

HEARINGS ON SPECIFICATIONS OF OBJECTIONS
AND RELATED MATTERS FOR THE
FEBRUARY 19, 2013 SPECIAL ELECTIONS
IN THE 31ST COUNCIL DISTRICT IN QUEENS COUNTY AND
THE MEETING OF THE COMMISSIONERS OF ELECTIONS
HELD ON TUESDAY, JANUARY 29, 2013
AT 1:30 P.M.

42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umane
 Secretary Gregory C. Soumas

Commissioners Araujo, Barrera, Dent, Guastella, Michel, Polanco,
Schacher, Sipp

Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel/Campaign Finance Enforcement
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Valerie Vazquez, Director, Communications and Public Affairs
Troy Johnson, Coordinator, Candidate Records Unit
Ryan Deahn, Administrative Assistant, Candidate Records Unit
Matthew Graves, Administrative Associate, Candidate Records Unit
Thomas Sattie, Associate Staff Analyst, Ballot Coordinator
Stephen Thompson, HAVA Training Specialist, EDO
Marie Lynch, Deputy Chief Clerk, Queens Office
Robert Pataky, Administrative Associate, Queens Office
Giacomo Kmet, Temporary Contract Attorney, OGC
Kenneth M. Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Allan V. Messina
 Harry Metellus
 Leo Glickman

Katherine Loving, CFB
Monica Bartley, CIDNY
Shauna Denkensohn, CFB
Kevin Ramnaraine, CFB
Mike Summen
Will Colegrove, for Council Member Brewer
Michael Benjamin
Alex Camarda, Citizens Union
Marie Adam Ovide
Robinson Ovide
Margaret Ognibene
Thomas V. Ognibene
Katherine James
John D. Smith
Stanley Schlein, for Flowers
Allen Jennings
Frank Perone
Henry Berger
C. Vanel
Kate Doran, LWV
Garth Marchant
Michelle Duncan
Cathy Gray
Pete Fey

President Umame called the meeting to order at 1:33 P.M.

President Umame welcomed the newly appointed Queens County Republican Commissioner Michael Michel.

President Umame announced that the Commissioners will conduct the hearings on specifications of objections to independent nominating

petitions filed and related matters for the February 19, 2013 Special Election for the Member of the City Council from the 31st CD in Queens. President Umane stated the procedures to be followed during the Hearings.

President Umane noted that Commissioners Sipp and Dent joined the meeting.

President Umane called upon Mr. Richman to call the calendar for the Hearings.

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, Specifications of Objections, and other concerns relating to the February 19, 2013 Special Election.

Mr. Johnson presented the CRU Prima Facie Report for Queens County. In selected instances, there were appearances by candidates and/or their representatives which are noted on the CRU Prima Facie Report on file at the Board. Commissioner Araujo moved to adopt the

CRU Prima Facie Report for Queens County. Secretary Soumas seconded the motion, with Commissioner Michel abstaining. The motion was adopted.

Mr. Richman presented the Queens County Clerk's Reports on Specifications of Objections. In selected instances, there were appearances by candidates and/or their representatives 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 reported on the determination of candidates' and/or independent bodies' names to appear on the ballot in those instances where a valid correction has not been timely filed, pursuant to NYS Election Law Section 6-138(3)(b) and 7-106(11). Mr. Richman called upon Mr. Sattie for the following determinations:

- Saywalah Kesselly, Candidate (16 characters) – Mr. Sattie stated that the candidate's informal request was to change the name to Saywala Kesselly;
- The Grand Coalition, Independent Body (17 characters) – Mr. Sattie stated that body's informal request was to change

the name to Grand Coalition;

- Public Service not Politics, Independent Body (24 characters)
 - Mr. Sattie stated that the body's informal request was to change the name to Better Service.

Commissioner Araujo reported that it is the Commissioners' Committee's recommendation to adopt these appropriate name changes. President Umane moved to adopt the Commissioners' Committee report. The motion was adopted with Commissioner Michel abstaining.

President Umane inquired if the order of filing the petitions is correct. It was confirmed by Mr. Johnson, Mr. Sattie and the Office of the General Counsel that all information is correct.

President Umane moved to adjourn the hearings and to convene the regular stated meeting of the Commissioners which was unanimously adopted.

Commissioner Araujo moved to adopt the minutes of the January 8, 2013 and January 15, 2013 meetings. Commissioner Dent seconded the motion. Commissioner Guastella abstained on the

January 15, 2013 minutes because she noted that she was not present at that meeting. Commissioner Michel abstained on the January 8, 2013 and January 15, 2013 minutes. The motion was adopted.

Commissioner Sipp requested to discuss a Staten Island personnel matter in Executive Session.

Mr. Thompson presented the Queens Poll Worker Exception Report for the February 19, 2013 Special Election in the 31st Council District. Commissioner Araujo moved to adopt the Queens Poll Worker Exception Report. Commissioner Barrera seconded the motion, with Commissioner Michel abstaining. The motion was adopted. President Umame inquired if there are any poll sites with issues in the hurricane devastated areas of Queens. Mr. Thompson reported that one (1) devastated poll site was combined to the nearest existing poll site. Mr. Richman stated that all poll sites in the 31st CD were surveyed by the Queens Staff. Mr. Richman added that there will be no students in the public schools on Election Day due to Winter Recess.

Ms. Vazquez reported that she received an email from the Consulate General of the Republic of Cyprus who requested for the Board to loan them one (1) cardboard ballot box and two (2) privacy booths for their presidential elections. She stated that the State Board granted them permission to establish an operative polling station at the premises of the Consulate General of the Republic of Cyprus. Their election is scheduled on February 17, 2013 with a possible run-off election on February 24, 2013. Ms. Vazquez stated that the Consulate General of the Republic of Cyprus would incur all costs and insurance. President Umame moved to approve the request of the Consulate General of the Republic of Cyprus on conditions that they incur all costs and insurance. Commissioner Araujo seconded the motion, which was unanimously adopted.

Mr. Ward reported on the Vacancy Report dated January 29, 2013. A copy of the report is in the agenda.

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

Following Executive Session, the open public meeting resumed and President Umane reported on the action taken in Executive Session:

- I. The Commissioners provided a 350 hours grant from the Sick Leave Bank for Gudrun Vogler, an Administrative Assistant in the Staten Island Office.

President Umane moved to adjourn the meeting. Secretary Soumas seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners is scheduled for Tuesday, February 5, 2013 at 1:30 P.M.