

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, OCTOBER 25, 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, Jenny Low, Gina A. Marmorato, Jodi Morales, Keith Sullivan, Frederic M. Umane

Michael J. Ryan, Executive Director
Vincent M. Ignizio, Deputy Executive Director
Wilma Brown Phillips, Administrative Manager
Hemalee J. Patel, General Counsel
Raphael Savino, Deputy General Counsel
Steven B. Denkberg, Counsel to the Commissioners
Kenneth Moltner, Counsel to the Commissioners

GUEST: Robert Stepanek

Mr. Ryan opened the meeting and provided an update on the upcoming
General Election:

The deadline to apply for an absentee ballot by mail was yesterday, October 24, 2022. The Board has extended the public hours in all borough offices, and voters can apply for an absentee ballot in person, until Monday, November 7, 2022.

The extended hours for Absentee Voting can be located on the Board's website at www.vote.nyc.

As a reminder, due to a change in the law, New York State voters are no longer permitted to cast a ballot on a voting machine if they have requested to vote by Absentee ballot. Voters who have requested to vote by Absentee ballot can still vote in person by using an Affidavit ballot.

Mr. Ryan noted that while there is litigation associated with this matter, the Board has not received any final determination, and that remains the state of circumstances at this time.

Out of an abundance of caution, the Board stopped counting Absentee ballots as of Friday, October 21, 2022, the Board is still continuing with the validation process, to conduct an initial assessment by determining if the voter has completely filled out the absentee ballot envelope, which would make them the subject of a cure. That process is ongoing, but the envelopes are not being opened and the ballots are not being separated from the envelopes.

The Board continues to receive and process absentee ballots. To date, the Board has received, processed and mailed out a total number of 198,599 ballots

citywide, including 730 accessible ballots. The Board has received back, a total of 52,287 ballots citywide.

A total of 41,097 ballots have been deemed valid, and a total of 1,655 ballots have been deemed invalid, with the cure process ongoing. As for the remaining ballots, the process is ongoing.

The Board will open 140 Early Voting locations across the five boroughs. This is the largest amount of Early Voting sites, and Early Voting hours in the State of New York. In addition, there will be a total of 1,236 Election Day poll sites.

In regards to Early Voting, Voters are encouraged to visit the Board's website at www.vote.nyc, to look up their Early Voting location and view their sample ballot.

All logic and accuracy testing of Early Voting equipment has been completed as of yesterday, October 24, 2022. The Logic and accuracy testing of Election Day equipment is expected to be completed by Friday, October 28, 2022.

Deliveries remain on schedule, and began as of yesterday, October 24, 2022, with tables and chairs, followed by Early Voting equipment on Thursday, October 27th, and Friday, October 28th 2022, and Election Day equipment will be delivered during the week of October 31, 2022. The Board began delivering generators this week, with 59 out of 61 already delivered and 13 have been installed. The remaining generators will be installed during the week, and ready for Saturday, October 29, 2022 when Early Voting starts.

Poll Worker training is being conducted in-person and on-line, and assignments for Early Voting and Election Day are ongoing.

There are a total of 34,530 Poll Worker positions, which we expect to meet our needs for this election.

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.

Election Day is Tuesday, November 8, 2022. The Early Voting period runs from Saturday, October 29, 2022 through Sunday, November 6, 2022.

Early Voting hours and poll site locations, including sample ballots, can be located on the Board's website at www.vote.nyc .

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

Mr. Ryan continued with item #1 of the meeting agenda, and requested that the Commissioners approve the minutes of the October 18, 2022 Commissioners Meeting.

Mr. Ryan noted that Secretary Shamoun was not present at the October 18, 2022 Commissioners Meeting.

Commissioner Low moved to adopt the minutes of the October 18, 2022 Commissioners Meeting. President Pepe-Souvenir seconded the motion, with Secretary Shamoun abstaining. The motion was adopted.

The minutes of the October 18, 2022 Commissioners Meeting were approved.

Mr. Ryan continued with item #2 of the meeting agenda, a Holiday in Lieu of the November 8, 2022 General Election, pursuant to the collective bargaining

agreement with CWA, Local 1183. The Commissioners' approval and notice is required to move the holiday from Tuesday, November 8, 2022 to Friday, November 25, 2022. Mr. Ryan noted that November 8th is a holiday for others, but Board employees cannot be given the day off, due to Election Day.

Commissioner Umame moved to schedule the holiday for Board employees to Friday, November 25, 2022. President Pepe-Souvenir seconded the motion, which was adopted unanimously.

The Holiday in Lieu of the November 8, 2022 General Election, will be scheduled for Friday, November 25, 2022.

President Pepe-Souvenir noted that the New York City Marathon is also scheduled for Sunday, November 6, 2022, which is also the last day of early voting, and poll sites will be open.

Mr. Ryan stated that the Sunday before the Tuesday General Election has historically been the highest attended early voting date, and the Marathon may cause issues with transportation around the five boroughs at various times throughout the day. Voters are encouraged to plan accordingly.

Commissioner Umane added item #4 to the meeting agenda, to remove the mask mandate as a requirement for voters, that is posted on the Board's website. Commissioner Umane stated that it would be an improper restriction, and masks should not be required when voters go to the polls to vote.

Hemalee Patel, the Board's General Counsel, informed the Commissioners Committee that the language posted on the Board's website was originally apart of the DCAS guidance, and applies to Board Facilities but not the Poll Sites. Board employees are still required to wear masks when interacting with the public, and that is the current DCAS guidance. Mrs. Patel also stated that Coordinators, Poll Workers and Board Staff have been consistently told that voters are not required to wear a mask when entering any poll site.

Commissioner Umane moved to amend the language on the Board's website to make it clear that voters are not required to wear masks at the poll sites. Commissioner Low seconded the motion, which was adopted unanimously.

Executive Management will follow the Commissioners' guidance, and amend the current language that is posted on the Board's website.

Mr. Ryan recognized a member of the public, Robert Stepanek, a Coordinator, Poll Worker, AD Monitor and Trainer in the borough of Manhattan, who appeared today to address the Commissioners' Committee.

Mr. Stepanek stated that as of yesterday, he has heard news of the State Supreme Court's decision regarding the vaccine mandates which affect city employees. Mr. Stepanek stated that prior to taking his refresher course and re-training, and a class to train other Poll Workers, he was asked to supply proof of vaccination, and was looking to apply for a petition of reasonable accommodation. Based on the news of the State Supreme Court's decision, Mr. Stepanek requested clarification on the Board's position regarding the maintenance of any vaccine mandates for employment circumstances for the Board.

Mr. Ryan informed Mr. Stepanek that the Board is not in a position to address the State Supreme Court's decision at this time, but will follow the law once clear direction is received.

Mr. Ryan asked that the Commissioners Committee set the date of the next meeting, for Tuesday, November 1, 2022, at 1:30 P.M.

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

Mr. Ryan continued with item #3 of the meeting agenda, an Executive Session to discuss Litigation and Personnel Matters.

Commissioner Coppotelli moved to adjourn the weekly stated meeting of the Commissioners, and convene an Executive Session to discuss Litigation and Personnel matters. Commissioner Umane seconded the motion, which was adopted unanimously.

The meeting was adjourned.

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