## BOARD OF ELECTIONS IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor

Commissioners' Hearing Room

New York, NY 10004

October 6, 2020

1:30 - 2:42 p.m.

## PRESENT:

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

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven Denkberg, Commissioners' Counsel
Kenneth Moltner, Commissioners' Counsel
Rafael Savino, Deputy General Counsel

1	October 6, 2020
2	(The meeting commenced at 1:36 p.m.)
3	MR. MICHAEL J. RYAN: We are live and
4	today is October 6, 2020. And it's the regular
5	weekly meeting of the Board of Commissioners of
6	Elections in the City of New York. I will start
7	with the roll call. President Taylor?
8	PRESIDENT PATRICIA ANNE TAYLOR: I am
9	present. I am present.
10	MR. RYAN: Yes, Secretary Umane?
11	SECRETARY FREDERIC UMANE: Present.
12	MR. RYAN: Commissioner Araujo?
13	COMMISSIONER JOSE ARAUJO: Present.
14	MR. RYAN: Commissioner Marmarato?
15	COMMISSIONER GINO MARMORATO: Present.
16	MR. RYAN: Oh, Commissioner Camilo?
17	COMMISSIONER CAMILO: Present.
18	MR. RYAN: Commissioner Michel?
19	COMMISSIONER MICHAEL MICHEL: Present.
20	MR. RYAN: Commissioner Shamoun?
21	COMMISSIONER SHAMOUN: Present, thank
22	you.
23	MR. RYAN: Thank you. Commissioner
24	Townsend?

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COMMISSIONER TIFFANY TOWNSEND: Good afternoon, present.

MR. RYAN: And Commissioner Zaccone?

COMMISSIONER JOHN WM. ZACCONE: Good afternoon everyone, present.

MR. RYAN: Good afternoon. My name is
Michael Ryan, I am the executive director of the
board. Seated to my left is deputy executive
director Sandow. Elsewhere in the building are
participating administrative manager Pamela
Perkins and operations manager, Georgea
Kontazmanis. We also have counsel to the
commissioners, Steven Denkberg and Kenneth
Moltner online and seated at the table in front
of me is deputy general counsel Rafael Savino.

Ready to proceed with item 1A on the agenda. It's an update regarding the general election for November 3rd. As I'm sure that all the commissioners are aware and we have discussed, there was an issue with absentee ballot distribution in Brooklyn. There were a number of reports and it was confirmed, that some of the voters in Brooklyn received the wrong oath

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envelope, the proper ballot but the wrong oath

envelope.

Ultimately, the resolution was that we resent over 99,000 Brooklyn voters an entirely new ballot packet. That process began over the end of last week and continued throughout the weekend. And as of today, all of those resent ballots have been processed by the vendor and will be completed actually by the close of business today. There was a few more over the

weekend that needed to go through and they will

get a letter explaining the issue and providing

the appropriate direction to the voters.

In addition, we are contacting voters for those that we have e-mails and we'll be doing a robocall to those voters that were affected as well and we have blanketed all of our available media outlets with advertisements and instructions on what is going on and how it's being remedied. And that started late last week. That includes borough newspapers and language specific newspapers as well. And we added into our outreach for Brooklyn only this messaging

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will be on the LinkNYC kiosks throughout the borough and also any social media outlets that we have available to us.

So that circumstance has been remedied and we'll be moving forward accordingly. In addition -- yes.

COMMISSIONER SHAMOUN: Director Ryan?

MR. RYAN: Yes?

COMMISSIONER SHAMOUN: Simon Shamoun, I thin, the connection was just bad so maybe you did give this information. When can voters expect to see these corrected envelopes and ballots in their mailboxes?

MR. RYAN: They should start seeing them, commissioner, this week. We did indicate that the week of October, the 9th would be Friday. But given the volume, they went out on a rolling basis and some were processed Friday, Saturday, and now the last several will be today. And so they should be getting them within the next few days, which still brings us to approximately four weeks, you know, four full weeks before election, before the deadline.

1 October 6, 2020 2 MS. KONTAZMANIS: And can I add something, gentlemen? Let's not forget that 3 4 voters can see the information on the tracking portal, the information for the reprinted ballot 5 will be updated on the tracking portal as well. 6 7 MR. RYAN: Yeah. 8 PRESIDENT TAYLOR: Thank you. 9 MR. RYAN: Are there any other questions 10 regarding this matter? 11 PRESIDENT TAYLOR: Could I ask, 12 Commissioner Shamoun, as you are in Brooklyn, 13 have you seen any social media or other kinds of 14 [unintelligible] [00:11:44] about this? You know, because I wouldn't see it, I'm in Staten Island. 15 16 COMMISSIONER SHAMOUN: I haven't seen 17 anything specific on my social media feeds if you 18 will. But I've seen a lot of Board of Elections 19 advertising, which is a good thing. 20 PRESIDENT TAYLOR: Okay. 21 COMMISSIONER SHAMOUN: And I think we

should continue to do that.

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PRESIDENT TAYLOR: Wonderful, thank you. Go ahead, Mr. Ryan.

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MR. RYAN: Yes, and then we, getting on to the poll sites, or actually there will be a public service announcement going out on Brooklyn News 12. I don't have the specific date when that's going to occur, but that's going to be happening as well.

Poll sites, there have been reports about hot zones, COVID hot zones popping up. Presently, we're only aware of locations in Brooklyn and Queens. There are 79 election day sites within those hot zones, 16 in Queens, 63 in Brooklyn, five early voting sites, one in Queens, four in Brooklyn. And we are working very closely with our partners in those affected areas to ensure the continuity of elections operations despite the fact that COVID is a reality that we all have to deal with. So we're working together to ensure that the voting will not be interrupted.

And while this is certainly a cause for concern, it's the same circumstance that we found ourselves in, in June, that, you know, we have to just be in a position to be remedial and adaptive

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as these circumstances arise. So now, in addition, we will, out of the four of the five boroughs, the commissioners will be, if they have not already been, in communication with their borough chief and deputies. And there are going to be approximately 20 emergency poll site changes spread out over four boroughs.

So it's a relatively low number and it is, my understanding is that that's primarily in, exclusively in some private sites that had some operational difficulties that are forcing us to make these changes. Once it's completed in the system, the poll site changes will be going out this week, likely commencing on Thursday and all of these changes are related to the COVID-19 pandemic. I know that folks are sensitive about poll site moves, but these are emergency poll site moves for a reason and the staffs in the respective boroughs have stayed on top of this situation and are acting as expeditiously as possible.

We have received the finalized list from the Civic Engagement Commission of 25 early

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voting sites where they will be providing translators for the November election. There are sites in all five boroughs and it should be pointed out that they will only be providing translator services for the last 12 hours of early voting in that week. That would be the Saturday and Sunday immediately preceding election day. They do not have staffing for the other seven days of early voting, only for the last two.

That came in late last night and election day sites have not yet been provided.

Borough staffs have been sent the lists to review and to see if there are any operational issues that need to be addressed. That's all the information that we have on that.

COMMISSIONER ZACCONE: Director Ryan?

MR. RYAN: Yes?

COMMISSIONER ZACCONE: Can you please circulate that list to the commissioners as well?

MR. RYAN: Yes, I'm certain that's not an issue. That was received, Ms. Sandow advised it came in about 8:00 o'clock last night, so

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2 we'll get it out to you.

PRESIDENT TAYLOR: Thank you.

MR. RYAN: Okay. For those of you who may have not have heard, the City Council took action yesterday with respect to the 12th council district and expelled the representative in that district. That now starts the process of the calling of a special election now that there is a vacancy pursuant to the city charter. The mayor has three days by which to issue the proclamation, and then it will be, since the vacancy is occurring now, it will be under the rules that presently exist.

This special election will be nonpartisan and will be held before the end of the year. It is likely that it will be the week before Christmas, and this is in the Bronx. If this is the case, that will then also start a petition filing period that we will need to address as well as early voting for that election. Right, the filing period will start before early voting for this election, but we'll also have to provide for early voting for that

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election as well. And it affects a total of 141 voting districts and about just shy of 91,000 voters in the borough of the Bronx. And that district is wholly contained within the Bronx.

PRESIDENT TAYLOR: Could we note that there will not be any ranked choice voting?

MR. RYAN: Well, that doesn't go into effect until January 1, 2021, so yes.

PRESIDENT TAYLOR: Yes. I've had questions about that.

MR. RYAN: Yeah, so poll worker training, online training for the accessibility and the interpreter position has commenced. The poll workers in these categories are receiving communication and have invited them to participate in the online training. It is the same as in person classes, except it will be done in a virtual environment and the material will be reviewed and testing at the conclusion of the process. And the poll workers have a finite period of one week to complete the training and we expect as this process will continue on a rolling basis that we will have more information

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to report on that next week.

business yesterday, October 5th, we had received and processed 658,420 absentee ballot applications. And as of the close of business yesterday, there were only 2,791 applications in the queue. So that means that 99 percent of all applications received to date were processed and sent out for mailing. So we know that we're keeping up with it well, but as with all of these processes, those totals are replenished on a daily basis as new applications come in. And it looks like, we'll report out later when we have more specific numbers, but suffice it to say for today's purposes, the majority of the applications are coming through the portal and not through the paper process, which allows us to more expeditiously process them. So we're grateful for that.

Absentee ballots, as of the close of

COMMISSIONER TOWNSEND: I'm sorry, I'm just curious, is anybody requesting by phone?

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MR. RYAN: Very, statistically

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insignificant amounts are requesting by phone and

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2 e-mail. So that's also --

COMMISSIONER TOWNSEND: I was just curious.

MR. RYAN: -- that's also a benefit to us, because it's a little bit more of a process to deal with, but what we did in June to overcome that, and we're doing it now and it seems to work well. When somebody calls, the call takers have the ability to log into a special online portal for our employees, and essentially what we do is take the information over the phone, plug it into the online portal and then it gets processed along with the online portal applications. So that was a good way of dealing with the telephone calls and still getting the benefit of having the online portal process.

Alright, and so the last day to register is Friday, this coming Friday, October 9th. These are reminders. All of the borough offices will be open until 9:00 p.m. and the boroughs are keeping up with their queues and we're going through that regular process with that last minute rush of absentee, excuse me, of, of voter registration

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forms, and we're keeping up with that as well, and that's also a good thing. And so those voters should look out for the notices in the mail confirming that they have been added to the voter roles. And it will then provide their information about poll sites and etc.

COMMISSIONER ARAUJO: Mr. Ryan, this is Commissioner Araujo. Just a quick question, regarding the last day to register is there any way we could put some kind of -- if it's not there already, on our website, some kind of notice right up front on our home screen that the last day is October 9th.

MR. RYAN: Yeah. The information is always on the website, but I understand what you're saying and we'll work on making it more prominently featured and I think for folks that look at our website, we do have better flexibility in terms of moving information around and prioritizing information as it's required, so that's a good thing. But that's a good suggestion, so thank you.

In any event, ballot drop boxes have

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been available at all of our borough offices and the general office and we're urging anyone who so desires that they can drop off their absentee ballots as early as possible, whether they utilize the mail or they come into our offices and drop them off. The boroughs have worked very nicely to have convenient locations in their buildings. Every building is different, but they have convenient locations in their building with the same ballot drop box that we have at the poll sites, they're at the borough offices as well, and we're getting a healthy rate of return on those absentee ballots via in-person delivery as well as in a separate process, folks are availing themselves of the voting in office option, which is just another way to vote by absentee.

So that concludes Item 1A, unless the commissioners have any questions.

COMMISSIONER ARAUJO: This is

Commissioner Araujo. I just want to make one more comment as well. I availed myself to the portal.

I availed myself to the tracking system, and I actually handed my ballot in earlier in the week,

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and I was surprised to also see that afterwards, you're also able to see through the tracking system where your ballot is being processed within the borough and it actually shows that it's been processed. So it gave me a sense of security knowing that not only is it tracking it on the frontend, but also on the backend for the voters, and I just wanted to thank the staff for that because it's really comforting.

MR. RYAN: Thank you, commissioner. And
I must say, our staff up and down the line
deserves a tremendous amount of credit for that.
They worked very hard to create this layer of
responsibility and transparency, right.
Responsibility to give the information to the
voters, and also making that information
available for the voters so that they can have
and enjoy the same level of comfort that you did,
commissioner, so thank you for pointing that out.

PRESIDENT TAYLOR: Let's give the staff a round of applause. A round of applause please to the staff.

SECRETARY UMANE: Mike, anything doing

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2 on the nursing homes?

MR. RYAN: On the nursing homes, the executive order indicated that we were to mail out to the nursing homes, so our permanent absentees, our militaries and overseas all went out in that first wave of mailing out to those locations.

SECRETARY UMANE: Are we doing anything to assure that the actual patients will be the ones who are voting, given that many of them suffer various disabilities and other sorts of physical problems?

MR. RYAN: So, my understanding is that the borough offices, to varying degrees get in touch with the nursing home facilities and stay on top of that. But since we are not in a position to enter those facilities, we then, as a process, must rely on the professionalism of the people that run those facilities and are charged with the care of those individuals to deliver those ballots directly to those voters.

And then Item B is the report on the New York City Committee on Governmental Operations.

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So a lot of what we discussed at the hearing has already been discussed at our own meetings in various ways. So we did a report on what occurred in June and some of the challenges that arose and the corrective measures or adjustments if you will, that were made, including the portal and the absentee ballot tracker as being two main elements of this.

We also advised the City Council and this really hasn't been getting enough attention, but I'd like to put out three numbers for today' purposes, 61, 79 and 88. Sixty-one is the number of early voting locations that we had for the November 2019 general election. Seventy-nine is the number of early voting locations that we had for the June primary. Eighty-eight is the number of early voting locations that we have for this general election. We have gone up 18 and then an additional nine, 27 more sites now than there were this time a year ago, in the middle of a national emergency.

So while other jurisdictions are cutting the number of sites, New York City is adding

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sites and making voting more accessible and taking our responsibility with respect to social distancing. By adding sites, you reduce the number of voters assigned to each site. So we have about a 45 percent increase, a 42 to 45 percent increase of the number of early voting locations in a 12 month span during a pandemic. And that does not get enough attention, but I think it's a big deal.

PRESIDENT TAYLOR: Are we doing anything to push people towards the early voting sites?

MR. RYAN: Yes. The commissioners have approved a public outreach program that we're engaging in, which is again going out on all of those different media between digital and advertising and such. And basically it's the same message that we have included in the annual information notice, which starts off with the masthead Vote Safe NYC, and then you have the Statue of Liberty wearing the city mask. We stopped from making a giant one and putting it on the actual Statue of Liberty. We did the next best thing, putting it on the graphic. But it's a

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way to be a little bit eye catching and to get people's attention. And we spell out to them the various options. Now, ultimately, the voters have the right to choose their method of voting, whether it be absentee, early and early in person, absentee in person at the offices or availing themselves of the mail process, and then on election day. So we have that all spelled out in our public outreach to let the voters know here's the different ways that you can participate in democracy in this, in this election. And -- go ahead, I'm sorry, commissioner.

PRESIDENT TAYLOR: I'm sorry, go ahead.
MR. RYAN: No.

PRESIDENT TAYLOR: No, I was going to say it has been suggested that it might be worth mentioning that the early voting sites will have fewer people most of the time and might be considered more healthful for people who are -- who don't want to use the absentee ballot process, but who are concerned about going on election day.

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MR. RYAN: Yes.

PRESIDENT TAYLOR: So we want to make sure that we focus on that.

MR. RYAN: Well, I think, you know, it's understandable that early voting has not perhaps received as much attention from the voters yet, because we haven't quite -- it's coming up soon, but we haven't quite hit the one year anniversary of early voting, and we've done it in two elections. This will be the third, so people are maybe not as aware of it as they otherwise could be.

But your point nonetheless commissioner is well taken, in that it's spread out over nine days, so if somebody waits until election day to vote, then it's an all or nothing event for that person. Either they complete their vote on Tuesday or they don't, but you know, waiting to that last minute for the majority of voters is something that we should discourage rather than encourage, right. So, we have now quiet a number of absentee ballot applicants, we have now nine days of early voting spread out over 88

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locations. Folks should avail themselves of that.

And the suggestion that I would make, let's say
you're going to go out to vote early on a

Saturday and you're going out to do some errands.

And you stop by there, and it seems like it's a

little crowded. Well, you could go do your

errands, and on the way back, still vote early,
and if it's still more crowded than you like, you

still have that following Sunday and then another
eight days, sorry, seven days after that.

PRESIDENT TAYLOR: Absolutely.

MR. RYAN: So, becoming acquainted with your early voting location and knowing the hours gives the voters maximum flexibility in terms of exercising their right to vote, assuming they prefer an in-person vote as opposed to an absentee vote. So certainly, early voting, we are hoping becomes a much more utilized aspect of the process, and we've built that into our public outreach and the various media messaging that we've been sending out.

COMMISSIONER TOWNSEND: Just a question and a comment for you on that and executive

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staff, correct me if I'm wrong. I think also as we had, in the public education committee just discussed, that initially a lot of the messaging was making sure that voters could avail themselves of their absentee balloting options, and we will continue to turn messaging in the coming weeks towards exercising their early voting option. So it seems like we will turn up the volume a little bit on that, to make sure that people know about that as well.

MR. RYAN: Yes.

COMMISSIONER TOWNSEND: So, as I said, correct me if I'm wrong on that. I think we want -- unfortunately, sometimes, I think these things need to go a little bit sequentially, that people need to remember like step one.

MR. RYAN: Right.

COMMISSIONER TOWNSEND: So we'll start to make sure people know all the new things, because we are throwing a lot of new things at voters in this cycle, as we have been, through the past few cycles since last June, that now there are more ways than ever for them to vote,

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and so people just need -- we just need to take time to make sure that people understand. And I can see with all these different executive orders and things that have come down, it's easy for people to either be confused or just miss messaging altogether because they're focused on something else. So my understanding is that staff is focused first on absentee balloting and making sure that people, as I said, who want to avail themselves of that have the option to do so and then turning an eye towards making sure that people understand just all what's available to them regarding all the days and hours that they have to exercise their option to vote early.

MR. RYAN: And commissioner, to that point, you want to capture people's attention while they want to pay attention, right. So sometimes getting that information, that was discussed as an element of the public education plan. Pushing the information out about early voting too early, perhaps when folks weren't paying attention to it and it's still not starting until October 24th was all part of that

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strategic rollout. And so the idea was for the voter and for us, the most important was to get the information out about absentee voting for those voters that wanted to vote, so that they would get their ballots as soon as possible and we would get them back as soon as possible, so that we could deal with that volume. And then next in line is the early voting, which is coming up now in about two-and-a-half weeks, and getting that information out to them. So, you hit the nail on the head, commissioner.

COMMISSIONER TOWNSEND: Yes, and I'm also really hoping -- go ahead, Dawn.

MS. SANDOW: And two absentee videos are up on our website which clearly states how you can obtain an absentee ballot. It's a great video. I think every, all the commissioners viewed it. And the second one is how to fill out your absentee ballot. The third one that will be posted shortly is the information notice and that will be sometime today, which everyone has received the last few days, explaining to all the voters basically what that information notice is,

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what they can do it at the Fast Pass key fob, the Fast Pass card, and then moving forward, there will be election, early voting, as you said, and election day.

MR. RYAN: Right. And Ms. Sandow mentioned, we have the Fast Pass tag that was discussed and approved by the commissioners. I have mine on my keychain. And it has the barcode with your voter serial number so if you bring that with you to the poll site, you place that, we'll still have those mats that were created for the poll pads showing where the barcode needs to be placed so that the reader will read it, and if the voter brings this with them, this little tag, and they go to their table, it will bring the poll pad directly to their voter record and improve the contactless, or to ensure the contactless aspect of voting and also speed the process because the poll workers will not have to look up the individuals' names on the poll pad. Scan and it'll pop right up. Anybody who has gone to the supermarket and wanted their coupons, right, scans this little tag, right, I do it

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myself and it works quickly. And we do the same thing at the poll sites. So we're leveraging the technology and as we keep moving forward, we make these improvements and hopefully the voters take advantage of them, and things will go more smoothly.

COMMISSIONER TOWNSEND: And two quick points and I know that we want to move on. One is I will -- actually, just a comment. I will say that the videos that we have produced so far look great, and I think they work really well because they're simple. And I say that to sort of tee up sort of a request to some of our partners, whether it's the government groups and I'm hoping that our electeds as well will also take some of these materials and help us spread the message so that their constituents know what their options are for exercising their vote as well.

And if I can just make a request, this also just came up via Twitter, if we can make sure to make the fact that your early voting poll sites are assigned, so you can't just drop into any one necessarily that you'd like if you're

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going to go vote in person, maybe just clarifying that language as we continue to push people towards using early voting if they want to do so.

MR. RYAN: Certainly. And I think again, just by way of clarification, yes. If you are planning on voting at your early voting location, it is an assigned site within the borough, the same way that your election day site is assigned, that you can't just walk into any election day site in a borough. Early voting works the same way.

The one little bit of clarification I would like to make, because there are a lot more participants in absentee balloting, you can drop off your absentee ballot at any one of our early voting locations or our election day locations, and the borough doesn't matter. So, for example, if you live in an outer borough and work in Manhattan and it was convenient for you to drop off your absentee ballot at an early voting location in Manhattan, you can do that and we will make sure that it gets routed to the proper borough and tabulated properly. And we're doing

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2	that for the social distancing aspect of it for
3	all of the reasons we're all aware of, COVID-19
4	and then also for the convenience of the voter,
5	to bring elections to the voter and make it as
6	convenient and as accessible as possible.
7	That is all that I have. There are no
8	issues that I'm aware of for executive session.
9	COMMISSIONER ZACCONE: This is
10	Commissioner Zaccone, Mr. Ryan. I have one matter
11	of possible litigation I'd like to discuss in
12	executive session.
13	MR. RYAN: Okay. So is, two motions are
14	in order. One is to set the date for the next
15	meeting, and two is a motion to go into executive
16	session.
17	SECRETARY UMANE: I move we meet next
18	Tuesday at 1:30, Tuesday
19	PRESIDENT TAYLOR: October 13th.
20	COMMISSIONER CAMILO: Second.
21	MR. RYAN: Any objections? Hearing none,
22	the meeting date will be set for October 13th at
23	1:30 p.m.
24	SECRETARY UMANE: And I move that we go

1 October 6, 2020 into executive session for litigation and 2 possibly employee relations. 3 COMMISSIONER MICHEL: Second. 4 5 MR. RYAN: Are there any objections? Hearing none, the motion carries. The meeting is 6 7 adjourned and we are going into executive session. If there is nothing to report from 8 9 executive session, this meeting will be considered adjourned. If not, I will come down 10 11 and address the meeting appropriately. Alright. 12 Thank you. 13 COMMISSIONER ZACCONE: Thank you all. 14 PRESIDENT TAYLOR: Thank you. 15 (The meeting concluded at 2:42 p.m.) 16 17 18 19 20 21 22 2.3 24

## CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on October 6, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

Claudia Marques

Date: May 11, 2021

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