

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, MARCH 29, 2022 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Rodney L. Pepe-Souvenir
Secretary Simon Shamoun

Commissioners Jose Miguel Araujo, Michael J. Coppotelli, Jenny Low,
Jodi Morales, Gino A. Marmorato, Frederic M. Umane

Michael J. Ryan, Executive Director
Vincent M. Ignizio, Deputy Executive Director
Georgea Kontzamanis, Operations Manager
Wilma Brown Phillips, Administrative Manager
Hemalee J. Patel, General Counsel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kate Doran, LWV
Katherine Loving, CFB

Mr. Ryan opened the meeting and welcomed the members of the public.

Mr. Ryan made the following announcements:

- We will need to add personnel issues to the agenda, so we will need an executive session for that. Mr. Ryan asked the General

Counsel Hemalee Patel, if there were any legal issues to discuss and she indicated that there were.

- Mr. Ryan then said that there will be five items added to the printed agenda, which include Commissioner Coppotelli's COIB waiver, Commissioner Low's recusal, ratification by executive committee regarding new service of process guidelines, Finance committee report, and executive committee discussion of personnel and litigation issues.
- As stated last week, there will be a Special Election in the 58th Assembly District in Brooklyn. Assembly Member Nick Perry has been confirmed as the Ambassador to Jamaica. As soon as a proclamation has been made, we will let everyone know. This will be the 5th Special Election since January 2022, and the 3rd Special Election in Brooklyn;
- Regarding the Boards ADA unit, since its formation in 2016, the unit has accomplished a great deal of things in a short period of time. Accomplishments include: insuring every poll site in the boroughs are handicap accessible, which involves a sometimes complicated ramp system; The unit has also worked on poll worker training videos and provided other guidance on a range of issues; Also, the unit recently launched a portal to distribute the accessible

version of the absentee ballot for voters who are visually impaired. President Pepe-Souvenir praised the ADA unit and commended them on the exemplary work they have done in the various communities. Ms. Adrian Merkel, Accessibility coordinator from ADA, was present to receive the praise.

- Katherine Loving, from the Campaign Finance Board, was given an opportunity to address the Commissioners. She thanked them and the Board of Elections staff for their service to the people of New York City.

President Pepe-Souvenir moved to adopt the March 15, 2022 Commissioners' Meeting Minutes. Commissioner Low seconded the motion, which was unanimously adopted.

There was an update of the Special election in the 43rd Assembly District. The General Election concluded on March 22nd without inclusion of affidavits and absentee numbers as of yet. 3,001 people voted on election day and early voting. 277 voted for the total of 9 days of early voting, and 2,724 voted on Election Day. 24 poll sites were open in 2 early voting locations. 1,427 individual pieces of equipment were distributed and accessibility equipment was installed in 12 sites. 50% of the sites had ADA compliant equipment installed. 535 poll workers worked

on Election Day. We received a total of 56 calls on Election Day and 9 emails from voters. However, not all related to the special election. Post- election preparation began as soon as the polls closed and are in full swing, including a preliminary review of absentee ballots. So far, a total of 21 Affidavits, 1,141 absentee ballots mailed (none were accessibility ballots), and 53 military ballots. To date, 198 have been returned. 156 are marked preliminarily valid, 42 preliminarily invalid. 16 cure notices have been sent out- 7 have been received, 6 expired, 3 due by tomorrow, and 1 due by Monday. Today is the last day to receive a timely post-marked absentee ballot. The last day to receive a timely military ballot is April 4th. Canvassing is set to begin on March 30th - information can be found on the Boards website at vote.nyc. If all goes well, we expect to certify the election on April 5th.

Mr. Ryan reported that the Board presented Testimony at the New York City Council Committee on Governmental Operations regarding FY 22-23, and we conveyed the Boards budgetary needs. The Board fielded questions from Council Member Ung regarding communication with ethnic voters who require different outreach than English speaking voters. We advised that we will provide detailed information to her. Council member Ressler asked questions regarding accessibility/enfranchisement of Rikers Island detainees. We will provide information regarding this matter to the council person (This seems to be a Department of Corrections question). Council member Brewer indicated that

he/she wants to assist the Board in making poll sites that are temporarily accessible, permanently accessible for year-round functionality.

Mr. Ryan then turned to the Legal Department regarding the issue of ratification by the executive committee of the determination of the service of process. General Counsel Patel explained that in March 2020, the Commissioners and Law Department decided to close the office to the public, thereby suspending in-person service of process. The Law Department then established an email system for service of process. Ms. Patel explained, now that we have re-opened the office to the public, through consultation with the Courts and the Law Department, it is in the best interests of the Agency to return to in-person service of process. Ms. Patel asked the Commissioners for a vote, and they voted to return to said service of process. Ms. Patel also addressed the COIB waiver required for Commissioner Coppotelli regarding a conflict of interest between the Arch Diocese and his position with the Board. Ms. Patel asked for a motion for a waiver. President Pepe-Souvenir moved for the motion, and Secretary Shamoun seconded the motion. Also, The Boards attorneys addressed Commissioner Low's recusal regarding the Facella and Coachman Litigations. The attorney asked Commissioner Low whether she will confirm the recusal and she said yes. .

Mr. Ryan then turned the meeting over to Sherwin Sussman of the Boards Finance committee. There was an earlier meeting regarding the following contracts which Mr. Sussman reported on: **1- AXA Professional LLC-** Contract to purchase

toner and replacement drums for ballot demand printers. Contract used NYC Minority Woman business group, 500 toners and 200 drums were purchased for a cost of \$200,633.00 **2- Trisect Group, Inc.** - Contract for Hardware and Software subscriptions for checkpoint (a firewall appliance to protect email from outside attacks) \$963,163.38 **3- Frankie Sophia-** Contract to provide transport for ADA Ramp Services. Asking for 1 year renewal. \$750,000 (not to exceed cost). Commissioner Marmorato recused himself from voting to approve this contract. **4- Miller Advertising-** Used last year to provide information regarding Rank-Choice voting and re-design of board mailers. Procured using Minority Woman program. \$465,000 (not to exceed cost). Commissioner Umame stated that the Finance committee approved all 4 contracts prior to this meeting. The Commissioners were all in favor of approving all 4 contracts.

Commissioner Umame moved to convene an Executive Session for personnel and litigation matters. President Rodney L. Pepe-Souvenir seconded the motion, which was unanimously adopted.

Following Executive Session, the open meeting resumed.

The following action was taken in Executive Session by the decision of the Board of Commissioners:

No action was taken.

The meeting was adjourned.

The next stated meeting of the Commissioners is scheduled for
Tuesday, April 5, 2022 at 1:30 P.M.