

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor
Commissioners' Hearing Room
New York, NY 10004
September 22, 2020
1:43 p.m. - 3:28 p.m.

September 22, 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

Rafael Savino, Deputy General Counsel

Eleanor Guerrierri, Legal

Kenneth Moltner, Counsel to Commissioners

Steven Denkberg, Counsel to Commissioners

Sherwin Suss, Chief Contracting Officer

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2 (The meeting commenced at 1:43 p.m.)

3 MR. MICHAEL J. RYAN: The meeting is now
4 live. Today is September 22, 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 and I will start with
8 the commissioners' roll call. President Taylor?

9 PRESIDENT PATRICIA ANNE TAYLOR: I am
10 present.

11 MR. RYAN: Secretary Umame?

12 SECRETARY FREDERIC UMANE: Here.

13 MR. RYAN: Commissioner Araujo?

14 COMMISSIONER JOSE ARAUJO: Present.

15 MR. RYAN: Commissioner Camilo?

16 COMMISSIONER MIGUELINA CAMILO: Present.

17 MR. RYAN: Commissioner Marmorato?

18 COMMISSIONER GINO MARMORATO: Present.

19 MR. RYAN: Commissioner Michel?

20 COMMISSIONER MICHAEL MICHEL: Present.

21 MR. RYAN: Commissioner Shamoun?

22 COMMISSIONER SIMON SHAMOUN: Present,
23 thank you.

24 MR. RYAN: Commissioner Townsend?

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2 COMMISSIONER TIFFANY TOWNSEND: Present.

3 MR. RYAN: And Commissioner Zaccone?

4 COMMISSIONER JOHN WM. ZACCONE: Present.

5 MR. RYAN: Okay. That concludes the
6 commissioners' roll call. We also, so I don't
7 forget, I'm going to start with counsel to the
8 commissioners, Kenneth Moltner and Steven
9 Denkberg, are both present remotely. My name is
10 Michael Ryan, I'm the executive director. Deputy
11 executive director Dawn Sandow is seated to my
12 left. And elsewhere in the building are
13 operations manager Georgea Kontazmanis and
14 administrative manager Pam Perkins. Seated at the
15 table in front of me are Rafael Savino, deputy
16 general counsel as well as CRU staff and other
17 staff.

18 Although it is listed as Item 1B on the
19 agenda, we will turn the proceedings over to the
20 prima facie report hearing for today's purposes
21 and then proceed with the balance of the agenda
22 thereafter. Commissioner Taylor, do you have a
23 copy of the proceedings for today that you need?

24 PRESIDENT TAYLOR: I believe I do, yes.

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2 MR. RYAN: Okay. So in that event, I
3 will turn the proceedings over to President
4 Taylor to conduct the prima facie hearing.

5 PRESIDENT TAYLOR: I didn't have any
6 documents other than my script. Is that --

7 MR. RYAN: Yes, that's what I was
8 referring to, I apologize, yes.

9 PRESIDENT TAYLOR: Yes. Okay. I want to
10 make sure that I hadn't missed some documents
11 regarding this. Okay. My name is Patricia Anne
12 Taylor and I am the president of the Board of
13 Elections for this calendar year, 2020 and the
14 Democratic commissioner for Richmond County. I
15 now call this hearing to order. Today's hearing
16 relates to a prima facie matter pertaining to a
17 candidate for representative in Congress in the
18 5th Congressional District, which is located in
19 Queens and Nassau and related matters for the
20 November 3, 2020 election. Do we have
21 appearances?

22 SECRETARY UMANE: I think we've done
23 that.

24 PRESIDENT TAYLOR: No, I mean --

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2 MR. RYAN: No.

3 PRESIDENT TAYLOR: -- appearances for
4 the persons regarding the prima facie matter?

5 MR. RYAN: No, there --

6 PRESIDENT TAYLOR: Because I want to
7 remind all persons appearing before the
8 commissioners that they must fill out a notice of
9 appearance form, you know all that sort of thing.
10 Is there anyone in the lobby?

11 MR. RYAN: No.

12 PRESIDENT TAYLOR: No. Okay. Alright.
13 Then I need not go through the items that are
14 related to have all persons who are appearing are
15 required to behave. Please be advised that the
16 Board is required by law to record how each
17 commissioner -- to record how each commissioner
18 votes on each matter. In the event that we're not
19 unanimous in our vote on a given matter, I will
20 ask that our counsel conduct a roll call vote of
21 the commissioners for the record. I now call upon
22 Rafael Savino, deputy general counsel for the
23 Board to call the calendar for this hearing.

24 MR. SAVINO: Commissioners, there's only

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2 one matter on the calendar. It's a designating
3 petition for the Libertarian Party. The petitions
4 are supposed to be filed with the State Board of
5 Elections. CRU has informed me that they were
6 actually filed here, and that is a prima facie
7 defect that really isn't curable.

8 MR. RYAN: And now, sometimes people
9 file them here and with the State Board of
10 Elections. In this case, this particular
11 candidate only filed with the New York City Board
12 of Elections and they were supposed to file,
13 being for Congress.

14 SECRETARY UMANE: I move the
15 recommendation.

16 MR. RYAN: Are there any objections?

17 PRESIDENT TAYLOR: Are there any
18 objections? Hearing none, the motion is carried.

19 MR. RYAN: Okay.

20 PRESIDENT TAYLOR: There being no other
21 matters to come before us at this hearing, I'd
22 entertain a motion to adjourn these hearings and
23 convene the stated meeting of the Commissioners
24 of --

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2 SECRETARY UMANE: So moved.

3 PRESIDENT TAYLOR: -- Elections for the
4 City of New York.

5 SECRETARY UMANE: So moved.

6 COMMISSIONER SHAMOUN: Second.

7 PRESIDENT TAYLOR: Thank you. We
8 adjourned to our stated meeting. Mr. Ryan.

9 MR. RYAN: Okay. So, yes, commissioner
10 we have, hold on a second, hold up. There we go.
11 We have a few things to announce today. And this
12 is actually I think very good news for the voters
13 of the City of New York, very big news for the
14 Board of Elections in the City of New York. To
15 date, New York City Board of Elections has
16 processed over 470,000 absentee ballot
17 applications, 97 percent of the absentee ballot
18 applications received to date have been processed
19 and have been forwarded to the print vendors for
20 distribution which will commence tomorrow.

21 The ballot print vendors for the
22 absentee ballots will begin mailing those ballots
23 out starting on a rolling basis until completion
24 tomorrow. And that is in addition to having

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2 already met at the end of last week, our
3 military, federal and [unintelligible] [00:20:05]
4 mandates to distribute those absentee ballots on
5 Friday of last week.

6 So that is tremendous news and the
7 staffs of each of the respective boroughs as well
8 as the MIS staff, the computer folks that have
9 worked on this process very, very diligently to
10 improve it since we were hit with this very large
11 uptake in absentee ballots in June. To get to
12 that point during an emergency, under difficult
13 circumstances where no infrastructure was in
14 place, to get to this point today is a moment of
15 extreme pride for this agency and is a testament
16 to the professionalism and to the dedication to
17 the process of our staff.

18 And being more than a month away from
19 the election and having almost a half a million
20 ballots hitting the mail this week, I think that
21 is something that the Board of Elections in the
22 City of New York should wear as a badge of honor.
23 So that's big information.

24 PRESIDENT TAYLOR: I support and commend

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2 your statement and I commend the staff.

3 MR. RYAN: Thank you, Madam President.

4 So, for those folks that have mailed in an
5 absentee ballot application or have went on the
6 portal and there has not been processed, they can
7 begin checking the website, our website, VoteNYC
8 at the absentee ballot tracking portal. And for
9 anyone who has ordered a package from Amazon or
10 some other type of online service, that's the
11 kind of information you're going to see, a step
12 by step, as it gets processed a step by step
13 indication of where your ballot is in the
14 process, including working with the vendors in
15 the United States Post Office on the intelligent
16 mail bar coding at the backend to close that
17 loop, so that they'll know when their ballot is
18 coming back to us as well.

19 These are all tremendous advances, and
20 also we'll be adding to the transparency of the
21 absentee balloting process and will give voters
22 the confidence that they need that the system is
23 in fact working.

24 The other thing that voters should be

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2 looking for that will start mailing on Thursday

3 of this week is our annual information notice.

4 And one of the exciting features is the annual

5 information notice is the inclusion of a Fast

6 Pass tag, which will be a fob that can go on your

7 key chain that will promote contactless voting.

8 It will have an individualized barcode for the

9 voter, so that for those voters who decide to

10 vote in person, either early or on election day,

11 that barcode can be held under the reader on the

12 poll pad and it will take that poll pad

13 immediately to the voter's information. So that

14 is also a feature that has been in the system. We

15 were using it with the former voter cards and we

16 wanted to do something and it was the

17 commissioners obviously that approved this

18 process, to do something that did not smack of

19 any type of voter ID, but is something that

20 readily identifies the voter in the same way that

21 if you go to Stop & Shop and you want to get the

22 benefit of your coupons, you put your little fob

23 under the reader and you get the benefit, you'll

24 get a benefit of contactless voting and speed of

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2 voting. So you'll help yourself and you'll help
3 your friends and neighbors by keeping the lines
4 at early voting sites and on election day moving.
5 So those are two very exciting things.

6 MS. SANDOW: Can I say one other thing?

7 MR. RYAN: Yes, Ms. Sandow would like to
8 be recognized.

9 MS. SANDOW: On the Fast Pass tag, there
10 is a card, and all the voters' information, they
11 should take the card with them, because it gives
12 them their ED table, their AD table, it breaks
13 down their subdivisions, so when they do go into
14 vote, they do not have to wait on line at the
15 information table because it states their
16 specific ED table on election day.

17 Election day is ED tables, so they will
18 be able to go directly to their ED table and not
19 have to wait online for the information table. So
20 that's another important thing. We noticed in
21 2016, that a lot of people brought their
22 information notices with them to the polls and
23 some of them did have the card with them, however
24 they were not aware that they did not have to

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2 wait on line at the information table. That's all
3 stated in the information notice for the voters.
4 We hope that they read all the information that's
5 been given to them because there's information
6 about absentee as well. But that's another asset
7 that they don't have to wait on line at the
8 information table if they have their card.

9 COMMISSIONER TOWNSEND: Just a quick
10 question. And thank you, because these changes
11 sound great. In an effort to also continue
12 expediting the line, will there be any move prior
13 to entering into the poll site in terms of
14 expediting the line, so if a voter chooses to
15 drop off say their absentee ballot into a drop
16 box, will there be a way to expedite it so that
17 they're not waiting on line, so if we're talking
18 about Fast Pass and contactless payment, will
19 that happen [unintelligible] [00:26:13] start
20 outside of the poll site?

21 MR. RYAN: Yes. We are, the Board is
22 working on all of those details and all of that
23 has been taking into consideration in terms of
24 our overall process. But under the circumstances,

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2 we want to make sure that all of these ideas that
3 we have are fully formed and properly messaged,
4 so we will be rolling that out, as we rollout the
5 public education program and all of that will be
6 dovetailed within the public education program,
7 which will hit in various media. There will be
8 training, not training, but informational videos
9 and various ways that we're going to continue to
10 provide information to the voters between now and
11 election day. And we would like to be able to do
12 that sequentially so that it will be top of mind
13 for the voters when they're nearest of having to
14 do a certain thing, right.

15 So now we have the absentee ballots
16 being mailed out and by the end of the week, the
17 videos regarding how to fill out your absentee
18 ballot oath envelope and such will be coming
19 forward. And we want to be able to do that, do it
20 step by step and simultaneously push it out
21 because a lot of people are getting their
22 information through various social media outlets.
23 So that's where we are with those things.

24 COMMISSIONER TOWNSEND: Great.

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2 PRESIDENT TAYLOR: Thank you.

3 MR. RYAN: Are there any other questions
4 or matters that need to be addressed before we go
5 into executive session? Oh, I'm sorry. Mr. --
6 now, so I can't remember two things at the same
7 time. So I remembered Mr. Moltner and Mr.
8 Denkberg, but then of course, by putting them to
9 the front of the list, I forgot the finance
10 committee report that we need to do and Mr. Suss
11 is waving furiously in the background. So before
12 we go upstairs, we do have to report on the
13 finance committee matter, so I will ask Mr. Suss
14 to come up to the table and address those
15 matters.

16 MR. SHERWIN SUSS: Good afternoon,
17 commissioners. There were four items that were
18 presented to the finance committee for review and
19 discussion today. The first was a contract with
20 Quality Facility Solutions. This is a DCAS
21 contract to provide cleaning to the training
22 sites if requested. We have, four of the boroughs
23 have submitted requests for training. There's one
24 training site in Manhattan, five training sites

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2 in Staten Island, eight training sites in
3 Brooklyn and 15 training sites in the Bronx. Some
4 facilities are doing their own cleaning and are
5 sending us the bills. And so that's why there are
6 more training sites than are listed here. These
7 are only for ones the Board will be responsible
8 for doing cleaning. The cleaning is going to be
9 six days a week for a period of four weeks. And
10 the not to exceed price is \$301,919.

11 MR. RYAN: And before we proceed, all of
12 these items that Mr. Suss is going to be
13 addressing were approved unanimously by the
14 finance committee, so if it's okay, Mr. Suss will
15 continue to make the presentation as to all of
16 them and vote them as a block at the end, unless
17 of course, a commissioner has a particular
18 question or wants to interject on a certain
19 matter. Okay. So please proceed with PK
20 Technologies.

21 MR. SUSS: Thank you. Second item is PK
22 Technologies. This is a contract to purchase 300
23 new computers to replace and supply new computers
24 throughout the agency to all the boroughs. This

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2 was obtained through a competitive sealed bid
3 through the NES OGS contract for HP computers
4 which are the current computers used throughout
5 the agency. We selected the lowest bidder. And
6 the price, not to exceed contract price is
7 \$194,244.

8 The next item is Tenex University. This
9 is actually an online pollworker training program
10 and we are using the Tenex people, who you may be
11 familiar with you, they were part of the
12 electronic poll books, they submitted one of the
13 poll books back for us back last year. They
14 created this platform which allows the Board to
15 use our training materials you already have.
16 However, because of the time constraints, They're
17 going to this time actually take on materials and
18 implement them and put them into the platform for
19 us, they're using our manuals, our PowerPoints,
20 our videos. They're going to create three
21 classes, a basic class, an interpreter class and
22 accessibility class. There's going to be
23 engagement mechanisms and testing in this also to
24 make sure people are watching and being tested on

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2 it.

3 The thinking is this would be for the
4 experienced poll worker, not obviously new poll
5 workers would have to come to class to have the
6 ability to touch and feel the equipment and work
7 with it. But for experienced poll workers, they
8 could take this as a refresher class and not have
9 to come and to work outside through training
10 sites. The not to exceed price of this contract
11 is \$460,000.

12 The last item is item for No.Inc which
13 is our provider of our electronic poll books and
14 this is a request to raise the contract ceiling
15 of the current contract to allow for more support
16 needs. As part of the contract, not only
17 providing the equipment but No.Inc also provides
18 staffing to help us support our staff as well in
19 terms of testing, loading the information, being
20 available, you know, before elections, during
21 early voting, on election day and after, post
22 election, to help, you know, reporting and making
23 sure the equipment works seamlessly. So we're
24 asking for a increase in the contract ceiling to

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2 meet the projected needs for the upcoming
3 training that's going on now and through the
4 November election period and post election period
5 processing, canvassing. That contract is not to
6 exc- -- the ceiling increase is \$2.24 million.

7 And that is all of the items that were
8 presented for the finance committee.

9 MR. RYAN: Does anyone from the finance
10 committee wish to add anything? Commissioner
11 Umane, can you please unmute?

12 SECRETARY UMANE: The unanimous
13 recommendation from the finance committee to the
14 full board so it does not, it's not a motion,
15 it's just a committee report so we just need to
16 take a vote on it.

17 MR. RYAN: Okay. Commissioner Umane,
18 just refresh my recollection, can we do it by a
19 no objection vote or do you think it needs a roll
20 call?

21 SECRETARY UMANE: No, I think you can do
22 it by no objection.

23 MR. RYAN: Is there any objection to the
24 finance committee's recommendation? Hearing none,

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2 the motion carries. At this juncture, a motion to
3 go into executive session to discuss personnel is
4 in order.

5 PRESIDENT TAYLOR: So moved.

6 COMMISSIONER TOWNSEND: Second.

7 MR. RYAN: Okay. Any objections? Hearing
8 none the motion carries. We'll retire to
9 executive session. I'll come back if there's
10 anything to report. Oh, one other thing. Next --

11 SECRETARY UMANE: The next meeting will
12 be next Tuesday.

13 MR. RYAN: -- meeting, yeah. The next
14 meeting is next Tuesday, which is what date,
15 quickly, 28th?

16 PRESIDENT TAYLOR: 29th.

17 MR. RYAN: 29th. Okay. The next meeting
18 will be September 29th at 1:30. I'll be back.
19 Alright.

20 [OFF THE RECORD]

21 [ON THE RECORD]

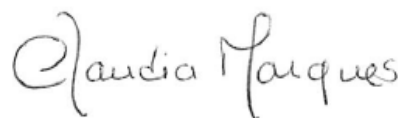
22 MR. RYAN: Commissioners, is Tuesday
23 September 29th, thank you.

24 (The meeting concluded at 3:28 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 22, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Claudia Marques

Date: April 6, 2021

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