

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor
Commissioners' Hearing Room

New York, NY 10004

February 23, 2021

1:30 p.m. - 3:07 p.m.

February 23, 2021

PRESENT:

President Frederic Umane

Secretary Miguelina Camilo

Commissioner Jose Araujo

Commissioner Gino Marmorato

Commissioner Michael Michel

Commissioner Rodney Pepe-Souvenir

Commissioner Simon Shamoun

Commissioner Patricia Anne Taylor

Commissioner Tiffany Townsend

Commissioner John Wm. Zaccone

Michael J. Ryan, Executive Director

Dawn Sandow, Deputy Executive Director

Georgea Kontzamanis, Operations Manager

Kenneth Moltner, Counsel to Commissioners

Steven Denkberg, Counsel to Commissioners

1 February 23, 2021

2 (The meeting commenced at 1:36 p.m.)

3 MR. MICHAEL J. RYAN: Okay, we are no
4 live streaming. Today is February 23, 2021 and
5 this is the regular weekly meeting of the
6 Commissioners of Elections in the City of New
7 York. My name is Michael Ryan, I'm the executive
8 director and I will start with the commissioner
9 roll call, President Umane?

10 PRESIDENT FREDERIC UMANE: Present.

11 MR. RYAN: Secretary Camilo?

12 SECRETARY MIGUELINA CAMILO: Present.

13 MR. RYAN: Commissioner Araujo?

14 COMMISSIONER JOSE ARAUJO: Present.

15 MR. RYAN: Commissioner Marmorato?

16 COMMISSIONER GINO MARMORATO: Present.

17 MR. RYAN: Commissioner Michel?

18 COMMISSIONER MICHAEL MICHEL: Present.

19 MR. RYAN: Commissioner Pepe-Souvenir?

20 COMMISSIONER PEPE-SOUVENIR: Present,
21 good afternoon.

22 MR. RYAN: Good afternoon. Commissioner
23 Shamoun?

24 COMMISSIONER SIMON SHAMOUN: Present,

1 February 23, 2021

2 thank you.

3 MR. RYAN: You're welcome. Commissioner
4 Taylor?

5 COMMISSIONER PATRICIA ANNE TAYLOR: Good
6 afternoon. I am present.

7 MR. RYAN: Good afternoon. Commissioner
8 Townsend?

9 COMMISSIONER TIFFANY TOWNSEND: Good
10 afternoon, present.

11 MR. RYAN: Good afternoon. Commissioner
12 Zaccone?

13 COMMISSIONER JOHN WM. ZACCONE: Good
14 afternoon, present.

15 MR. RYAN: Okay. And lest I forget, have
16 both commissioners' counsels Mr. Denkberg and Mr.
17 Moltner joining us remotely. My name is Michael
18 Ryan, I'm the executive director. Ms. Sandow is
19 present remotely as well. And elsewhere in the
20 building are the administrative manager, Ms.
21 Perkins and operations manager, Ms. Kontzamanis.
22 And I believe that concludes the roll call.

23 So I will start with agenda item number
24 one. We are in the midst of conducting a special

1 February 23, 2021
2 election for the 31st Council District in Queens.
3 As of 1:00 p.m. today, which is the special
4 election day, we have already concluded nine days
5 of early voting, but as 1:00 p.m. today, a total
6 of 3,467 voters have participated in this
7 election. Over the nine days of early voting,
8 1,723 voters voted and in the first what is it
9 now, seven hours, we opened at 6:00 o'clock in
10 the morning, in the first seven hours of voting
11 today, 1,744 voters total. So today's total
12 exceeds the nine days of early voting. This
13 special election is the second such election that
14 the Board is conducting utilizing ranked-choice
15 voting. The earliest that we would be able to
16 conduct the rounds of the ranked-choice would be
17 March 10th. And the reason that that is, is that
18 the last day to receive a regular absentee
19 ballot, however, the last day to receive a
20 military absentee ballot because this is a
21 special election is March 8th, so the intention
22 would be to commence the rounds allowing a day in
23 between March 8th and March 10th to process any
24 military ballots that may be received.

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2 In terms of absentee balloting, we have
3 sent out 2,094 absentee ballots and as of close
4 of business yesterday, we have received back 374.
5 Of the 374, 68 ballots are cure eligible, which
6 that process is underway and that allows a
7 response time back from the voters to fix any
8 potential defects.

9 So that's where we're at with the
10 special election update and we'll have another
11 meeting next week and I would expect at that
12 point, we would be able to set the date for
13 certification for the following week.

14 So, moving on to agenda item number tw,
15 the voter registration update. There has been
16 quite a bit of concern and conversation regarding
17 the number of voters that have changed their
18 party enrollment from January 1st to the
19 deadline, which would have been February, it
20 would have been February 14th, and then was
21 extended by executive order to February 16th
22 because of the holiday and such. In any event, a
23 total of 37,381 party enrollment changes were
24 processed from January 1st to February 16th. And

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2 that represents just shy of seven-tenths of one
3 percent of all registered voters in the City of
4 New York, including anybody who might be
5 inactive. So all of the conversation associated
6 with the change in party enrollment, there still
7 was a relatively, statistically insignificant
8 amount of voters that actually changed from one
9 party to another.

10 PRESIDENT UMANE: Were those all party
11 changes, or were some new registrants?

12 MR. RYAN: No, that's all party changes.
13 New registrants are captured differently. That
14 would be somebody that was already registered
15 that changed their party. So for whatever reason,
16 they may have done it whether it had been
17 outreach efforts or otherwise, in the grand
18 scheme of things, a very few number of voters
19 actually decided to change their party
20 registration.

21 So, that is all I had for those two
22 items and I do know that we do have potential
23 litigation to discuss in executive session, and I
24 have been notified that there also is a personnel

1 February 23, 2021

2 matter that needs to be discussed, at least one.

3 COMMISSIONER ARAUJO: Mr. Ryan?

4 PRESIDENT UMANE: Mr. Ryan?

5 MR. RYAN: Yes?

6 COMMISSIONER ARAUJO: Can I have a
7 question?

8 MR. RYAN: Sure.

9 COMMISSIONER ARAUJO: Can I discuss, if
10 anything, how we're going to deal with the
11 ranked-choice voting for tonight's election if
12 you could just bring us up to speed. I know we
13 spoke on this earlier about with the borough.

14 MR. RYAN: As the commissioners are
15 aware, the software algorithm, the algorithm
16 software has been submitted to the State Board
17 for certification. That process is moving along
18 nicely. There was some requests for additional
19 specific information from the State Board in the
20 last day or so, and I believe Mr. Naudus
21 forwarded that information. It was either before
22 the close of business yesterday or first thing
23 today. I think it was before the close of
24 business yesterday. And that process is moving

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2 along.

3 In any event, it's not completed. So it
4 was my understanding and the commissioners can
5 certainly correct me if I'm wrong, that until
6 that process is completed, we're going to have to
7 stay the course and do for this election what we
8 did for the last election, which would be engage
9 in the hand tallying process pursuant to the
10 procedures that were adopted by the
11 commissioners. Once the certification has been
12 completed, we will then of course notify the
13 commissioners and move in that direction.

14 COMMISSIONER ARAUJO: Mr. Ryan, that is
15 my recollection, I just wanted it to be restated
16 in the public session.

17 MR. RYAN: Oh, certainly. Yeah, until we
18 have a certified software, now that the State
19 Board of Elections has asserted its authority in
20 that regard, I believe that we have no choice but
21 to maintain the status quo and then once there's
22 a change, we'll be able to move forward.

23 COMMISSIONER ARAUJO: Thank you.

24 PRESIDENT UMANE: Mike, on the

1 February 23, 2021

2 information that you were providing regarding the
3 party changes, do you have any breakdown as to
4 whether A was going to B or B was going to A?

5 MR. RYAN: I have the aggregate
6 breakdown by county before me, but certainly, we
7 could provide that to the commissioners. It's not
8 all that difficult to compile. It was not done
9 for the purposes of the public reporting. It was
10 really just to show the aggregate number, but if
11 you're interested in that, we can certainly get
12 it to you.

13 PRESIDENT UMANE: Okay. Just because of
14 the attendant publicity, people have been asking.
15 So --

16 MR. RYAN: Absolutely. And commissioner,
17 now that you asked, it was a total of 10,290 in
18 Manhattan, 1,771 in the Bronx, 13,297 in
19 Brooklyn, 9,382 in Queens and 2,641 in Staten
20 Island. So, still when you compare the numbers to
21 the aggregate number of voters, it still comes
22 out to a very small percentage, even on a borough
23 by borough breakdown.

24 PRESIDENT UMANE: I understand. And

1 February 23, 2021

2 thank you for providing the letter up to Albany
3 complaining about the process that was used to
4 request people to change and using, making it
5 appear that it was coming from the Board of
6 Elections rather than from a separate group with
7 their own agenda as opposed to the Board of
8 Elections. So thank you for filing that.

9 MR. RYAN: No, and I know that one of
10 the concerns was, and I think it was Commissioner
11 Marmorato and then joined by others, was the fact
12 that it said on the return envelope that the
13 postage was to be paid by the addressee and the
14 addressee was the City Board of Elections, and
15 although the permit that was used was not the
16 city's permit, the verbiage alluded to the fact
17 that it was. And I know that the enforcement
18 council for the State Board of Elections has not
19 been replaced and so I sent the letter to the co-
20 executive directors, because I believe there is
21 still enforcement council staff there that can do
22 these types of investigations.

23 PRESIDENT UMANE: Okay. Thank you. So if
24 there's nothing else on the agenda, I would move

1 February 23, 2021

2 -- does anybody have anything else? If not, I
3 would move that we go into executive session for
4 litigation and personnel matters.

5 SECRETARY CAMILO: Second.

6 MR. RYAN: Okay. And then do you want to
7 set the meeting date as well?

8 PRESIDENT UMANE: Yes, at 1:30 next
9 Tuesday, which I guess is March 2nd.

10 SECRETARY CAMILO: Yes, second that.

11 MR. RYAN: It's March 2nd, yes.

12 PRESIDENT UMANE: Was there a second to
13 that, okay.

14 MR. RYAN: And the reason that we know
15 that is because Commissioner Michel hasn't been
16 telling anybody his birthday is coming up because
17 he's a leap year, February 29th baby.

18 COMMISSIONER MICHEL: No birthday this
19 year.

20 PRESIDENT UMANE: I know. He is a little
21 boy of five, hahaha.

22 MR. RYAN: Alright. So, very well, we
23 are now adjourned into executive session.

24 [OFF THE RECORD]

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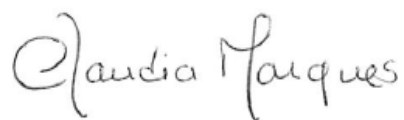
MR. RYAN: Yes, that concludes the weekly meeting of the Commissioners of Elections in the City of New York. Any actions will be reported appropriately in the minutes. Thank you.

(The meeting concluded at 3:07 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 February 23, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Claudia Marques

Date: June 23, 2021

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