

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor
Commissioners' Hearing Room
New York, NY 10004
December 22, 2020
1:30 - 2:49 p.m.

December 22, 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

Tom Sattie, Ballot Coordinator

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

3 MR. MICHAEL J. RYAN: We are live. Today
4 is Tuesday, December 22, 2020 and it is the
5 regular weekly meeting of the Commissioners of
6 Elections in the City of New York. I am Michael
7 Ryan, the executive director and I will start
8 with the commissioners' roll call. President
9 Taylor? Yes, please unmute, President Taylor.

10 PRESIDENT PATRICIA ANNE TAYLOR: Good
11 afternoon, I am here.

12 MR. RYAN: Okay. Thank you. Secretary
13 Umane?

14 SECRETARY FREDERIC UMANE: Also, I am
15 here.

16 MR. RYAN: Thank you. Commissioner
17 Araujo?

18 COMMISSIONER JOSE ARAUJO: Also here.

19 MR. RYAN: Thank you. Commissioner
20 Camilo?

21 COMMISSIONER MIGUELINA CAMILO: Present.

22 MR. RYAN: Commissioner Marmorato?

23 COMMISSIONER GINO MARMORATO: Also
24 really here.

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2 MR. RYAN: Commissioner Michel?

3 COMMISSIONER MARMORATO: Muted.

4 MR. RYAN: Please unmute, Commissioner
5 Michel. Alright, we'll come back to him.
6 Commissioner Pepe-Souvenir? You're on mute,
7 commissioner.

8 COMMISSIONER PEPE-SOUVENIR: I am
9 present, good afternoon.

10 MR. RYAN: Good afternoon Commissioner
11 Shamoun is expected shortly. Commissioner
12 Townsend?

13 COMMISSIONER TIFFANY TOWNSEND: Good
14 afternoon, present.

15 MR. RYAN: Good afternoon. Commissioner
16 Zaccone?

17 COMMISSIONER JOHN WM. ZACCONE: Present,
18 good afternoon.

19 MR. RYAN: Good afternoon. Commissioner
20 Michel?

21 COMMISSIONER MICHAEL MICHEL: Present.

22 MR. RYAN: Thank you. That concludes the
23 roll call of the commissioners. My name is
24 Michael Ryan, I'm the executive director. Seated

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2 to my left is Dawn Sandow, deputy executive
3 director. Elsewhere in the building are
4 administrative manager Pam Perkins and operations
5 manager Georgea Kontzamanis. As today is election
6 day for the Bronx 12th Council District, other
7 staff members that are typically here from the
8 legal department are out in the field, as
9 required when we conduct elections. So that
10 concludes the roll call and we can start with
11 agenda item number one.

12 PRESIDENT TAYLOR: Commissioners'
13 counsel?

14 MR. RYAN: Oh, yes. Commissioners'
15 counsel is out in the field as today is election
16 day.

17 PRESIDENT TAYLOR: Thank you.

18 MR. RYAN: Yes, sorry if I didn't make
19 that more clear, I apologize.

20 MR. KENNETH MOLTNER: Mr. Ryan?

21 MR. RYAN: Oh, I'm sorry.

22 MR. MOLTNER: Commissioners' counsel is
23 on the call.

24 MR. RYAN: You were right, President

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2 Taylor, which is usually a good way for me to
3 start a sentence.

4 PRESIDENT TAYLOR: Thank you.

5 MR. RYAN: Right, is yes, commissioners'
6 counsel. I was thinking about board counsel. I
7 apologize. Yes, and who would want to forget Mr.
8 Denkberg and Mr. Moltner and I apologize to you
9 gentlemen, but yes, both commissioners' counsels
10 are on this conference as well, so thank you,
11 fellows. I apologize. Alright. Agenda, agenda
12 item number one. So Ms. Sandow was asking if I
13 wanted to announce election day today which I had
14 just completed.

15 MS. DAWN SANDOW: I was reading an e-
16 mail and I wasn't paying attention.

17 MR. RYAN: So that was a little
18 conversation. I apologize. So, agenda item number
19 one is the adoption of a date for hearings on
20 independent nominating petitions for February 23,
21 2021, Queens special election in the 31st council
22 district. And just to refresh everyone's
23 recollection, the borough of Queens has the honor
24 of conducting a special election with an election

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2 date and including early voting of February 2nd
3 and then they get a few weeks off, and then they
4 get to conduct an election on February 23rd. So
5 it's going to be a busy time for the Queens
6 borough office for sure.

7 So the borough management has requested
8 Thursday, January 7th at 10:00 a.m. The last day
9 to file specifications in that, for that special
10 election is December 28th at midnight, which is a
11 Monday. Then that will leave two reminding work
12 days for that week, the 29th and the 30th, as we
13 have replaced the Veterans Day holiday with New
14 Year's Eve. So New Year's Eve and New Year's Day
15 will be days off and that is part of the reason
16 why, just in case there is complex
17 specifications, they want to make sure they that
18 have enough time to complete the work necessary,
19 which is why they're asking for the 7th.

20 And, the 7th becomes a very important
21 date as well, and the reason that they're asking
22 for a 10:00 o'clock in the morning hearing is
23 that the military and overseas ballots must be
24 sent out the following day on January 8th, so

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2 it's bringing it right to the end. Once this date
3 is approved, we will update the special election
4 calendar and post it on the website and if the
5 full board of commissioners is so inclined, the
6 hearings can be designated to the borough
7 commissioners to conduct on January 7th. And so
8 that the -- a motion is now in order to --

9 SECRETARY UMANE: [unintelligible]
10 [00:07:26] borough commissioners [unintelligible]
11 [00:07:27] committee [unintelligible] [00:07:31]
12 any challenges on that particular council race.

13 COMMISSIONER ARAUJO: Second,
14 Commissioner Araujo.

15 MR. RYAN: Okay. There is now a motion
16 and a second. Are there any objections? Hearing
17 none, the motion carries. Agenda item number one
18 is concluded. I believe Mr. Sattie is here, and
19 he's wearing his Christmas red. So you'll be able
20 to see him. So the second item on the agenda, and
21 I believe that this, the document was circulated
22 to the commissioners and so we need to approve
23 the form of the ballot for the February 2, 24th
24 Council District. And this the ballot that was

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2 circulated to the commissioners and it is
3 identical to the ballot, right, Mr. Sattie, it's
4 identical to the ballot that has already been
5 previously mailed to the militaries and other
6 absentees?

7 MR. TOM SATTIE: Correct. With the
8 candidates and the layout.

9 MR. RYAN: Okay. I know this has been
10 circulated to the commissioners. I don't know if
11 there are any questions regarding the ballot.

12 COMMISSIONER ARAUJO: This is
13 Commissioner Araujo. I just, I would like -- I
14 ask that Mr. Sattie just explain how the ballot
15 was built on conformance with the charter
16 adoption of rank choice voting for the
17 commissioners.

18 MR. SATTIE: Sure. The changes that we
19 have for the rank choice ballot I'll call it is,
20 obviously would be the instructions. The
21 instructions are on the ballot exactly as they
22 were laid out in the charter revision commission.
23 We just lifted those instructions straight out of
24 the charter and printed and --

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2 MR. RYAN: Okay, Mr. Sattie, if I may.
3 Very similar to the way that the New York State
4 election law handles the instructions that must
5 be placed on the ballot, the 1057G of the City
6 Charter has followed a similar format. And this
7 language, as Mr. Sattie stated is identical and
8 lifted directly from 1057G. So, proceed, Mr.
9 Sattie, thank you.

10 MR. SATTIE: Thank you. And to be
11 specific on how the ballot is laid out, there are
12 candidates listed vertically. In this case, there
13 are eight candidates. And listed next to each of
14 those candidates are choices from one to five
15 with ovals to fill in to have their choices
16 through, have their choices made however they
17 choose to do them.

18 The font size on the ballot is 16. We
19 were able to get to that size and the ballot is
20 17 inches in length. And again, the instructions
21 were translated into all the languages that they
22 needed to be translated into. It comports with
23 all of the tenets of the Voter Friendly Ballot
24 Act and if there are any other questions, I'd be

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2 happy to answer them.

3 COMMISSIONER ARAUJO: Tommy, with
4 respect to the ballot [unintelligible] [00:11:05]
5 absentee ballots, were any special instructions
6 delivered to the voters to explain the ranked
7 choice voting?

8 MR. SATTIE: Yes, there was. I do not
9 have a copy of that letter with me. But there was
10 a letter mailed out with the ballot. A letter was
11 mailed out to each voter explaining that the
12 amendment had passed and specifically what to do,
13 bullet points on how to mark your ballot, rank as
14 few or as many candidates as you like up to five,
15 make one choice per column, do not vote for the
16 same candidate multiple times and to advise
17 people that the instructions are also printed on
18 the ballot for them to further the
19 [unintelligible] [00:11:55].

20 COMMISSIONER ARAUJO: Upon the
21 commissioners approving the ballot as prepared by
22 your staff, will we be putting something our
23 website with respect to special instructions for
24 informational purposes to the voters now that a

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2 ballot sample will be up?

3 MR. SATTIE: We certainly will, sir.

4 COMMISSIONER ARAUJO: That being said,
5 if no one else has any questions I would ask that
6 we approve -- I would move that we approve the
7 ballot as provided by Mr. Sattie for the special
8 election coming in Queens.

9 COMMISSIONER MICHEL: Second.

10 MR. RYAN: There's a motion and a
11 second. Hearing no objections, the motion
12 carries.

13 MR. SATTIE: Thank you.

14 COMMISSIONER ARAUJO: How soon will we
15 expect that the sample ballot will be up on our
16 website and all the instructions?

17 MR. SATTIE: These will now need to be
18 built on an election district level and proofed
19 by the staff. I would, I'm not sure if they would
20 be up by the end of today I would hope maybe by
21 tomorrow, but I will confirm that.

22 COMMISSIONER ARAUJO: Thank you.

23 MR. RYAN: Okay. So, agenda item 2B --

24 SECRETARY UMANE: Just a question on the

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2 --

3 MR. RYAN: Sure.

4 SECRETARY UMANE: -- ballot.

5 Commissioner Camilo in an e-mail yesterday raised
6 an interesting issue on what we post on the
7 website in the different languages, is it
8 possible to have the four points that were the
9 four bullet points done in a bold manner? I
10 understand that there may have been some
11 complications with some of the other languages.
12 But perhaps for English and Spanish, it could be
13 bold to make sure that people understand because
14 this is a new voting procedure, those four
15 points, it would be helpful, to the extent we can
16 to have that emphasized.

17 MR. RYAN: One of the concerns that
18 arises with bolding language is that the symbolic
19 languages that we have to translate into, that
20 being Korean, Chinese and Bengali become more
21 difficult to read and in some instances can
22 actually change the meaning of the symbolic
23 representation. And that's been the reticence
24 with respect to bolding the languages not only on

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2 the ballot but in other materials as well and
3 then I think once you get into that situation,
4 what is good for one should be good for all and
5 if it causes a complication with one, it may, one
6 could infer that it causes the complication for
7 all as well.

8 SECRETARY UMANE: How about underlining?
9 Same problem?

10 MR. RYAN: Underlining, I'm not certain
11 if the problem is the same. We can certainly take
12 a look at that. If there is a way, I think
13 commissioner, what you're trying to get to is we
14 would like to have something, a form of emphasis?

15 SECRETARY UMANE: Yes.

16 MR. RYAN: Right. And if we can get to a
17 form of emphasis that attracts people's attention
18 in a better way, then certainly we'll take a look
19 at that as well.

20 SECRETARY UMANE: Think about it.

21 MR. RYAN: Yeah, absolutely. I mean, you
22 know --

23 SECRETARY UMANE: It was a point raised
24 by one of the other commissioners.

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2 MR. RYAN: -- yeah. And clearly, on the
3 ballots themselves, we haven't done that in the
4 past for the reasons stated, and we could take a
5 look at it in terms of the instructions whether
6 it be printed and distributed or something that's
7 posted on the website.

8 SECRETARY UMANE: Yeah, I'm concerned
9 because of some of the litigation, we want to
10 make sure that people can understand how to vote
11 in the new manner.

12 MR. RYAN: Right. And the other thing
13 that we're doing and I know that staff has been
14 working with staff from the Campaign Finance
15 Board as well, since -- and just as a point,
16 while we're emphasizing things, as a point of
17 emphasis, the City Charter requires the Campaign
18 Finance Board to conduct the public education
19 piece of this. That's not to say that the Board
20 is not going to make its own efforts. But
21 whatever we do, we want to make sure that we're
22 acting consistent with the Campaign Finance
23 Board's mandate from the City Charter as well.

24 COMMISSIONER ARAUJO: This is

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2 Commissioner Araujo. Will there be a special
3 [unintelligible] [00:17:01] on to the citizens
4 entitled to vote in this election, in
5 [unintelligible] [00:17:06] of the election by
6 the Board.

7 MR. RYAN: I'm going to double check
8 with Ms. Kontzamanis on this.

9 MS. KONTZAMANIS: Mr. Ryan, yes, we're
10 mandated by City Charter to send out a special
11 election notice for all City Council races, so
12 yes, there will be one for the February 2nd
13 election and for the February 23rd election.

14 COMMISSIONER ARAUJO: So, that being
15 said, can we have instructions in there regarding
16 the ranked choice voting? Just another
17 opportunity to inform the public?

18 MS. KONTZAMANIS: Yes. We can tweak some
19 of the language. We have included language. I can
20 send around the final draft to the commissioners
21 [unintelligible] [00:17:44] once [unintelligible]
22 [00:17:45].

23 COMMISSIONER ARAUJO: That'd be great.
24 Every opportunity we have a chance to explain how

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2 the ballot needs to be filled, it would be a
3 great opportunity.

4 MR. RYAN: Agenda item B is the early
5 voting hours and again this matter was addressed
6 by the Queens chief and deputy and these hours
7 that I'm going to recite meet all the statutory
8 requirements. And so early voting will commence
9 on January 23rd. This is for the Queens special
10 election to be conducted on February 2nd, so
11 early voting will commence on January 23rd,
12 Saturday and end on Sunday, January 31st. The
13 proposal is to have the Saturday and Sunday hours
14 be from 10:00 a.m. to 3:00 p.m. on both weekends.
15 And then during that week, the 25th, 12:00 p.m.
16 to 8:00 p.m., the 26th 10:00 a.m. to 6:00 p.m.,
17 the 27th 12:00 p.m. to 8:00 p.m., the 28th 10:00
18 a.m. to 6:00 p.m. and the 29th 7:00 a.m. to 3:00
19 p.m. Those are the proposed hours and if they are
20 agreeable, I'd like to recognize one of the
21 Queens commissioners to make an appropriate
22 motion.

23 COMMISSIONER ARAUJO: This is
24 Commissioner Araujo. [unintelligible] [00:19:32]

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2 with Commissioner Michel and the chief and deputy
3 and I move that we approve those hours and days.

4 COMMISSIONER MICHEL: I second
5 [unintelligible] [00:19:42].

6 MR. RYAN: We have a motion and a second
7 and are there any objections? Hearing none, the
8 motion carries. That leaves us now with 2C, also
9 for the February 2nd election. The chief and
10 deputy have suggested and my understanding is
11 that there has been a preapproval by the borough
12 commissioners of three early voting locations,
13 Queens Borough Hall, Queens College and York
14 College. And for election day, there will be a
15 total of 21 sites, sorry, 24 sites and the chief
16 and deputy have suggested one site to be combined
17 and that would be P.S. 50, which has, which is a
18 1ED site with a total of 21 voters, and they're
19 asking that combined to be placed in with P.S.
20 82. Excluding that one combined site, all of the
21 early voting sites and all sites including the
22 early voting sites are where the voters have been
23 regularly voting. If this is approved, we'll post
24 it to the website today and the mailers to the

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2 voters are being finalized and can now be
3 finalized based on this approval.

4 COMMISSIONER ARAUJO: This is
5 Commissioner Araujo. I've had conversations with
6 Commissioner Michel, the chief and deputy I move
7 that we adopt those early voting sites.

8 COMMISSIONER MICHEL: Commissioner
9 Michel, second.

10 MR. RYAN: Are there any objections?
11 Hearing none, the motion carries. And we did have
12 one item added to the agenda and that is
13 executive session for personnel.

14 COMMISSIONER TOWNSEND: I would move we
15 adjourn to executive session.

16 MR. RYAN: Yes. And actually, I'm not
17 certain --

18 COMMISSIONER MICHEL: Second.

19 MR. RYAN: -- but litigation may come up
20 so we'll say it's for personnel and litigation.

21 SECRETARY UMANE: Second.

22 MR. RYAN: Okay. Any objections? No, so
23 we can retire into executive session, however,
24 before we do that, we should set the next meeting

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2 date of --

3 SECRETARY UMANE: I move that we have
4 our next meeting on January 5 --

5 COMMISSIONER MICHEL: Second.

6 SECRETARY UMANE: -- 2021.

7 MR. RYAN: There is a motion and a
8 second to conduct the next commissioners' meeting
9 on January 5, 2021. At the risk of being too
10 enthusiastic to close the books on 2020, you
11 know, it'll be nice hopefully 2021 will be a
12 better year for all of us.

13 PRESIDENT TAYLOR: I second that.

14 MR. RYAN: So, there's a motion and a
15 second. Are there any objections? Hearing none,
16 the next stated meeting of the commissioners will
17 be January 5, 2021. At this point, we will go
18 into executive session.

19 SECRETARY UMANE: At 1:30.

20 MR. RYAN: Oh, at 1:30, yes,
21 commissioner, thank you.

22 COMMISSIONER SIMON SHAMOUN: Director
23 Ryan, I just want to note my attendance. I came
24 in a few minutes late.

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MR. RYAN: Oh, I'm sorry, I didn't see you there, Commissioner Shamoun.

COMMISSIONER SHAMOUN: Yeah, I just came in late, but thank you.

MR. RYAN: No problem. We have been joined by Commissioner Shamoun from Brooklyn.

[OFF THE RECORD]

[ON THE RECORD]

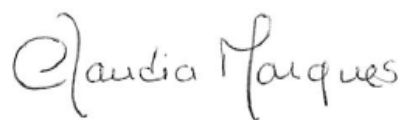
MR. RYAN: There are no matters to report from executive session and the next meeting of the Board of Elections will be -- of the Commissioners of Elections will be January 5th at 1:30 p.m. Thank you.

(The meeting concluded at 2:49 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 December 22, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: May 28, 2021

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