

BOARD OF ELECTIONS  
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor  
Commissioners' Hearing Room  
New York, NY 10004  
September 8, 2020  
1:33 p.m. - 2:28 p.m.

September 8, 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

Pam Perkins, Administrative Manager

Georgea Kontzamanis, Operations Manager

Rafael Savino, Deputy General Counsel

Eleanor Guerrierri, Legal

Kenneth Moltner, Counsel to Commissioners

Steven Denkberg, Counsel to Commissioners

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2 (The meeting commenced at 1:33 p.m.)

3 MR. MICHAEL J. RYAN: Okay. We are live.  
4 Today is Tuesday, September 8, 2020 and it is the  
5 weekly meeting of the Commissioners of Elections  
6 in the City of New York. My name is Michael Ryan,  
7 I'm the executive director. I would like to start  
8 by calling the roll of commissioners. President  
9 Taylor?

10 PRESIDENT PATRICIA ANNE TAYLOR: I am  
11 here.

12 MR. RYAN: Commissioner Umame, Secretary  
13 Umame, I'm sorry.

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 MICHAEL MICHEL: Present.

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2                   MR. RYAN:   Commissioner Shamoun?

3                   COMMISSIONER SIMON SHAMOUN:   Present.

4                   MR. RYAN:   Commissioner Townsend?

5                   COMMISSIONER TIFFANY TOWNSEND:   Good  
6                   afternoon, present.

7                   MR. RYAN:   Good afternoon. Commissioner  
8                   Zaccone?

9                   COMMISSIONER JOHN WM. ZACCONE:   Good  
10                  afternoon, present.

11                  MR. RYAN:   Okay. So that's all of the  
12                  commissioners, As I said, my name is Michael  
13                  Ryan, I am the executive director. Seated to my  
14                  left is Dawn Sandow, deputy executive director.  
15                  And elsewhere in the building are administrative  
16                  manager Pam Perkins and operations manager,  
17                  Georgea Kontazmanis. Seated at the table in front  
18                  of me are Rafael Savino, from the legal  
19                  department, as well as, Eleanor Guerrierri. Mr.  
20                  Savino is of course the deputy general counsel.

21                  So, today I would like to give an update  
22                  on some of the recent developments and as well we  
23                  have to add, is it executive session, yes?

24                  PRESIDENT TAYLOR:   Are the

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2 commissioner's counsels here? Mr. Denkberg and  
3 Mr. Moltner?

4 MR. RYAN: Oh, I'm sorry. Commissioner  
5 counsel, yes.

6 MR. KENNETH MOLTNER: Yes.

7 MR. STEVEN DENKBERG: Yes.

8 MR. RYAN: The unforgettable, for  
9 everyone except me, Kenneth Moltner and Steven  
10 Denkberg, commissioners' counsel.

11 MR. RYAN: Thank you, President Taylor.  
12 We will need an executive session for personnel.  
13 I believe there's one matter on for personnel. In  
14 any event, commissioners, in the last, you know,  
15 few months, since the last election, we have been  
16 working very diligently as a board to make sure  
17 that we are ready for the general election in  
18 November. And as you are aware, there was a  
19 statute that was passed, a law that was passed  
20 and signed into law by the governor regarding the  
21 absentee ballot portals. We have one. We had one  
22 for the June election, and staff has made  
23 improvements to that process as well, which has  
24 now incorporated into it, a tracking mechanism so

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2 that folks can not only apply for their ballot  
3 online, but they can receive updates as to the  
4 process and when that is completed. So we have  
5 roughly, since last Friday, roughly about 100,000  
6 people -- 1,000 people a day visiting the portal  
7 and about half of that is actually logging in to  
8 check their status. We also expect that those  
9 numbers will increase over the course of the next  
10 several weeks.

11 And I want to remind everyone that the  
12 State Board of Elections met today to finalize,  
13 or is meeting to finalize the ballot. I don't  
14 know what the outcome of that was, but until the  
15 State Board completes its process, there are no  
16 ballots for local Boards of Elections to mail  
17 out. So that's a good thing. It gives us a little  
18 bit of a head start with people applying for  
19 their absentee ballots.

20 And I will inform the commissioners that  
21 to date, not including permanent absentees, not  
22 including military ballots and not including  
23 overseas, we have received just shy of 227,000  
24 absentee ballot applications already. Now, that's

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2 a lot, but the good thing is we're receiving  
3 those applications in advance of the ballot being  
4 finalized. So once the ballot is finalized, and  
5 we receive permission to built those ballots, as  
6 soon as the ballots are ready, we will have a  
7 portion of those applications already processed  
8 to go out in the first wave and that will allow  
9 us to get much more of a head start on that  
10 process than we were afforded in June. So that's  
11 a good thing.

12 The other thing, last week, we had, on  
13 Wednesday was poll work recruitment, National  
14 Poll Worker Recruitment Day, and we did a push on  
15 that. We had a poll worker portal, which will  
16 remain on our website as well. It's just been  
17 moved down a little bit, one spot down and the  
18 absentee ballot application portal is being more  
19 prominently featured, but we received just shy of  
20 15,000 applications as of the most recent  
21 numbers, 14,573 applications so far, for people  
22 interested in serving as poll workers. So that is  
23 a good start on that process and please keep in  
24 mind that we already do have a large group of

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2 poll workers that return election after election,  
3 so this is a very good supplement to our  
4 foundation of poll workers that we have in our  
5 list of poll workers.

6 So, as folks may know, a lot of  
7 attention has been paid to the absentee balloting  
8 process. And some, there was some complaints  
9 about the envelopes and the layout of the OATH  
10 envelopes and the whole absentee ballot process  
11 after June, as it became more widely used than it  
12 had in the past.

13 And there was a governor's executive  
14 order mandating that the State Board of Elections  
15 develop a uniform set of absentee ballot  
16 envelopes to be used statewide. And we would like  
17 to thank the State Board of Elections for  
18 permitting the City Board to be a very active  
19 participant in that process, because in addition  
20 to the large number of voters in New York City,  
21 we also have some very unique challenges that are  
22 different here than throughout the state, most  
23 notably, the borough of Queens having a five  
24 language requirement, which then presents some

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2           layout challenges, given the fact that there's  
3           not infinite real estate on the material that  
4           gets mailed out.

5                         Sample templates were sent last week  
6           with the five language requirements and there  
7           will be two other versions that will be provided  
8           by the end of the day. There has been some  
9           modification and of course, we have to follow the  
10          instructions of the State Board, but there have  
11          been some modifications with the instructions to  
12          make the language more plain language and less  
13          legalese as well as adding illustrations to  
14          remind the voters, to aid the voters by reminding  
15          them of the requirements of the absentee ballot  
16          envelopes, including a big X, red X where the  
17          voter must sign to make sure that they don't miss  
18          the opportunity to have their vote counted.

19                        And in addition, we are also working  
20          with the State Board of Elections regarding the  
21          cure process, but that's a conversation for  
22          another day. And our envelopes will all be self-  
23          sealing. They'll have the peel off and they'll be  
24          able to be sealed, so that there's not an issue

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2 with any of those other COVID related concerns.  
3 We're trying to make it as contactless as  
4 possible in that regard as well. And our, we're  
5 working on some additional aids and some short  
6 video, instruction videos to be on the website  
7 once all of the new ballot envelopes are  
8 finalized so that voters will have as much  
9 information as we can give them in order to know  
10 precisely what they need to do to complete the  
11 absentee ballot process. So there's that.

12 And then, how are we situated in the  
13 seventh floor conference room? There is a box in  
14 the middle -- there is a box in the middle of the  
15 table. That box is not a cardboard box. It is a  
16 Lucite box that is appropriately branded with  
17 city Board of Elections branding. And that is a  
18 box that will have a seal on it and it will have  
19 a way to attach it to tables. And we are  
20 expanding the absentee, the convenience of the  
21 absentee ballot drop-off process.

22 As the commissioners and staff are  
23 aware, voters could, as far as I remember, always  
24 drop off their absentee ballots at poll sites

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2 throughout the city or at Board offices and they  
3 would be placed in an envelope with the ballot  
4 material and collected by the poll workers. Given  
5 the concerns with respect COVID and some of the  
6 delivery issues that, that occurred, we again  
7 wanted to give the voters an opportunity at  
8 contactless absentee ballot drop-off.

9 So that very pretty box that is present  
10 on the table in the seventh floor conference  
11 room, we'll have one at all of our election day  
12 sites throughout the city, as well as all of our  
13 early voting sites for the nine days of early  
14 voting, and we'll have them placed at all of the  
15 front reception areas and counters in all of the  
16 borough offices.

17 And that will allow individuals who want  
18 to drop off their absentee ballot an opportunity  
19 to drop it off with little interaction with staff  
20 and they won't have to go to the EDAD tables,  
21 which will also, for early voting and election  
22 day reduce the number of folks that might be  
23 waiting on a line, but not really there to vote  
24 in person. So that will certainly be very helpful

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2 in considering that early numbers that we have  
3 with respect to people requesting absentee  
4 ballots, we should expect that that will be a  
5 significant number of individuals.

6 And this will be an added convenience  
7 for the voter and also will supplement the  
8 efforts that we've already made previously and it  
9 will also be a benefit to the poll workers as  
10 well, because it will streamline the interaction  
11 between the poll workers and the voters. So we  
12 view that as a very good thing and it will be,  
13 like I said, a more visible way of doing business  
14 than we had done in the past. But in the past,  
15 there also wasn't the demand that we're seeing  
16 now. So, you know, it is definitely a voter  
17 friendly way to move forward with this process,  
18 and as contactless as we can make life these  
19 days.

20 I do have -- pardon? Okay. Yes. And  
21 there will be the information notices in the  
22 process of being completed and we will have the  
23 barcode pass, the, I forget the -- it's the Fast  
24 Pass Tag as we will call it because Fast Pass is

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2 trademarked. But that will be another way and  
3 we'll have that available for some samples, you  
4 know, probably for next week or maybe the week  
5 after, where people will be able to put their  
6 barcode under the eye on the poll pad and check  
7 in directly without having to really have the  
8 poll worker touch the poll pad as much. So  
9 that'll be a good thing as well.

10 We will need a ballot committee  
11 meeting. This is just for those on the ballot  
12 committee, maybe on Friday, samples should be  
13 ready by Thursday. The Voter Friendly Ballot Act  
14 has passed. It really does not have a tremendous  
15 number of changes for us. Actually, for us, it  
16 seems like the legislature followed the lead of  
17 the changes that the City Board had already made.  
18 But that will have to happen in order to finalize  
19 that process. We are in the process of  
20 completing, well the accessible ballots in all  
21 languages, and the portal is in the process of  
22 being completed, and we're finalizing the early  
23 voting sites. That's a lot.

24 And there's only one item actually on

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2           the agenda that just got added that we need  
3           commissioner approval on, but we certainly can  
4           discuss anything the commissioners wish to  
5           discuss.

6                         The City Council has called a hearing  
7           for September 25th to discuss conducting an  
8           election during a pandemic. That's as much  
9           information as we have right this minute. I  
10          suspect that we'll get more information from them  
11          as the hearing date draws closer. But it sounds  
12          to me, at least initially, that it will be very  
13          much in line with the hearing that we had for the  
14          Assembly and the Senate. It will also be a  
15          virtual hearing, so we just, that I would like a  
16          vote along the lines of what we've traditionally  
17          done on these things and prepare to give staff,  
18          A, the permission to attend and B, the permission  
19          to prepare testimony.

20                         SECRETARY UMANE: I move that we allow  
21          our executive management to appear and testify  
22          and prepare written testimony for submission to  
23          the City Council at their hearing on September  
24          25th.

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2 MR. RYAN: Alright. Is there a second?

3 COMMISSIONER TOWNSEND: Second.

4 MR. RYAN: Commissioner Townsend second.

5 Are there any objections? Hearing none, the  
6 motion carries. The other thing I would like to  
7 let the commissioners know, the other item, the  
8 State Board of Elections did have some  
9 conversation today right around the, just shy of  
10 the 1:00 o'clock hour regarding ranked choice  
11 voting and I think they took the opportunity of a  
12 quorum to have this discussion and we are  
13 awaiting an answer from the State Board of  
14 Elections whether or not the algorithm software  
15 that we will need in order to complete the  
16 tabulation of early voting results is going to  
17 require either state certification or state  
18 approval. And they're working on that.

19 And I think it was Commissioner  
20 Kosinski, if I recall, was concerned that the  
21 timeline for us, was starting to get a little bit  
22 tight in that potentially there is ranked choice  
23 voting contests maybe as early as February,  
24 depending on some vacancies. And so the response

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2 from State Board staff was that they will get on  
3 that right away.

4 The other tangential matter related to  
5 that is we had sent out correspondence back in  
6 December 2019 to the State Board of Elections  
7 regarding potential multiple page ballots,  
8 because even though we could have a multiple page  
9 ballot in an election where there is no ranked  
10 choice voting, given the way that ranked choice  
11 voting is going to now apply to all city offices  
12 in primary elections, the likelihood that there  
13 will be two page ballots or maybe even three page  
14 ballots in primary elections in New York City has  
15 gone up precipitously.

16 So we had some changes that we were  
17 requesting with respect to the messaging for the  
18 DS200s and then some other changes that we're  
19 requesting with respect to the backend of the  
20 process and the way that ballot accountability  
21 occurs, as the system does not differentiate  
22 between ballots and pages. It only counts  
23 ballots. So if you put in both pages of your  
24 ballot, it will count as a ballot, if you put in

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2 one page of your ballot, it will count as a  
3 ballot. And so we wanted to address some issues  
4 in that regard. I do not believe those changes  
5 would be ready for next year. But we did make  
6 that request, like I said, in December of 2019.

7 So that concludes the staff issues for  
8 today's agenda, and I don't know if any  
9 commissioners have anything they wish to add.

10 SECRETARY UMANE: I move that we go into  
11 executive session for personnel matters.

12 MR. RYAN: Okay. Is there a second?

13 COMMISSIONER MARMORATO: Second.

14 MR. RYAN: Any objections? Hearing none,  
15 we will go into executive session. Before we go  
16 into executive session, can we also have a motion  
17 establishing the meeting for next week, September  
18 15th.

19 SECRETARY UMANE: So moved.

20 MR. RYAN: Is there a second?

21 COMMISSIONER CAMILO: Second.

22 MR. RYAN: Second. Any objections?  
23 Hearing none, the motion carries. The next  
24 meeting of the Board of Commissioners will be

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September 15, 2020 at 1:30. Alright.

[OFF THE RECORD]

[ON THE RECORD]

MR. RYAN: Yes, there were some personnel matters that were attended to, and will be reported out in due course of business. The meeting was adjourned and the next meeting of the Board of Commissioners is September 15th at 1:30.

(The meeting concluded at 2:28 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 September 8, 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: April 6, 2021

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