

BOARD OF ELECTIONS  
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING  
AND COVER SHEET REVIEW

42 Broadway - 6th floor  
Commissioners' Hearing Room

New York, NY 10004

October 13, 2020

1:30 - 2:30 p.m.

October 13, 2020

**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

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

3                   MR. MICHAEL J. RYAN: We can get going.  
4           We're now live, we may as well start, since we're  
5           live. Today -- my name is Michael Ryan. Today is  
6           October 13, 2020 and this is the meeting, weekly  
7           meeting of the Commissioners of Elections in the  
8           City of New York. I would like to start with the  
9           commissioners' roll call. President Taylor?

10                   PRESIDENT PATRICIA ANNE TAYLOR: I am  
11           present.

12                   MR. RYAN: Secretary Umane?

13                   SECRETARY FREDERIC UMANE: Here.

14                   MR. RYAN: Commissioner Araujo?

15                   COMMISSIONER JOSE ARAUJO: Present.

16                   MR. RYAN: Commissioner Camilo?

17                   COMMISSIONER CAMILO: Present.

18                   MR. RYAN: Commissioner Marmarato?

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

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

23                   COMMISSIONER MICHAEL MICHEL: Present.

24                   MR. RYAN: Commissioner Shamoun?

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2                   COMMISSIONER SHAMOUN: Present, thank  
3           you.

4                   MR. RYAN: Thank you. Commissioner  
5           Townsend?

6                   COMMISSIONER TIFFANY TOWNSEND: Good  
7           afternoon, present.

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

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

12                  MR. RYAN: Good afternoon, commissioner.  
13           That concludes the commissioners' roll call.  
14           Present remotely as well are counsel to the  
15           commissioners, Mr. Steven Denkberg and Kenneth  
16           Moltner. My name, as I said, is Michael Ryan, I'm  
17           the executive director. Dawn Sandow is the deputy  
18           executive director and she's seated to my left.  
19           And Pamela Perkins, administrative manager and  
20           Georgea Kontazmanis, operations manager are both  
21           appearing remotely in the building. We do need an  
22           item 2A today, executive session for litigation  
23           and we'll discuss that afterwards.

24                  Alright. Update on the upcoming November

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2           3, 2020 general election. The boroughs, four out  
3           of five boroughs are finalizing emergency poll  
4           site changes. There will be a total of 19 sites  
5           spread out over four boroughs with the exception  
6           of Staten Island and I know that the chiefs and  
7           deputies are working closely with the  
8           commissioners to finalize that process. Once that  
9           work is completed and it's expected to be  
10          completed today, poll site change notices will be  
11          generated for mailing out this week.

12                   All of the changes are related to the  
13                   COVID-19 pandemic and with respect to another  
14                   operational concern, the update from last week  
15                   regarding the civic engagement commission has the  
16                   election day sites they intend to cover, it is a  
17                   total of 52 sites across the five boroughs and  
18                   that information is being shared with the  
19                   boroughs so that they're aware of the locations  
20                   that will be affected.

21                   With respect to poll worker training,  
22                   online training is underway for accessibility  
23                   clerks, interpreters, basic poll workers and  
24                   information clerks. The initial reports back are

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2           that it is well received by both poll workers and  
3           staff and I have been advised that the quality of  
4           the presentations are very good and obviously  
5           when you do it by video, it presents a consistent  
6           training to all of the poll workers.

7                       As of close of business yesterday, the  
8           Board has received 737,972 absentee ballot  
9           requested and received and processed and sent to  
10          the vendor for mailing, leaving approximately  
11          6,000 applications currently in the cue for  
12          processing and sending over to the vendor.

13                      So that's very good work that's being  
14          done by staff in that regard. That concludes the  
15          update of information that we have for the  
16          November 3, 2020 general election and I'm  
17          prepared to move on to Item 1B unless there are  
18          any questions from the commissioners.

19                      SECRETARY UMANE: I just have a comment  
20          that was received by me from a very important  
21          constituent, my wife. She applied for and  
22          promptly received her mail-in absentee ballot and  
23          nowhere on the ballot did it say which implement  
24          one should use to fill it out. So she looked at

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2           and said it looked like something that we need a  
3           number two pencil for. It doesn't say pen,  
4           pencil, or anything and there's no instructions  
5           as to what to use to fill it out.

6                     My response to her was you can use  
7           anything as long as it fills in the oval and that  
8           it's not red, it's got to be I guess black or  
9           blue. But she said we really should have said  
10          something on there. So I'm just forwarding it so  
11          I can let her know that we're at least  
12          considering it. And I told her that the  
13          information on the ballot is statutory. But I'm  
14          doing my civic duty by echoing her comment.

15                    MR. RYAN: I believe that it indicates  
16          blue or black ink in the instructions. On the  
17          instruction sheet that's included in there, and  
18          I'm not certain if it's also on the oath envelop,  
19          but I believe it's in both, but we'll double  
20          check that and --

21                    MS. SANDOW: It says it on the oath  
22          envelope.

23                    MR. RYAN: Yeah, I'm pretty certain it  
24          says it on the oath envelope and in the

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2           instruction sheet, blue or black ink.

3                       SECRETARY UMANE: She showed me the  
4           ballot. And so, before she voted I might add. But  
5           it was not on the actual ballot.

6                       MS. SANDOW: It's not. The instructions  
7           on the actual ballot say mark the ballot as per  
8           the Voter Friendly Bill Act instruction changes  
9           that took effect this July.

10                      SECRETARY UMANE: I know. Well, that's  
11           the statute, which is what I told her.

12                      MR. RYAN: Right. Okay. Anyone else?  
13           Okay. That brings us to the next fun event that  
14           will we'll be having in December. The mayor has  
15           issued a proclamation declaring a special  
16           election in the 12th, in the City Council  
17           district and the lucky borough for that endeavor  
18           is the Bronx. So that's been set for December  
19           22nd. Early voting will also be included within  
20           that as well. Staff has already begun  
21           preparations since the issuance of the  
22           proclamation last Thursday. There will be early  
23           voting sites and hours set within the next two  
24           weeks. And I'm sure that they'll be conferring



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2           with the Bronx commissioners regarding those  
3           issues and that there will be a special election  
4           notice that will have to go out to the affected  
5           voters.

6                         That brings us to an issue for the  
7           commissioners. We will have to set a petition  
8           filing period which is already underway and my  
9           understanding is at least one petition has  
10          already been received, so people are actively  
11          participating in this process. Staff is  
12          recommending a hearing date for these petitions  
13          Thursday, November 5th. And the reason that that  
14          becomes a date of particular importance is the  
15          military ballots need to be sent out by Friday  
16          the 6th. So the idea would be, it would be better  
17          to have the hearings completed if possible, so  
18          that the military ballots would be as complete as  
19          they could be. Obviously, there might still be  
20          litigation which could effect, but at least if  
21          our work is done by the 5th, then we'll be  
22          certain that we've done everything we can do to  
23          give those voters a complete ballot for that  
24          election. So I would ask for a motion to set the

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2           hearing date for the special election of December  
3           22nd for November 5th, that would be a Thursday.  
4           Obviously, Tuesday is election day. It's going to  
5           be a busy week for us, but given the time frame,  
6           I think if we set the hearing for Thursday, that  
7           gives a one day respite for staff in between  
8           election day and the hearing date for the  
9           commissioners.

10           PRESIDENT TAYLOR:   So November 5th.

11           SECRETARY UMANE:   Are they going to have  
12           enough time to do the prep work? The business  
13           clerks?

14           MR. RYAN:   They have already --

15           SECRETARY UMANE:   I mean it's not like  
16           there's nothing else going on.

17           MR. RYAN:   I mean they're already  
18           underway. And unfortunately, we don't really have  
19           a lot of time. The calendar is not our friend  
20           under these circumstances. So it's going to have  
21           to get done. We'd like to set the hearing up for  
22           that date. Obviously, if for some reason, it was  
23           impossible to be ready for the hearing, we could  
24           move it by motion of the commissioners at that

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2           point, but the idea is to be ready for the 5th so  
3           that we can make sure that those ballots are as  
4           complete as possible on the 6th, when they have  
5           to go out.

6                       PRESIDENT TAYLOR:   Bronx person?

7                       COMMISSIONER MARMORATO: I move to adopt  
8           the hearing date of November 5th, Thursday, for  
9           the upcoming special election.

10                      COMMISSIONER CAMILO:   Thank you, I would  
11           second that.

12                      MR. RYAN:   Are there any objections?  
13           Hearing none, the motion carries.

14                      COMMISSIONER CAMILO:   What time would it  
15           be, Mr. Ryan, 1:00 p.m.?

16                      MR. RYAN:   Well, we -- I would say 1:30  
17           is the normal time. I mean if, again, we have a  
18           little bit of time before the notice has to go  
19           out, so that could be adjusted if need be. But I  
20           would say leave it at 1:30. I can't imagine it  
21           would go later into the day. I mean obviously,  
22           when we do multiple boroughs, we'll typically  
23           start earlier in the day, like at 10:00 o'clock  
24           in the morning, or 10:30 in the morning. But

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2           seeing this is one borough, one small district of  
3           that borough, not even and entire borough, I  
4           think the afternoon call is sufficient.

5                       COMMISSIONER CAMILO: Thank you.

6                       MR. RYAN: Okay. So, hearing no  
7           objections, the motion carries, and if there are  
8           no further questions, we'd like to entertain a  
9           motion to go into executive session.

10                      PRESIDENT TAYLOR: So moved.

11                      SECRETARY UMANE: Move to executive  
12           session.

13                      COMMISSIONER CAMILO: Second.

14                      MR. RYAN: Any objections? Hearing none,  
15           the motion carries. And before we go into  
16           executive session, could we -- today's the 13th,  
17           I guess we need to set a meeting date. Probably  
18           the best thing we can do is set a meeting date  
19           for the 20th.

20                      PRESIDENT TAYLOR: Yes.

21                      SECRETARY UMANE: So moved, at 1:30.

22                      MR. SAVINO: Mr. Ryan, we also have one  
23           cover sheet matter to review today. We're hoping  
24           to get volunteers.

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2           MR. RYAN: Oh, okay. So, Mr. -- one  
3 second. Mr. Savino is informing me about a cover  
4 sheet issue already. So we would need a motion to  
5 set the meeting date for next week, on the 20th.

6           PRESIDENT TAYLOR: That has been done.

7           SECRETARY UMANE: And seconded.

8           MR. RYAN: Oh, okay, and seconded.  
9 Alright. And so, hearing no objections, the  
10 meeting will be set for October 20th, and now Mr.  
11 Savino, can you advise of this other issue?

12          MR. SAVINO: It's a cover sheet that did  
13 not match identically the petitions. We had some  
14 back and forth with it with the staff, but it was  
15 felt it was better to present to the  
16 commissioners to be save.

17          MS. KONTAZMANIS: So you're requesting  
18 two volunteers one dem and one rep, to serve on -  
19 -

20          MR. SAVINO: Yes, please.

21          MS. KONTAZMANIS: -- virtual live  
22 stream?

23          MR. SAVINO: Yes, I am.

24          MS. KONTAZMANIS: To review petition

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2           cover sheet matters as well?

3                   MR. SAVINO: Preferably, I'd like to do  
4           it after the meeting today, considering we've  
5           reviewed it, it's ready to go.

6                   MR. RYAN: Would, at the risk of putting  
7           commissioners on the spot, would Commissioner  
8           Camilo and Commissioner Marmamorato be available  
9           immediately following this meeting to do a cover  
10          sheet review, seeing it's a Bronx matter?

11                   COMMISSIONER MARMORATO: Yeah, sure.

12                   PRESIDENT TAYLOR: But if you're not  
13          available, there are others available.

14                   COMMISSIONER MARMORATO: I'm available.

15                   COMMISSIONER CAMILO: I'm available so  
16          long as it's before 3:00 p.m.

17                   MR. SAVINO: We'll probably be done  
18          before everybody gets upstairs.

19                   MR. RYAN: Okay.

20                   COMMISSIONER CAMILO: Great.

21                   MR. RYAN: Alright. So we'll --

22                   PRESIDENT TAYLOR: Adjourn?

23                   MR. RYAN: Yes. I'll have to come down  
24          probably to formally sign off after executive

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2           session, but we're ready to go to executive  
3           session now.

4                   COMMISSIONER ZACCONE:   Mr. Ryan, before  
5           we go to executive session, I just have a  
6           question. We have set November 5th as the meeting  
7           date, but we have not adopted the filing calendar  
8           for the nominating petitions for the special  
9           election. We have to do that.

10                   MR. SAVINO:   The calendar has been  
11           drafted and reviewed by a number of different  
12           staff who have a role to play in this. The only  
13           real question was the hearing date.

14                   COMMISSIONER ZACCONE:   We -- I agree,  
15           we've set the hearing date. But I think we have  
16           to formally adopt --

17                   MS. KONTAZMANIS:   Yes.

18                   COMMISSIONER ZACCONE:   -- the filing  
19           calendar.

20                   MR. RYAN:   Yes, so --

21                           [CROSSTALK]

22                   COMMISSIONER CAMILO:   I would move to  
23           adopt the filing calendar as written, with the  
24           added that the hearing date will be November 5th

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2           at 1:30.

3                   MS. SANDOW: Thank you.

4                   PRESIDENT TAYLOR: Seconded.

5                   MR. RYAN: Any objections? Hearing none,  
6           the motion carries. Mr. Savino, please make the  
7           appropriate adjustment to that document.

8                   MR. SAVINO: I certainly will. The only  
9           other question, Mr. Ryan, is should we come with  
10          or could have more defects with petitions and  
11          cover sheets, we thought it might be a good idea  
12          to schedule a Friday meeting. Obviously, if  
13          there's nothing to present, we will let you know  
14          in advance, but once again, I apologize. I'm  
15          asking for volunteers. We'll be remote.

16                   MR. RYAN: And what time?

17                   MR. SAVINO: That's up to the  
18          commissioners.

19                   MS. SANDOW: It says any time after 3:00  
20          o'clock. Is that okay?

21                   MR. SAVINO: Yes. We will be able to get  
22          done that day.

23                   COMMISSIONER TOWNSEND: On Friday?

24                   MR. RYAN: Yes.



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2                   MS. SANDOW:    October 19th.

3                   MS. KONTAZMANIS:  No.

4                   COMMISSIONER CAMILO:  The 16th.

5                   MR. SAVINO:    The 16th.

6                   MS. SANDOW:    Oh, the 16th, I'm sorry.

7                   There's two dates here, 16th and 19th.

8                   MR. RYAN:     Yeah, so it's October 16th.

9                   MS. SANDOW:    Do you just want the 16th,  
10                  Raf, or do you want --

11                  MR. SAVINO:    Yeah, I think Friday and  
12                  Tuesday are going to be more than enough. I don't  
13                  think I need to drag you in here on Monday when  
14                  we're having a meeting next Tuesday. Thank you  
15                  Dawn, for mentioning that.

16                  COMMISSIONER ARAUJO:  I can do it. This  
17                  is Commissioner Araujo.

18                  MR. SAVINO:    I don't think it will be  
19                  that much.

20                  COMMISSIONER ZACCONE:  I can do it on  
21                  Friday if need be.

22                  SECRETARY UMANE:  I could do it if it's  
23                  3:30.

24                  MR. SAVINO:    Okay.

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2                   MS. SANDOW:   Okay. So we have Araujo,  
3           Commissioner Araujo and Commissioner Umame?

4                   SECRETARY UMANE:   Right.

5                   MR. SAVINO:    Are you okay with 3:30?

6                   SECRETARY UMANE:   Commissioner are you  
7           okay with 3:30?

8                   COMMISSIONER ARAUJO:   Yes, of course.

9                   MR. RYAN:     Excellent.

10                   MS. SANDOW:    Shall we post this on the  
11           website?

12                   MR. RYAN:     Okay. We're going to go  
13           upstairs for executive session.

14                   COMMISSIONER ZACCONE:   Thank you.

15                   SECRETARY UMANE:   And could somebody be  
16           sure to send us the link to get into the meeting  
17           with the time and et cetera?

18                   MR. SAVINO:    Certainly.

19                   SECRETARY UMANE:   Thanks.

20                   [OFF THE RECORD]

21                   [ON THE RECORD]

22                   MR. RYAN:     Yes. My name is Michael Ryan.  
23           There is no, there are no matters to report from  
24           executive session. And the next meeting of the

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2           Board of Commissioners, as previously stated,  
3           will be Tuesday, October 20th, at 1:30. Thank  
4           you.

5                           [OFF THE RECORD]

6                           [ON THE RECORD]

7           MR. SAVINO: Oh, we're on, oh, sorry,  
8           commissioners, we're actually on. It's October  
9           13th, we're having this cover sheet meeting with  
10          respect to the special City Council race. We have  
11          found, our staff identified something that they  
12          thought may be a defect. Essentially, you know,  
13          the cover sheet is supposed to match the  
14          petition. But in this case, on the cover sheet,  
15          the independent body is basically Justice and  
16          Unity Party independent nominating petition.  
17          However, on their cover sheet, they have Justice  
18          and Unity independent nominating petition. So the  
19          only -- the only difference between the two is  
20          really the use of the word Party, which we find  
21          that some folks always do put it at the end of  
22          their filings, but as I said, classically, the  
23          cover sheet is supposed to match the petition and  
24          with the addition of the word party, it actually

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2           does not.

3                       COMMISSIONER CAMILO:   And what is  
4           legal's recommendation?

5                       MR. SAVINO:   Well --

6                       COMMISSIONER CAMILO:   Or you're  
7           informing us that it's accepted either way?

8                       MR. SAVINO:   -- it's entirely within  
9           your discretion and I honestly have to admit it's  
10          gone different ways over the years I've been  
11          here. There were times where it was kind of a  
12          strict interpretation and other times when there  
13          wasn't, perhaps more recently. But, that's  
14          basically the difference is one says party and  
15          one does not. But they both have Justice and  
16          Unity Party, Justice and Unity nominating  
17          independent petition.

18                      COMMISSIONER CAMILO:   So I would not  
19          deem this a defect because if the word party is  
20          the one in question, it's a general term. We  
21          obviously know these are petitions submitted by a  
22          political party, so I do not think this is a  
23          defect and would not, would not suggest having to  
24          make the parties involved send in an amended

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2           petition on that basis.

3                   COMMISSIONER MARMORATO: I share in  
4           Commissioner Camilo's assessment. I don't think  
5           that there's any, would cause any confusion to  
6           the voters. So that being said, I would, I'm fine  
7           with accepting it as was presented.

8                   MR. SAVINO: Well, I'm pleased to  
9           announce that was the only matter presented for  
10          today, so I guess I'd request a motion for an  
11          adjournment.

12                   COMMISSIONER MARMORATO: I move to  
13          adjourn.

14                   COMMISSIONER CAMILO: And I'll second  
15          that.

16                   MR. SAVINO: It's unanimous. Alright,  
17          thanks, guys, always a pleasure to talk to you.

18                   (The meeting concluded at 2:30 p.m.)

19  
20  
21  
22  
23  
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 13, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

*Claudia Marques*

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Date: May 11, 2021

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