

HEARINGS RELATING TO DESIGNATING PETITION MATTERS
FOR THE SEPTEMBER 13, 2011 PRIMARY ELECTION AND
THE MEETING OF THE COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, AUGUST 2, 2011
AT 10:00 A.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Juan Carlos "J.C." Polanco
Secretary Gregory C. Soumas

Commissioners Araujo, Dent, Guastella, Schacher, Sipp, Stupp, Umane

Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Director, Campaign Finance Enforcement Reporting
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Valerie Vazquez, Director, Communications and Public Affairs
John O'Grady, Chief Voting Machine Technician
Beth Fossella, Coordinator, Voter Registration
Troy Johnson, Coordinator, Candidate Records Unit
Michael Neglia, Administrative Associate, Candidate Records Unit
Matthew Graves, Administrative Associate, Candidate Records Unit
Ryan Deahn, Administrative Assistant, Candidate Records Unit
Shanette Brown, Administrative Assistant, Candidate Records Unit
Rayvon Weaver, Administrative Assistant, Candidate Records Unit
Anthony Andriulli, Deputy Chief Clerk, Staten Island Office
Lisa Sattie, Administrative Associate, Staten Island Office
Diane Rudiano, Chief Clerk, Brooklyn Office
Maryrose Sattie, Deputy Chief Clerk, Brooklyn Office
Katherine James, Deputy Chief Clerk, Queens Office
Robert Pataky, Administrative Associate, Queens Office
Gregory Lehman, Chief Clerk, Manhattan Office
Timothy Gay, Deputy Chief Clerk, Manhattan Office
Richard Byrne, Summer Law Student Intern, OGC
Daniel Dugan, Summer Law Student Intern, OGC
Giacomo Kmet, Temporary Attorney, OGC

James Barron, Temporary Attorney, OGC
Steven B. Denkberg, Counsel to the Commissioners
Charles S. Webb, III, Counsel to the Commissioners

GUEST: Jeff Galloway
Terry Hinds
Edward Gibbs
Adam Silvera
Pete Gleason
R. Binlop
C. Beato
Anthony Nunziato
Pat Farrell
John Haggerty
C. Liverpool
Frank Bolz
John Quinn
Phil Nagusa
Clyde Varul
Robert Hanah
Everly Brown
Frank Richof
Darryl Watts
D. K.
T. Ruiz
Exodus Murphy
Shenee Mullins
Vince Tabone, QGOP
Mark Sattinger, CFB
Garth Marchant, for Everly Brown
Frank P. Morano
Ralph Andrew
Sarah Steiner
Robert S.
Frank Carone
Jammal N.
Jan Y., KCDCL
M. Blanc
Stephen Maresa
Peter Cipriano
Karen Fischer

Theodore Alatsas
Thomas Sorrentino
Michael Coppotelli
Jonathan Y.
Lucretia R. Potter
Maragaret Ognibene
A.B. Britton
Marisol Alcantra
Manny Carrera
M. Callahan
Geroge Harrell
S. Maltese
Jeanine Johnson
George Lucas
Todd Urosevich, ES&S
Marjorie Shea, Women's City Club
Francisco Olveri, for Council Member Gale Brewer
Rhea Fernandes, AALDEF
Sylvia Tyler, for April Tyler
Hersh Parekh
John Offey
Chris Bragg, City Hall News
K. H. N.
Zach Nathanson, for Assembly Member Brian Kavanagh
Rima McCoy, CIDNY
Bill Love
Kate Doran, LWV

President Polanco called the meeting to order at 10:08 A.M.
Mr. Richman noted that a quorum was present.

President Polanco welcomed and congratulated the newly appointed
Richmond County Democratic Commissioner Maria R. Guastella. He

stated that the Commissioners look forward to working with her at the Board.

President Polanco announced that the Commissioners would conduct the Hearings relating to Designating Petition Matters for the September 13, 2011 Primary Election.

President Polanco announced the procedures to be followed during the hearings.

President Polanco requested that at future hearings the documents that are submitted to the Commissioners for review be numbered.

Mr. Richman reported that in accordance with the Commissioners' direction, notice was given to all interested and necessary parties concerning today's Public Hearings to consider the Board's staff Preliminary Findings of Prima Facie Defects, Candidate Enrollment Issues, as well as Specifications of Objections and other concerns relating to the September 13, 2011 Primary Elections.

Mr. Richman called for the Hearings on Bronx County Prima Facie

matters.

Mr. Johnson called the Candidate Enrollment Issues Report for Bronx County. There were no appearances. President Polanco moved to adopt the Candidate Enrollment Issues Report for Bronx County. Commissioner Umane seconded the motion, which was adopted unanimously.

Mr. Richman called for the Hearings for Richmond County Prima Facie matters.

Mr. Johnson called the Candidate Enrollment Issues Report for Richmond County. Commissioner Sipp moved to adopt the Candidate Enrollment Issues Report for Richmond County as amended. Commissioner Guastella seconded the motion, which was adopted unanimously.

Mr. Johnson called the CRU Prima Facie Report for Richmond County. There were no appearances. Commissioner Sipp moved to adopt the CRU Prima Facie Report for Richmond County. Commissioner Guastella seconded the motion, which was adopted unanimously.

Mr. Richman presented the Counsel Report on Specification of Objections RH 6-1 and RH 7-1. Commissioner Sipp moved to adopt the Counsel Report. Commissioner Umame seconded the motion, which was adopted unanimously.

Mr. Savino called the Richmond County Clerk's Reports on Specification of Objections. In selected instances, there were appearances by candidates or their representative which are noted on the Clerk's Reports on file at the Board. The Commissioners' determinations are reflected on each Clerk's Report acted upon. Selected Richmond County Clerk's Reports on Specification of Objections were postponed until Wednesday, August 3, 2011 at 1:00 P.M.

Mr. Richman called for the Hearings on Kings County Prima Facie matters.

Mr. Johnson called the Democratic Candidate Enrollment Issue Report for Kings County. Ms. Brown called the Republican Candidate Enrollment Issue Report. Commissioner Schacher moved to adopt the Candidate Enrollment Issue Report for Kings County as amended. Commissioner Dent seconded the motion, which was adopted

unanimously.

Mr. Graves called the CRU Prima Facie Report for Kings County. Secretary Soumas moved to approve the CRU Prima Facie Report for Kings County as amended. Commissioner Umane seconded the motion, which was adopted unanimously.

Mr. Richman called the Kings County Clerk's Reports on Specification of Objections. In selected instances, there were appearances by candidates or their representative which are noted on the Clerk's Reports on file at the Board. The Commissioners' determinations are reflected on each Clerk's Report acted upon.

Commissioner Schacher thanked the Brooklyn Office staff for their hard work and for submitting excellent reports.

President Polanco recessed the Hearings. He announced that the Hearings on Designating Petitions related to the September 13, 2011 Primary Election will continue after the scheduled break at 12:00 Noon. He stated that they will resume following the Commissioners' Meeting and to be present at 12:45 P.M.

The stated meeting of the Commissioners convened at 12:45 P.M.

Commissioner Dent moved to approve the minutes of the July 20, 2011 meeting. Commissioner Schacher seconded the motion. In a roll call vote, there were six (6) in favor (Araujo, Dent, Polanco, Schacher, Sipp, Stupp) and three (3) abstentions (Guastella, Soumas, Umane). The motion was adopted.

Mr. Johnson reported that a public random drawing for the order of the ballot for the 2011 Primary Election is scheduled for August 4, 2011 at 10:00 A.M. in the Executive Office. He stated that the Candidate Records Unit (CRU) staff sent notice to the candidates and their contact person. In addition, the public notice is posted on the Board's website. Commissioner Umane moved to designate the CRU staff on a bi-partisan basis to conduct the random drawing for the order of the ballot for the 2011 Primary Election. Commissioner Stupp seconded the motion, which was adopted unanimously.

Commissioner Umane requested to add a Manhattan personnel matter to the agenda.

Mr. Richman requested to add an item to the agenda. He asked the Commissioners to designate a Cover Sheet Review Committee for the amended Cover Sheets for Opportunity to Ballot (OTB) Petitions. The Commissioners designated Secretary Soumas and Commissioner Umane.

Mr. Ward presented the Vacancy Report dated August 2, 2011. A copy of his report is in the agenda.

President Polanco inquired if the Board has received any additional resumes as it relates to the position of Executive Director. Ms. Delayo replied no.

President Dent reported that there is a grammatical error on page 5 in the approved Commissioners' Meeting Minutes for July 20, 2011. President Polanco moved to adopt the minutes as corrected by Commissioner Dent. Commissioner Araujo seconded the motion, which was adopted unanimously.

President Polanco moved to convene an Executive Session to discuss personnel matters. Commissioner Araujo seconded the motion, which was adopted unanimously.

Following the Executive Session, the open public meeting resumed and President Polanco reported on the following actions taken in Executive Session:

- I. The Commissioners granted an advance of two (2) weeks of sick leave time to Charlette Jordan, a Clerk in the Manhattan Borough Office, effective August 1, 2011.
- II. The Manhattan Borough Office will receive sixteen (16) new Temporary Clerks, effective immediately until the certification of the 2011 General Election.
- III. The Commissioners agreed to hire two (2) Temporary Clerks to assist with the Chinese translation projects in the Executive Office, effective immediately until the certification of the 2011 General Election.

Commissioner Umane moved to adjourn the stated meeting. Commissioner Araujo seconded the motion, which was adopted unanimously.

The next stated meeting of the Commissioners is scheduled for Tuesday, August 9, 2011 at 1:30 P.M. It was noted that the OTB Hearings will be held prior to the stated meeting.

President Polanco announced that the Commissioners would resume the Hearings relating to Designating Petition Matters for the September 13, 2011 Primary Election.

President Polanco announced the procedures to be followed during the Hearings, again.

Mr. Richman called for the Hearings for Queens County Prima Facie matters.

Mr. Richman presented the Legal Prima Facie Report for Queens County. There were no appearances. Commissioner Araujo moved to adopt the Legal Prima Facie Report. Commissioner Stupp seconded the motion, which was adopted unanimously.

Mr. Johnson called the Candidate Enrollment Issues Report for Queens County. There were no appearances. Commissioner Araujo moved to adopt the Candidate Enrollment Issues Report. Commissioner Schacher seconded the motion, with Commissioner Stupp abstaining. The motion was adopted.

Mr. Johnson called the CRU Prima Facie Report for Queens County. In selected instances, there were appearances by candidates or their representatives which are noted on the Prima Facie Report on file at the Board. Commissioner Araujo moved to adopt the CRU Prima Facie Report. Commissioner Stupp seconded the motion, which was adopted unanimously.

Mr. Denkberg called the Queens County Clerk's Reports on Specification of Objections. In selected instances, there were appearances by candidates or their representative which are noted on the Clerk's Reports on file at the Board. The Commissioners' determinations are reflected on each Clerk's and Counsel's Reports acted upon.

Mr. Richman called for the Hearings on New York County Prima Facie matters.

Mr. Richman presented the Legal Prima Facie Report for New York County. There were no appearances. Commissioner Soumas moved to adopt the Legal Prima Facie Report for New York County. Commissioner Araujo seconded the motion, which was adopted unanimously.

Ms. Brown called the Candidate Enrollment Issues Report for New York County. In selected instances, there were appearances by candidates or their representative which are noted on the Prima Facie Report on file at the Board. Secretary Soumas moved to adopt the Candidate Enrollment Issues Report as amended. Commissioner Umane seconded the motion, which was adopted unanimously.

Mr. Johnson called the CRU Prima Facie Report for New York County. In selected instances, there were appearances by candidates or their representative which are noted on the Prima Facie Report on file at the Board. Secretary Soumas moved to adopt the CRU Prima Facie Report as amended. Commissioner Umane seconded the motion, which was adopted unanimously.

Mr. Webb called the New York County Clerk's Reports on Specification of Objections. In selected instances, there were appearances by candidates or their representative which are noted on the Clerk's Reports on file at the Board. The Commissioners' determinations are reflected on each Clerk's Report acted upon.

Mr. Richman announced the Second Call for selected Queens

County Clerk's Reports on Specification of Objections. There were appearances by candidates or their representative which are noted on the Clerk's Reports on file at the Board. The Commissioners' determinations are reflected on each Clerk's and Counsel's Reports acted upon.

Commissioner Stupp thanked the Queens Office staff for their hard work.

Commissioner Umane moved to authorize the printing of the Military and Absentee ballots based on the determinations made today so that the Board can meet the requirements of the law. Secretary Soumas seconded the motion, which was adopted unanimously.

Commissioner Umane moved to adjourn the Hearings on Challenges relating to Designating Petition Matters for the September 13, 2011 Primary Election until tomorrow at 1:00 P.M. The motion was adopted unanimously.