

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JUNE 14, 2022 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Rodney L. Pepe-Souvenir
Secretary Simon Shamoun

Commissioners Jose Miguel Araujo, Michael J. Coppotelli, Jenny Low, Gino A. Marmorato, Jodi Morales, Keith Sullivan, Patricia Anne Taylor, Frederic M. Umane

Michael J. Ryan, Executive Director

Vincent M. Ignizio, Deputy Executive Director

Georgea Kontzamanis, Operations Manager

Wilma Brown Phillips, Administrative Manager

Hemalee J. Patel, General Counsel

Raphael Savino, Deputy General Counsel

Steven B. Denkberg, Counsel to the Commissioners

Kenneth Moltner, Counsel to the Commissioners

Raymond Riley, Chief Clerk, Kings County

Khadijah Overstreet, Senior Administrator, Kings County

Amanda Berinato, Chief Clerk, Queens County

Bart Haggerty, Deputy Chief Clerk, Queens County

Debra Leible, Coordinator, Election Day Operations

Shanette Brown, Candidate Records Unit

Matthew Graves, Candidates Records Unit

Raquel Torres, Candidate Records Unit

Guests:

Josh Erlich, Esq.

Ali Najmi, Esq.

Sarah Younus

Mr. Ryan opened the meeting, and presented agenda item #1, the minutes of the June 7, 2022 Commissioners Meeting, for approval.

President Pepe-Souvenir moved to adopt the minutes of the June 7, 2022 Commissioners Meeting. Commissioner Sullivan seconded the motion, which was adopted unanimously.

Mr. Ryan requested that the Commissioners Committee convene a meeting of the Board of Canvassers, for agenda item #2, Hearings on Independent Nominating Petition matters for the November 8, 2022 General Election.

President Pepe-Souvenir moved to convene a meeting of the Board of Canvassers. Commissioner Umane seconded the motion, which was unanimously adopted.

President Pepe-Souvenir called the meeting of the Board of Canvassers in the City of New York to order to hear challenges to Independent Nominating Petitions for Member of the New York State Assembly, to be contested in the November 8, 2022 General Election, in the Counties of Kings and Queens.

President Pepe-Souvenir acknowledged Hemalee Patel, General Counsel, and asked that she call the calendar for today's hearing.

Mrs. Patel addressed the Board of Canvassers and informed them that the notice for today's hearing was previously posted on the Board's website.

Mrs. Patel advised that there are attorneys present for the two calendar matters in Kings and Queens.

Mrs. Patel acknowledged Raymond Riley, Chief Clerk and Khadijah Overstreet, Senior Administrator of the Kings County Board of Elections.

In the matter of Petition KG2203025, objections by Franya Vasilevsky to the petition of Steven Cymbrowitz, for member of the New York State Assembly in the 45th Assembly District, for specification KG 1-1:

The total number of signatures submitted for the candidate were, 1780

The total number of invalid signatures, 208

Total number of valid signatures, 1572

Total number of signatures required were, 1022

Josh Erlich, Esq., appeared before the Board of Canvassers, on behalf of the Candidate, Steven Cymbrowitz.

There were no other appearances for this matter.

Mr. Erlich requested that the Board of Canvassers move the clerk's report due to a violation of rule H-1 of the Board's Independent Nominating Petition Rules, and a pagination error due to multiple numbers throughout the petition volume.

Mr. Riley objected to the pagination issue, and stated that the pages only appear once.

Mr. Erlich's pagination issue was not presented to the Board prior to today's hearing.

Commissioner Umane made a motion to move the clerk's report. Commissioner Marmorato seconded the motion, which was adopted unanimously.

The candidate will remain on the ballot for the November 8, 2022 General Election.

The Queens County Chief Clerk, Amanda Berinato, and Deputy Chief Clerk, Bart Haggerty, appeared before the Board of Canvassers.

Mrs. Patel presented the matter of Petition QN2201425, objections by Kerry Boehme to the petition of Robert J. Speranza, for member of the New York State Assembly in the 26th Assembly District, for specification 1-1:

The total number of signatures submitted for the candidate were, 1836

The total number of invalid signatures, 1139

Total number of valid signatures, 697

Total number of signatures required were, 1500

Ali Najmi, Esq., appeared before the Board of Canvassers, on behalf of the Objector, Kerry Boehme.

There were no other appearances for this matter.

Mr. Najmi requested that the Board of Canvassers adopt the clerk's report.

Commissioner Araujo made a motion to move the clerk's report. Commissioner Umane seconded the motion, which was adopted unanimously.

The Candidate will not appear on the Ballot for Independent Nominating, for the November 8, 2022 General Election, under the Independence Party.

Mrs. Patel acknowledged Shanette Brown and Raquel Torres, of the Candidate Records Unit, to present the Prima Facie calendar for the November 8, 2022 General Election.

Ms. Brown presented the Primary Facie calendar, and read the names of the candidates as they appeared on the report.

The Board of Canvassers reviewed the matter of Joseph A. Maffia, Candidate for Member of the New York State Assembly, in the 75th Assembly District and David Casavis, Candidate for the New York State Assembly, in the 73rd Assembly District.

It was determined that a Certificate of Authorization was not filed for Mr. Maffia, but was not noted on the Prima Facie report. It was also noted that the petition lacked the necessary number of signatures.

Commissioner Araujo made a motion to move the Prima Facie report, with the exception of matters pertaining to Khaled Salem, Candidate for the New York State Senate, 22nd Senate District, where an appearance has been made on the behalf of the candidate. Commissioner Morales seconded the motion, which was adopted unanimously.

Commissioners Umame and Araujo reviewed the Borough's procedure for petition processing with the staff that was present from the Candidate Records Unit, specifically where the procedures involve the "weight test" that is sometimes performed during intake and processing.

Commissioner Araujo made a motion to move the Prima Facie report, with the exception of matters pertaining to Joseph A. Maffia – Candidate for the New York State Assembly, in the 75th Assembly District, David Casavis – Candidate for the New York State Assembly, 73rd Assembly District, and Khaled Salem – Candidate for the New York State Senate, 22nd Senate District. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

Commissioner Araujo moved to adopt the Prima Facie report for Joseph A. Maffia – Candidate for the New York State Assembly, in the 75th Assembly District and David Casavis – Candidate for the New York State Assembly, 73rd Assembly District. In a roll call vote, there were seven (7) in favor (Pepe-Souvenir, Shamoun, Araujo, Coppotelli, Low, Morales and Taylor), and three (3) opposed (Marmorato, Sullivan and Umame). The motion was adopted.

The Candidates will not appear on the Ballot for Independent Nominating for the November 8, 2022 General Election, for the Independence Party.

The Board of Canvassers acknowledged Sarah Younus, Campaign Manager, who appeared in person as legal representation on behalf of Khaled Salem, a Candidate for New York State Senate, in the 22nd Senate District.

In the matter of Petition KG2203063 for the 22nd State Senate District, the petition was received by the New York City Board of Elections on June 1, 2022, for the November 8, 2022 General Election.

The filing period for Independent Nominating Petitions for Representatives of United States Congress and New York State Senate is June 27, 2022 through July 5, 2022.

The Board of Canvassers informed Sarah Younus that the Independent Nominating petition that was filed for the candidate, Khaled Salem for the 22nd Senate District, was filed ahead of the filing date. The candidate will have to recirculate the petition.

Mrs. Patel advised Sarah Younus that the petition filing information for the November 8, 2022 General Election can be located on the New York State Board of Elections', and New York City Board of Elections' websites.

President Pepe-Souvenir made a motion to move the Prima Facie report. Commissioner Araujo seconded the motion, which was adopted unanimously.

The Candidate will not appear on the Ballot for Independent Nominating for the November 8, 2022 General Election, for the Independence Party.

Secretary Shamoun made a motion for the staff of the Candidate Records Unit to move forward and establish the Contest List for the November 8, 2022 General Election. President Pepe-Souvenir seconded the motion, which was unanimously adopted.

President Pepe-Souvenir moved to close the meeting of the Board of Canvassers, and resume the regular stated meeting of the Commissioners Committee. Commissioner Marmorato seconded the motion, which was adopted unanimously.

The regular stated meeting of the Commissioners Committee resumed.

Mr. Ryan presented item #3 of the meeting agenda, and provided an update on the June 28, 2022 Primary Election:

- The Board will conduct two Primary Elections this year. The first Primary will be held on Tuesday, June 28, 2022, and the second Primary will be conducted on Tuesday, August 23, 2022.
- Preparations are underway for the June 2022 Primary Election, which will include contests for Governor, Lieutenant Governor, State Assembly, Judges and Party Positions.
- The Early Voting period runs from Saturday, June 18, 2022 through Sunday, June 26, 2022, and Election Day is Tuesday, June 28, 2022.
- The Board will open 140 Early Voting Locations across the five Boroughs. This is the largest amount of Early Voting sites, and Early Voting hours in the State of New York.
- In addition, a total of 1,242 Election Day Poll Sites will be open across the five Boroughs.
- Early Voting hours and locations, including sample ballots, can be located on the Board's website at www.vote.nyc.

- All voting equipment, logic and accuracy testing, as well as other preparations for Early Voting has been completed citywide.
- The delivery of election equipment and materials will begin on Thursday, June 16, 2022.
- A total of 9,603 pieces of election equipment will be delivered, including 59 Generators to our Early Voting sites. These deliveries began yesterday, and expect to be completed by Thursday, June 16, 2022.
- Preparations and voting equipment testing is still ongoing for Primary Election Day, and is 99% complete citywide. All should be completed before deliveries start on Tuesday, June 21, 2022, and will continue until completion through, Monday, June 22, 2022.
- On Election Day, the Board is expected to deploy approximately 65,166 pieces of equipment to 1,242 Election Day sites.
- As a reminder, due to a recent change in the New York State Election Law, New York State voters are no longer permitted to cast a ballot on a voting machine if they have requested to vote by Absentee

Ballot. Voters who have requested to vote by Absentee Ballot, will be permitted to vote by Affidavit Ballot at the Poll Site.

- The Board is in the process of training Coordinators and Poll Workers with a refresher course, to explain this change in the law.

Training is conducted both in-person and on-line, assignments are ongoing for both Early Voting and Election Day, and the Board fully expects to meet its needs for both.

Anyone interested in serving as a Poll Worker, is urged to sign up. Mr. Ryan noted that New York City Elections are made possible by those who are willing to serve as Poll Workers.

There are approximately 32,814 Poll Worker positions for Election Day, and 65% have been assigned as of this morning.

- In addition, we are on track for our Language Assistance Program needs, and currently have a sufficient amount of interpreters to fill the required positions.

- The Board continues to receive and process Absentee Ballots for the June Primary Election. To date, a total of 74,414 ballots have been mailed citywide, including 138 accessible ballots. We have received back 12,519 ballots citywide. 9,449 have been deemed valid and canvassed citywide, 512 have been deemed invalid citywide, with the Cure process on-going. The remainder are being canvassed, as this is an on-going process, ballots are processed as they come in.
- The last day to apply for an Absentee Ballot on-line or by mail, was yesterday, June 13, 2022. The last day to apply in person is Monday, June 27, 2022. Returned ballots must be postmarked by Tuesday, June 28, 2022 and received in the Board Offices by Tuesday, July 5, 2022. Absentee Ballots can be dropped off at any Borough Office, Early Voting or Election Day site, whichever option is convenient for the voter.
- All election information can be located on the Board's website at www.vote.nyc, or by calling our offices at 866-VOTE-NYC.

Mr. Ryan presented item #4 of the meeting agenda, Poll Worker Exception Reports. The Reports were previously submitted and approved by each Borough

Commissioner. The Commissioners Committee recognized Debra Leible, Coordinator of Election Day Operations.

Commissioner Umame noted that in the past Poll Worker exceptions were reviewed citywide, by the full Board of Commissioners in order to avoid the over and under usage of Coordinator/Poll Worker designations.

Ms. Leible was instructed to read the Poll Worker Exception Report to the Commissioners Committee.

The citywide Poll Worker Exceptions are as follows:

Manhattan	No Exceptions
Bronx	2 Coordinators, 36 Information Clerks
Brooklyn	34 Coordinators, 1 Information Clerk
Queens	No Exceptions
Staten Island	8 Coordinators, 7 Information Clerks

Mr. Ryan asked that the Commissioners Committee ratify the Poll Worker Exception report, which was previously approved by the Borough Commissioners.

President Pepe-Souvenir moved to adopt the Poll Worker Exception Report. Commissioner Taylor seconded the motion, which was unanimously adopted.

Mr. Ryan informed the meeting group that the Commissioners Cover Sheet Committee will convene directly after today's meeting.

Hemalee Patel, General Counsel, informed the Commissioners Committee that the notice for today's Cover Sheet Review Committee Hearing was posted to the Board's website for petition and coversheet review matters for consideration for United States Congress and New York State Senate.

Secretary Shamoun and Commissioner Low, have volunteered to review the Petition and Coversheet matters after today's meeting.

President Pepe-Souvenir moved schedule the next meeting of the Commissioners for Tuesday, June 21, 2022 at 1:30 P.M. Secretary Shamoun seconded the motion, which was unanimously adopted.

Commissioner Coppotelli moved to convene an Executive Session to discuss Litigation and Personnel matters. Secretary Shamoun 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. Glenda Allen, an Administrative Assistant, was granted 154 hours of an advance of sick time. This grant is effective May 31, 2022. Ms. Allen's agency start date is July 5, 1992.
2. Ratification of the termination of Alvin Samuels.
3. Ratification of the termination of Michael Neglia.

The meeting was adjourned.

The next stated meeting of the Commissioners is scheduled for Tuesday, June 21, 2022 at 1:30 P.M.