

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, SEPTEMBER 10, 2024 AT 1:00 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Rodney L. Pepe-Souvenir
Secretary Frederic M. Umane

Commissioners Jose M. Araujo, *Michael J. Coppotelli, Carol R. Edmead, Gino A. Marmorato, *Jodi Morales, Simon Shamoun, Michele A. Sileo, Keith Sullivan

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

GUESTS: Marianne Barcellona
Faith Fraser

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

Mr. Ryan opened the meeting and proposed that the Commissioners convene an Executive Session for Personnel Matters after item #1 of the meeting agenda.

Mr. Ryan continued with item #1 of the meeting agenda, the approval of the minutes of the August 27, 2024 Commissioner Meeting.

Hearing no objections or proposed amendments, the minutes of the August 27, 2024 Commissioners Meeting were adopted.

Mr. Ryan stated that it is the recommendation of Executive Management that we entertain a motion to deal with agenda item #5 and go into Executive Session to discuss personnel matters.

Commissioner Araujo moved to adjourn the open meeting and convene an Executive Session to discuss personnel matters. Secretary Umame seconded the motion, which was adopted unanimously.

Following the Executive Session the open meeting resumed.

Mr. Ignizio acknowledged Marianne Barcellona, a member of the public who has requested to speak at today's meeting.

Ms. Barcellona stated that she has been a dedicated seasonal Poll Worker for over 20 years and wished to address the new extended hours for Early Voting. Ms. Barcellona read and provided a copy of a letter that she stated was hand-delivered to the Board in advance of today's meeting, expressing her concerns and proposed Early Voting hours for the Board's consideration.

The Commissioners thanked Ms. Barcellona for appearing today.

Mr. Ignizio acknowledged Faith Fraser who has also requested to address the Commissioners today.

Ms. Fraser stated that she has been a poll worker since 2016 and is now an Election Day and Early Voting Coordinator, and echoes the previous speaker regarding the extended hours. Ms. Fraser also expressed her concerns regarding poll worker bonuses, referencing the poll worker bonuses from the 2020 election year and provided a copy of the poster from that year, noting that she would like to see the same for this election.

The Commissioners thanked Ms. Fraser for appearing today.

Mr. Ryan acknowledged Raphael Savino, Deputy General Counsel, and continued with item #2 of the meeting agenda, a Challenge to a Voter Registration pursuant to NYSEL §5-220. Mr. Ryan asked that Mr. Savino take over these proceedings at this point and noted that he has provided President Pepe-Souvenir with the oath that she needs to read at the appropriate time.

Mr. Savino asked that the voter presenting the challenge, Olajumoke Adekanmi, approach the podium. Eric Butkiewicz, Associate Counsel, informed

Ms. Adekanmi that the Board is in receipt of her challenge form which she will sign after the Commissioner administers the challenge oath.

President Pepe-Souvenir administered the challenge oath from §5-220 of the NYS Election Law to Ms. Adekanmi who is appearing today to challenge the voter registration of Peter Anthony Lee.

Ms. Adekanmi confirmed for the Commissioners that her residence is a two-family home, and her family lives on both floors. Mr. Butkiewicz stated that we have received correspondence from Ms. Adekanmi regarding this matter, and in the correspondence, she states that this individual tried to break into her home and was caught on camera doing so. Ms. Adekanmi confirmed the same and stated that she has photos and video on a flash drive that she can provide. Mr. Butkiewicz stated that Mr. Lee is registered and attempting to receive mail at her home and have it forwarded to outside addresses by the United States Postal Service in other boroughs. Ms. Adekanmi is currently seeking legal action against Mr. Lee and is in contact with the Police Department to seek an order of protection, among other things, and would like to have him removed from the voter rolls at her residence. Ms. Adekanmi confirmed that she has owned the home for 18 years and that Mr. Lee has never lived on her property, she bought the home from its original owners and there is currently a warrant out for Mr. Lee's arrest. It was also confirmed that Mr. Lee is not a federal voter or expat, and this is not a challenge pursuant to that.

Secretary Umane moved that we ask the Borough Office to do an investigation and will advise Ms. Adekanmi of the results of the investigation. Commissioner Araujo seconded the motion, which was adopted unanimously.

Commissioner Araujo advised Ms. Adekanmi that she should expect more correspondence and possibly a representative from the Board of Elections going to her house.

Ms. Adekanmi stated for the record, that she is self-employed but is a sub-contractor to the U.S. Congress and is a software engineer with security clearance, including a secret clearance with background checks, extensive background checks being done, so this is important to her because if somebody does not live on her property and they are trying to establish a proof of residence, she should let the police know and follow up and has also let her employers know.

Secretary Umane stated that the Board appreciates her taking the time to do this because it's not inappropriate and will be investigated. Mr. Ryan added that we know that this process is a little bit cumbersome, we didn't create the process, the process is set forth in §5-220 of the NYS Election Law. We understand the level of corporation that she has to provide in order to get this done, and we'll do our job. It doesn't happen often, but it happens often enough that we have to do these things

and then ultimately/generally speaking unless there's something different the person will be taken off the voter rolls, the investigation will pair itself out.

Commissioner Coppotelli advised Ms. Adekanmi that she might also want to contact the U.S. Postal Police if there is any mail fraud or of the such. Ms. Adekanmi stated that she has contacted them and worked with them two years ago, as Mr. Lee has been trying to establish residence for some time now and provided a copy of the letter to the USPS and their response.

Mr. Ryan continued with item #3 of the meeting agenda, the Ballot Matter Pertaining to the Candidate for NYS Assembly, Dr. Awadhesh Gupta in the 73rd Assembly District for the November 5, 2024 General Election.

Mr. Ryan stated that item #3 is the honorific designation dealing with the Assembly candidate Awadhesh Gupta. Mr. Savino was asked to get additional information for the Commissioners, and that has been done and circulated. Mr. Savino was asked to provide a briefing on the matter.

Mr. Savino stated that Candidate Gupta currently is running for the 73rd Assembly. On the ballot, her title is listed as "Dr.", there is case law and also guidance from the NYS Board of Elections that you cannot have defining terms before or after your name, such as "Dr.", "Grandpa" or "Ph.D.", therefore, we are

recommending that the title “Dr.” be removed from the ballot. Commissioner Araujo stated that technically we should be denying her application to have the “Dr.” title on the ballot. Mr. Ryan stated that it was entered on (the ledger), with the honorific on it. The recommendation is to remove the honorific title.

Commissioner Araujo moved that the Commissioners accept the recommendation of the staff. Commissioner Edmead seconded the motion, with one abstention, Secretary Umane, the motion was adopted.

The motion carries with Secretary Umane abstaining.

Mr. Ryan continued with item #4 of the meeting agenda, the Certification of the Ballot for the November 5, 2024 General Election and asked that Tom Sattie, Director of the Candidate Records Unit, and Mr. Savino present the matter.

Mr. Savino stated that the formal process of Certification of Nominations and questions which will appear on the General Election ballot pursuant to NYS Election Law §4-114, there must be a motion to certify the contest list as it currently exists.

Mr. Sattie confirmed that the Candidate Records Unit has made all of the necessary adjustments to either the Primary winners or the uncontested candidates

who carried through onto the General Election, and Independent Nominations that were made for the General Election, plus any statewide or citywide proposals to our systems and are prepared to send that list to the State Board of Elections today, including the change that was just made. The Candidate Records Unit (CRU) is also now waiting for the State BOE to certify their end, which will be the national and statewide candidates, after which CRU will begin the process of building and ordering ballots for the General Election.

Commissioner Araujo confirmed that Mr. Sattie is asking that the Commissioners approve the contest list, in addition to the proposals. Commissioner Araujo also asked if contest list for each borough was reviewed with the Chief and Deputies to confirm that the list is correct. Mr. Sattie stated that he does not believe that the Chiefs and Deputies were included but confirmed that it was reviewed with CRU, and any ballots that are produced will be seen by the Chiefs and Deputies prior to going to print.

Mr. Sattie also confirmed that the Statewide proposals do come from the State BOE, and the Citywide proposals do come from the city.

Mr. Ryan stated that we are a passive recipient of the language. The State BOE sends the language to us with the necessary translations, as well as the City Clerk ultimately sends over the questions.

Commissioner Araujo moved to accept the Nominating Ledger, and the Proposals as stated by the CRU Unit. President Pepe-Souvenir seconded the motion, which was adopted unanimously.

Secretary Umane asked if the ballots are in the form that was sent to the various Commissioners yesterday? Mr. Sattie replied, in form -yes, in substance - we are still waiting.

The motion carries unanimously.

President Pepe-Souvenir moved to set the date of the next meeting for Tuesday, September 17, 2024 at 1:00 P.M. Secretary Umane seconded the motion, which was adopted unanimously.

During Executive Session, the following actions were taken by the unanimous decision of the Board of Commissioners:

- Benjamin Acevedo, an Administrative Associate, was granted 107 hours of an advance of sick time. The effective date of the grant is September 9, 2024. Mr. Acevedo's agency start date is July 17, 2011.

- David Aronov was hired as the Director of Payroll, effective October 13, 2024, at the incoming rate of \$103,478.00.

The meeting was adjourned.

The next stated meeting of the Commissioners of Elections is scheduled for Tuesday, September 17, 2024, 2024 at 1:00 P.M.