

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
January 5, 2021
1:30 p.m. - 3:28 p.m.

January 5, 2021

PRESENT:

President Patricia Ann Taylor

Secretary Frederic Umane

Commissioner Jose Araujo

Commissioner Miguelina Camilo

Commissioner Michael Michel

Commissioner Gino Marmorato

Commissioner Rodney Pepe-Souvenir

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 January 5, 2021

2 (The meeting commenced at 1:41 p.m.)

3 MR. MICHAEL J. RYAN: Okay, and we are
4 live streaming. Today is January 5, 2021, and it
5 is the first meeting of the Board of
6 Commissioners of Elections in the City of New
7 York for the calendar year 2021. My name is
8 Michael Ryan. I'm the executive director. I will
9 start with the roll call of commissioners and it
10 will start for the final time in their current
11 capacities as president and secretary. President
12 Taylor?

13 PRESIDENT PATRICIA ANNE TAYLOR: Good
14 afternoon, present.

15 MR. RYAN: Yes, Secretary Umame?

16 SECRETARY FREDERIC UMANE: Here.

17 MR. RYAN: Commissioner Araujo?

18 COMMISSIONER JOSE ARAUJO: Present and
19 good afternoon.

20 MR. RYAN: Good afternoon, Commissioner
21 Camilo?

22 COMMISSIONER MIGUELINA CAMILO: Present.

23 MR. RYAN: Commissioner Marmorato?

24 COMMISSIONER GINO MARMORATO: Present,

1 January 5, 2021

2 Happy New Year, everyone.

3 MR. RYAN: Happy New Year. Commissioner
4 Michel?

5 COMMISSIONER MICHAEL MICHEL: Present,
6 good afternoon and Happy New Year.

7 MR. RYAN: Good afternoon, and Happy New
8 Year. Commissioner Pepe-Souvenir?

9 COMMISSIONER RODNEY PEPE-SOUVENIR:
10 Sorry, I didn't unmute myself. Good afternoon,
11 present.

12 MR. RYAN: Good afternoon. Commissioner
13 Shamoun?

14 COMMISSIONER SIMON SHAMOUN: Present,
15 good afternoon, Happy New Year everybody.

16 MR. RYAN: Good afternoon, and Happy New
17 Year. Commissioner Townsend? Commissioner
18 Townsend?

19 COMMISSIONER TIFFANY TOWNSEND: I'm
20 sorry. I was on mute. I'm present, Happy New Year
21 everyone.

22 MR. RYAN: Happy New Year. Commissioner
23 Zaccone?

24 COMMISSIONER JOHN WM. ZACCONE: Happy

1 January 5, 2021

2 New Year everyone, I am present.

3 MR. RYAN: Alright. Happy New Year. As I
4 said, I am Michael Ryan, I'm the executive
5 director. Ms. Sandow is present as well. She has
6 stepped away from the dais, but she'll be back.
7 And we have elsewhere in the building Ms. Pam
8 Perkins is the administrative manager and Georgia
9 Kontzamanis is the operations manager. So that I
10 don't forget Mr. Moltner and Mr. Denkberg, I will
11 announce their presence before I get to the
12 remainder of staff. Welcome. And seated at the
13 table before me presently is deputy general
14 counsel Rafael Savino. Did I leave anybody out?
15 No? Good.

16 So, item number three on the agenda, the
17 election of officers for the year 2021 should be
18 handled as item number one, and then we can turn
19 the proceedings over to the newly elected
20 president and secretary, once that is completed.
21 And we are performing this process pursuant to
22 New York State Election Law 3-212, subdivision 1.

23 At this time, I believe that we are
24 ready to proceed in that regard unless somebody

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2 tells me differently. And I would suggest that a
3 motion is in order for the calendar year 2021.

4 COMMISSIONER MICHEL: I'll make a motion
5 to nominate Fred Umane president for the year
6 2021.

7 MR. RYAN: Is there a second?

8 PRESIDENT TAYLOR: Second it.

9 MR. RYAN: And I think under these
10 circumstances, it would be appropriate for a roll
11 call vote on that, and perhaps we can do that
12 together and combine the motion for president and
13 secretary, if that's okay. So is there a motion
14 to also nominate a secretary for the year 2021.

15 COMMISSIONER MICHEL: I move that we
16 nominate Commissioner Miguelina Camilo to serve
17 as secretary for the year 2021.

18 MR. RYAN: Is there a second?

19 PRESIDENT TAYLOR: Yes, I second it.

20 MR. RYAN: Okay. So we now have two
21 motions, one for Commissioner Umane as president
22 for the year 2021, and one for Commissioner
23 Camilo as secretary for 2021. Those will be
24 combined into one administrative motion. And I

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2 will now call the roll. Commissioner Taylor?

3 PRESIDENT TAYLOR: I vote yes.

4 MR. RYAN: Commissioner Umame?

5 SECRETARY UMANE: Yes.

6 MR. RYAN: Commissioner Araujo?

7 COMMISSIONER ARAUJO: Yes.

8 MR. RYAN: Commissioner Camilo?

9 COMMISSIONER CAMILO: Yes.

10 MR. RYAN: Commissioner Marmorato?

11 COMMISSIONER MARMORATO: Yes.

12 MR. RYAN: Commissioner Michel?

13 COMMISSIONER MICHEL: Yes.

14 MR. RYAN: Commissioner Pepe-Souvenir?

15 COMMISSIONER PEPE-SOUVENIR: Yes.

16 MR. RYAN: Commissioner Shamoun?

17 COMMISSIONER SHAMOUN: Yes.

18 MR. RYAN: Commissioner Townsend?

19 Commissioner Townsend?

20 COMMISSIONER TOWNSEND: Yes.

21 MR. RYAN: Okay.

22 COMMISSIONER TOWNSEND: Can you hear me?

23 MR. RYAN: Yes. Thank you. Commissioner

24 Zacccone?

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2 COMMISSIONER ZACCONE: Aye.

3 MR. RYAN: Okay. So, I think that
4 congratulations are in order to both newly
5 elected President Umane and Secretary Camilo as
6 they have been unanimously selected as the
7 president and secretary of the Board of Elections
8 in the City of New York for calendar year 2021,
9 so [applause]. Commissioner Umane, although
10 there's a bit of distance, Commissioner Taylor
11 has asked me to symbolically and virtually pass
12 the gavel to you for 2021, so the gavel is
13 present, although I can't hand it to you. I
14 suspect that it would also be appropriate to turn
15 the proceedings over to President Umane and then
16 Secretary Camilo for remarks.

17 PRESIDENT UMANE: Thank you. And
18 hopefully it was not intended to clobber me over
19 the head with the gavel.

20 MR. RYAN: Well, we have our protective
21 shield now, so you'll be okay.

22 PRESIDENT UMANE: I'd like to wish
23 everybody a happy and healthy New Year. It's
24 going to be a busy year going forward certainly

1 January 5, 2021

2 with a mayoral election and perhaps with the
3 first time rolling out our new voting mechanism
4 for local offices. And I guess all of that
5 remains to be seen. But as it stands now, we are
6 going to be having rank choice voting for many of
7 the elected offices with the City of New York and
8 it's going to be a new and challenging year, but
9 so far the Board of Elections has always stepped
10 up, notwithstanding significant unfounded
11 criticism. We've gotten through a year so far
12 with the COVID epidemic without -- with a
13 tremendous staff that's worked very hard through
14 extraordinary circumstances to put on a major
15 presidential election and a bunch of other
16 elections along the way.

17 And I think our staff really deserves a
18 strong round of applause for all of the hard work
19 they put into last year. And unfortunately, it's
20 only going to get that much harder this year,
21 going forward and continuing with COVID.
22 Hopefully, the vaccines will alleviate people
23 suffering, creating much more avoidance of this
24 horrible disease.

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2 And we look forward to a good year and a
3 fair, open and not fraudulent elections here in
4 New York City. And I look forward to working with
5 Commissioner Camilo who's shown an eagerness to
6 do a tremendous job in the Bronx and in the whole
7 city. And I look forward with her as the
8 executive committee for the coming year. And it's
9 always, my phone is always open and if anybody
10 has any questions, feel free to contact me. Thank
11 you all for your support and let's have a great
12 new year.

13 MR. RYAN: Thank you, Commissioner
14 Umane, President Umane, and I will now recognize
15 newly elected secretary, Miguelina Camilo, from
16 the Bronx.

17 SECRETARY CAMILO: Thank you all. I want
18 to say thank you and muchas gracias to everyone.
19 It is an honor to serve, will be my honor to
20 serve as secretary this year, for 2021. I echo
21 the sentiments of Commissioner Umane, and it is a
22 great honor to serve with all of you
23 commissioners who I greatly respect and have
24 learned so much from. And if COVID has taught us

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2 anything, it's the resilience of our staff, and
3 the love of our people of the City of New York. I
4 represent the Bronx, but I represent the entire
5 city as secretary, and I look forward to a really
6 good year. We are ready. We have a wonderful
7 executive staff, a wonderful executive
8 management, and I really am looking forward to
9 getting to work as your secretary, so thank you
10 all.

11 MR. RYAN: Thank you, Secretary Camilo.
12 I almost said Secretary Umane. It was just
13 rolling off the tongue. But Secretary Camilo.
14 Okay. So with that big piece of business --

15 COMMISSIONER SHAMOUN: If I can just
16 thank outgoing Secretary Umane and President
17 Taylor for their service in a very difficult
18 year, and a special thanks to Commissioner Taylor
19 for stepping up and servicing Brooklyn at a time
20 when we greatly needed it. It was a time that I
21 greatly enjoyed and we did a lot of good for the
22 voters of Brooklyn and looking forward to a
23 successful 2021, with President Umane, Secretary
24 Camilo, congratulations, and of course, my new

1 January 5, 2021

2 partner in crime, Pepe-Souvenir, thank you very
3 much.

4 MR. RYAN: And thank you for that,
5 Commissioner Shamoun and on behalf of executive
6 management, and thank you for reminding me to
7 thank both, former president, now former
8 president, Taylor and Secretary Umane. This was a
9 difficult year. The executive committee was
10 pressed into service, not only to the board, but
11 to the voters of the City of New York.

12 Truly, I know this is an overused word
13 these days, but truly in an unprecedented way.
14 And their time that they graciously and, I mean
15 that both from a giving perspective, but also in
16 their approach to their duties as president and
17 secretary. They were both very gracious under
18 very difficult circumstances. And that was, it
19 made a difficult job for us that much easier. And
20 so I would just like to conclude with a heart and
21 sincere thank you to both President Taylor and
22 Secretary Umane for their service throughout
23 2020, on behalf of executive management and the
24 staff.

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2 COMMISSIONER TAYLOR: If I may take just
3 a moment to thank you for those kind words, Mr.
4 Ryan, and also to thank now President Umame for
5 all of his support during this past year, but
6 also for all of the commissioners, all of the
7 executive staff and all of our borough workers.
8 It has been a tough year. I certainly needed
9 assistance throughout the entire year. And I am
10 very pleased to be able to thank everyone who
11 helped me so much. And I graciously now passed
12 the gavel to President Umame.

13 PRESIDENT UMANE: Well, thank you,
14 Commissioner Taylor. It was a true honor and
15 pleasure serving alongside you and we all
16 appreciate your great leadership throughout the
17 year.

18 COMMISSIONER TAYLOR: Thank you.

19 MR. RYAN: Okay. So, now that all of
20 that business is concluded, we can move on to
21 item, what is listed as item number one on the
22 agenda, which is a meeting of the Board of
23 Canvassers, to certify the results of the special
24 election that was conducted up to and included

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2 December 22nd, for the 12th City Council District
3 in the Bronx. And it's my understanding,
4 Commissioner Umane, that you have the script
5 before you, President Umane.

6 PRESIDENT UMANE: Thank you, Mr. Ryan.
7 Pursuant to the provisions of Title 2 of Article
8 9 of the New York State election law, I call the
9 meeting of the Board of Canvassers in the City of
10 New York to order for the purposes of certifying
11 the recanvas of votes cast in the December 22,
12 2020 special election conducted in Bronx County
13 for member of the New York City Council in the
14 12th Council District.

15 I'm going to waive by executive
16 privilege, the identifying themselves of all the
17 commissioners, because we've just recently done
18 that. And I would ask Commissioner, Secretary
19 Camilo to designate a second democratic
20 commissioner to serve on the canvassing board to
21 be the second signer, since you need two signers
22 and you are the regular Bronx commissioner. So
23 you would need a second commissioner to sign on
24 the certification.

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2 SECRETARY CAMILO: Yes, if I may
3 designate you, Commissioner Jose Araujo?

4 COMMISSIONER ARAUJO: Yes, thank you.
5 I'm happy to.

6 PRESIDENT UMANE: Okay. And the second
7 republican commissioner would be Commissioner
8 Marmorato, the regular Bronx commissioner. So
9 it's now my understanding that the deputy chief
10 clerks of the Bronx County and their staff have
11 prepared and signed the returns of canvas for the
12 December 22, 2020 special election conducted in
13 Bronx County in accordance with this board's
14 policies and procedures. I would ask that they
15 present them to the canvassing board for their
16 review and approval. And please identify
17 yourselves. I know you're on camera here in the
18 conference room in the Bronx. But please identify
19 yourselves for the record.

20 MS. BRENDA LIZ CANDELARIA: Good
21 afternoon, commissioners. This is Brendaliz
22 Candelaria, deputy chief clerk of the Bronx
23 office.

24 MR. STEVEN ALFASI: Yes, and

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2 commissioners, this is Steven Alfasi, deputy
3 chief clerk of the Bronx [unintelligible]
4 [00:27:36].

5 PRESIDENT UMANE: Thank you. I will now
6 ask for the record, a series of questions with
7 respect to the return of canvas that have been
8 presented by the Bronx staff. Does the Bronx
9 staff confirm that the results presented are
10 accurate and correct?

11 MS. CANDELARIA: Yes.

12 MR. ALFASI: Yes.

13 PRESIDENT UMANE: Are there any
14 discrepancies to report to the Board?

15 MS. CANDELARIA: No.

16 MR. ALFASI: No.

17 PRESIDENT UMANE: Has the audit of voter
18 verifiable audit records for both the poll site
19 and central count scanners, required by Article 9
20 of the New York State Election Law been
21 successfully completed?

22 MS. CANDELARIA: Yes.

23 MR. ALFASI: Yes.

24 PRESIDENT UMANE: Okay. Based on that

1 January 5, 2021

2 report, I would entertain a motion that the Board
3 of Canvassers certify the returns of canvas for
4 the December 22, 2020 special election, held in
5 Bronx County. Is there a motion?

6 COMMISSIONER MARMORATO: I move that we
7 certify the Board of Canvassers certification of
8 the results of the December 22nd Bronx special
9 election 12th City Council District.

10 COMMISSIONER ARAUJO: This is
11 Commissioner Araujo, I would second that.

12 PRESIDENT UMANE: Okay. The returns of
13 canvas prepared and submitted by the Bronx staff
14 to the Board of Elections, all in favor?

15 MULTIPLE: Aye.

16 PRESIDENT: All opposed? All
17 abstentions? Okay. So unanimously adopted. Is
18 there a motion to authorize the use of the
19 signature stamps as appropriate?

20 MR. RYAN: So, Commissioner Umane,
21 there's an error in the script. That should read
22 electronic signatures.

23 MS. DAWN SANDOW: We don't use the
24 stamps anymore.

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2 PRESIDENT UMANE: Electronic signatures.

3 MR. RYAN: Right.

4 COMMISSIONER MARMORATO: So moved.

5 PRESIDENT UMANE: Is there a second?

6 COMMISSIONER PEPE-SOUVENIR: Second it.

7 PRESIDENT UMANE: Okay. Is there anybody
8 opposed? Okay, so it's unanimous. The motion is
9 adopted. And there being no further business to
10 come before the Board of Canvassers in the City
11 of New York today, I would not entertain a motion
12 to adjourn the meeting of the Board of
13 Canvassers.

14 COMMISSIONER MICHEL: I move to adjourn
15 the meeting of the Board of Canvassers.

16 PRESIDENT UMANE: Is there a second?

17 COMMISSIONER TAYLOR: Seconded.

18 PRESIDENT UMANE: Anybody opposed? Okay.
19 So it's unanimous, motion is adopted. The Board
20 of Canvassers stand adjourned. Thank you all very
21 much. We're now back to the regular meeting.

22 COMMISSIONER MARMORATO: President
23 Umane, I'd just like to take this time to thank
24 the Bronx staff and Chief Clerk Candelaria and

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2 Alfasi for the hard work coming off of a
3 presidential election, not getting any time to
4 [unintelligible] [00:30:30] or to take a break
5 and to putting on a special election in light of
6 all the special adversity that our offices faced.
7 Once again, the work that the both of you did and
8 that our staff did is incredible, remarkable and
9 deserving of the highest accolades, so we thank
10 you.

11 MS. CANDELARIA: Thank you.

12 MR. ALFASI: Thank you.

13 COMMISSIONER TOWNSEND: Ditto, thank
14 you. Goodbye to all.

15 MS. CANDERLARIA: Bye.

16 PRESIDENT UMANE: Okay. Mr. Ryan, do you
17 want to continue with the agenda?

18 MR. RYAN: Yes. The next item on the
19 agenda is at the conclusion of this meeting, we
20 will need an appointment of a commissioners'
21 cover sheet review committee to deal with a
22 matter or matters for the Queens special election
23 in the 31st Council District to be conducted on
24 February 23, 2021.

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2 COMMISSIONER ZACCONE: Excuse me, Mr.
3 Ryan, it is very difficult to hear you.

4 MS. KONTZAMANIS: You need to move
5 closer to your mic, Mr. Ryan.

6 MR. RYAN: Oh, I shut it off by mistake.
7 I apologize. Let's do that again. Once more, with
8 feeling. Item number two on the agenda, at the
9 conclusion of this meeting, we will need the
10 appointment of a commissioners' cover sheet
11 review committee for a matter or matters
12 regarding the Queens special election for the
13 31st Council District, to be conducted on
14 February 23, 2021.

15 COMMISSIONER ARAUJO: This is
16 Commissioner Araujo, I would volunteer for that
17 cover sheet committee providing that the
18 president and secretary accept my nomination.

19 PRESIDENT UMANE: Okay.

20 PRESIDENT TAYLOR: We need a Republican.

21 PRESIDENT UMANE: Who wants to serve?
22 Mike, can you do it? If not, I guess I can.

23 MR. SAVINO: There is one matter to be
24 presented.

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2 COMMISSIONER MICHEL: Commissioner
3 Michel.

4 PRESIDENT UMANE: Mike, hello? Yeah,
5 Mike, do you want to do it?

6 COMMISSIONER MICHEL: Yeah, I'll do it.

7 PRESIDENT UMANE: Okay.

8 COMMISSIONER ARAUJO: Rafael, can you
9 please e-mail the documentation as soon as
10 possible?

11 MR. SAVINO: It was sent yesterday. The
12 document that needs to be reviewed, but I can
13 resend it.

14 COMMISSIONER ARAUJO: Weill you resend
15 it? I don't think I received it.

16 MR. SAVINO: Okay. Not a problem.

17 COMMISSIONER ARAUJO: Thank you.

18 MS. SANDOW: Just check, sometimes,
19 there's two e-mails, so just make sure it was
20 sent to all the e-mails.

21 MR. RYAN: Okay. So, we have one more
22 item of business that needs to be -- well,
23 actually two more. We're going to need an
24 executive session for personnel, and there's one

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2 other item. The Queens commissioners authorized
3 the mailing as required by law of a notice to
4 candidates, dated December 29, 2021 for the
5 Queens special election to be conducted on
6 February 22, 2021. I know it was done very close
7 to the time that this meeting was about to occur,
8 but it, a copy, a draft, has been forwarded to
9 all of the commissioners and this is essentially
10 a pro forma ratification of the Queens borough
11 committee's determination to send out the notice
12 to candidates, so that we can meet our legal
13 requirements and given the short schedule last
14 week, everybody was a little bit pressed for
15 time. Is there a motion to adopt the notice?

16 PRESIDENT UMANE: I move we ratify and
17 approve the notice that went out to the
18 candidates.

19 COMMISSIONER ARAUJO: Second,
20 Commissioner Araujo.

21 MR. RYAN: Are there any objections?
22 Hearing none, the motion carries. And then
23 there's one other item that I have and if anyone,
24 you know, has anything else, they certainly can

1 January 5, 2021

2 let me know. A special election in the Bronx has
3 been scheduled for the 11th City Council District
4 and the 15th City Council District and as a
5 reward for their hard work in completing the
6 December 22nd special election, the Bronx gets to
7 two more on March 23rd. So, in between now, we'll
8 have a special in Queens February 2nd, a special
9 in Queens on February 23rd, and now two specials
10 in March on March 23rd.

11 And so that of course will include nine
12 days of early voting as well. And the staff is
13 already beginning preparation in that regard. Ms.
14 Kontzamanis, there's something, we have a Friday
15 deadline on something?

16 MS. KONTZAMANIS: This Friday, we'll be
17 getting out military ballots for the Queens
18 council race, but I'm not sure if we've submitted
19 the calendar for the March 23rd election was the
20 other item I had provided.

21 MS. SANDOW: No, that was not submitted.

22 MR. RYAN: Yes, the calendar I think was
23 sent to the commissioners and we will -- we can
24 ratify it next Tuesday I suppose, unless the

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2 commissioners are prepared to vote on the
3 adoption of the calendar, and I'll take my
4 guidance from either or both of the Queens
5 commissioners in that regard.

6 COMMISSIONER ARAUJO: This is
7 Commissioner Araujo. I would ask that we adopt
8 the calendar.

9 COMMISSIONER ZACCONE: Commissioner
10 Araujo, this is Commissioner Zaccone. I haven't
11 seen the calendar. Is it going to be sent to me?

12 COMMISSIONER ARAUJO: Can that be e-
13 mailed to all the commissioners relatively
14 quickly?

15 MS. SANDOW: I'll forward the e-mail
16 around to all the commissioners now.

17 COMMISSIONER PEPE-SOUVENIR: Yeah, same
18 here, I didn't see the calendar either. Thank
19 you, Commissioner Zaccone.

20 COMMISSIONER ARAUJO: Can we just send
21 [unintelligible] [00:36:55]. Do you guys want to
22 call it after executive session? I don't know if
23 everybody is going to have an opportunity to
24 review it, since they're here.

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2 MR. RYAN: So, would there be an
3 objection designating the approval to come from
4 the Queen's borough committee?

5 PRESIDENT UMANE: No, we could that.

6 MR. RYAN: Alright. So we can do that,
7 and then subject to ratification next week. And
8 this way here, we can proceed at pace and then we
9 don't have to waste too much time now, if that's
10 okay.

11 PRESIDENT UMANE: I just have a
12 question. Are the hearings scheduled for our
13 regular Tuesday meeting?

14 MR. RYAN: I believe that the hearing is
15 going to be scheduled for the 4th of February,
16 because the regular Tuesday meeting would be the
17 2nd of February, in which case, it's an election
18 day for Queens.

19 PRESIDENT UMANE: Oh. It's also
20 Groundhog Day.

21 MR. SAVINO: That was two days after the
22 election.

23 MR. RYAN: Right.

24 PRESIDENT UMANE: If we do adopt the

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2 hearing dates, then I would actually move that we
3 appoint a subcommittee consisting of the Queens
4 commissioners to conduct the hearings on the 4th
5 in lieu of it being an off calendar date for our
6 regular meeting.

7 COMMISSIONER TAYLOR: Was that a motion?

8 PRESIDENT UMANE: Yeah, I think it was.
9 Was there a second?

10 COMMISSIONER TAYLOR: I second it, I
11 second it.

12 MR. RYAN: If I may, we didn't resolve
13 the underlying question yet on the designation of
14 the Queens commissioners to proceed with
15 approval.

16 PRESIDENT UMANE: Well, maybe
17 Commissioner Araujo would take that as a friendly
18 amendment to say that they can approve the
19 schedule and do the hearings.

20 COMMISSIONER ARAUJO: Yes, I accept that
21 as an amendment.

22 PRESIDENT UMANE: A [unintelligible]
23 [00:39:01].

24 COMMISSIONER ARAUJO: Yes.

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2 MR. RYAN: Very well, is there a second?

3 PRESIDENT TAYLOR: I second, I continue
4 to second.

5 MR. RYAN: Okay. Very well, any
6 objections? Hearing none, the motion carries. So,
7 the schedule will be submitted to the Queens
8 commissioners for their approval subject to
9 ratification at the next full meeting of the
10 Board of Commissioners as well as the designation
11 of the Queens commissioners committee to conduct
12 the hearings on February 4th. And, the next order
13 of business is to set the next meeting date for
14 the Board of Commissioners and then a motion for
15 executive session.

16 PRESIDENT UMANE: Alright. Well, I would
17 move that we have our next meeting next Tuesday
18 at 1:30 with executive session for personnel and
19 potential litigation.

20 MR. RYAN: Is there a second?

21 SECRETARY CAMILO: I second.

22 MR. RYAN: Hearing none, the next
23 meeting of the Board of Commissioners, oh, I'm
24 sorry, and yes, we did bring on board, effective

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2 today, a contract attorney. His name is Thomas
3 Collery. Ms. Sandow and I interviewed him
4 yesterday and his start date was today. He is a
5 resident of the City of New York and he has prior
6 elections experience, to quote a former NBC
7 newsman, Florida, Florida, Florida. He worked
8 about three years, according to Mr. Russet in
9 Florida, working on, among other things, election
10 matters. And so, we're happy to have him on board
11 to help us out.

12 PRESIDENT UMANE: Is he registered as a
13 voter in New York?

14 MR. RYAN: Yes, he is. And you'll be
15 disappointed when you ask your next question.

16 [laughter]

17 PRESIDENT UMANE: How long has he been a
18 member of the Republic Party?

19 MR. RYAN: So he's a registered voter
20 and a registered Democrat and a Brooklyn
21 resident. So he left the sunny shores of Florida
22 to come to the concrete New York City.

23 MS. SANDOW: Concrete jungle, where
24 dreams of made of.

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2 MR. RYAN: So that said, we have our
3 meeting set for next week at 1:30, January 12th,
4 and we can go into executive session for the
5 purposes of discussing some personnel.

6 MS. SANDOW: Welcome aboard.

7 MR. RYAN: Welcome, Mr. Collery. Thank
8 you. Okay.

9 [OFF THE RECORD]

10 [ON THE RECORD]

11 MR. SAVINO: Commissioners, again, we're
12 here for a cover sheet review committee on
13 January 5, 2021. We're here with Commissioner
14 Araujo and Commissioner Michel, to review an
15 attempted amended cover sheet for Perri Pierre
16 for member of the City Council, 31st City Council
17 District.

18 Unfortunately, it's the staff's
19 recommendation that this is not a valid cure
20 because there is no cover sheet. The original
21 cover sheet or the notice of noncompliance was
22 not attached to the attempted amended cover
23 sheet, as is required by our rules C-3. In
24 addition, it does not state amended cover sheet

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2 on the top, which it should. Again, that's in our
3 rules. And last, but not least, it does not
4 contain the certification language authorizing to
5 amend the cover sheet as is required on amended
6 cover sheets.

7 COMMISSIONER ARAUJO: Rafael, what was
8 the original reason for the NCN notice?

9 MR. SAVINO: I believe this was the
10 gentleman with four different cover sheets that
11 were all at the same time and he had, didn't list
12 the petition numbers on one, put a five where the
13 petition numbers should go or one or it was all
14 four of them had various issues. Right, we do
15 have the NCN, but --

16 COMMISSIONER ARAUJO: And the NCN
17 notice, I mean this attempted cure, it's as of
18 right, or a response to our NCN?

19 MR. SAVINO: It's in response to our
20 NCN.

21 COMMISSIONER ARAUJO: Okay. This, the
22 original person who signed this is actually the
23 candidate isn't it?

24 MR. SAVINO: I wasn't sure when looking

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2 at that, but yes, yeah, it could be. It looks
3 like a P., Pierre. Yeah, and I know there's been
4 difference of opinion when it's the candidate
5 signing the authorization.

6 COMMISSIONER ARAUJO: Right. Okay.

7 MR. SAVINO: I also believe there's a
8 way to test issue.

9 COMMISSIONER ARAUJO: Okay. Putting the
10 authorized signature to the side, what are the
11 other issues? Failure to indicate it's an amended
12 cover sheet, right?

13 MR. SAVINO: Right. The rules require
14 that it state amended cover sheet on top, and so
15 we can identify easier, what it relates to,
16 they're supposed to attach to the attempted cure
17 the original cover sheet or cover sheets, or the
18 notice of noncompliance, again as required by the
19 Board's rules.

20 COMMISSIONER ARAUJO: I'm in agreement
21 and accept your recommendation as to the first
22 two. I think I'm going to abstain on your third
23 recommendation as it relates to the needed
24 authorization of the signature, because I believe

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2 that this is the candidate him or herself.

3 MR. SAVINO: Understood, commissioner.
4 Commissioner Michel?

5 COMMISSIONER ARAUJO: Is Michel here?

6 COMMISSIONER MICHEL: Yes, I agree with
7 your recommendation.

8 MR. SAVINO: Alright. Thank you,
9 commissioners, I will -- I'm sorry.

10 COMMISSIONER ARAUJO: No, no, I just
11 wanted to make sure Commissioner Michel heard my
12 application.

13 MR. SAVINO: Right. That the
14 certification language authorizing someone to
15 amend a cover sheet is not a defect in this case,
16 as you ruled because it was a candidate who
17 signed what was supposed to be an amended cover
18 sheet.

19 COMMISSIONER MICHEL: So the candidate
20 signed the amended cover sheet?

21 COMMISSIONER ARAUJO: Mike, the
22 candidate signed the sample cover sheet. It
23 doesn't say --

24 MR. SAVINO: No, it actually --

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2 COMMISSIONER ARAUJO: [unintelligible]

3 [01:54:45] --

4 MR. SAVINO: It actually --

5 COMMISSIONER ARAUJO: -- the document.

6 MR. SAVINO: -- is missing the
7 certification itself as well. The language that,
8 but, you know, had it had, you know, the language
9 is supposed to be there as per our rules and then
10 it's supposed to say that the person was
11 authorized. So it doesn't, you know, on the
12 amended cover sheet attempt, it does not contain
13 that special language, obviously, because he used
14 the sample cover sheet instead of an amended.

15 COMMISSIONER ARAUJO: Mike, my request
16 is I'm accepting the first two recommendations of
17 the counsel and not moving on the third.

18 COMMISSIONER MICHEL: Right, but I
19 understand you're not ruling on the third one
20 because the candidate signed it, but doesn't the
21 information supposed to be on that sheet, you
22 know, that I authorize the candidate, I authorize
23 somebody to sign. That information is missing
24 from the sheet.

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2 MR. SAVINO: That is correct. That
3 language is not there. But --

4 COMMISSIONER ARAUJO: [unintelligible]
5 [01:55:51].

6 COMMISSIONER MICHEL: So no matter who
7 signed -- no. But no matter who signed it, that
8 information is not there.

9 MR. SAVINO: That is correct.

10 COMMISSIONER ARAUJO: Rafael, was that
11 part of your three, or was that something new?

12 MR. SAVINO: No, no, well that's really
13 part of the three. I mean he, you know, the
14 candidate did sign the bottom of the attempted
15 cure, but it doesn't have that language that says
16 I hereby, I believe am authorized to file this
17 cover sheet.

18 COMMISSIONER ARAUJO: Now what, is there
19 any case law on that specific issue?

20 MR. SAVINO: I believe in the Second
21 Department, they don't believe it's necessary.
22 No, I think actually the First Department doesn't
23 believe it's necessary and the Second Department
24 has ruled in our favor. It's two different

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2 rulings of the different departments.

3 COMMISSIONER ARAUJO: But obviously this
4 is a Second Department special election. So --

5 MR. SAVINO: Right.

6 COMMISSIONER ARAUJO: Correct?

7 MR. SAVINO: Correct.

8 COMMISSIONER ARAUJO: So based on that
9 representation that there is case law that the
10 Appellate Division [unintelligible] [01:56:58] at
11 that, I would just modify my motion and move to
12 adopt all three recommendations that is made by
13 counsel.

14 COMMISSIONER MICHEL: I second that.

15 COMMISSIONER ARAUJO: Alright. The
16 motion carries.

17 MR. SAVINO: Alright, commissioners, we
18 will obviously mark it as not a valid cure and if
19 you wish I can sign the paperwork for you as
20 opposed to you having to send it back scanned.

21 COMMISSIONER ARAUJO: Exactly, yeah.

22 MR. SAVINO: But it's up to you.

23 Alright, thank you, commissioners.

24 COMMISSIONER MICHEL: Yes, you can sign

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mine.

COMMISSIONER ARAUJO: Thank you.

COMMISSIONER MICHEL: Thank you.

MR. SAVINO: That concludes the cover sheet meeting. Is there a motion?

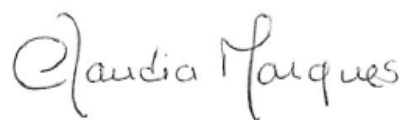
COMMISSIONER ARAUJO: I just have another question for you. On something else. Let me know when we're no longer live.

(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 January 5, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: June 14, 2021

GENEVAWORLDWIDE, INC

256 West 38th Street - 10th Floor

New York, NY 10018