

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JANUARY 22, 2019 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, EVS CONFERENCE ROOM
NEW YORK, NY 10004

PRESENT: President John Wm. Zaccone
 Secretary Maria R. Guastella

Commissioners John Flateau, Michael Michel, Simon Shamoun, Robert Siano, Frederic M. Umane

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Steven Guglielmi, Director, Personnel
Thomas Sattie, Associate Staff Analyst, Ballot Management
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Steiner
 Wendy Byrne, NYC LWV
 Kate Doran, LWV
 Angelene Supun
 Theo Chino
 Garrity
 Katharine Loving, NYC CFB

President Zaccone called the meeting to order at 1:50 P.M.

Commissioner Flateau moved to table the minutes until after Executive Session. The motion was seconded, and unanimously adopted.

President Zaccone added an Executive Session to the agenda for legal and personnel matters.

On behalf of Mr. Johnson, Mr. Richman presented the Draft Notice to all Candidates for the February 26, 2019 Special Election. Mr. Richman reported that the Office of the General Counsel reviewed the Candidate Records Unit's Draft Notice and it meets the statutory requirements. Commissioner Umare moved to adopt the Notice to all Candidates for the February 26, 2019 Special Election. Secretary Guastella seconded the motion, which was unanimously adopted.

President Zaccone noted that Ms. Sandow joined the meeting.

Mr. Richman requested for an appointment of a Cover Sheet Review Committee Meeting to meet immediately following the stated meeting. President Zaccone and Secretary Guastella volunteered to serve on the Cover Sheet Review Committee.

Mr. Richman requested to add an item to the agenda. He reported that Notices were mailed last week to candidates concerning conflict and/or excessive characters in their independent body names. All submissions were received and two (2) names were not in compliance. The new independent body names that meets the requirements of fifteen (15) characters or less are "Power Forward", "Unite Immigrants", "Repair NYCHA Now", "No Amazon", "It's Time Lets Go", "Better Leaders", "Bring a Chair", and "Pay Folks More". Mr. Richman recommended for the Commissioners to adopt these new names as submitted. Commissioner Umane moved to adopt the independent body names that are in compliance. Commissioner Fleteau seconded the motion, which was unanimously adopted. Mr. Richman reported on two (2) independent body names that contain conflicts. There was a submission of "One New York" and Section 2-124 (2) of the New York State Election Law prohibits the use of using New York New York State, or any abbreviation thereof in an independent body name. There was a submission of "Community Power," but a submission filed for "Power Forward" was filed first. The word "Power" has to be changed to avoid conflict. Mr. Richman recommended for the Commissioners to select independent body names in compliance. He recalled that ballots are scheduled to be finalized tonight

for Military voters to be mailed by Friday in accordance with the law. Commissioner Flateau recommended reaching out to the candidates to change their independent body name. The Commissioners directed the Office of the General Counsel to contact the candidates by telephone and e-mail to give them an opportunity to comment on their selected independent body names by 5:00 P.M. In the event the candidates do not respond, the Board will move forward with the Commissioners' selected independent body names. After discussion, Commissioner Umame moved to select "One Metro" to replace "One New York" subject to the approval of the candidate by 5:00 P.M. today. Commissioner Michel seconded the motion, which was unanimously adopted. After discussion, Commissioner Umame moved to select "Community Strong" to replace "Community Power" subject to the approval of the candidate by 5:00 P.M. today. Commissioner Flateau seconded the motion, which was unanimously adopted.

Mr. Ryan requested to add an item to the agenda. With respect to the ballots, he noted that the February 26, 2019 Special Election does not line up with the requirements of the New York State Election Law and the tight timeframe of Military ballots and temporary Uniformed and Overseas

Citizens (UOCAVA) ballots. Hearings and Challenges will not be completed by this Friday. Mr. Ryan requested for a preliminary acknowledgment of potential ballot styles. There are three (3) options for the ballots – 14” portrait style ballot, 17” landscape style ballot, and 19” landscape style ballot. The candidate’s names will be 12 point size. Party names will be approximately 6 point size. The top of the ballot will be perforated for the stubs which is in accordance with the NYS Election Law. Based on information received by the vendor and other jurisdictions, staff recommends a 14” portrait style ballot because there are fewer difficulties in the voting process than a longer ballot. In response to Commissioner Shamoun, Mr. Richman confirmed that the NYS Election Law does not allow bold lines between candidate’s names. Bold lines can only be added between different contests. Commissioner Shamoun requested for the least amount of blank space to be added in between each candidate’s row. Mr. Sattie reported he will look into that request. Commissioner Siano recommended updating the back of the ballot with the current Commissioners’ names. After discussion, President Zaccone moved to adopt a 14” portrait style ballot for the February 26, 2019 Special Election. Commissioner Umame seconded the motion, with Commissioner Flateau opposing. The motion was adopted.

Commissioner Siano moved to convene an Executive Session for legal and personnel matters. Secretary Guastella seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed.

President Zaccone reported that no actions were taken in Executive Session.

Commissioner Flateau requested to amend the second sentence in the middle paragraph on Page 6 in the January 15, 2019 minutes to the following: "Commissioner Vargas moved to designate Commissioner Araujo as the Democratic Member of the Bronx Commissioners Committee, until a new Bronx Democratic Commissioner is appointed." Commissioner Flateau moved to adopt the January 15, 2019 minutes as amended. Secretary Guastella seconded the motion, which was unanimously adopted.

Commissioner Umame moved to adjourn the meeting. President Zaccone seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, January 29, 2018 at 1:30 P.M.