

**Douglas Kellner:** Peter do you want to chair the meeting or do you want me to do it? You did the last video meeting but I mean I don't care.

**Gregory Peterson:** I think we lost the feed on Peter.

**Tom Connolly:** I see his video audio is not coming through.

**Andy Spano:** I see him.

**Douglas Kellner:** Commissioner Kosinski, we do not have your audio.

**Peter Kosinski:** How about now?

**Douglas Kellner:** Yes, there you go.

**Peter Kosinski:** Okay so Doug, I don't know do you want to start the meeting?

**Douglas Kellner:** Alright, I call the meeting to order. All 4 Commissioners are present. We are holding this meeting at the request of Risa Sugarman our Chief Enforcement Council who has asked for an Executive Session to deal with investigative matters. Those in favor of going into Executive Session say aye.

[Two Ayes]

**Peter Kosinski:** Well can I ask a question. I'd just like to know why we're going into Executive Session. Maybe we could just cover that for a minute.

**Douglas Kellner:** Alright Ms. Sugarman it's your request.

**Peter Kosinski:** What's our justification for going into Executive Session?

**Risa Sugarman:** You asked me to review the full poll that was submitted by the Jones Campaign. I've done that and you wanted to have that explained to you in Executive Session. That's why I made that request. If you want it done at a public session I have no objection to doing that but that's why I made that request.

**Peter Kosinski:** Well, I guess I'm just trying to find justification since our last Board Meeting I believe we discussed this in public session and I just wanted to understand what the justification is for going into Executive Session. I don't know that we requested Executive Session. I'm just trying to understand what that is. So, before we go in I'd like to know how we're justifying that.

**Risa Sugarman:** My request was, I'm sorry. My request was based on, go ahead Commissioner, go ahead.

**Douglas Kellner:** Alright. My understanding was that we're going to receive the report in Risa's capacity as the investigator for the Board and since we receive all investigation reports on a confidential basis, it seems to me that there's no reason to deviate from that policy.

**Peter Kosinski:** Well, I mean I have no problem if we discuss particulars on this in Executive Session because I think there has to be a decision made of what's going public but I think ultimately we need to do something in public session regarding our decision-making on this topic.

**Douglas Kellner:** That's fine. So we'll resume...

**Andy Spano:** I agree with that.

**Douglas Kellner:** So, we're going into Executive Session to receive the report and we may come out of Executive Session if the public wants to stand by.

**Risa Sugarman:** That would be fine with me.

**Douglas Kellner:** So that's what we're voting on. Is there any other discussion? Those in favor say aye.

[All ayes]. Opposed. Alright so what are the procedures for going into Executive Session online?

**Bob Brehm:** Well, we have to turn off the public cameras.

--- Break for Executive Session ---

**Bob Brehm:** Ready? Red light is on, we're on. We're back in full session.

**Douglas Kellner:** Alright so does someone want to read the resolution that was adopted in the Executive Session?

**Bob Brehm:** I didn't write it down verbatim.

**Todd Valentine:** Its Todd here. What I understood we did was a motion was made by Commissioner Kosinski for a hearing to be conducted by Ms. Sugarman at the earliest...

**Risa Sugarman:** Immediately he said.

**Todd Valentine:** Immediately is the word right to determine whether the full poll should be released and that report should be brought back to the Board and a meeting to be scheduled for Monday October 17<sup>th</sup> at 10:00 a.m.

**Douglas Kellner:** Very good.

**Risa Sugarman:** And that was a unanimous vote of the Board.

**Douglas Kellner:** Alright. And Commissioner Kosinski wants to raise an issue.

**Peter Kosinski:** I want to raise an issue regarding a newspaper article that was issued down in New York City paper earlier in the week regarding some comments made by Commissioner Schulkin of the Manhattan Borough Board of Elections Commissioner for New York City regarding potential voter fraud that is ongoing in New York City elections. I think it's a very serious matter and I am asking that our Enforcement Counsel look into the matter expeditiously and that she ask for any resources she may need to do that to fully investigate the validity of those comments and what the specifics are regarding them with follow up to see what needs to be done in order to rectify any sort of voter fraud that is or may be going on in New York City.

**Gregory Peterson:** And that is the opinion, I believe, of all four Commissioners so I think that its important that the public have confidence in the election process and certainly an investigation of this is certainly, its not only paramount but its vital to the security of our voting public.

**Douglas Kellner:** And I think I've made the comment that these are not particularly new allegations, that they've been ongoing for a very long time. We also discussed that there was a report made by the Inspector General in New York City. I've had a lot of criticisms of the specifics of that report because it was way over broad and was not done in a particularly appropriate fashion. But certainly, I agree that we should continue to investigate all allegations with respect to voter fraud either in terms of fraudulent registrations or fraud with respect to people voting.

**Peter Kosinski:** Yeah, it seems to me that the way I read that article and heard the video was that the issues that were raised by the Commissioner were specifically in absentee voting in particular busing of people around the city to vote what I believe was multitudes of times and also the issuance of New York City IDs and the potential for misuse of those. So I think those were the three elements that Commissioner Schulkin raise specifically in that video that I viewed.

**Douglas Kellner:** Alright well I certainly want to disassociate myself from what I think were ill-advised remarks with respect to the New York City ID which I think is an excellent program and has safeguards against fraudulent issuance of the IDs. But I have no problem if Risa wants to look into that and made a report on that issue. But I don't want to suggest in any way, shape or form that I agree with that part of Commissioner Schulkin's remarks. But I myself have forwarded issues that were raised at the staff level in the borough office of the New York City Board of Elections with respect to fraudulent registration applications. Usually occurring in the petition process and there have been some examples of absentee ballot fraud also and certainly if Commissioner Schulkin has any particulars then he can provide them to Ms. Sugarman.

**Peter Kosinski:** I agree. I would ask that she report back to us at her earliest convenience regarding her progress in this matter.

**Risa Sugarman:** I will do that, Commissioners.

**Douglas Kellner:** Okay, anything else? So we stand adjourned until 10:00 a.m. Monday morning.

**Bob Brehm:** Thank you.