information has been forwarded to them by staff for their review.

Commissioner Coppotelli moved to approve the Board's attendance at the NYSECA Annual Winter Conference, Commissioner Taylor seconded the motion, which was adopted unanimously.

Mr. Ignizio continued with item #4 of the meeting agenda, a Voter Challenge, pursuant to Election Law §5-220.

Mr. Ignizio acknowledged Eric Butkiewicz, Associate Agency Counsel, to present the matter before the Commissioners Committee.

Mr. Butkiewicz stated that at the November 1, 2022 meeting of the Commissioners, a voter Daniel Woods appeared and swore before the Commissioners to challenge the registration of Robert J. Cardillo. Although Mr. Cardillo is registered at the same address as Mr. Woods, Mr. Woods provided testimony before the Board that Mr. Cardillo does not reside at that address.

Upon direction of the Commissioners, Board Staff conducted an investigation into this matter. Mr. Cardillo was sent, via certified mail, a letter which was returned to the Board by the United States Postal Service, and marked "Return to Sender".

New York County Staff then performed an in-person investigation, and found no indication that Mr. Cardillo continues to reside at his registered, or that registered address/residence.

As a result of this investigation, the Chief and Deputy Chief Clerk of New York County recommend that Mr. Cardillo's registration be canceled.

This matter was presented to both Commissioner Umane and Commissioner Taylor, and the recommendation of the New York County Chief and Deputy Chief Clerk was ratified.

If there are no objections from the full Board of Commissioners, Board staff will proceed to cancel this voter, and a letter will be sent to the challenger, Daniel Woods, to inform him of the results of this investigation.

Mr. Butkiewicz confirmed that the Office of the General Counsel concurs with the recommendation of the New York County Chief and Deputy Chief Clerk.

Hearing no opposition to this recommendation, the direction of the Commissioners will be advanced.

Mr. Ignizio continued with item #5 of the meeting agenda, an Executive Session for personnel matters.

Mr. Ignizio asked that the Commissioners Committee make a motion to set the date of the next meeting, and convene an Executive Session to discuss personnel matters.

Secretary Shamoun moved to schedule the next meeting of the Commissioners for Tuesday, December 6, 2022 at 1:30 P.M. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

Secretary Shamoun moved to convene an Executive Session to discuss personnel matters. Commissioner Taylor seconded the motion, which was adopted unanimously.

Following Executive Session, the open meeting resumed.

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

1. Priscilla Valentin was appointed as a Spanish interpreter.

2. Troy Johnson, a Project Coordinator, was granted 210 hours of an advance of sick time. This grant is effective November 15, 2022. Mr. Johnson's agency start date is June 10, 2004.

The meeting was adjourned.

The next stated meeting of the Commissioners is scheduled for Tuesday, December 6, 2022 at 1:30 P.M.