

MEETING OF THE COMMISSIONERS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, AUGUST 29, 2017 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: Secretary Rosanna Vargas

Commissioners John Flateau, Maria R. Guastella, Michael Michel,
Alan Schulkin, Simon Shamoun, John Wm. Zaccone

Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven H. Richman, General Counsel
Valerie Vazquez, Director, Communications
Troy Johnson, Coordinator, Candidate Records Unit
Rayvon Weaver, Project Coordinator, Candidate Records Unit
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Gustavo Solis
Cathy Gray
Wendy Byrne, LWVNYC
Katharine Loving, NYC Campaign Finance Board
Gina M. Smith

Secretary Vargas called the meeting to order at 1:45 P.M.

The Commissioners unanimously tabled the minutes for the
August 8, 2017 and August 15, 2017 meetings.

Commissioner Schulkin moved for the full Board to adopt the minutes for the August 22, 2017 Commissioners' Committee meeting. Commissioner Zaccone seconded the motion, with Commissioner Flateau abstaining. The motion was adopted.

Ms. Leible presented the Poll Worker Exception Report for the September 12, 2017 Primary Election. Copies of the Report were circulated to the Commissioners. The information follows:

- **Manhattan**
 - None
- **Bronx**
 - 43 Information Clerks
 - 54 Accessibility Clerks
 - 38 Spanish Interpreters
- **Brooklyn**
 - 7 Coordinators
 - 2 Information Clerks
 - 15 Student Inspectors (full day)
- **Queens**
 - 19 Coordinators
- **Staten Island**
 - 2 Accessibility Clerks
 - 6 Coordinators
 - 1 Information Clerk

Ms. Leible reported that these poll worker exceptions are for high volume poll sites and the Borough Commissioners Committees have previously approved their borough's exceptions. Commissioner Guastella moved to approve the Poll Worker Exception Report for the September 12, 2017 Primary Election. Commissioner Shamoun seconded the motion, which was unanimously adopted.

Mr. Richman reported on CRU Prima Facie matters for Designating Petitions for the September 12, 2017 Primary Election.

Mr. Richman called the Prima Facie Report for Queens County and Richmond County. There were no appearances. The Commissioners determinations are noted on the Prima Facie Report on file at the Board.

Mr. Richman reported on an application for the Commissioners' reconsideration of Prima Facie removal of County Committee candidate Donald C. Macpherson – VSN # 41283301 as a candidate for Member of the Democratic County Committee in the 13th Election District (ED) of the 66th Assembly District (AD) in Manhattan. Copies of documentation were circulated to the Commissioners for review. Documentation presented showed that Mr. Macpherson was discharged from parole on June 1, 2017.

In accordance with Section 5-106 (2) of the New York State Election Law, his discharge from parole entitled him to register to vote which he properly did on July 7, 2017. Based on the documentation, Mr. Richman recommended to restore Mr. Macpherson's voter registration to Active Status and to restore Mr. Macpherson to the ballot for the Democratic County Committee in the 13th ED of the 66th AD in Manhattan, effective immediately. Commissioner Flateau moved to adopt Mr. Richman's report. Commissioner Zaccone seconded the motion, which was unanimously adopted.

Mr. Richman reported on an application for the Commissioners' reconsideration of Prima Facie removal of County Committee candidate Earl Morris Jr. – VSN # 304127177 as a candidate for Member of the Democratic County Committee in the 6th ED of the 70th AD in Manhattan. Copies of documentation were circulated to the Commissioners for review. Mr. Richman reported that Mr. Morris' voter information was inadvertently linked to his father's voter information in the system. They both have the same name and same address. Mr. Morris Jr.'s voter registration exists in the system. Based on the documentation, Mr. Richman recommended restoring Mr. Morris Jr. to the ballot for the Democratic County Committee in the 6th ED of the 70th AD in Manhattan, effective immediately.

Commissioner Flateau moved to adopt Mr. Richman's report. Commissioner Schulkin seconded the motion, which was unanimously adopted.

Mr. Richman reported on the application of Roy Anthony Beckford to appear on the November General Election ballot as Anthony Beckford. Copies of Mr. Beckford's notarized affidavit and voter registration records were submitted to the Commissioners for review. Mr. Richman noted that a shortened name change is permitted as long as there is no potential for confusion to the voter. Mr. Beckford is the only person with that name registered at his address as set forth on the independent nominating petitions for said candidate. Based on the documentation submitted, Mr. Richman recommended for the Commissioners to grant Mr. Beckford's request to modify his name to Anthony Beckford on the November General Election ballot. Commissioner Flateau moved to adopt Mr. Richman's report. Commissioner Shamoun seconded the motion, which was unanimously adopted.

Mr. Richman reported on the application of Aaron S. Foldenauer to appear on the November General Election ballot as Aaron Foldenauer, candidate of the "Liberal" independent body for Member of the City Council

in the 1st District in Manhattan. Copies of Mr. Foldenauer's notarized affidavit and voter registration records were submitted to the Commissioners for review. Mr. Richman noted that a shortened name change is permitted as long as there is no potential for confusion to the voter. Based on the documentation submitted, Mr. Richman recommended for the Commissioners to grant Mr. Foldenauer's request to modify his name to Aaron Foldenauer on the November General Election ballot. Commissioner Schulkin moved to adopt Mr. Richman's report. Commissioner Flateau seconded the motion, which was unanimously adopted.

Mr. Richman requested for an appointment of a Cover Sheet Review Committee for Independent Nominating Petition Matters to meet immediately after the Commissioners' Meeting. Secretary Vargas and Commissioner Michel were appointed to serve as the Cover Sheet Review Committee.

Ms. Sandow reported on the Draft 2017 Canvass Procedures. A copy of the Draft Procedures was previously emailed to the Commissioners for review. Ms. Sandow reported that the Draft Procedures have been reviewed by the Office of the General Counsel and requested

for Commissioners' approval. Commissioner Michel moved to adopt the 2017 Canvass Procedures. Secretary Vargas seconded the motion, which was unanimously adopted.

Secretary Vargas recognized Gina M. Smith, a member of the public, who requested to challenge the voter registration of a voter. Mr. Richman advised Ms. Smith that she has to fill out a "Challenge to Voter Registration" form containing specific details and to attach any supporting documents.

Secretary Vargas moved to convene an Executive Session for purposes of personnel and litigation. Commissioner Michel seconded the motion, which was unanimously adopted.

Following Executive Session, the open public meeting resumed and Ms. Sandow reported the following actions that were taken in Executive Session:

- I. The Commissioners granted 21 hours Advance of Time to Raquel Torres, a Voting Machine Technician in the General Office, retroactive to August 10, 2017, and to be paid back;

- II. The Commissioners granted 35 hours Advance of Time to Marianne Noce, an Administrative Assistant in the General Office, retroactive to August 6, 2017, not to be paid back. Ms. Noce's agency start date is August 5, 2007;
- III. The Commissioners granted 35 hours Advance of Time to Donna Hawkins, a Clerk in the Manhattan Office, to be paid back;
- IV. The Commissioners granted 150 hours Advance of Time to Belinda Lindros, a Clerk in the Brooklyn Office, retroactive to August 14, 2017, to be paid back. Ms. Lindros' agency start date is January 23, 2011;
- V. In a vote of six (6) in favor (Guastella, Michel, Schulkin, Shamoun, Vargas, Zaccone) and one (1) abstention (Flateau), the Commissioners authorized the New York City Law Department to represent the Board concerning the participated proceeding of Shabazz V. BOE.

Commissioner Zaccone moved to adjourn the meeting. The motion was seconded, and unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, September 5, 2017 at 1:30 P.M.