

BOARD OF ELECTIONS  
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway  
New York, NY 10004  
April 14, 2020  
1:30 p.m. - 2:25 p.m.

April 14, 2020

**PRESENT:**

President Anne Taylor  
Secretary Frederic Umane  
Commissioner Jose Araujo  
Commissioner Miguelina Camilo  
Commissioner Tiffany Townsend  
Commissioner Michael Michel  
Commissioner Gino Marmorato  
Commissioner Simon Shamoun  
Commissioner John Wm. Zaccone

Michael J. Ryan, Executive Director  
Kenneth Moltner, Counsel to Commissioners  
Steven Denkberg, Counsel to Commissioners  
Steven Richman, General Counsel  
Georgea Kontzamanis, Operations Manager

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2 (The meeting commenced at 1:30 p.m.)

3 MR. MICHAEL J. RYAN: I'm taking it off  
4 mute and I would ask that all of those present to  
5 mute either their phones or their computers, as I  
6 go through the official roll call now to take  
7 meeting attendance. Commissioner Taylor?

8 PRESIDENT ANNE TAYLOR: Present.

9 MR. RYAN: Commissioner Umane?  
10 Commissioner Araujo?

11 COMMISSIONER JOSE ARAUJO: Present.

12 MR. RYAN: Commissioner Camilo?

13 COMMISSIONER MIGUELINA CAMILO: Present.

14 MR. RYAN: Commissioner Marmorato?

15 COMMISSIONER GINO MARMORATO: Present.

16 MR. RYAN: Commissioner Michel?

17 COMMISSIONER MICHAEL MICHEL: Present.

18 MR. RYAN: Commissioner Shamoun?

19 COMMISSIONER SIMON SHAMOUN: Present.

20 MR. RYAN: Commissioner Townsend?

21 COMMISSIONER TIFFANY TOWNSEND: Present.

22 MR. RYAN: And Commissioner Zaccone?

23 COMMISSIONER JOHN WM. ZACCONE: Present.

24 MR. RYAN: Commissioners, at this

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2 juncture, I would like to entertain a motion to  
3 go into executive session to discuss personnel  
4 and one litigation item.

5 COMMISSIONER TOWNSEND: So moved.

6 COMMISSIONER ZACCONE: Second.

7 MR. RYAN: And then we'll presume that  
8 motion has carried. Silence is assent under these  
9 circumstances. Mr. Antonio Ortiz, please  
10 discontinue the public transmission of this, and,  
11 and when you do that, let me know, and then I'll  
12 remind the commissioners in case they don't have  
13 it, of the call in number once we're not live.

14 MR. ANTONIO ORTIZ: Got you. We're going  
15 to mute it now. Give me a sec, hold on.

16 MR. RYAN: Okay. Thank you.

17 [OFF THE RECORD]

18 [ON THE RECORD]

19 MR. RICHMAN: Sometime on Friday to  
20 review it so we can clean whatever's left on  
21 Friday, so we can start the hearing fresh.

22 COMMISSIONER ARAUJO: This is  
23 Commissioner Araujo. I'm available if necessary.

24 MR. RICHMAN: Appreciate it.

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2 COMMISSIONER TOWNSEND: I'm available as  
3 well, this is Commissioner Townsend, if needed.

4 MR. ORTIZ: Mr. Ryan, we're back live.

5 MR. RICHMAN: We'll present it to  
6 Commissioner Taylor [unintelligible] [00:44:15].

7 PRESIDENT TAYLOR: I had asked  
8 Commissioner Townsend if she would handle it  
9 Friday.

10 COMMISSIONER TOWNSEND: Yeah, which I  
11 can.

12 MR. RYAN: We're live now, so I'm going  
13 to go through the roll call again, just to make  
14 sure we captured everyone. Commissioner Taylor?

15 PRESIDENT TAYLOR: Present.

16 MR. RYAN: Commissioner Umane?

17 SECRETARY UMANE: Here.

18 MR. RYAN: Commissioner Araujo?

19 COMMISSIONER ARAUJO: Present.

20 MR. RYAN: Commissioner Camilo?

21 COMMISSIONER CAMILO: Present.

22 MR. RYAN: Commissioner Marmorato?

23 COMMISSIONER MARMORATO: Present.

24 MR. RYAN: Commissioner Michel?

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2 COMMISSIONER MICHEL: Present.

3 MR. RYAN: Commissioner Shamoun?

4 COMMISSIONER SHAMOUN: Present.

5 MR. RYAN: Commissioner Townsend?

6 COMMISSIONER TOWNSEND: Present.

7 MR. RYAN: Commissioner Zaccone?

8 COMMISSIONER ZACCONE: Present.

9 MR. RYAN: Kenneth Moltner?

10 MR. KENNETH MOLTNER: Present.

11 MR. RYAN: Steven Denkberg? Okay. He's

12 saying present but it's not [unintelligible]

13 [00:45:09].

14 MR. MOLTNER: No, no, this is Ken. It's  
15 Ken.

16 MR. RYAN: No, no, Steve was saying it  
17 as well. I saw you Steve, don't worry.

18 MR. MOLTNER: I'm sorry.

19 MR. RYAN: And, the staff present is  
20 general counsel Steven Richman, Georgea  
21 Kontzamanis, and Michael Ryan. That concludes the  
22 roll call. We have Item 1A is cover sheet review  
23 committee for Friday, April 17, 2020.

24 MR. RICHMAN: At 1:00 p.m.

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2 Commissioners, we need one more, I believe one  
3 more cover sheet review committee to review any  
4 cure that come in Thursday night, which is the  
5 last [unintelligible] [00:45:44] when they went  
6 out. We're asking for 1:00 p.m. to allow us  
7 enough time on Friday to --

8 PRESIDENT TAYLOR: We're not  
9 understanding you, Steve.

10 MR. RICHMAN: Excuse me?

11 COMMISSIONER TOWNSEND: Yeah, can you  
12 repeat that? I'm not.

13 MR. RICHMAN: Commissioner Townsend,  
14 we're looking for a cover sheet, a commissioners'  
15 cover sheet review committee --

16 COMMISSIONER TOWNSEND: Right.

17 MR. RICHMAN: -- to convene via Webex at  
18 1:00 p.m. on this Friday, the 17th of April and I  
19 need a Democrat and Republican.

20 PRESIDENT TAYLOR: Yes, Commissioner  
21 Townsend.

22 COMMISSIONER TOWNSEND: Commissioner  
23 Townsend, I'm available.

24 MR. RICHMAN: Okay. Now I need a

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2 Republican.

3 PRESIDENT TAYLOR: Thank you,  
4 Commissioner Townsend.

5 SECRETARY UMANE: Does any of the  
6 Republicans want to volunteer?

7 COMMISSIONER ZACCONE: Commissioner  
8 Umane, I'm available if need be.

9 SECRETARY UMANE: Okay. Thank you,  
10 Commissioner Zacccone.

11 MR. RICHMAN: Thank you, commissioners.  
12 We have that. And again, we will get the package  
13 to you scanned in as a PDF by 12:30 at the  
14 latest, okay. Thank you.

15 COMMISSIONER ZACCONE: Thank you, Mr.  
16 Richman.

17 COMMISSIONER TOWNSEND: Okay.

18 MR. RYAN: Yes. And then commissioners,  
19 Mr. Richman is going to make a brief presentation  
20 regarding rules, modified Part J of the  
21 designated petitioning rules for the  
22 commissioners' approval so that we can conduct  
23 the hearings remotely in large measure Tuesday.  
24 [unintelligible] [00:47:10] did not announce at



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2 the beginning of this meeting, today's meeting,  
3 is [unintelligible] [00:47:14].

4 MR. RICHMAN: Thank you, Mr. Ryan.

5 Commissioners, as you know, we have not  
6 [unintelligible] [00:47:21] designating  
7 [unintelligible] [00:47:23] for the conduct of  
8 the petition hearing.

9 COMMISSIONER ZACCONE: I think if we can  
10 get everybody to mute, except you, we'd be able  
11 to hear it better.

12 MR. RICHMAN: I'll wait. Commissioners,  
13 we have a standing designated petition rules that  
14 include Part J, which covers the conduct of the  
15 hearings on specifications of objections and  
16 related matters. Consistent with the governor's  
17 declaration of the state of emergency, and in  
18 accordance with his executive orders, we're going  
19 to recommend the following emergency procedures  
20 modified Part J to reflect the need of public  
21 safety, public health and consistent with the  
22 governor's executive orders, conduct public  
23 business in an open and transparent manner, but  
24 yet remote.

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2 So, first, commissioners, in terms of  
3 the scheduling, we had scheduled hearings in the  
4 initial calendar for Tuesday, April 21,  
5 Wednesday, April 22, Thursday, April 23. In order  
6 to allow participation using the procedures we'll  
7 discuss in a minute, we're recommending that the  
8 following be the schedule appearing.

9 Tuesday, April 21, New York City matters  
10 commencing at 10:00 a.m., the crossover  
11 districts, those are districts with, you know,  
12 parts of more than one county within the city at  
13 1:00 p.m., then the 2:00 p.m. Richmond County  
14 matters, followed by the Bronx County matters.  
15 Wednesday, April 22nd, at 10:00 a.m., we'll be  
16 spending the day dealing with the Kings County  
17 matters. Thursday, April 23rd, at 10:00 a.m., the  
18 Queens County matters.

19 The order of the hearing, in each  
20 hearing, it'll be the following order. First,  
21 will be the enrollment issues calendar relating  
22 to enrollment issues for the candidates within  
23 the jurisdiction specified. Then the CRU prima  
24 facie calendar relating to their issues they

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2 identified relating to petitions, acceptances,  
3 certificates of authorizations, general  
4 objections and specifications that may be  
5 defective, illegal prima facie calendar for those  
6 petitions to be identified relating to petitions  
7 that do not comply with the election law and not  
8 subject to [unintelligible] [00:49:43] and  
9 finally their specifications of objections  
10 calendar which will consist of the clerk's report  
11 prepared by the respective clerks and the staff  
12 of the borough offices.

13 With respect to the procedures, we're  
14 going to modify the current Part J rules to  
15 largely conduct these hearings conducted remote.  
16 First, we're going to participate remotely. We're  
17 going to require that the candidates, the  
18 objector, or their representative provide an e-  
19 mail address. The e-mail address will be used to  
20 send that person directions on how to join either  
21 the video or phone conference, which will be  
22 conducted via this Webex process and an  
23 approximate specific leading time when to join,  
24 based on the calendar I outlined.

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2 Anyone wishing to appear before the  
3 Board under your rules must file a notice of  
4 appearance. We're going to -- in the public  
5 notice, we'll add, we'll link directly to the  
6 form. We'll also link directly a copy of the  
7 petition hearing. The e-mail information for the  
8 remote hearing and the notice of appearance will  
9 be submitted to a new e-mail address we're going  
10 to establish just for the hearing, no later than  
11 10:00 a.m. next Monday, April 20th. Any materials  
12 that anyone wants to submit in response to the  
13 prima facie notices or any exception report under  
14 the rules, will have to be submitted  
15 electronically before, again, at the new e-mail  
16 address no later than 3:00 p.m. on Monday.

17 We are not encouraging, but we will  
18 permit a personal appearance by a candidate or  
19 the objector, but they will be required to follow  
20 all the current social distancing requirements,  
21 including wearing personal protective equipment  
22 which will be provided by the court.

23 The participation within the hearing  
24 will be limited to only the candidates, the

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2 objector or a representative, together with very  
3 limited court staff and/or commissioners being  
4 present, all observing the distancing and PPE  
5 requirements. If you want to participate in  
6 person, you also have to notify us by e-mailing  
7 us on April 20th, Monday at 3:00 p.m.

8 The notices also say if they do not, if  
9 any person, only those who do not have access to  
10 a computer or an e-mail service, we're going to  
11 provide a telephone number for them to call to be  
12 provided [unintelligible] [00:52:17]. We're going  
13 to remind everyone that no members of the public  
14 are permitted to attend the meeting in person.  
15 The public may view the meeting which will be  
16 live streamed on the Board's website.

17 Commissioners, this has been reviewed by  
18 all the appropriate staff and executive  
19 management and legal to meet all our due process  
20 requirements and to protect the personal safety  
21 of all involved. I strongly recommend that you  
22 adopt these emergency procedures of modified Part  
23 J and authorize us to both post them on the  
24 website, post them here and to include references

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2 in any notices going out regarding the prima  
3 facie matters by the next 24 hours. Thank you.

4 SECRETARY UMANE: So moved.

5 MR. RICHMAN: Commissioner Taylor has  
6 seconded, but she's muted. Commissioner Taylor --

7 COMMISSIONER ARAUJO: I'll second it.

8 MR. RYAN: Commissioner Araujo has taken  
9 the opportunity to second it. I will take a roll  
10 call vote for the ayes. Commissioner Taylor?

11 PRESIDENT TAYLOR: Aye.

12 MR. RICHMAN: Unmute yourself,  
13 commissioner.

14 PRESIDENT TAYLOR: Oh, sorry.

15 MR. RYAN: Is that a yes, Commissioner  
16 Taylor?

17 PRESIDENT TAYLOR: Yes.

18 MR. RYAN: Okay. Commissioner Umane?

19 SECRETARY UMANE: Yes.

20 MR. RYAN: Commissioner Araujo?

21 COMMISSIONER ARAUJO: Yes.

22 MR. RYAN: Commissioner Araujo?

23 COMMISSIONER ARAUJO: Yes.

24 MR. RYAN: Commissioner Camilo?

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2 COMMISSIONER CAMILO: Yes.

3 MR. RYAN: Commissioner Marmorato?

4 COMMISSIONER MARMORATO: Yes.

5 MR. RYAN: Commissioner Michel?

6 COMMISSIONER MICHEL: Yes.

7 MR. RYAN: Commissioner Shamoun?

8 COMMISSIONER SHAMOUN: Yes.

9 MR. RYAN: Commissioner Townsend?

10 COMMISSIONER TOWNSEND: Yes.

11 MR. RYAN: And Commissioner Zaccone?

12 COMMISSIONER ZACCONE: Yes.

13 MR. RYAN: I would ask the president to,  
14 that we don't need to set -- actually, I should  
15 say I would like to say that we don't need to set  
16 a new meeting date, because we have three meeting  
17 dates scheduled for next week, and if there's any  
18 regular business of the Board, we will notify the  
19 commissioners and we'll pick an appropriate time  
20 when we drop the Board business in between the  
21 hearing responsibilities of the Board.

22 SECRETARY UMANE: And I'd just like to  
23 extend my motion to make sure it covers the three  
24 hearing dates regarding the participation of less

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2 than six commissioners, as long as it's done  
3 evenly as divided between the parties.

4 MR. RYAN: Commissioner Taylor, would  
5 you mind seconding that?

6 PRESIDENT TAYLOR: I second it.

7 MR. RYAN: And then I'll do another roll  
8 call on the vote.

9 SECRETARY UMANE: I have a feeling it's  
10 going to be dealt with unanimously, but if you  
11 want to do the roll call, go ahead.

12 MR. RICHMAN: Do you want to extend that  
13 motion to all meetings for the month of April  
14 just so we're covered for the rest of the month?

15 SECRETARY UMANE: Yes.

16 COMMISSIONER ZACCONE: May I make a  
17 suggestion, gentlemen? The executive order is  
18 through June 1st. I suggest we extend it through  
19 June 1st.

20 MR. RYAN: Yes, because you can always  
21 repeal it at that point, if there's no need for  
22 it.

23 COMMISSIONER ZACCONE: Exactly.

24 SECRETARY UMANE: Right.



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2 MR. RYAN: Okay. And I guess just for  
3 the record, because it is a modification, I'm  
4 going to, I'll go through the roll call anyway,  
5 just for the [unintelligible] [00:55:27].

6 PRESIDENT TAYLOR: Very well.

7 MR. RYAN: Commissioner Taylor?

8 PRESIDENT TAYLOR: Yes.

9 MR. RYAN: Commissioner Umane?

10 SECRETARY UMANE: Yes.

11 MR. RYAN: Commissioner Araujo?

12 COMMISSIONER ARAUJO: Yes.

13 MR. RYAN: Commissioner Camilo?

14 COMMISSIONER CAMILO: Yes.

15 MR. RYAN: Commissioner Marmorato?

16 COMMISSIONER MARMORATO: Yes.

17 MR. RYAN: Commissioner Michel?

18 COMMISSIONER MICHEL: Yes.

19 MR. RYAN: Commissioner Shamoun?

20 COMMISSIONER SHAMOUN: Yes.

21 MR. RYAN: Commissioner Townsend?

22 COMMISSIONER TOWNSEND: Yes.

23 MR. RYAN: And Commissioner Zaccone?

24 COMMISSIONER ZACCONE: Yes.

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MR. RYAN: Okay. So, the, we'll deal with scheduling the meeting for next week, and if there's no further business, if no one has anything that they wish [unintelligible] [00:56:07] business, we can entertain a motion.

SECRETARY UMANE: I move we adjourn.

PRESIDENT TAYLOR: I Second.

MR. RYAN: Okay. On this one, it's unanimous unless someone [unintelligible] [00:56:26].

PRESIDENT TAYLOR: Thank you so much everyone.

SECRETARY UMANE: Thank you all for you hard work. Please thank the borough offices as well.


MR. RYAN: Thank you.

(The meeting concluded at 2:25 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on April 14, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



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Date: February 2, 2021

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