

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, MAY 16, 2023 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

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

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

Michael J. Ryan, Executive Director
Vincent M. Ignizio, Deputy Executive Director
Georgea Kontzamanis, Operations Manager
Hemalee J. Patel, General Counsel
Raphael Savino, Deputy General Counsel
Steven B. Denkberg, Counsel to the Commissioners
Kenneth Moltner, Counsel to the Commissioners
Tom Sattie, Director – Candidate Records Unit

GUESTS: Alan Flacks

*Commissioner Araujo appeared remotely, but not at a publicly accessible location, and therefore did not cast any votes.

Following the meeting of the Board of Canvassers, item #1 of the meeting agenda, the Continued Petition Hearings for the June 27, 2023 Primary Election in New York and Bronx Counties, the regular meeting of the Board of Commissioners was convened.

Mr. Ryan opened the meeting with item #2 of the meeting agenda, the approval of the minutes of the March 21, 2023, April 11, 2023 and April 18, 2023 Commissioners Meetings.

The minutes of the March 21, 2023, April 11, 2023 and April 18, 2023 Commissioners Meetings were tabled, due to the absence of a quorum.

Mr. Ryan continued with item #3 of the meeting agenda, the Updated Independent Nominating Petition Guidelines.

Mr. Ryan acknowledged Hemalee Patel, the Board's General Counsel, to present the guidelines before the Commissioners Committee for approval.

Mrs. Patel presented the Independent Nominating Petition Guidelines and informed the Commissioners that the guidelines have been updated to reflect the changes in New York State Election Law 6-154 that pertain to specifications of objections. All redlined items are exactly the same as they were in the Designating Petition Guidelines which were previously approved and are available at the Reception Counters and on the Board's website at www.vote.nyc.

Mrs. Patel noted that one thing that was added based on our hearings is a more fulsome description of what an acceptable proof of service is. The language was taken directly from the New York State Board guidance, and H-7 was modified for clarity. That was the only modification since the Designating Petition Guidelines were approved back in March 2023.

President Shamoun moved to approve the Independent Nominating Petition Guidelines. Secretary Pepe-Souvenir seconded the motion, which was adopted unanimously.

Commissioner Umane inquired about the date of the hearing and asked if the hearings will be conducted during the regular stated meeting of the Commissioners. Georgea Kontzamanis, the Board's Operations Manager, informed the Commissioner that the hearings are scheduled for Tuesday, June 13, 2023, during the regular meeting.

Mr. Ryan continued with item #4 of the meeting agenda, the Application of a Candidate – Appearance of Name on the June 27, 2023, Primary Election Ballot. Mr. Ryan acknowledged Tom Sattie, Director of the Candidate Records Unit, to present the matter before the Commissioners.

Mr. Sattie presented a letter submitted by Julia Westbrook, a candidate for County Committee in Election District 9, Assembly District 70. The candidate has requested a ballot name change, to appear on the ballot as Jules Rose. In the letter the candidate explains that they are going through a gender transition. Mr. Sattie stated that the name change would not cause confusion to the ballot. For County Committee in the Democratic Party in Manhattan, there are no gender specifications for a candidate. Each candidate appears with their name alone, so a gender marker similar to what would be needed for State Committee or District Leader, in this case would not be necessary.

Secretary Pepe-Souvenir moved to approve the name change, based on the representation by Mr. Sattie. Commissioner Umame seconded the motion, which was adopted unanimously.

Mr. Ryan continued with item #5 of the meeting agenda, the New York State Election Commissioners Association Summer Conference, scheduled to be held on August 15, 2023 through August 18, 2023 in Niagara Falls, New York.

Mr. Ryan noted that this matter is placed on the meeting agenda twice a year, to advise the Commissioners that they can attend if they so choose and to

have approval for the appropriate staff to attend to represent the Board, as determined by Executive Management.

Commissioner Umane made a motion to approve the Board's attendance at the Summer Conference. Commissioner Coppotelli seconded the motion, which was adopted unanimously.

Mr. Ryan asked that the Commissioners set the date of the next meeting.

President Shamoun moved to set the next meeting date for Tuesday, May 23, 2023 at 1:30 PM. Commissioner Umane seconded the motion, which was adopted unanimously.

Secretary Pepe-Souvenir moved to adjourn the meeting. President Shamoun seconded the motion, which was adopted unanimously.

The meeting was adjourned.

Mr. Ryan acknowledged Alan Flacks, a member of the public who requested to speak at today's meeting.

Mr. Ryan informed Mr. Flacks that it appeared that he had left and the Commissioners have already adjourned the meeting in his absence, but the Commissioners are affording him an opportunity to raise his issue irrespective.

Mr. Flacks addressed the Commissioners and stated that he has two items that he'd like to address. Mr. Flacks stated that he submitted a FOIL request for the salary of Cynthia Doty, the Deputy Chief Clerk in Manhattan, but has yet to receive a response. Mr. Flacks stated that he also contacted the Brooklyn Office to make a request for voter records, but the staff was unable to locate them.

Mr. Ryan instructed Mr. Flacks to use the public terminals that are available to look up the voter records, being that he is in the office today. Regarding the FOIL request, Raphael Savino, Deputy General Counsel, informed Mr. Flacks that he did not provide an address or telephone number on the FOIL request that he submitted and was unable to respond. Mr. Savino stated that he expected Mr. Flacks to be at today's meeting and will speak with him regarding his request after the meeting.

The meeting was previously adjourned.

The next stated meeting of the Commissioners is scheduled for Tuesday,
May 23, 2023, at 1:30 P.M.