

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor
Commissioners' Hearing Room

New York, NY 10004

June 30, 2020

1:30 p.m. - 3:35 p.m.

June 30, 2020

PRESENT:

President Patricia Anne Taylor

Secretary Frederic Umane

Commissioner Jose Araujo

Commissioner Miguelina Camilo

Commissioner Gino Marmorato

Commissioner Michael Michel

Commissioner Simon Shamoun

Commissioner Tiffany Townsend

Commissioner John Wm. Zaccone

Michael J. Ryan, Executive Director

Dawn Sandow, Deputy Executive Director

Georgea Kontzamanis, Operations Manager

Steven Richman, General Counsel

Rafael Savino, Deputy General Counsel

Kenneth Moltner, Counsel to Commissioners

Steven Denkberg, Counsel to Commissioners

Eleanor Guerrieri, Administrative Assistant

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

3 MR. MICHAEL J. RYAN: Okay. So we are no
4 live. Today is Tuesday, June 30th, and it is the
5 regular stated meeting of the Commissions of
6 Elections in the City of New York. I am Michael
7 Ryan. I'm the executive director and I'll start
8 with the roll call. President Taylor?

9 PRESIDENT PATRICIA ANNE TAYLOR: I am
10 here in my capacity as the Democratic
11 Commissioner for Richmond County and also as the
12 interim substitute commissioner for Kings County.

13 MR. RYAN: Secretary Umane?

14 SECRETARY FREDERIC UMANE: Here.

15 MR. RYAN: Commissioner Araujo?

16 COMMISSIONER JOSE ARAUJO: Present.

17 MR. RYAN: Commissioner Camilo?

18 COMMISSIONER MIGUELINA CAMILO: Present.

19 MR. RYAN: Commissioner Marmorato?

20 COMMISSIONER GINO MARMORATO: Present,
21 good afternoon everyone.

22 MR. RYAN: Good afternoon. Commissioner
23 Michel?

24 COMMISSIONER MICHEL: Present.

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2 MR. RYAN: Commissioner Shamoun?

3 COMMISSIONER SHAMOUN: Present.

4 MR. RYAN: Commissioner Townsend?

5 COMMISSIONER TOWNSEND: Present.

6 MR. RYAN: And Commissioner Zaccone?

7 Commissioner Zaccone?

8 MS. DAWN SANDOW: Yeah, he's here. He's
9 muted.

10 MR. RICHMAN: He's muted.

11 COMMISSIONER JOHN WM. ZACCONE:

12 [unintelligible] [00:04:18]

13 MR. RYAN: You're muted sir. You're
14 unmated but we're still muted, so, I don't know
15 what's happening with your sound, but we see you.

16 MR. RICHMAN: We see the wave.

17 MR. RYAN: Alright. So we have some
18 reports from this primary election that was
19 conducted this last, last Tuesday, the 23rd. The,
20 let's see, we had yeah, where's the total number
21 of poll sites. I'm missing.

22 MS. SANDOW: The total number of votes -
23 -

24 COMMISSIONER ZACCONE: And while you

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2 weigh in, I'm just confirming my microphone now
3 works.

4 MS. KONTAZMANIS: 1,166 would be the
5 total.

6 MR. RYAN: That was it, okay, yep, I
7 didn't -- I wasn't -- oh, there it is. I'm sorry.
8 Yep, got it. So, there were three point --
9 3,147,211 eligible voters for this election, we
10 had 1,166 poll sites opened. In addition to the
11 1,166 poll sites, we had 79 poll sites opened for
12 the totality of the nine days of early voting.
13 And we had a total of 52,250 votes cast for early
14 voting. And then the scanner totals for election
15 day were 471,177. In addition to that, of course
16 we have the absentee balloting process that is
17 underway in each of the boroughs.

18 We have quite a bit of manual work to do
19 associated with that task and the borough is --
20 the borough offices are moving through that work
21 as quickly as possible. So what we have done to
22 try to be as transparent as we absolutely can
23 under these circumstances is we are posting those
24 absentee ballot envelopes received totals every

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2 three days that we started with election day.

3 So if you go onto the website, there
4 will be totals from the 23rd and then totals on
5 the 26th and then totals on the 29th that are
6 posted so far. And we expect that that work will
7 be completed before the close of business on July
8 2nd, so that we can post those totals as well.

9 Everyone should be reminded that this is
10 a rolling total and that what you are seeing at
11 the close of business in any one of those reports
12 is a snapshot in time of work that was completed
13 up to that moment. And it also does not include
14 the canvas process, which none of the laws or
15 rules associated with the post election canvas
16 process have changed. The only thing that's going
17 to be different this election from previous
18 elections is the volume. But the same challenges
19 that could be made in previous elections, all of
20 the rights associated with the campaigns to have
21 observers and for other public observers, every
22 bit of that process remains exactly the same.

23 What is different is the height of the
24 pile of paperwork that we have to go through to

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2 tally at the backend of the process. And we also
3 have to remember that we have sent out more than
4 ten times the number of absentee ballots that
5 would typically get mailed in an election such as
6 this. So we are in unique and challenging times
7 and we have adapted to the uniqueness and the
8 challenges that have been placed before all of us
9 through no fault of our own or anyone's, it's
10 just a difficult time.

11 So the borough offices are working very
12 hard and they're, this is a circumstance of no
13 rest for the weary because they had to work very
14 hard to get the absentee ballot applications
15 processed and do all of that work, and then they
16 got a short respite, a little bit, maybe 24 hours
17 and then we had to roll right into conducting the
18 election on election day. So the borough offices
19 are working very diligently and very, and very
20 hard. And they're going to have a well earned
21 rest when this process is over.

22 So, okay, yeah, so with respect to the
23 equipment deployed, we, we deployed 2,496
24 scanners citywide on election day. And the other

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2 point I wanted to make out, I don't want this to
3 get lost. While we have looked at, we all look at
4 news and items from other jurisdictions. Many
5 other jurisdictions, because they had their own
6 individual challenges, reduced, significantly
7 reduced the number of poll sites that were
8 available actively for voters. This Board of
9 Elections opened up 18 more early voting sites
10 for this election than we did for the November
11 last year, in the face of all of the challenges
12 associated with the COVID-19 pandemic. So we
13 actually increased opportunities for, for folks
14 to vote in person, if that was their choice, for
15 the nine days of early voting. And you cannot
16 compare election day sites, one to the next
17 because of the fact that they're based on the
18 number of jurisdictions that in fact have a
19 contest. With that said, we still opened 1,166
20 poll sites in the City of New York on election
21 day, a remarkable achievement under the
22 circumstances.

23 So we had 6,743 e-poll books distributed
24 and 1,237 ballot marking devices. And in addition

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2 to all the tables and chairs and privacy booths
3 that we have to deploy, our total equipment
4 deployment is 71,465 individual pieces of
5 equipment, a challenging task under regular
6 circumstances. And I commend our staff for doing
7 all that and getting it done.

8 We had our election night reporting. Our
9 website, which has been, the hits on election
10 night are increasing every election. And it
11 really -- now these are individual hits, so it's
12 not necessarily individuals accessing. The hits
13 are going, so if one person accesses the website
14 multiple times, it will come back as a hit,
15 right. But for the election night in the primary
16 of 2019, the website had 1,031,755 hits. For this
17 election, we had 1,604,700 hits. So we had a
18 substantial increase in web activity.

19 And what that means to me is that the
20 elections process is becoming more and more
21 reliant on our ability to push out information on
22 election night vis-à-vis the election results.
23 And I can tell you from anecdotal experience that
24 the phone on election night doesn't ring as much

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2 as it used to, that people do go to the website
3 and get their information and it is the most
4 efficient way to get information.

5 So we did have just shy of 96 percent of
6 the sticks read on election night. Again, there's
7 always going to be some drop off and particularly
8 in primary elections, you know, not every machine
9 ultimately is turned on, so you'll see a little
10 bit of a drop off there. But all of that
11 remaining percentage is, will be made up when we
12 do the readings from the portable memory devices
13 during the post election canvas process.

14 So election night, unofficial, but very
15 good for informational purposes, it gives people
16 a sense of where things are going. We, where is
17 the number of poll workers assigned? Do we have
18 that? I'm not seeing it. Yeah, it doesn't, yeah,
19 but it doesn't say the number assigned.

20 MS. SANDOW: It doesn't [unintelligible]
21 [00:15:02].

22 MR. RYAN: Yeah, I only have the
23 percentage vacancy from EDO, so I'd to hold off
24 on giving the EDO report until next week. I

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2 didn't get a chance to review this report before
3 we, we started the meeting, but --

4 MS. SANDOW: We're going to have to wait
5 until payroll is complete to get an exact number.

6 MR. RYAN: Right. So that's usually a
7 couple of weeks after election.

8 MS. SANDOW: Yeah, yeah, it's 23
9 percent.

10 MR. RYAN: Yeah, so we do have some
11 indication of what the vacancies are, but the
12 better numbers that I would like to provide the
13 commissioners and the public so that there's no
14 misunderstandings is we will give the total
15 number of poll workers assigned, that would be
16 the number of work notices that we send out. and
17 then when we complete payroll, we'll be able to
18 show the total number of folks that actually
19 worked and got paid. And that number is very,
20 very slightly inflated in the sense that if some
21 poll worker, and it's a rare instance, but if
22 some poll worker were dismissed on election day
23 for cause and they didn't get paid, they wouldn't
24 be included in those totals. But it's as close to

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2 a real number as we can provide. And then that
3 will also incorporate within it, those poll
4 workers that were in the standby pool that in
5 fact worked. So --

6 MS. SANDOW: The standby pools were
7 depleted on election day.

8 MR. RYAN: Yeah, the standby pools were
9 less than what we normally would have. Everything
10 in terms of staffing for the poll sites was less
11 than what we would normally have for an election
12 of this size. Although, we did get pretty good
13 turnout with the poll workers as well, and we
14 were in the position to ultimately conduct the
15 election successful.

16 MS. SANDOW: I just want to thank all
17 the poll workers that worked early voting on
18 election day for their hard work and dedication
19 to this agency. We appreciate them coming out
20 during these difficult times.

21 MS. KONTAZMANIS: And if I could just
22 add, it was a little over 25,000 poll workers
23 across the City of New York.

24 MR. RYAN: Okay. So for 1,100 sites, at

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2 1,166 sites, we had 25,000 folks. There was some,
3 we deployed the PPE equipment, the antiviral hand
4 wipes, the masks that we're wearing, face
5 shields.

6 Now, commissioners, you may notice that
7 some of the poll workers had face shield and I do
8 want to address that. The commissioners
9 authorized the purchase of 10,000 acrylic
10 screens. I don't have the exact number, but there
11 was a percentage of those screens, and we'll have
12 that number for next week, that the vendor did
13 not deliver on. They could not fulfill the order
14 on short notice. The balance of that delivery
15 will happen and they'll be in place for the
16 general election. And we'll also incorporate the
17 PPE, the masks, the gloves, the wipes, the
18 screens, all of that will be incorporated into
19 the poll worker training, so that it becomes part
20 of the fabric of what we do for November.

21 That was not possible under these
22 circumstances. We really had to pull things
23 together the best we could in a very, very
24 compressed timeframe and we were not in the

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2 position to conduct in-person training, or
3 necessarily reach all of the poll workers that we
4 needed to reach by some method other than in
5 person. So, we had quite a few challenges for
6 this primary election that we'll be able to
7 address and overcome for the general election.

8 So the staff, in anticipation of
9 potential lack of fulfillment of the order by the
10 vendor on the screen shields ending up
11 distributing the face shields, so the individual
12 poll workers in sites where there was no acrylic
13 screen would have a mask and a face shield, and
14 that would roughly, you know, replicate what it
15 would have been if the actual screens were on the
16 EDAD tables. And so that was our best effort that
17 we could make under the circumstances.

18 And, in keeping with our desire to
19 ensure that we opened as many poll sites as we
20 could to make voting available to the broadest
21 cross section of voters, even in the face of the
22 challenges associated with COVID-19 and the
23 things associated with that and the planning
24 associated with that.

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2 So, I was remiss at the start of the
3 meeting, although we accounted for all of the
4 commissioners, we did not account for Steven
5 Denkberg and Kenneth Moltner, the counsels to the
6 commissioners, nor did I account for Ms. Sandow,
7 Dawn Sandow, deputy executive director, who is
8 seated to my left. General counsel, Steven
9 Richman, deputy general counsel Rafael Savino and
10 the designated survivor [laughter] Georgea
11 Kontazmanis, at a location elsewhere in the
12 building, the operations manager is still here.
13 So I didn't want to miss those folks. As a matter
14 of fact, Eleanor Guerrieri is sitting in front of
15 me as well, taking minutes diligently, and she's
16 coordinated her mask and her outfit, which is
17 nice.

18 So, that is the reporting that I have
19 for today. I know that the commissioners may have
20 questions or may want to make their own points,
21 but I did want to say before we get to that, that
22 we have -- we will need some time in executive
23 session for litigation and a collective
24 bargaining issue, personnel issue.

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2 SECRETARY UMANE: Mike, you should
3 mention that the post election proceedings are
4 going to be done with social distancing and masks
5 and all the other COVID-19 safeguards for both
6 our staff and the lawyers and participants
7 reviewing the absentee ballot process. And due to
8 that, what's a normally complicated process is
9 going to be also that much more complicated
10 because the lawyers will have to be socially
11 distant from the Board people who are reviewing
12 the actual packages and, and the envelopes and
13 the votes, etc.

14 So people are going to have to have
15 patience and sort of comply with the procedures
16 that we will establish in order to do it in an
17 efficient and safe manner.

18 MR. RYAN: Yes, that's a point that's
19 well taken, commissioner. And, there seems to be
20 in certain pockets, interest in, at the very
21 least, exercising the campaign's rights to
22 oversee or view the process is probably a better
23 way to say than oversee, but they would
24 participate in the process.

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2 So we will of course ask for everyone's
3 patience and understanding, given that we are
4 dealing with an unprecedented volume of paper in
5 this election, between the absentees, which make
6 up the lion's share of it, and then the affidavit
7 ballots.

8 And my understanding is that the totals
9 will exceed the totals from Superstorm Sandy,
10 which was done in a general election in a
11 presidential year in the face of a natural
12 disaster and an executive order that said you can
13 go, a voter can go to any poll site and vote the
14 top of the ticket. So when you took those
15 absentees plus the affidavits, which were the
16 higher volume in that election, we're going to
17 exceed that for a primary election, not a
18 presidential election.

19 So this is a presidential primary, not a
20 presidential general, and we would never have
21 anticipated that paper totals in this election
22 would exceed that of a presidential general
23 election, particularly one that was in the
24 immediate aftermath of a natural disaster and had

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2 its own challenging set of circumstances.

3 So everyone just needs to maintain
4 patience. I know that our staffs collectively in
5 the boroughs are working diligently to organize
6 all of this paper so that when the process
7 commences, it will commence in an orderly fashion
8 and it will be done in such a way, which is
9 always the most important part of this is if we
10 have to sacrifice speed for accuracy, we will
11 always err on the side of accuracy and not give
12 in to the pressure to speed things up, because
13 speeding things up can lead to errors. And errors
14 lead to undermining of confidence in the
15 elections process and perhaps an unfair result.

16 And in the time that I've been here as
17 executive director, and I've had an opportunity
18 to witness the way that the boroughs handle this
19 aspect of the process, they have always done it
20 with a great deal of professionalism and aplomb,
21 and I'm expecting that nothing will be different
22 this time. It's just going to be how much longer
23 will it take us to get to the bottom of the pile
24 of paper. So, but thank you, Commissioner Umame

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2 for bringing that up. I appreciate it.

3 COMMISSIONER TOWNSEND: Mr. Ryan, quick
4 question for you, and I believe this may have
5 been a meeting that I missed earlier when we
6 approved the, the purchase of the face shields.
7 Is the vendor, is that the only, or I guess what
8 are our vendor options and do we have any concern
9 about them meeting our needs for face shields or
10 for the Plexiglas screens for this coming
11 November? I'm assuming it was primarily just time
12 not being on our side?

13 MR. RYAN: Right, so --

14 COMMISSIONER TOWNSEND: But --

15 MR. RYAN: -- so I'm going to separate
16 those out into two different categories. The face
17 shields --

18 COMMISSIONER TOWNSEND: Okay.

19 MR. RYAN: -- are in their own category.
20 The acrylic screens that we were putting up at
21 the poll sites, we had to on short notice, find a
22 vendor that could mock one up for us quickly,
23 because we needed that slot at the bottom. You
24 know, if you think of it like a bank screen, you

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2 know, we needed that slot to be custom cut to
3 allow for the height of the poll pad to slide
4 underneath.

5 And also, we wanted to make something
6 that was easy to assemble and not overly
7 cumbersome or too much for the poll workers to
8 deal with. We had a bunch of vendors that came
9 with these very nice screens, but they were heavy
10 and bulky. And we were concerned that they
11 wouldn't be as easily set up. So we went with
12 this vendor. I think, out of the 10,000 and I
13 don't want to say, I'll give you an exact number
14 next week. I think they came in some in on the
15 order of 6,000 on their delivery. And it seems to
16 me that the time just ran out, that they made
17 their best effort to get it to us, and perhaps
18 the production was more than they could handle,
19 given the time constraints.

20 So I'm expecting that the balance of
21 that will be delivered to us certainly well
22 enough in time for the general election, then
23 we'll be at a full complement. And of course, if
24 we need to replace these items over the course of

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2 time, we can always look at other vendors or look
3 at an alternative solution.

4 So now getting to the face shields, we
5 had enough of those and those were the backup
6 plan, in the event that the acrylic screens were
7 not able to be delivered on time, you know,
8 sneeze guards, whatever you want to call them,
9 you know, a percentage weren't delivered on time
10 and that's how we went with the face shield as,
11 as the next available alternative.

12 COMMISSIONER TOWNSEND: Thank you.

13 MR. RYAN: You're welcome. That's,
14 Commissioner Taylor, you seem like you wanted to
15 say something?

16 PRESIDENT TAYLOR: I wanted to thank you
17 for your bright and thorough report
18 [unintelligible] [00:28:48] at this time, I'm
19 sure that all of us commissioners agree with
20 Deputy Director Dawn Sandow regarding the thanks
21 for all of the poll workers. I also just want to
22 say it's been a tough time, and it appears that
23 up to this point, we've come through it together,
24 and I thank everyone, including my fellow

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2 commissioners.

3 SECRETARY UMANE: I move that we go into
4 executive session for litigation.

5 MR. RYAN: Yes.

6 PRESIDENT TAYLOR: Seconded.

7 MR. RYAN: Okay. And before --

8 [CROSSTALK]

9 COMMISSIONER MARMORATO: I think there
10 was a personnel also.

11 SECRETARY UMANE: And employment.

12 MR. RYAN: Yes. And as a off the agenda
13 item, Mr. Richman would like to be recognized to
14 make a brief statement regarding a young man who
15 helped us out tremendously during very difficult
16 times, so Mr. Richman?

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

18 Commissioners, today is David Fuch's last day as
19 our senior legal fellow. He's leaving us for the
20 joy of studying for the bar exam for the next two
21 months. But in March, when the office of the
22 general counsel staff was decimated by the
23 pandemic, we reached out to David, who was our
24 summer 2018 law student intern and asked him if

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2 he could come and help out. And beginning in
3 March, up until today, David's been here and
4 showed his outstanding skills and abilities, when
5 we did the cover sheet review process with only a
6 few staff members helping, and present for
7 hearing process when he helped coordinate all the
8 appearance and the litigation process. David's
9 been here for seven days a week, often 10 or 12
10 hours a day, so I just wanted to ask that you
11 join me in recognizing him and thanking him for
12 the last three months of service [applause].

13 COMMISSIONER ZACCONE: Thank you for all
14 your hard work and dedication.

15 MS. KONTAZMANIS: You were a great help,
16 great help.

17 MR. RYAN: He's actually pleasant, too
18 [laughter] in addition to being intelligent,
19 which is nice. Alright, with that, the motion to
20 go into executive session had previously carried
21 and we'll go upstairs.

22 PRESIDENT TAYLOR: It was made and
23 seconded.

24 MR. RYAN: Yes.

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[OFF THE RECORD]

[ON THE RECORD]

MR. RYAN: Yes, we have one announcement to make. The post election canvas process is being changed from July 1st to the follow days. Staten Island will commence on July 6th, Monday, July 6th, and the remaining four boroughs, Brooklyn, Queens, the Bronx and Manhattan will commence on July 8th. Notices to all concerned parties will be going out, as well as a posting on the website and various social media outlets.

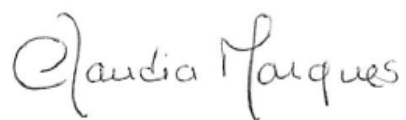
That concludes the reportable business for today's meeting. Thank you.

(The meeting concluded at 3:35 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 June 30, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: March 11, 2021

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