

**MINUTES OF THE EXECUTIVE COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON TUESDAY, FEBRUARY 23, 2021 ON THE ZOOM MEETING APP**

MEMBERS PRESENT

William Cody Anderson, Chair
Anthony D'Orazio, 1st Vice-Chair
Duane J. Whitmer, 2nd Vice-Chair
Andrew M. Kolstee, Secretary
Lora L. Newell, Treasurer
Robert M. Arrigo, Member-At-Large
Gabrielle S. Cordova, Member-At-Large
Pietro S. Geraci, Member-At-Large
Paul M. Grindle, Member-At-Large
Richard F. Purtell, Member At-Large

OBSERVERS

Gilbert L. Midonnet, Judicial District 2
Rachel E. Becker, Judicial District 5
Mark S. Braiman, Member, Judicial District 6
Paul C. Sechrist, Member, Judicial District 6
James M. Dayton, Judicial District 7
Richard Bell, Judicial District 11
Matthew R. Bathrick, Columbia County Secretary
Chance Haywood, Richmond County Chair
Jan-Erik Janson, Ulster County Treasurer
Brian L. Wells, Washington County Contact

The meeting was called to order at 8:30 p.m. by William Cody Anderson, Chair.

William Cody Anderson issued welcoming remarks and welcomed the observers to the meeting.

Motion by Andrew Kolstee to **waive reading and approve the minutes of the December 22, 2020 Meeting of the Executive Committee, the minutes of the January 23, 2021 Meeting of the State Committee, the minutes of the continuation of the January 23, 2021 Meeting of the State Committee held on January 31, 2021, and the minutes of the February 21, 2021 Meeting of the State Committee** was seconded by Lora Newell and passed 10-0 without debate.

Motion by Andrew Kolstee to **waive reading and approve the amended minutes of the September 26, 2020 Meeting of the State Committee, the amended minutes of the continuation of the September 26, 2020 meeting on September 27, 2020, the amended minutes of the September 29, 2020 Meeting of the Executive Committee, the amended**

minutes of the October 15, 2020 Meeting of the Executive Committee, and the amended minutes of the November 8, 2020 Meeting of the Executive Committee was seconded by Paul Grindle and passed 10-0 without debate.

Motion by Paul Grindle to **rescind all motions conducted in Executive Session at the December 22, 2020 Meeting of the Executive Committee** was seconded by Pietro Geraci and passed 9-0 without debate, with one abstention.

Andrew Kolstee issued a report on the status of the certification of County Affiliates in accordance with Article 9.2.3. of the Rules of the Libertarian Party of New York **(Exhibit 1)**.

Motion by Andrew Kolstee to **certify that the County Organizations in Chautauqua, Columbia, Fulton, Nassau, New York, Orleans, Richmond, Saratoga, and Wayne Counties have met the criteria required in Article 9.2.3 of the Rules of the Libertarian Party of New York** was seconded by Gabrielle Cordova and passed 10-0 without debate.

Motion by Andrew Kolstee to **appoint Dustin Johnson as County Contact of Cayuga County, William Koller as County Contact of Niagara County, and Angela Einwachter as County Contact of Steuben County** was seconded by Paul Grindle and passed 10-0 without debate.

The Meetings of State Committee scheduled for Sunday, February 28, 2021 and Sunday, March 7, 2021 meetings were cancelled in favor of holding a meeting on Sunday, March 14, 2021.

Motion by Lora Newell **to adjourn** was seconded by Duane Whitmer and passed without objection.

The meeting was adjourned at 9:01 p.m.

Andrew Martin Kolstee,
Secretary

Exhibit 1 (page 1 of 4)

REPORT OF THE SECRETARY OF THE LIBERTARIAN PARTY OF NEW YORK IN REGARD TO CERTIFICATION OF COUNTY AFFILIATES FEBRUARY 23, 2021

On May 24, 2020, the Interim State Committee of the Libertarian Party of New York amended the Rules of the Libertarian Party that prevented Interim County Organizations from ceasing to exist on May 31, 2020. Instead, Interim County Organizations became County Organizations on June 23, 2020. This was part of the Rules of the Libertarian Party of New York adopted by the State Committee on September 26, 2020.

Because the amended Rules of the Libertarian Party required that counties hold regular meetings at least quarterly and that their rules provide for the election of officers, several counties were required to update their rules to comply with the new requirements. As a result, all counties are given a deadline of March 31, 2021 (previously March 1, 2021) to meeting the following criteria:

- 1) a provision in the rules for at least quarterly meetings (Article 9.2.3.2)
- 2) a provision in the rules for the election of officers (Article 9.2.3.1)
- 3) an election of officers held between June 23, 2020 and March 31, 2021 (Article 9.2.3)

A. MISSING DOCUMENTATION

When County Affiliates were first organized as Interim County Organizations, the following criteria were required to provide their rules, minutes from their organizing convention, and the list of attendees and their addresses as they appear in the voter rolls. This documentation was supposed to be kept on file, but many of the documents are missing. I have reached out to the previous Secretary and the previous chair of the Local Affiliate Development Committee, as well as several counties, and I have collected as many documents as I could, but these there are several documents still missing.

The following is a summary of the missing documents from the 2019 or 2020 organization meetings:

RULES (4)

Genesee
New York (2019 original)
Otsego
Queens

MINUTES (11)

Columbia
Erie
Fulton
Genesee
Niagara
Ontario
Orleans

MINUTES, cont.

Otsego
Queens
Richmond

ATTENDEES (20)

Albany
Broome
Chenango
Columbia
Erie
Fulton
Genesee
Madison

ATTENDEES, cont.

Monroe
Nassau
New York
Niagara
Ontario
Otsego
Queens
Rensselaer
Richmond
Saratoga
Westchester

If your county is listed above and you have the documentation, please send it to akolstee@lpny.org

Exhibit 1 (page 2 of 4)

B. STATUS OF CERTIFICATION

In order for the Executive Committee to consider the certification of County Affiliates, the following documents must be submitted to the Secretary:

- A copy of the County Organization's latest rules.
- Minutes from the county's meeting in which officer elections were held since June 23, 2020.

1. **CERTIFIED COUNTIES.** Only 1 out of 31 County Affiliates have been officially certified (**Orange**). The remaining 31 County Affiliates are not yet certified.

2. **MEETINGS PROVISION.** 23 out of the 30 remaining counties (**Albany, Broome, Chautauqua, Chemung, Columbia, Fulton, Monroe, Kings/Brooklyn, Nassau, New York/Manhattan, Onondaga, Ontario, Orleans, Rensselaer, Richmond/Staten Island, Queens, Saratoga, Schoharie, Suffolk, Tioga, Ulster, Wayne, and Westchester**) have a provision in their rules for holding at least quarterly meetings of either the County Committee or the Executive Committee.

- 1 county (**Bronx**) has a provision for "4 meetings per year," but that does not meet the "quarterly" criteria required in the State Party Rules.
- 4 counties (**Cattaraugus, Chenango, Madison, and Otsego**) do not have a provision for holding regular meetings. 2 counties (**Chenango and Madison**) are working on amendments.
- 1 county (**Erie**) only has a provision for holding annual meetings.
- 1 county (**Genesee**) has not provided a copy of their rules.

3. **OFFICER ELECTIONS PROVISION.** Only 13 out of the 30 remaining counties (**Broome, Chautauqua, Columbia, Erie, Fulton, Madison, Nassau, New York/Manhattan, Orleans, Richmond, Saratoga, Suffolk, and Ulster**) have met the criteria for having a provision in their rules for electing officers. Other counties will need to amend their rules to comply with this requirement:

- 11 counties (**Albany, Bronx, Cattaraugus, Chemung, Monroe, Onondaga, Ontario, Rensselaer, Schoharie, Tioga, and Westchester**) have a provision for an election of officers, but only at an organizing meeting, which is to be held within 20 days after the primary and elected by the elected County Committee, which is not possible for a County Organization, as they were not elected at a primary. All 11 of these counties use the Monroe Template, which is only useful if the counties are a constituted County Committee. Two other counties (**Chenango and Otsego**) do not have a provision for holding officer elections when not a constituted county committee but does not use the Monroe Template.
- 2 counties (**Kings/Brooklyn and Queens**) provide for the election of officers if constituted but does not provide for election of officers if not a constituted county committee.
- **Wayne** County requires election of officers to be held 20 days after the election of officers; thus, it makes it unclear when election of officers is to be held.
- The rules of the remaining County Affiliate (**Genesee**) are not on file with the Secretary, so I do not know whether or not they are in compliance with the State Party rules. I do have a draft copy of their rules, but not the copy of the rules that were adopted.

Exhibit 1 (page 3 of 4)

4. **ELECTION OF OFFICERS.** Since June 23, 2020, 21 of the remaining 30 County Affiliates have held an election of officers: **Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Columbia, Erie, Fulton, Kings/Brooklyn, Madison, Monroe, Nassau, New York/Manhattan, Orleans, Otsego, Richmond/Staten Island, Saratoga, Queens, Tioga, Ulster, and Wayne.** The following counties must hold an election of officers between June 23, 2020 and March 31, 2021:

- **Broome** County held their election of officers, but it is incomplete.
- 3 counties (**Onondaga, Rensselaer, and Suffolk**) have their conventions scheduled between now and March 31, 2021.
- No additional County Affiliates have informed me that they expect to hold their convention before the March 31, 2021 deadline.
- The status of an election of officers of the remaining 6 counties is unknown. I have no record of any of these counties holding an election of officers since June 23, 2020 or no record of any indication of a convention to be held before the March 31, 2021 deadline: **Albany, Bronx, Genesee, Ontario, Schoharie, and Westchester.**

C. SUMMARY. A total of 10 of the 30 remaining County Affiliates have met the criteria to be certified per Article 9.2.3. (**Chautauqua, Columbia, Fulton, Nassau, New York/Manhattan, Orleans, Richmond/Staten Island, Saratoga, Ulster, and Wayne**). Only 9 counties (**Chautauqua, Columbia, Fulton, Nassau, New York/Manhattan, Orleans, Richmond/Staten Island, Saratoga, and Wayne**) have provided proper documentation and are eligible to be certified. The remaining 21 counties must ensure that their rules are in compliance and they hold an election of officers by March 31, 2020 if they have not done so already.

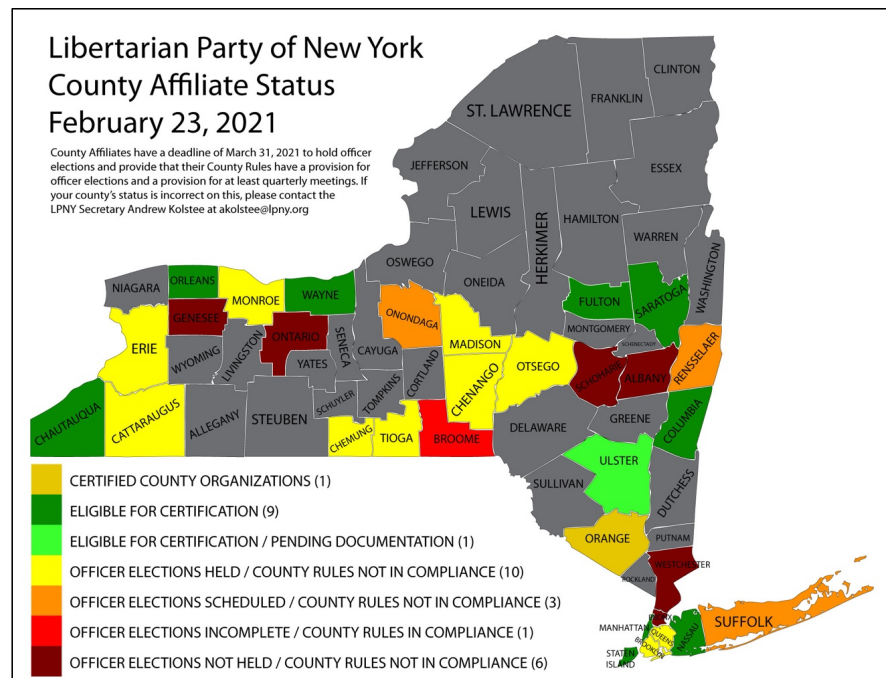


Exhibit 1 (page 4 of 4)

D. ADDITIONAL PROVISIONS. On January 23, 2021, the State Committee voted to approve amendments to the Rules of the Libertarian Party that created a new certification process for counties to ensure their compliance with Election Law and readiness for the future. This certification process deadline is due on March 31, 2022, and counties will be required to do the following, in addition to what is outlined in this report. See Article 9.2.4 for details.

- Have a provision in the rules for the election of officers. (see Article 9.3.2.1)
- Have a provision in the rules for holding at least quarterly meetings of the County Committee. Previously, counties were only required to have a provision for quarterly meetings of either the County Committee or the Executive Committee. (see Article 9.3.2.2)
- Have provisions in the rules that are compliance with Article 9.4 of the Rules (see Article 9.3.2.3) which is to define voting members as those who are 1) enrolled Libertarians and 2) elected or appointed election district delegates.

Andrew Martin Kolstee
Secretary, Libertarian Party of New York