

MEETING OF THE BOARD OF CANVASSERS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JULY 16, 2024 AT 1:00 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: Secretary Frederic M. Umane

Commissioners Jose M. Araujo, Michael J. Coppotelli, Carol R. Edmead, *Gino A. Marmorato, Simon Shamoun, Michele A. Sileo
Michael J. Ryan, Executive Director
Vincent M. Ignizio, Deputy Executive Director
Michael D. Corbett, Administrative Manager
Raphael Savino, Deputy General Counsel
Steven B. Denkberg, Counsel to the Commissioners
Kenneth Moltner, Counsel to the Commissioners
Tom Sattie, Director – Candidate Records Unit

New York County: Stephen M. Evans III, Chief Clerk
Rhonda Evans, Acting Deputy Chief Clerk
Charles Stimson, Administrative Assistant

Bronx County: Brendaliz Candelaria, Deputy Chief Clerk
Elizabeth English, Acting Deputy Chief Clerk
Louis Lutnick, Administrative Assistant

Kings County: Salvatore Barrera, Acting Chief Clerk
Daniel Ortiz, Deputy Chief Clerk

Queens County: Amanda Berinato, Chief Clerk
Bart J. Haggerty, Deputy Chief Clerk

GUESTS: Victor Molyar
Lulu Friesdat

* Commissioner Marmorato appeared remotely, but not at a publicly accessible location, and therefore did not cast any votes.

Mr. Ryan called the meeting to order and turned the meeting over to Secretary Umame to convene the Meeting of the Board of Canvassers, in the City of New York.

Pursuant to the provisions of Title 2 of Article 9 of the New York State Election Law, Secretary Umame called the meeting of the Board of Canvassers in the City of New York to order for the purposes of certifying the canvass of votes cast for the Primary Election held on June 25, 2024.

Secretary Umame designated Commissioner Shamoun to serve as the other Republican Member of the Canvassing Board, to sign the certified statements as he is the Senior Member, and designated Commissioner Araujo to serve as the Democratic Member of the Canvassing Board.

Commissioners appearing remotely have been provided a copy of the Returns of Canvass in advance.

The New York County Borough Managers, Stephen Evans, Chief Clerk and Rhonda Evans, Acting Deputy Chief Clerk, introduced themselves for the record.

Rhonda Evans, Acting Deputy Chief Clerk, has recused herself from involvement in any contests held in the 70th Assembly District. Administrative Assistant Charles Stimson will present those results along with the Chief Clerk.

The Chief Clerk and Acting Chief Clerk of Manhattan and their staff have prepared and signed the Returns of Canvass for the Primary Election held on June 25, 2024 in accordance with the Board's Policies, with the exception of those held in the 70th Assembly District and those which, pursuant to New York State Election Law, are the subject of a hand recount.

The Returns of Canvass were presented to the Canvassing Board for review and approval.

The Manhattan Chief Clerk and Acting Deputy Chief Clerk confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law has been successfully completed.

Based on that report, Commissioner Coppotelli moved that the Board of Canvassers certify the Returns of Canvass for the June 25th Primary Election conducted in New York County with the exception of races in the 70th Assembly District and those which, pursuant to New York State Election Law, are the subject

of a hand recount. Commissioner Edmead seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Manhattan Staff of the Board of Elections were adopted unanimously apart from all contests within the 70th Assembly District and those subject to a hand count.

Charles Stimson, Administrative Assistant, introduced himself for the record.

The Chief Clerk, Stephen Evans and Administrative Assistant Charles Stimpson of Manhattan and their staff have prepared and signed the Returns of Canvass for the Primary Election held on June 25, 2024 for contests contained in 70th Assembly District in accordance with this Board's policies.

The Returns of Canvass were presented to the Canvassing Board for review and approval.

The Manhattan Chief Clerk and Assistant Stimson confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law has been successfully completed.

Based on that report, Commissioner Shamoun moved that the Board of Canvassers certify the Returns of Canvass for the June 25th Primary Election conducted in New York County for the contests held in the 70th Assembly District. Commissioner Edmead seconded the motion, which was adopted unanimously.

Secretary Umame, on behalf of Commissioner Edmead and himself, thanked the Manhattan Staff for their hard work and diligence in preparing and holding the Election which went off without hiccups. Commissioner Edmead, on behalf of Secretary Umame and herself, thanked the Manhattan staff as well.

The Bronx County Borough Managers, Brendaliz Candelaria, Deputy Chief Clerk and Elizabeth English, Acting Deputy Chief Clerk, introduced themselves for the record.

Brendaliz Candelaria, Deputy Chief Clerk, has recused herself from involvement in all contests held in the 84th Assembly District. Administrative Assistant Louis Lutnick will present those results along with the other Deputy Chief Clerk.

The Deputy Chief Clerks of the Bronx and their staff have prepared and signed the Returns of Canvass for the Primary Election held on June 25, 2024 in

Bronx County, in accordance with this Board's Policies and Procedures, with the exception of those contests held in the 84th Assembly District.

The Returns of Canvass were presented to the Canvassing Board for review and approval.

The Bronx Deputy Chief Clerks confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law has been successfully completed.

Based on that report, Commissioner Araujo moved that the Board of Canvassers certify the Returns of Canvass for the June 25th Primary Elections conducted in Bronx County with the exception of all contests held in the 84th Assembly District. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Bronx Staff of the Board of Elections, with the exception of those contests in the 84th Assembly District, were adopted unanimously.

Administrative Assistant Louis Lutnick introduced himself for the record.

Deputy Chief Clerk Elizabeth English and Administrative Assistant Louis Lutnick of the Bronx and their staff have prepared and signed the Returns of Canvass for the Primary Election held on June 25, 2024 in Bronx County, in accordance with this Board's Policies and Procedures, for all contests held in the 84th Assembly District.

The Returns of Canvass were presented to the Canvassing Board for review and approval.

The Bronx Deputy Chief Clerk and Administrative Assistant Louis Lutnick confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law has been successfully completed.

Based on that report, Commissioner Shamoun moved that the Board of Canvassers certify the Returns of Canvass for the June 25, 2024 Primary Election conducted in Bronx County in the 84th Assembly District. Commissioner Edmead seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Bronx Staff of the Board of Elections, for those contests in the 84th Assembly District, were adopted unanimously.

Commissioner Marmorato, on behalf of Commissioner Morales, himself and all the Commissioners, thanked Deputy Chief Clerks Candelaria and English for their diligence, hard work and for that of all the borough staff, once again they did an amazing job. The Elections were held and went extremely well and thanked both Deputies and the Bronx team for all their hard work.

The Kings County Borough Managers, Salvatore Barrera, Acting Chief Clerk and Daniel Ortiz, Deputy Chief Clerk, introduced themselves for the record.

The Acting Chief Clerk and Deputy Chief Clerk of Brooklyn and their staff have prepared and signed the Returns of Canvass for the Primary Election held on June 25, 2024 in Kings County, in accordance with this Board's Policies and Procedures, with the exception of contests which, pursuant to New York State Election Law, are the subject of a hand recount.

The Returns of Canvass were presented to the Canvassing Board for review and approval.

The Brooklyn Acting Chief Clerk and Deputy Chief Clerk confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law has been successfully completed.

Based on that report, Commissioner Shamoun moved that the Board of Canvassers certify the Returns of Canvass for the June 25, 2024 Primary Election conducted in Kings County. Commissioner Edmead seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Brooklyn Staff of the Board of Elections were adopted unanimously.

Commissioner Shamoun thanked the Brooklyn staff and leadership for a great job, on behalf of himself and President Pepe-Souvenir, and thanked the staff for a successful election event.

The Queens County Borough Managers, Amanda Berinato, Chief Clerk and Bart Haggerty, Deputy Chief Clerk, introduced themselves for the record.

The Chief Clerk and Deputy Chief Clerk of Queens and their staff have prepared and signed the Returns of Canvass for the Primary Election held on June

25, 2024 in Queens County, in accordance with this Board's Policies and Procedures, with the exception of contests which, pursuant to New York State Election Law, are the subject of a hand recount.

The Returns of Canvass were presented to the Canvassing Board for review and approval.

The Queens Chief Clerk and Deputy Chief Clerk confirmed that the results presented are accurate and correct, there are no discrepancies to report to the Board, and the audit of the poll site and central count scanners required by Article 9 of the New York State Election Law has been successfully completed.

Based on that report, Commissioner Shamoun moved that the Board of Canvassers certify the Returns of Canvass for the June 25, 2024 Primary Election conducted in Queens County. Commissioner Edmead seconded the motion, which was adopted unanimously.

The Returns of Canvass prepared and submitted by the Queens Staff of the Board of Elections were adopted unanimously.

Commissioner Shamoun moved to adopt the Recap Statements and Return of Canvass for those Districts containing parts of more than one borough. Commissioner Edmead seconded the motion, which was adopted unanimously.

The Recap Statements and Returns of Canvass for those Districts which cross borough lines in the Primary Election conducted on June 25, 2024 were approved.

Commissioner Coppotelli moved to authorize the use of the Commissioners' electronic signatures as needed and appropriate on each Statement and Return of Canvass. Commissioner Araujo seconded the motion, which was adopted unanimously.

Secretary Umame moved to adjourn the Meeting of the Board of Canvassers and to commence the regular weekly meeting of the Board of Elections, in the City of New York. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

The meeting of the Board of Canvassers was adjourned.

Mr. Ryan continued with item #2 of the meeting agenda, the approval of the minutes of the July 9, 2024 Commissioners Meeting.

Hearing no objections, the minutes of the July 9, 2024 Commissioners Meeting were adopted as submitted.

Mr. Ryan stated that we do have one more item on the agenda, an Executive Session for Personnel Matters, however, there are two individuals who have signed up to speak, Victor Molyar who was here last week and Lulu Friesdat. Mr. Molyar apparently has an issue with something at a poll site, he is a Poll Worker and Ms. Friesdat made an observation as a voter observer for a candidate in the 70th Assembly District.

Mr. Ryan acknowledged Victor Molyar, to step forward and address the Commissioners.

Mr. Ryan informed Mr. Molyar that he had been initially briefed on the nature of his complaint, and apparently it is regarding another individual that he worked with at a poll site. Mr. Ryan stated that this is not the appropriate forum to make personal accusations. If he is going to make an accusation against an individual, he will respectfully request that it be put in writing so that we can appropriately investigate it. Mr. Ryan also instructed Mr. Molyar that he should not mention the name of an individual in a public forum to make a complaint against them when they are not here, to perhaps contradict what he might be saying. In

fairness to Molyar and to the individual that he apparently has an issue with, the Board will not entertain a complaint against an individual. We do not engage in personal attacks at meetings, or against someone who is not here to defend themselves. Mr. Ryan instructed Mr. Molyar to put his complaint in writing, addressed to him the Executive Director, and confirmed the Board's mailing address. It will be given to the Borough Managers for investigation, and they will report back to the Commissioners which is the correct process to handle a matter such as this.

Mr. Ryan acknowledged Lulu Friesdat to step forward and address the Commissioners.

Ms. Friesdat stated that she thought it was important for the Commissioners to have this information prior to taking the vote on certification and hopes that after hearing the information they would consider pausing the certification of Assembly District 70.

Mr. Ryan advised Ms. Friesdat that in light of what was just said to Mr. Molyar, if she has general accusations he would implore her to refrain from naming names and making specific accusations in a public forum when the same process can be followed as Mr. Molyar, it really needs to be in writing so we can

fairly investigate something without tagging someone with an accusation and them not having the opportunity to defend themselves.

Ms. Friesdat stated that a presentation was mailed to the Board this morning to each member of the Commission as well as Mr. Ryan. Mr. Ryan asked Ms. Friesdat to give the Board an opportunity to review it and will respond to it appropriately.

Commissioner Coppotelli moved to set the date of the next meeting for Tuesday, July 30, 2024 at 1:00 P.M., and adjourn the open meeting and convene an Executive Session to discuss personnel matters. Secretary Umame seconded the motion, which was adopted unanimously.

Following the Executive Session the open meeting resumed.

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

- Elizabeth English, Acting Deputy Chief Clerk, was granted 42 hours of an advance of sick time. The effective date of the grant is July 25, 2024.

Ms. English's agency start date is August 27, 2007.

- Philip Kebreau, a Voting Machine Technician, was granted 210 hours of an advance of sick time. The effective date of the grant is July 15, 2024. Mr. Kebreau's agency start date is July 17, 2011.
- Dante Powell, a Senior Voting Machine Technician, was granted 210 hours of an advance of sick time. The effective date of the grant is June 25, 2024. Mr. Powell's agency start date is August 25, 2013.

The meeting was adjourned.

The next stated meeting of the Commissioners of Elections is scheduled for Tuesday, July 30, 2024 at 1:00 P.M.