

MEETING OF THE BOARD OF CANVASSERS
AND THE MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, AUGUST 3, 2021 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umane
 Secretary Miguelina Camilo

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

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
Don Bosco, Chief Clerk, Staten Island Office – Virtually
Anthony Andriulli, Deputy Chief Clerk, Staten Island Office – Virtually

GUEST: John Ward
 Edward Pryor
 Kate Doran, LWV
 Stanley Schlein
 Will Forero
 Jeremy Panzella
 Brendan Lantry

President Umane called the meeting to order at 1:40 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 Umame called the meeting of the Board of Canvassers in the City of New York to order for the purposes of certifying the manual canvass of votes cast for the June 22, 2021 Republican Primary Election in the 50th City Council District in Richmond County.

President Umame 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 resulting from the manual recanvass of ballots for the June 22, 2021 Primary Election for Member of the City Council for the 50th Council District in Richmond County in accordance with this Board's Policies and Procedures. The manual recanvass was required pursuant to New York State Election Law as the margin of victory was less than one half of one percent separating the two (2) candidates with the greatest number

of votes. 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. Based on that report, Commissioner Zaccone moved that the Board of Canvassers certify the Return of Canvass for Member of the City Council for the 50th Council District in Richmond County. Commissioner Taylor seconded the motion, which was unanimously adopted. Mr. Bosco commended Lisa Johnson and Nicole Traficenti for organizing a successful manual recanvass in the Staten Island Office. Commissioner Zaccone and Commissioner Taylor thanked the Staten Island Office staff for their hard work completing the manual recount in a timely matter.

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

President Umame 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 Hearing on the Certificate to Fill Vacancies in Party Position(s) Republican Party Delegates to the Republican Judicial Convention Thirteenth Judicial District General Election for November 2, 2021. Notices of Appearance were filed by Jeremy Panzella, Esq. for the Candidates and Stanley Schlein, Esq. for the Objector. Secretary Camilo reported that the Commissioners have already been briefed on this issue, reviewed the counsels' memorandums, and court documents on this matter. Based on that review, Secretary Camilo moved for the Candidate Records Unit (CRU) to be directed to promulgate and compile a list of delegates for the Richmond County Republican Judicial Convention, pursuant to Sections 9-200 and 9-202 of the New York State Election Law, based on the Certificate that was filed. Commissioner Taylor seconded the motion. Before a vote was taken by the full Board, President Umame requested for further discussion on the matter and to hear from the two (2) representatives before making a determination. President Umame opened the floor for Mr. Schlein and Mr. Panzella. After both sides were heard, discussion continued on the validity of the Certificate that was filed at the Board and placed on CRU's Overflow Calendar/Reserve Page; a case of first impression. Secretary Camilo renewed her motion and moved for CRU to be directed to promulgate and compile a list of delegates for the Richmond County Republican Judicial Convention, pursuant to Sections 9-200 and 9-202 of the New York State Election Law, based on the Certificate. Commissioner Taylor seconded the motion. In a

roll call vote, with three (3) in favor (Umane, Shamoun, and Zaccone) and four (4) opposed (Camilo, Araujo, Pepe-Souvenir and Taylor), the motion was not adopted. Commissioner Zaccone raised concerns about why the Certificate was initially placed on CRU's Overflow Calendar/Reserve Page. Ms. Patel reported that on July 16, 2021, the Certificate was filed at the Board and CRU staff asked for direction. After review of the Certificate, a bipartisan determination was made by Ms. Patel and Mr. Savino to place the Certificate on CRU's Overflow Calendar/Reserve Page and to bring it to the Commissioners' attention. Petitions were filed on March 22, 2021 to designate candidates for the Republican Party position of delegates for the Republican Judicial Convention of the 13th Judicial District. Those petitions were in validated by the Board for the failure to file a Cover Sheet. On July 19, 2021, a General Objection to the Certificate was filed. Commissioner Zaccone recommended new procedures to be implemented for prima facie matters for the future. Commissioner Zaccone thanked both counsels for appearing at the Hearing. The Objection was deemed moot. This matter will be determined in court.

Secretary Camilo moved to adopt the minutes for the July 20, 2021 Commissioners' Meeting. Commissioner Taylor seconded the motion, which was unanimously adopted.

Ms. Kontzamanis provided an update on the June 22, 2021 Primary Election. The statutorily required manual recount for the 9th City Council District in New York County is still in progress at the Manhattan Office. The manual recount is expected to be completed by the end of this week.

Ms. Kontzamanis provided an update on the November 2, 2021 General Election. Board staff has begun all necessary preparations including preventative maintenance on the voting equipment and inventory of all supplies which includes PPE requirements. Poll worker training starts next week for the Leads. Executive Management will continue to update the Commissioners on the preparations.

Mr. Savino reported on an issue with independent body names for the November 2, 2021 General Election. There are some candidates who filed an independent nominating petition with an independent body name that exceeds fifteen (15) letters. Pursuant to Section 7-104(2) of the New York State Election Law, the Board is mandated to send a notice to these candidates to abbreviate the name of their independent political body which complies with the requirement. If the candidate does not file a certificate within seven (7) days after the date of the notice, the Commissioners shall select a name to appear on the ballot. Based on standard procedures, President Umame moved for Board counsel to send a letter to the candidates who filed an independent nominating petition with an independent

body name that exceeds fifteen (15) letters. Secretary Camilo seconded the motion, which was unanimously adopted.

Ms. Kontzamanis reported that the Election Commissioners' Association (ECA) of the State of New York will be holding their annual Summer Conference in person from August 31, 2021 through September 2, 2021 in Albany, NY. The ECA's Agenda packet was previously circulated to the Commissioners, Chief Clerks, Deputy Chief Clerks and all relevant Managers for review. Ms. Kontzamanis requested authorization for appropriate staff to attend the ECA Summer Conference. Based on past practice, President Umane moved to authorize Executive Management and appropriate staff to attend the ECA's Summer Conference. Secretary Camilo seconded the motion, which was unanimously adopted. Commissioner Zaccone noted that Commissioners may attend the ECA Summer Conference as well.

President Umane announced that Commissioner Townsend has resigned from the Board to take a position with the Biden Administration. He noted that Commissioner Townsend served remarkably well at the Manhattan Office and will be missed. On behalf of the Commissioners, President Umane wished her all the best.

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.

The following personnel action was taken by the unanimous decision of the Commissioners:

- I. Norma Saunders, a Trainer Assistant, has been granted 287 hours of an Advance of Time. This grant is effective August 2, 2021. Ms. Saunders agency start date is June 12, 2011.

The next stated meeting of the Commissioners is scheduled for Tuesday, August 17, 2021 at 1:30 P.M.

President Umane moved to adjourn the meeting. Secretary Camilo seconded the motion, which was unanimously adopted.