

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, DECEMBER 22, 2015
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Michael Michel
 Secretary Bianka Perez

Commissioners John Flateau, Michael Rendino, Alan Schulkin, Simon Shamoun, Frederic M. Umane

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Nina M. Crispino, Director, Personnel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Anna-Maria Thomas
 Kate Doran, LWVNYC
 Katharine Loving, CFB
 Alan Flacks, Member of NY County Democratic Committee

President Michel called the meeting to order at 1:40 P.M.

There was consensus among the Commissioners to table the minutes for the December 8, 2015 and December 15, 2015 meetings.

Mr. Savino presented the Draft Independent Nominating Petition Rules for 2016. Copies of the draft were distributed. Mr. Ryan recalled that Cover Sheet Rule C2 (b) on Page #5 concerning apartment numbers was discussed at the previous meeting and the Draft Rules were tabled. There was discussion about the following: candidates potentially disqualified due to an error with their apartment number, uniformity for the 2016 Rules for Designating Petitions and Independent Nominating Petitions, what defines a complete address for legal service, and additional instructions concerning apartment numbers and the matching process for Candidate Records Unit (CRU) staff during the petition process, and issues with apartment numbers during the last Petition Hearings. Commissioner Umane recommended adding the word “optional” or “recommended” as a compromise to the apartment number requirement. After discussion, Commissioner Umane moved to reconsider and revise the previously adopted Designating Petition Rules for the April 19, 2016 Presidential Primary Election to include “recommended, but optional” for Cover Sheet Rule C2 (b) concerning apartment numbers. Secretary Perez seconded the motion, with President Michel opposing and Commissioner Flateau abstaining. The motion was not adopted. Commissioner Umane moved to adopt the Rules for Independent Nominating Petitions for 2016 Elections with a modification to include “recommended, but optional” for Cover Sheet

Rule C2 (b) concerning apartment numbers. Commissioner Shamoun seconded the motion, with Commissioners Michel and Schulkin opposing. The motion was not adopted. Commissioner Flateau moved to adopt the Rules for Independent Nominating Petitions for 2016 Elections as submitted. President Michel seconded the motion, with Commissioners Perez and Umane opposing, and Commissioner Rendino abstaining. The motion was not adopted. There was further discussion about uniformity of the Rules for all elections. President Michel moved to include “recommended, but optional” for Cover Sheet Rule C2 (b) concerning apartment numbers for the previously adopted Rules for Designating Petitions for the 2016 Presidential Primary Election and the Rules for Independent Nominating Petitions for 2016 Elections. Commissioner Flateau seconded the motion, which was unanimously adopted. Mr. Savino was directed to make sure that all language is consistent and as clear as possible in every provision of the rules for Rule C2.

President Michel reported that Brooklyn and Bronx personnel matters will be discussed in Executive Session.

Commissioner Umane reported that there is no Commissioners’ Finance Committee Report yet.

Commissioner Umame requested to add an item to the agenda. He recalled that a few weeks ago there were various voter registration issues raised in Manhattan and staff has been investigating these matters according to the statutory procedure. The issues that have seemingly arisen are more than reasonable amounts of voter registrations at the same apartment, voter registrations with an office building address, and multiple voter registrations with the same last 4 digits of a Social Security number and date of birth at the same address. Mr. Ryan noted that the Board's Voter Registration Department has been following the proper procedures concerning these matters. With respect to the upcoming busy election cycle, Commissioner Umame noted that the Board does not have the personnel and expertise to do the ability of a real investigation for groups of voter registration irregularities. He proposed for staff to do preliminary investigations and then provide a list to the appropriate District Attorney's Office for further investigation. Secretary Perez noted that there already is a process for staff and the Commissioners have to vote on their reports. To continue the Board's efforts and to streamline the process, Commissioner Umame moved for staff to conduct preliminary investigations on bulk voter registration matters, and then staff will present a report with evidence to the Commissioners, and then the Commissioners will decide if the matters should be referred to the appropriate District Attorney's Office.

Commissioner Flateau seconded the motion, with Secretary Perez opposing. The motion was adopted.

Commissioner Schulkin reported that he received an email from a representative of the Libertarian Party who reported that Libertarians are being registered correctly in the voter registration system. He recalled that this matter was presented to the Commissioners at a previous meeting which was looked into further.

President Michel recognized Alan Flacks, a member of the public, who inquired about apartment numbers and zip codes for the Petition Cover Sheet Rule.

Commissioner Umane moved to convene Executive Session for purposes of personnel. Commissioner Flateau seconded the motion, which was unanimously adopted.

Following Executive Session, the public meeting resumed and Mr. Ryan reported on the following actions taken in Executive Session:

- I. The Commissioners granted an advance of 100 hours to Betty Ann Canizio-Aqil, the Deputy Chief Clerk of the Brooklyn

Office, which is to be paid back with her accruals as they are earned;

- II. The Commissioners granted an advance of 140 hours to Jerri Carmicino, an Administrative Assistant in the General Office, to be paid back with her accruals upon her return, and shall run concurrent with her FMLA;
- III. Lissette Poll, an Administrative Associate in the Bronx Office, will serve as the Acting Deputy Chief Clerk, upon the effective date of Marricka Scott-McFadden's resignation of December 31, 2015. Ms. Poll's effective date is Sunday, January 3, 2016 and the salary will reflect the incumbent Deputy Chief Clerk's salary.

Commissioner Rendino moved to adjourn the meeting. Commissioner Perez seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, January 5, 2016 at 1:30 P.M.