

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, FEBRUARY 15, 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, 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
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

President Pepe-Souvenir called the meeting to order at 1:32 P.M.

Mr. Ryan reported that personnel was added to Executive Session.

Mr. Ryan announced that the last day to file a Change of Party Enrollment was yesterday, February 14, 2022. The five (5) Borough Office hours was

extended to 7:00 P.M. and the General Office hours was extended to Midnight. A total of 78 Change of Party Enrollment forms were received citywide.

Mr. Ryan reported that Party Calls are due today statutorily. However, a bill has passed the Senate and Assembly yesterday, February 14, 2022, to temporarily extend the filing deadline to February 28, 2022 for this year only. This bill is fully expected to be signed by the Governor and has an immediate effective date. Board staff is on stand-by until Midnight in the event the Governor does not sign the bill.

A Proclamation by the Governor was issued on February 9, 2022 to conduct a Special Election in the 43rd Assembly District in Brooklyn. Assembly Member Diana C. Richardson submitted her resignation and was appointed as Deputy Borough President of Brooklyn. The Special Election will be conducted on Tuesday, March 22, 2022. The Early Voting period will start on Saturday, March 12, 2022 through Sunday, March 20, 2022. The Early Voting hours will be the same as the previous Special Elections. There will be two (2) Early Voting poll sites and twenty-four (24) Election Day poll sites. The hours and poll sites will be posted on the Board's website. The last day to file petitions and Certificate of Nominations is Tuesday, February 22, 2022. No petition filings have been received to date. Mr. Ryan recommended for the full Board of Commissioners to designate a Commissioners' Subcommittee in the event there is a petition hearing

and to approve the ballot. The Commissioners' Subcommittee will consist of the Executive Committee and two (2) other Commissioners. Commissioner Umame and Commissioner Low volunteered to serve on the Commissioners' Subcommittee. Commissioner Umame moved to adopt the Commissioners' Subcommittee consisting of the Executive Committee and Commissioners Umame and Low. President Pepe-Souvenir seconded the motion, which was unanimously adopted. Mr. Ryan noted that this will be the 4th Special Election this year and there may be a 5th Special Election. Mr. Ignizio commended Board staff who have been very busy working early and late for the Special Elections, petition filings, and the reapportionment project all at the same time. Executive Management is appreciative of the staff's efforts and hard work.

President Pepe-Souvenir moved to adopt the February 1, 2022 Commissioners' Meeting Minutes. Commissioner Coppotelli seconded the motion, which was unanimously adopted.

Mr. Ryan presented an update on the February 15, 2022 Special Election in the 72nd Assembly District in Manhattan, and 60th Assembly District in Brooklyn. The information is as follows:

- 72nd AD Special Election, Manhattan
 - Polls are open from 6:00 A.M. through 9:00 P.M. today;

- A total of 432 people voted today so far;
- There were a total of 428 voters during the Early Voting period;
- A total of 766 Absentee Ballots were mailed;
- A total of 141 Absentee Ballots were returned to date; and
- No accessible ballots were requested;
- 60th AD Special Election, Brooklyn
 - Polls are open from 6:00 A.M. through 9:00 P.M. today;
 - A total of 634 people voted today so far;
 - There were a total of 329 voters during the Early Voting period;
 - A total of 919 Absentee Ballots were mailed;
 - A total of 197 Absentee Ballots were returned to date; and
 - No accessible ballots were requested.

The last day for the Board to receive Absentee Ballots is Tuesday, February 22, 2022. The last day to receive Military Ballots is Monday, February 28, 2022. There may be a possibility of Cures under the statutory requirements.

The Board's goal is to certify the Special Election on Tuesday, March 1, 2022.

Mr. Ryan reported on Election District (ED) Reapportionment. The Governor signed the new ED maps into law and the Board received them on

Friday, February 4, 2022. Borough Office staff and General Office staff engaged immediately to redraw the maps in less than a week's time. There were approximately 3,000 new ED's citywide. Mr. Ryan commended staff for their hard work and long hours on this project. President Pepe-Souvenir reported that she visited the reapportionment project at the General Office and was very impressed watching the tedious process by staff. Mr. Ryan reported that the Board's maps were submitted to the NYC Department of City Planning (DCP) on Sunday, February 13, 2022. The DCP will geocode all addresses of registered voters to identify where they live. Mr. Ryan thanked DCP Chairman Dan Garodonick for providing the Board with the advanced version of the new software to complete the project timely. Mr. Ryan recalled that the law changed in July 2021 to allow for a minimum of 950 voters and a maximum of 2,000 voters per ED. Board staff had determined a ceiling of 1,700 per ED to provide room for growth in the event of a population shift. Mr. Ryan requested for the full Board of Commissioners to ratify the Borough Commissioners Committees' decision of having a ceiling of 1,700 voters per ED and to ratify the new maps. President Pepe-Souvenir moved for the full Board of Commissioners to ratify the Borough Commissioners Committees' decision of having a ceiling of 1,700 voters per ED. Secretary Shamoun seconded the motion. Before a vote was taken by the full Board, Commissioner Umane recommended for a friendly amendment. Commissioner Umane suggested to have a ceiling of 1,700 voters per ED, subject

to exceptions, in the event an apartment building has an excess of 1,700 voters. He recalled there was litigation in the past and the Board does not want to cut buildings in half to cause poll site confusion for voters. President Pepe-Souvenir moved for the full Board to ratify the decision of a ceiling of 1,700 voters per ED, subject to exceptions, as amended. Secretary Shamoun seconded the motion, which was unanimously adopted. Mr. Ryan reported that the new maps were previously forwarded to the Borough Office Chief Clerks and Deputy Chief Clerks and Borough Commissioners' Committees and were approved. Commissioner Marmorato moved for the full Board of Commissioners to ratify the approval of the new maps for the five (5) boroughs. President Pepe-Souvenir seconded the motion, which was unanimously adopted. Commissioner Umame noted that there are several legal challenges concerning the new maps that was passed into law by the State. Commissioners Coppotelli and Low reported that they also visited the General Office to watch the behind the scenes process and commended staff for a job well done. The Commissioners commended all of the staff members for doing a great job on the ED reapportionment project in the tight timeframe. Mr. Ryan and Mr. Ignizio created a short video of the ED reapportionment process for the public which was tweeted out from the Board's Twitter account.

Ms. Patel presented the Draft Independent Nominating Petition Rules, Designating Petition Rules and Opportunity to Ballot (OTB) Petition Rules for

Primary Elections, and Sample Forms. Copies of the Draft Rules and Sample Petition Forms were previously circulated to the Commissioners for review. Ms. Patel recalled that this item was tabled at the last meeting for further review by the Commissioners. Commissioner Araujo reported that he reviewed the Draft Petition Rules yesterday with Ms. Patel and it captures all of the changes asked by the Commissioners. Commissioner Araujo moved to adopt the Draft Independent Nominating Petition Rules, Designating Petition Rules and Opportunity to Ballot Petition Rules, and Sample Forms. Before a vote was taken by the full Board, Commissioner Umane requested an edit in the Designating Petition and OTB Petition Rules for Rule D6. He recommended adding the word ‘or’ to the following sentence in Rule D6, “For party positions, such notice may be sent to the contact person, if so designated, or the first person named on the committee to fill vacancies or the candidate, at the address stated on the election document.” He noted that this change would decrease a sheer amount of letters that would be mailed during the petition cycle. Commissioner Araujo moved to adopt the Draft Independent Nominating Petition Rules, Designating Petition Rules and Opportunity to Ballot Petition Rules, and Sample Forms, as well as to include the word “or” in Rule D6, as requested. President Pepe-Souvenir seconded the motion, which was unanimously adopted. President Pepe-Souvenir thanked the Office of the General Counsel for their work on updating the Petition Rule Books which was important to help the candidates. Mr. Ryan also thanked the Borough

Office Chief Clerks and Deputy Chief Clerks who submitted recommendations to improve the process.

Mr. Ryan reminded that several staff members will be attending the Annual New York State Election Commissioners' Association's (ECA) Winter Conference in two (2) weeks on Tuesday, March 1, 2022 through Friday, March 4, 2022.

President Pepe-Souvenir moved to schedule the next meeting on Tuesday, February 22, 2022 at 1:30 P.M. Secretary Shamoun seconded the motion, which was unanimously adopted.

Commissioner Coppotelli moved to convene an Executive Session for personnel and litigation matters. Commissioner Marmorato seconded the motion, which was unanimously adopted.

Following Executive Session, the open meeting resumed.

The following actions were taken in Executive Session by the unanimous decision of the Board of Commissioners:

- I. Nicole Grant, a Clerk, was granted 210 hours of an Advance of Time, effective February 9, 2022. Ms. Grant's agency start date is May 5, 2019; and
- II. Nancy McLaurin, an Administrative Associate, was granted 210 hours of an Advance of Time, effective February 14, 2022. Ms. McLaurin's agency start date is May 28, 2018.

The meeting was adjourned.

The next stated meeting of the Commissioners is scheduled for Tuesday, February 22, 2022 at 1:30 P.M.