

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, NOVEMBER 1, 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 M. Araujo, Michael J. Coppotelli, Gino A. Marmorato, Jodi Morales, Frederic M. Umane

Michael J. Ryan, Executive Director
Vincent M. Ignizio, Deputy Executive Director
Georgea Kontzamanis, Operations Manager
Hemalee J. Patel, General Counsel
Raphael Savino, Deputy General Counsel
Steven B. Denkberg, Counsel to the Commissioners
Kenneth Moltner, Counsel to the Commissioners

Debra Leible, Manager – Election Day Operations
Sherwin Suss, Agency Chief Contracting Officer

GUEST: Takeasha Newton, Legal Aid Society
Daniel Woods

Mr. Ryan opened the meeting with item #1 of the meeting agenda, and requested that the Commissioners approve the minutes of the October 25, 2022 Commissioners Meeting.

Commissioner Umame moved to adopt the minutes of the October 25, 2022 Commissioners Meeting. President Pepe-Souvenir seconded the motion, which was adopted unanimously.

The minutes of the October 25, 2022 Commissioners Meeting were approved.

Mr. Ryan added an additional item to the meeting agenda, item #5, the Commissioners Finance Committee Report.

Mr. Ryan continued with item #2 of the meeting agenda, and provided the following update on Early Voting for the November 8, 2022 General Election:

- Today is Day 4 of Early Voting, and the Polls are opened until 8:00 PM tonight.
- As of the close of Polls last night, a total of 127,756 New Yorkers have chosen to vote early. As of 12:30 PM today, an additional 11,363 voters have voted, citywide.

- As of last night, we have received back a total of 78,600 absentee ballots.
- All absentee ballot applications have been received and processed, and the total number of ballots mailed to date is 218,171 citywide, which included 730 accessible absentee ballots.
- Reminder: The last day to apply for an absentee ballot in person is Monday, November 7, 2022. The Borough Offices have extended hours for absentee voting, and the hours and borough locations can be found on the Board's website at www.vote.nyc, or by calling 866-vote-nyc.

This concluded the update on Early Voting for the November 8, 2022 General Election.

Mr. Ryan acknowledged the arrival of Secretary Shamoun.

Mr. Ryan provided the following update on the November 8, 2022 General Election:

- All voting equipment logic and accuracy testing, as well as any other preparations for the General Election have been completed.
- The delivery of Election Day equipment has begun. A total of 70,000 pieces of individual Election Day equipment will be deployed to 1,236 Election Day sites.

We are approximately 25% complete, and are on track to complete all required deliveries by Monday, November 7, 2022.

- As of last night, 89% of the needed Poll Workers have been assigned, and we expect to have a total of 34,712 Poll Worker positions to meet our needs.

In addition, the Board is on-track with its Language Assistance Program, and we currently have a sufficient number of Interpreters trained to fill all required positions.

- Early Voting will continue until Sunday, November 6, 2022. The hours and Poll Site locations for Early Voting can be found on the

Board's website at www.vote.nyc, or by contacting our Board Offices at 866-vote-nyc.

This concluded the update on the November 8, 2022 General Election.

Mr. Ryan continued with item #3 of the meeting agenda, the Poll Worker Exception Report for the November 8, 2022 General Election.

Mr. Ryan acknowledged Debra Leible, the Manager of Election Day Operations, and confirmed that the Poll Worker Exception Report was previously forwarded to all Commissioners for their review.

Ms. Leible presented the Poll Worker Exception Report to the Commissioners Committee.

Mr. Ryan noted that the Borough Commissioners have already approved the Poll Worker Exceptions for each County, and asked that the Commissioners Committee make a motion to approve the report.

Commissioner Umame moved to approve the Poll Worker Exception Report for the November 8, 2022 General Election. President Pepe-Souvenir seconded the motion, which was adopted unanimously.

The Poll Worker Exceptions for the November 8, 2022 General Election, were approved.

Mr. Ryan continued with item #5 of the meeting agenda, the approval of the Commissioners Finance Committee Report.

Mr. Ryan acknowledged Sherwin Suss, the Agency Chief Contracting Officer, to present the report before the Commissioners Committee.

Mr. Suss presented the following two items that were reviewed with the Commissioners Finance Committee:

1. Carahsoft

This is a contract to provide Acquia software and services for the Board's website Vote NYC. This provider hosts the website. They also provide security for the site and perform the routing functions such as transferring the voter to the poll site locator feature. Finally the provider monitors the

site for outages. This is a 3 year contract procured through the New York State Office of General Services (OGS) Information and Technology Umbrella contract. The contract is for \$78,495.35 per year for a total not to exceed amount of \$235,486.05.

Commissioner Umane stated that it was the unanimous recommendation of the Finance Committee, that this contract be approved.

Commissioner Umane moved to approve the Commissioners Finance Committee Report. President Pepe-Souvenir seconded the motion, which was adopted unanimously.

The Finance Committee Report in regards to the contract for Carahsoft, was approved.

Mr. Suss presented the second item:

2. World Wide Technology

This is a contract to provide a new telephone system for the agency. This includes purchase of the equipment, programing and configuring of software and installation. This contract was procured through the OTI

(formerly DOITT) Telecom Enterprise (formerly MSA) Agreement. The City will be reimbursed for the expense of this contract from a NY State grant. The not to exceed cost of this contract is \$1,207,051.39.

Commissioner Umane stated that it was the unanimous recommendation of the Finance Committee, that this contract also be approved.

Commissioner Umane moved to approve the Commissioners Finance Committee Report. President Pepe-Souvenir seconded the motion, which was adopted unanimously.

The Finance Committee Report in regards to the contract for World Wide Technology, was approved.

Mr. Ryan acknowledged Takeasha Newton of the Legal Aid Society, who has requested to appear before the Commissioners Committee to address the Legal Aid Society's position on Voting in the New York City Jails.

Ms. Newton addressed the Commissioners Committee, and presented a letter that was previously delivered to the Board via email, from the Coalition for Voting in NYC Jails, dated November 1, 2022.

In Ms. Newton's letter, she noted that the Board failed to reply to previous letters sent by the Coalition.

Mr. Ryan informed Ms. Newton that the Board responded to the June 7, 2022 letter, on August 9, 2022, and the reply was addressed to Vote in NYC Jails Coalition, care of Anthony Posacki, Esq., Legal Aid Society, 199 Water Street, New York, NY 10038.

A detailed letter was also sent to the Legal Aid Society, at 199 Water Street, New York, NY 10038, from the former Corrections Commissioner Cynthia Brann, on April 15, 2021.

Mr. Ryan further noted that this issue has been raised and addressed twice, in less than two years. It is the understanding of the Board of Elections that the process under 8-404 of the New York State Election Law, with respect to the opportunity to vote while incarcerated, the process is set as the absentee voting process.

Mr. Ryan suggested that Ms. Newton and the Coalition for Voting in NYC Jails, press this claim within the proper venue, at the New York State Assembly and the New York State Senate.

The Board follows the law, the law provides for absentee voting for those incarcerated who are eligible, and we participate very cooperatively with the New York City Department of Corrections, who is responsible for the health, welfare and safety of the prisoners that are incarcerated at the time of any election.

Mr. Ryan noted that this information was attached to the April 15, 2021 letter, as well as the August 9, 2022 letter. Mr. Ryan instructed Raphael Savino, Deputy General Counsel, to provide Ms. Newton with a copy of the letter that was previously forwarded.

Mr. Ryan further noted that the Board is willing to work collaboratively with the Department of Corrections, as is done with other Agencies on other matters, to ensure that this process is handled as efficiently and as expansively as it possibly can.

Mr. Ryan continued with the matter of a Voter Challenge pursuant to Election Law §5-220, which is being presented by Daniel Woods a registered voter of New York County, to challenge the voter registration of Robert J. Cardillo.

Mr. Ryan acknowledged Hemalee Patel, General Counsel, to administer the voter challenge oath to Mr. Woods.

In a sworn statement, Mr. Woods claims that he is the sole resident of 240 E. 52nd Street, Apt. 2W, New York, NY 10022, since 2010. Mr. Woods stated that he met Mr. Cardillo in 2009, a friend of his roommate at that time. Mr. Woods further stated that since 2010, he has not had any contact with Mr. Cardillo, VSN# 305525896, DOB: August 18, 2003, and did not give Mr. Cardillo permission to utilize his address.

The Manhattan Borough Managers will be instructed to conduct a bi-partisan investigation into this challenge.

Upon the completion of a bi-partisan staff investigation, the Manhattan Commissioners Committee will review the staff's recommendation, and their findings will be presented before the full Board of Commissioners for their consideration and approval.

Mr. Woods will be contacted and made aware of the Commissioners' resolution.

The Commissioners Committee thanked Mr. Woods for bringing this matter before the Board.

This concluded the active items on today's meeting agenda.

Commissioner Umane moved to schedule the next meeting of the Commissioners for Tuesday, November 15, 2022 at 1:30 P.M. Secretary Shamoun seconded the motion, which was adopted unanimously.

Commissioner Umane moved to adjourn the weekly stated meeting of the Commissioners, and convene an Executive Session to discuss Litigation and Personnel matters. Commissioner Marmorato 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. Due to the responsibilities to timely complete the certification of the November 8, 2022 General Election, the board offices will be required to be open on Veteran's Day, Friday, November 11, 2022.

As an alternative, the Board of Commissioners approved closing the agency offices on Friday, December 23, 2022, in lieu of the Veteran's Day holiday on Friday, November 11, 2022.

2. Oscar Javier, a Trainer Assistant, was granted 21 hours of an advance of sick time. This grant is effective October 24, 2022. Mr. Javier's agency start date is August 28, 2011.
3. Samuel Kwofie, a Clerk, was granted 21 hours of an advance of sick time. This grant is effective October 24, 2022. Mr. Kwofie's agency start date is February 7, 2016.

The meeting was adjourned.

The next stated meeting of the Commissioners is scheduled for Tuesday,
November 15, 2022 at 1:30 P.M.