

**MINUTES OF THE STATE COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON SUNDAY, APRIL 11, 2021
ON THE ZOOM MEETING APP AND PORCUPINE APP**

The meeting was called to order at 6:07 p.m. by William Cody Anderson, Chair. The Credentials Report (**Exhibit 1**) indicated that there were 64 voting members at the time the meeting was called to order due to the resignation of Paul Sechrist on April 10, 2021 as a member from Judicial District 6 (**Exhibit 2**), Peyton Kunselman on March 31, 2021 as a member from Judicial District 8 (**Exhibit 3**), and Carmen Horan on April 9, 2021 as a member from Judicial District 10 (**Exhibit 4**). A roll call of voting members was conducted by Andrew Kolstee, Secretary. 40 of 64 Members of the State Committee were present at the time of roll call; Richard Bell, Alycya Miller, Craig Miles, Gary Popkin, James Russell, and Duane Whitmer later entered the meeting.

MEMBERS PRESENT

Alycya K. Miller, Judicial District 1
Ilya Schwartzburg, Judicial District 1
Matthew I. Morgan, Judicial District 2
Gary S. Popkin, Judicial District 2
Stacey H. Prussman, Judicial District 2
William Cody Anderson, Judicial District 3
Jay A. Carr, Judicial District 3
Todd G. Haggerty, Judicial District 3
Lora L. Newell, Judicial District 3
Robert M. Arrigo, Judicial District 4
Karyn A. Keniry-Thompson, Judicial District 4
Brandon G. Lyon, Judicial District 4
Brian L. Wells, Judicial District 4
Rachel E. Becker, Judicial District 5
David E. Fite, Judicial District 5
Milva E. Dordal, Judicial District 5
Craig A. Miles, Judicial District 5
Mark S. Braiman, Judicial District 6
Timothy M. O'Connor, Judicial District 6
Christopher M. Olenski, Judicial District 6
Richard F. Purtell, Judicial District 6
Thomas D. Quiter, Judicial District 6
Steven G. Becker, Judicial District 7
Kari Bittner, Judicial District 7
Anthony D'Orazio, Judicial District 7
James M. Dayton, Judicial District 7
Angela B. Einwachter, Judicial District 7
Mark E. Glogowski, Judicial District 7
Sean C. Phelan, Judicial District 7
James P. Russell, Judicial District 7
Gerrit R. Cain, Judicial District 8
Andrew M. Kolstee, Judicial District 8
Francis Law, Judicial District 8

Leonard E. Morlock, Judicial District 8
Duane J. Whitmer, Judicial District 8
Daniel P. Donnelly, Judicial District 9
Robert J. Greibesland, Judicial District 9
Gary L. Donoyan, Judicial District 10
Arthur F. Sintef, Judicial District 10
William C. VanHelmond, Judicial District 10
Michael A. Arcati, Judicial District 11
Gabrielle S. Cordova, Judicial District 11
Irwin Mark Weinblatt, Judicial District 11
Richard Bell, Judicial District 13
Susan B. Overeem-Cummings, Judicial District 13
Paul M. Grindle, Member-At-Large, Executive Committee

MEMBERS ABSENT

Mark N. Axinn, Judicial District 1
Gilbert L. Midonnet, Judicial District 2
John A. Janes, Judicial District 4
Zachary D. Remian, Judicial District 4
Shawn Hannon, Judicial District 5
Sean S. Stevens, Judicial District 5
Eric A. Cooper, Judicial District 7
Andrew C. Hollister, Judicial District 7
Erin M. Becker, Judicial District 8
F. Patrick Mahoney, Jr., Judicial District 8
Tara L. Scrivano, Judicial District 8
Pietro S. Geraci, Judicial District 9
Anthony W. Pellegrino, Judicial District 9
William K. Schmidt, Judicial District 9
Satinder Kaur, Judicial District 10
Mahavir Singh, Judicial District 10
Kevin A. Warmhold, Judicial District 10
Enmanuel H. Torres, Judicial District 12

OBSERVERS

Timothy "TJ" Ferreira, Porcupine Administrator

Motion by Andrew Kolstee to **adopt the Special Rules of Order (Exhibit 5)** was seconded by Christopher Olenski. Motion by Mark Braiman to **amend the proposed Special Rules of Order** as follows, renumbering accordingly:

Strike Rule 4 in its entirety:

Rule 4. **VOTING.** All voting shall be conducted using the Porcupine App. All votes except for elections shall be conducted using the polls feature of the Porcupine App. All elections shall be conducted by ballot using the ballots feature of the Porcupine App.

Insert a new Rule 11 as follows:

Rule 11. **CONDUCT OF RISING VOTES.**

Rule 11.1 Where standing (or "rising") votes are in order for yes/no votes that are not classifiable as main motions, or amendments to main motions, the Porcupine **or** equivalent application polling function shall be used.

Rule 11.2. Where standing (or "rising") votes are in order on main motions, and all amendments to main motions, remote participants' votes must be counted either according to (a) or (b) below.

(a) A software application for facilitating remote participation, such as Porcupine or equivalent application, may be used for tallying yes/no votes on such motions, but only as long as the application constructs a single-screen table with column headings for "Yes" and "No," and underneath each heading the names of all committee members voting that way, and such table is visible to all other committee members for at least one minute after the vote is complete.

(b) Otherwise, standing or rising votes for main motions, and amendments to main motions, may only be voted on as follows:

(i) the Chair shall successively and separately request "yes" and "no" votes, both vocally and by typing the requests successively into the all-participant chat screen

(ii) the Chair must announce the total of "yes" votes before he/she calls for the "no" votes;

(iii) The Chair may only count a remote participant's vote if that member types "yes" or "no" in the all-participant chat screen, or else raises their hand in the Zoom on-screen session in a way that is visible not only to the Chair but to all other State Committee members present at the meeting

(iv) the Chair at his discretion may also call for abstentions to be announced and indicated in a similar fashion as "yes" or "no" votes.

The amendment was seconded by David Fite, debated, and failed 27-6, with 3 abstentions. The original motion to **adopt the Special Rules of Order (Exhibit 5)** passed 33-5, with 3 abstentions.

The Chair issued welcoming remarks. No hearing will proceed for Carmen Horan, due to her resignation.

The Chair proceeded with the hearings in regard to the removal of Tara Scrivano as a member of the State Committee from Judicial District 8, Satinder Kaur as a member of the State Committee from Judicial District 10, and Mahavir Singh as a member of the State Committee from Judicial District 10 due to abandonment of position.

The Chair ruled that since Tara Scrivano, Satinder Kaur, and Mahavir Singh were not present for the hearing, a “not guilty” plea was entered on their behalf.

Richard Purtell was appointed manager for the State Committee without objection. No one was present to represent the defendants. Richard Purtell questioned Andrew Kolstee as a witness.

Motion by Craig Miles to **remove Tara Scrivano as a member of the State Committee from Judicial Committee District 8, Satinder Kaur as a member of the State Committee from Judicial Committee District 10, and Mahavir Singh as a member of the State Committee from Judicial Committee District 10** was seconded by Steven Becker.

Motion by Gary Donoyan to **divide the question and consider the removal of each member separately** was seconded by Paul Grindle and failed 27-13.

The original motion to **remove Tara Scrivano as a member of the State Committee from Judicial Committee District 8, Satinder Kaur as a member of the State Committee from Judicial Committee District 10, and Mahavir Singh as a member of the State Committee from Judicial Committee District 10** passed 39-3.

Special Committee to Reviewing Article 10 Regarding the Judicial Committee Chair Milva Dordal issued a report.

The Chair issued an update on the ballot access lawsuit and it was rescheduled.

The following resolution was offered by Timothy O’Connor, seconded by Jay Carr, James Dayton, Richard Purtell, and Thomas Quiter, and submitted to the Secretary.

WHEREAS Daylight Savings Time demonstrates the excessive missteps of our government and its desire for control to “make things better,”

WHEREAS Daylight Savings Time has been shown to make things worse, from health statistics to how it tends to make us all feel,

WHEREAS this issue could resonate far and wide among New York voters while creating the public opportunity to discuss many issues; therefore, be it

RESOLVED that in the Libertarian Party of New York's quest for better governance, we would be well served to differentiate ourselves from the duopoly with facts, humor, and community, and be it further

RESOLVED that the Libertarian Party of New York declares a statewide Libertarian holiday to be set to coincide with Daylight Savings Time, and be it further

RESOLVED that the Libertarian Party of New York shall call this holiday "Government Incompetence Day" to be held on the first day of Daylight Savings Time each year and to mark the occasion with statewide local events that illustrate how all too often legislative control over our lives causes harm and reaps unintended consequences for the residents of New York State.

Motion by Sean Phelan to **adopt the resolution offered by Timothy O'Connor** was seconded by Steven Becker and debated. Motion by Anthony D'Orazio to **amend the motion and insert "and last" after "first"** was seconded by Timothy O'Connor, debated, and failed 18-16, with 2 abstentions. The original motion to **adopt the resolution offered by Timothy O'Connor** failed 29-10.

Motion by Todd Haggerty to **adjourn** was seconded by James Dayton and passed 35-2.

The meeting was adjourned at 7:37 p.m.

Andrew Martin Kolstee,
Secretary

Exhibit 1

Credentials Report of the Libertarian Party of New York for the State Committee Meeting of April 11, 2021

The State Committee of the Libertarian Party of New York consists of 69 according to their Judicial District. The following 64 individuals were duly elected, appointed to fill a vacancy, or are an ex-officio member of the State Committee of the Libertarian Party of New York:

Judicial District 1

- Mark N. Axinn
- Alyceya K. Miller
- Ilya Schwartzburg
- *VACANT*

Judicial District 2

- Gilbert L. Midonnet
- Matthew I. Morgan
- Gary S. Popkin
- Stacey H. Prussman

Judicial District 3

- William Cody Anderson
- Jay A. Carr
- Todd G. Haggerty
- Lora L. Newell

Judicial District 4

- Robert M. Arrigo
- John A. Janes
- Brandon G. Lyon
- Karyn A. Keniry-Thompson
- Zachary Daniel Remian
- Brian L. Wells

Judicial District 5

- Rachel E. Becker
- Milva E. Dordal
- David E. Fite
- Shawn Hannon
- Craig A. Miles
- Sean S. Stevens

Judicial District 6

- Mark S. Braiman
- Timothy M. O'Connor
- Christopher M. Olenski
- Richard F. Purtell
- Thomas D. Quitter
- *VACANT*

Judicial District 7

- Steven G. Becker
- Kari R. Bittner
- Eric A. Cooper
- Anthony D'Orazio
- James M. Dayton
- Angela B. Einwachter
- Mark E. Glogowski
- Andrew C. Hollister
- Sean C. Phelan
- James P. Russell

Judicial District 8

- Erin M. Becker
- Gerrit R. Cain
- Francis Law
- Andrew M. Kolstee
- F. Patrick Mahoney, Jr.
- Leonard E. Morlock
- Tara L. Scrivano
- Duane J. Whitmer
- *VACANT*

Judicial District 9

- Daniel P. Donnelly
- Pietro S. Geraci
- Robert J. Greibesland
- Anthony W. Pellegrino
- William K. Schmidt

Judicial District 10

- Gary L. Donoyan
- Satinder Kaur
- Mahavir Singh
- Arthur F. Sintef
- Kevin A. Warmhold
- William C. VanHelmond
- *VACANT*

Judicial District 11

- Michael A. Arcati
- Gabrielle S. Cordova
- Irwin Mark Weinblatt

Judicial District 12

- Enmanuel H. Torres
- *VACANT*

Judicial District 13

- Richard Bell
- Susan B. Overeem Cummings

Ex-Officio

- Paul M. Grindle

There are currently five (5) vacancies on the State Committee, including one (1) vacancy in Judicial District 1 and one (1) vacancy in Judicial District 12. There are three new vacancies since the last meeting of the State Committee: a vacancy in Judicial District 6 due to the resignation of Paul Sechrist, a vacancy in Judicial District 8 due to the resignation of Peyton Kunselman, and a vacancy in Judicial District 10 due to the resignation of Carmen Horan.

Andrew M. Kolstee
Secretary

Exhibit 2

From: Paul Sechrist, Chemung County psechrist@lpny.org
Subject: Resignation
Date: April 10, 2021 at 12:07 PM
To: canderson@lpny.org
Cc: secretary@lpny.org



Mr. Chairman,

It is with great sadness that I inform you of my immediate resignation from the LPNY State Committee as a representative for Judicial District 6.

I have recently relocated and am no longer a resident of NYS. I wish you and the rest of the State Committee the best of luck in your leading of the Libertarian Party in NYS. I will continue to uphold my commitment to see full affiliation of all 62 county organizations in NY and will remain a member of the Local Affiliate Development Committee so long as I am welcome.

I highly recommend Craig Colwell for the vacancy which my resignation causes. As you are aware, the Esteemed and Dedicated representatives from Judicial District 6 have always strived to allow maximum representation from all the counties in our district. Craig serves as Vice Chair of LP Chemung county and will be a valuable addition to the LPNY State Committee.

In Liberty,
Paul Sechrist
Former Esteemed and Dedicated representative from JD6

Exhibit 3



Status as an Officer in the LPNY

1 message

Peyton Kunselman <pdkunsel@buffalo.edu>
To: canderson@lpny.org

Wed, Mar 31, 2021 at 2:00 PM

Mr. Chair,

I hope you are doing well! During the last few months, I have been facing quite the interesting decision on how to prioritize different aspects of my life. I have come to the conclusion that I must make some important decisions before something negative happens in my life. As you are aware, I am pursuing my PhD in Chemistry. Initially, I thought that I would be able to actively manage my graduate education, libertarian activism, and prominent involvement in the Classic Tetris competitive scene. After a lot of thought, I have decided that effective immediately, I will be resigning from **both** the LPNY state committee and the Cattaraugus County Libertarian Party. This was not an easy decision by any means, but I think this decision prioritizes what I feel is right for my life going forward.

In Liberty,

Peyton Kunselman

–

Peyton D. Kunselman

Pronouns: he, him, his
PhD Student, Chemistry
University at Buffalo
pdkunsel@buffalo.edu
Cell: (585) 307-4551

Exhibit 4

April 9, 2021

Mr. Cody Anderson
Chair
Libertarian Party of New York
Albany, NY 12212

Ref: RESIGNATION LETTER

Dear Mr. Anderson:

I received your letter dated April 2nd regarding my Libertarian Committee membership. I am writing to inform you my decision to resign from Libertarian Committee membership. Due to health issues and relocation to another state it would be impossible for me to commit to such an important position.

I want to take this opportunity to apologize for my absence during the State Committee zoom meetings but I noticed in the letter I received from you that my email is incorrect. My correct email address is HORANIO@OPTIMUM.NET instead of Carmenhhoran@gmail.com.

Thank you for your attention to this letter and also I would like to wish the Libertarian Party continuing success in the State of New York.

Sincerely yours,

Carmen Horan

Exhibit 5 (page 1 of 2)

Special Rules of Order of the Libertarian Party of New York for the State Committee Meeting of April 11, 2021

Proposed to be adopted by the State Committee on April 11, 2021.

Rule 1. **AGENDA.** The order of business shall be as follows:

- (a) The Chair shall call the meeting to order.
- (b) The Secretary shall call the roll to identify the elected State Committee members present.
- (c) Adoption of the Special Rules of Order of the State Committee Meeting.
- (d) Hearings.
- (e) Old business.
- (f) New business.
- (g) Adjournment.

Rule 2. **CREDENTIALS.** The Secretary, directly after the opening ceremonies of the business meeting, shall call the roll of the elected members of the State Committee.

Rule 3. **IDENTIFICATION OF VOTING MEMBERS.** To facilitate identification, seating, and voting, members and others shall be required to retain and display upon request the wristbands, voting cards, or other indicia issued by the organizers of the meeting upon registration. Division votes, whether simple or counted, shall be taken by members' standing and display of such voting member indicia. For meetings held by teleconference, voting members shall be identified within the platform or platforms used to conduct the meeting.

Rule 4. **VOTING.** All voting shall be conducted using the Porcupine App. All votes except for elections shall be conducted using the polls feature of the Porcupine App. All elections shall be conducted by ballot using the ballots feature of the Porcupine App.

Rule 5. **DEBATE.**

Rule 5.1. No member shall speak in debate on the same question a second time until every other member who wishes to speak had the opportunity to do so.

Rule 5.2. No member shall speak in debate on the same question more than twice or longer than three (3) minutes in total without permission of the State Committee granted by a two-thirds vote without debate.

Rule 6. **HEARINGS.**

Rule 6.1. **ORDER OF PROCEEDINGS.** The following shall be the order of the proceedings:

Rule 6.1.1. The Chair shall call the hearing to order.

Rule 6.1.2. The Secretary shall read the charges and the motion that led to the hearing.

Rule 6.1.3. The Chair shall ask the defendant how they plead.

Rule 6.1.4. If the defendant pleads guilty, the voting body shall discuss the penalties and issue a ruling.

Rule 6.1.5. If the defendant pleads not guilty, the body shall proceed with a trial in accordance with Rule

6.2. The Chair shall ask who is representing each party, if any.

Exhibit 5 (page 2 of 2)

Rule 6.2. **ORDER OF THE TRIAL.**

Rule 6.2.1. Each party shall issue opening statements. The managers shall issue the first opening statement and then the accused shall issue an opening statement.

Rule 6.2.2. The managers shall call witnesses for the organization.

Rule 6.2.3. The accused shall call witnesses.

Rule 6.2.4. After the calling of witnesses, each party shall have the opportunity for a rebuttal of the witnesses. The managers shall speak first, followed by the accused.

Rule 6.2.5. Each party shall issue closing statements. The managers shall speak first, followed by the accused.

Rule 6.2.6. Members of the State Committee may make statements for or against the proposed removal.

Rule 6.3. **ISSUANCE OF RULING.** Following the hearing, the body making the decision on the hearing shall do so in accordance with Article 11 of the Rules of the Libertarian Party of New York.

Rule 7. **PLATFORM.** When discussing the Platform, the previously adopted Platform shall be the base on which amendments, additions, or deletions shall be offered. Such changes to the Platform shall require a vote in accordance with the Rules of the Libertarian Party.

Rule 8. **RESOLUTIONS.**

Rule 8.1. A resolution offered by an individual member shall be submitted by the maker and the seconder – each of whom shall be a member of the State Committee – and shall be sent by email directly to the Secretary.

Rule 8.2. The Resolutions Subcommittee may convene during the main meeting to consider resolutions. Each member who offers a resolution shall be given an opportunity to explain it to the Resolutions Subcommittee if he so requests.

Rule 8.3. The Resolutions Subcommittee shall review all resolutions in the order they were submitted, and shall amend the text of each resolution to the satisfaction of the member that submitted the resolution, while satisfying formatting requirements, grammar, clarity, etc. The Resolutions Subcommittee shall present a report to the State Committee of all resolutions in the order they deem appropriate.

Rule 9. **PERMANENT RECORD.** All reports and other material for the permanent record or printed proceedings shall be typewritten and, immediately on presentation, shall be sent to the Recording Secretary in electronic form.

Rule 10. **ANNOUNCEMENTS.** Notices for announcement to the convention shall be in writing, signed by the person (or a proper representative of the persons) under whose authority the announcement is issued, and shall be sent to the desk of the Recording Secretary.

Rule 11. **SUSPENSION OF SPECIAL RULES OF ORDER.** These Special Rules of Order may only be suspended by a two-thirds (2/3) vote.