

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor
Commissioners' Hearing Room
New York, NY 10004
September 29, 2020
2:02 p.m. - 3:27 p.m.

September 29, 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

Pamela Perkins, Administrative 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 2:02 p.m.)

3 MR. MICHAEL J. RYAN: Okay. The meeting
4 is now live. Today is Tuesday, September 29th,
5 and it is the weekly meeting of the Commissioners
6 of Elections in the City of New York. I will
7 start with the roll call of commissioners.
8 President Taylor?

9 PRESIDENT PATRICIA ANNE TAYLOR: I am
10 here. I am here.

11 MR. RYAN: Secretary Umame? You're on
12 mute, sir.

13 SECRETARY FREDERIC UMANE: Sorry,
14 present.

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? Commissioner Michel, you're on mute, sir.

24 COMMISSIONER MICHAEL MICHEL: Present.

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2 MR. RYAN: Commissioner Shamoun?

3 COMMISSIONER SIMON SHAMOUN: Present,
4 thank you.

5 MR. RYAN: You're welcome. Commissioner
6 Townsend?

7 COMMISSIONER TIFFANY TOWNSEND: Present.

8 MR. RYAN: Commissioner Zaccone?

9 COMMISSIONER JOHN WM. ZACCONE: Present,
10 good afternoon.

11 MR. RYAN: Good afternoon. My name is
12 Michael Ryan, I am the executive director of the
13 Board of Elections. To my left is deputy
14 executive director, Dawn Sandow. Seated at the
15 table front of me is general, deputy general
16 counsel Rafael Savino. Also appearing remotely
17 are Kenneth Moltner and Steven Denkberg, counsels
18 to the commissioners and appearing remotely from
19 elsewhere in the building are operations manager,
20 Georgea Kontazmanis and administrative manager,
21 Pamela Perkins.

22 Item 1A is a relatively straightforward
23 housekeeping matter and we're asking the
24 commissioners to approve extended hours of

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2 operation for the October 9th registration
3 deadline for the upcoming general election and on
4 that day, we're asking for approval to operate
5 from 9:00 a.m. to 9:00 p.m. in all five boroughs
6 and the general office, I apologize.

7 SECRETARY UMANE: So moved.

8 PRESIDENT TAYLOR: Second it.

9 MR. RYAN: We have a motion and a
10 second. Are there any objections? Hearing none,
11 the motion carries. With respect to Item 2B,
12 given the events of the last few days, I would
13 ask that that item be tabled and we can report on
14 that next week, if that's okay.

15 PRESIDENT TAYLOR: It's acceptable to
16 me.

17 MR. RYAN: Is there a second?

18 COMMISSIONER ZACCONE: Second.

19 SECRETARY UMANE: Second, but if it's
20 tabled, it's tabled, there's no objection.

21 COMMISSIONER ZACCONE: Yeah.

22 MR. RYAN: Right, okay. Alright. I
23 apologize. I was thinking that if it came from
24 staff and not commissioner, it required a motion,

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2 but that's fine.

3 SECRETARY UMANE: Yeah, you're probably
4 right. [laughter]

5 PRESIDENT TAYLOR: Well, the motion was
6 made, it's now seconded, yes?

7 MR. RYAN: Yes. Are there any
8 objections? Hearing none, that motion is tabled,
9 that item is tabled. There is now another item
10 that we need to discuss that has received some
11 attention over the last couple of days regarding
12 the distribution of absentee ballots in the
13 borough of Brooklyn. We did receive some
14 complaints about, from voters who received
15 absentee ballots with the proper ballot but the
16 improper oath envelope.

17 And so, that, from our investigation, it
18 is a vendor error. We used two vendors for this
19 process. And this error occurred with Phoenix
20 Graphics. And our understanding of this problem
21 up to this point is that it is isolated to one
22 borough, that would be the borough of Brooklyn.
23 And one print run, and that would be the data
24 that we transmitted to them in the first day of

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2 processing.

3 We have received information that this
4 process has -- this error has been caught and
5 corrected moving forward. However, to make
6 certain that absolutely no disenfranchisement
7 occurs in the borough of Brooklyn, we have
8 demanded of the vendor, and the vendor has agreed
9 to bear 100 percent, the cost of redistributing
10 the ballots to the voters that were affected in
11 this print run.

12 So that is our recommendation to the
13 commissioners moving forward, that we direct the
14 vendor to reprint and re-mail all of the absentee
15 ballot packages to all of the voters that were
16 affected. Since we do not have the data available
17 to tell us exactly who was affected, we want to,
18 out of an abundance of caution, give a reprinted
19 ballot to all of the voters potentially affected
20 in that first print run.

21 And then under those circumstances, we
22 would have a special insert instruction advising
23 the voters why they were getting that ballot as
24 well as assuring that there's a clear

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2 understanding on the backend that this is a
3 reprint of the ballot.

4 In addition, we will be utilizing all of
5 the information that we have available to us to
6 reach out to the voters. In addition to social
7 media and all of the traditional ways that we've
8 come to communicate with our voters, we will also
9 be checking that list to determine if we have e-
10 mails, e-mail addresses and telephone numbers for
11 these voters and that we will reach out by those
12 means as well. So it will be an e-mail, if we
13 have it, it will be a phone number if we have it.
14 And it will also be mailed directly to the voter
15 as well as all other forms of communication,
16 social media and print media that we have in our,
17 in our available resources, the same way that we
18 communicate other forms of information to the
19 voters.

20 It is essential that confidence be
21 established in this process and that we make
22 certain that all of the voters who potentially
23 have a problem have a full and fair opportunity
24 to remedy that problem. It's also essential to

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2 point out that this a vendor error and that the
3 vendor is, I'm reiterating that the vendor is
4 bearing the cost of fixing this problem from a
5 printing side of it and the Board of Elections
6 will do everything that it needs to do
7 administratively, both in communication with the
8 voters on the upfront, on the re-mailing aspect
9 and on the backend to ensure that all of the
10 ballots that are received are appropriately
11 processed and the votes that are tallied are
12 properly credited to the voters who have
13 participated in the process.

14 I don't have anything further to add on
15 that issue, but certainly if any of the
16 commissioners have any inquiries or if there is a
17 point that I may have missed, certainly please
18 point it out and I will address it accordingly.

19 COMMISSIONER ARAUJO: I would just like
20 to say on behalf of the Brooklyn staff and the
21 Brooklyn office, we will do everything we can
22 possibly do in our power to remedy this issue as
23 soon as possible and make sure that every vote
24 counts.

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2 MR. RYAN: Thank you, commissioner.

3 PRESIDENT TAYLOR: I second that
4 sentiment. Shall we move on?

5 MR. RYAN: Yes. That would then conclude
6 the public portion of the agenda and there is a
7 personnel matter that needs to be discussed in
8 executive session.

9 PRESIDENT TAYLOR: Motion to adjourn to
10 executive session.

11 SECRETARY UMANE: Second.

12 MR. RYAN: Thank you.

13 [OFF THE RECORD]

14 [ON THE RECORD]

15 MR. RYAN: Okay. We are live.

16 Commissioners, I need a motion to set the next
17 meeting of the Board of Commissions for October
18 6th at 1:30.

19 SECRETARY UMANE: So moved.

20 MR. RYAN: Do I have a second?

21 COMMISSIONER SHAMOUN: Second.

22 MR. RYAN: Second. Are there any
23 objections? Hearing none, the meeting of the
24 Board of Commissioners is set for October 6th,

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the next meeting. And there are no items to report on from executive session and --

SECRETARY UMANE: I move we adjourn.

MR. RYAN: Is there a second?

PRESIDENT TAYLOR: Second it.

MR. RYAN: Any objections? The meeting is adjourned.

(The meeting concluded at 3:27 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 29, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: April 6, 2021

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