

MEETING OF THE BOARD OF CANVASSERS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, MAY 20, 2025 AT 1:00 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umane
*Secretary Jodi Morales

Commissioners Jose M. Araujo, Marc A. Landis, Gino A. Marmorato, Frank R. Seddio, Simon Shamoun, Michele A. Sileo

Michael J. Ryan, Executive Director
Vincent M. Ignizio, Deputy Executive Director
Georgea Kontzamanis, Operations Manager
Michael D. Corbett, Administrative Manager
Grace Pyun, General Counsel
Raphael Savino, Deputy General Counsel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners
Pete Holmberg, Coordinator – Candidate Records Unit
Tom Sattie, Director – Candidate Records Unit

Richmond County:
Daniel Lavelle, Chief Clerk
Anthony Andriulli, Deputy Chief Clerk

GUEST:
Cecil Henry

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

Michael J. Ryan, Executive Director, opened the meeting by introducing the staff, and then turned the meeting over to President Umane to convene a Meeting of the Board of Canvassers, in the City of New York to recertify the results of the April 29, 2025, Staten Island Special Election in the 51st Council District.

Pursuant to the provisions of Title 2 of Article 9 of the New York State Election Law, President Umane called the meeting of the Board of Canvassers in the City of New York to order, for the purpose of recertifying the canvass of votes cast in the Special Election for the City Council, 51st Council District in Richmond County.

President Umane designated Commissioner Marmorato to serve as the other Republican Member of the Canvassing Board, and Commissioner Araujo designated Commissioner Sileo as the other Democratic Commissioner to serve as a member of the Canvassing Board.

The Chief Clerk and Deputy Chief Clerk of Richmond County and their staff have prepared and signed the revised Returns of Canvass for the Special Election for the 51st City Council District held in Richmond County, in accordance with this Board's policies and procedures.

Some Commissioners, along with the Chief and Deputy Chief Clerk of Richmond County, are appearing remotely, and the Returns of Canvass have been provided electronically to the Board of Canvassers for their review and approval.

The Richmond County Chief Clerk, Daniel Lavelle and Deputy Chief Clerk, Anthony Andriulli 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, as required by Article 9 of the New York State Election Law, has been successfully completed.

Based on that report, Commissioner Marmorato moved that the Board of Canvassers certify the Returns of Canvass for the Special Election for the 51st Council District conducted in Richmond County. Commissioner Araujo seconded the motion, which was adopted unanimously.

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

On behalf of all the Commissioners, President Umane thanked the Richmond County Staff for their due diligence in conducting the election and asked that the Chief and Deputy Chief Clerk of Richmond County extend the thanks of all the Commissioners for their hard work in preparing the revised Return of Canvass. Commissioner Sileo echoed President Umane's gratitude and thanked the staff for their hard work.

Commissioner Araujo moved to authorize the use of the Commissioners' electronic signatures as needed and appropriate on each Statement and Return of

Canvass for the Special Election in the 51st Council District. President Umane seconded the motion, which was adopted unanimously.

Commissioner Araujo moved to adjourn the Meeting of the Board of Canvassers in the City of New York and to convene the regular weekly stated meeting of the Commissioners of Elections in the City of New York. President Umane seconded the motion, and it was adopted unanimously.

The Meeting of the Board of Canvassers, in the City of New York was adjourned.

Before proceeding with the remaining agenda items, Mr. Ryan announced that Cecil Henry, who is present, would like to address the Commissioners regarding a ballot issue.

Cecil Henry was requested to approach the podium and address the Commissioners.

Mr. Henry stated that he is a candidate running out of Brooklyn, New York and is trying to do everything properly to ensure that his name gets on the ballot. Two letters were mailed from the Board to his residence, his landlord typically collects the mail and then gives it to the tenants. In this instance, Mr. Henry states

that the mail was collected and placed in the landlord's unit, and he did not receive it until the Monday or Tuesday after it was delivered. Mr. Henry noted that he has a notarized letter from his landlord that he can provide for documentation. As soon as he received the letter, Mr. Henry stated that he quickly updated and returned the coversheet. Mr. Henry is asking that the Commissioners consider the circumstances and restore his name on the ballot.

Mr. Ryan asked that Grace Pyun, General Counsel, shed some Legal light on the situation.

Ms. Pyun provided the following:

- The candidate was a Democratic Candidate, running for the position in the 36th Council District,
- Upon review of his coversheet there were several defects identified which was presented at the April 2, 2025 Cover Sheet Review Hearing.
- Based on the Commissioners' determination to send an NCN letter, the letter was sent and marked as delivered on April 4, 2025.
- Thereafter, there was no response on record.
- Mr. Henry did submit an amended coversheet, that was late, on April 10, 2025. Ms. Pyun noted that the coversheet still had defects in terms of the petition volumes identified.

Based on the presentation and knowledge of the circumstances, Mr. Ryan asked whether the Office of the General Counsel had a collective recommendation for the Commissioners, or if the Commissioners preferred to question Mr. Henry before a recommendation is made.

The Commissioners, together with the Office of the General Counsel stepped aside for a brief discussion.

President Umane advised Mr. Henry that the Board does not have the power to make any adjustment at this point and time. The Board is a ministerial agency, charged with the law as it is written and the time periods in situations with the Election Law, time is of the essence. Hearings were held over a two-day period, and Mr. Henry had the opportunity then to attend and plead his case. Mr. Henry filed his paperwork sometime around April 4th or 6th, and it is now May 20th, which is over a month later. No work was done on the petition submitted by Mr. Henry, because he was removed from the ballot for cover sheet failure. Both coversheets filed by Mr. Henry, would not have passed as they did not comply with the appropriate guidelines. Based on these circumstances, President Umane confirmed that no further action can be taken by this Board at this time.

Mr. Henry inquired as to how he should address this problem, stating that he was given a number for the Campaign Finance Board's candidate support, but he

was unable to get through. Mr. Ryan advised Mr. Henry that the NYC Board of Elections operates separately and independently from the NYC Campaign Finance Board. They are a city agency that operates under the New York City Charter. The Board is paid by city funds but operates under the New York State Election Law. There is no crossover of responsibility or interaction in the way described by Mr. Henry. Mr. Henry was also informed that the Board does not offer liaisons or provide opinions to candidates on filing. The Board cannot be in a position where it looks as though we are assisting one candidate and not assisting other candidates. It is the candidates' responsibility to learn the law and understand the process. The Board does not have any clinics or liaisons that assist in that regard, so we can remain independent of the process and make fully independent, even-handed determinations. President Umane advised that the Board does publish guidelines that give an in-depth explanation as to what is intended and required for candidates to submit their paperwork to get on the ballot.

The Commissioners apologized for the outcome and thanked Mr. Henry for his attendance at today's meeting.

For the record, Vincent Ignizio, Deputy Executive Director, acknowledged that Commissioner Seddio had joined the meeting via video after experiencing technical issues earlier.

Mr. Ryan continued with item #2 of the meeting agenda, the approval of the minutes from the May 13, 2025 Commissioners Meeting.

Hearing no objections or amendments, the minutes of the May 13, 2025 Commissioners Meeting were adopted as submitted.

Mr. Ryan continued with item #3 of the meeting agenda, the Appointment of a Commissioners' Cover Sheet Review Committee for Independent Nominating Petition Matters for the November 4, 2025 General Election. Mr. Ryan stated that filing started today, and the last day to file Independent Nominating Petitions is May 27, 2025. In the meantime, we need to set a schedule for petition matters.

Ms. Pyun stated that a proposed schedule was circulated and asked the Commissioners for their availability for the first hearing date, Thursday, May 22, 2025 at 1:00 PM. The remaining hearing dates will be circulated amongst the Commissioners for their availability.

President Umane and Commissioner Seddio volunteered to conduct the Cover Sheet Review Hearings on Thursday, May 22, 2025 at 1:00 P.M.

Ms. Kontzamanis recommended scheduling the second hearing, which is Tuesday, May 27, 2025 at 1:00 PM, and requested volunteers from the Commissioners, as the office will be closed on Monday, May 26, 2025, in observance of Memorial Day.

Commissioner Araujo and Commissioner Marmorato volunteered to conduct the Cover Sheet Review Hearings on Tuesday, May 27, 2025 at 12:00 PM.

Ms. Pyun stated that the Office of the General Counsel will circulate the remaining dates amongst the Commissioners for their availability.

Commissioner Araujo moved to set the date of the next meeting for Tuesday, June 3, 2025 at 1:00 P.M. President Umane seconded the motion, which was adopted unanimously.

Commissioner Araujo moved to convene an Executive Session for personnel matters and potential litigation. President Umane 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:

1. Dianna Miranda, a Senior Administrator (acting), was granted an advance of 210 sick hours, effective as of May 20, 2025. Ms. Miranda's agency start date is October 19, 2009, and is a Bronx Republican.
2. Benjamin Holloway, a Trainer Assistant, was granted an advance of 210 sick hours, effective as of May 15, 2025. Mr. Holloway's agency start date is July 23, 2017, and is a Bronx Republican.

The meeting was adjourned.

The next stated meeting of the Commissioners of Elections is scheduled for Tuesday, June 3, 2025 at 1:00 P.M.