

**MINUTES OF THE MEETING OF THE EXECUTIVE COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON SUNDAY, JUNE 25, 2023 ON THE ZOOM MEETING APP**

MEMBERS PRESENT

Andrew M. Kolstee, Chair
Duane J. Whitmer, 1st Vice-Chair
Richard F. Purtell, 2nd Vice-Chair
Mark S. Braiman, Secretary
William Cody Anderson, Treasurer
Maura E. Botsford, Member-At-Large (JD8)
Justin N. Carman, Member-At-Large (JD3)
Keith C. Redhead, Member-At-Large (JD5)
William K. Schmidt, Member At-Large (JD9)

MEMBERS ABSENT

Karyn A. Keniry-Thompson, Member-At-Large (JD4)

OBSERVERS

Sean C. Phelan, State Committee Member, Judicial District 7
Shawn C. DeGrand, State Committee Member, Judicial District 5
Shawn Hannon, Onondaga County Chair

The meeting was called to order at 8:04 p.m. by Andrew Kolstee, Chair. Secretary Mark Braiman conducted a roll call and determined that a quorum was present.

A request for public comment by Chair Andrew Kolstee received no comments.

Secretary Mark Braiman issued a written report (**Exhibit 1**).

Treasurer William Cody Anderson issued a **Treasurer's Report in writing (Exhibit 2) and the report was accepted** without objection.

Field Development Director Andrew Kolstee issued a report.

The appointment of Jame VanDewalker as Acting County Chair and County Liaison of Allegany County on July 1, 2023, which will expire on December 31, 2023 passed without objection.

The appointment of Thomas Quiter as County Liaison of Chenango County on July 1, 2023, which will expire on December 31, 2023 passed without objection.

The appointment of Zachary Remian as County Liaison of Clinton County on July 1, 2023, which will expire on December 31, 2023 passed without objection.

The appointment of Christopher Lyndaker as Acting County Chair of Lewis County on July 1, 2023, which will expire on December 31, 2023 passed without objection.

The appointment of Jennifer O'Connor as Acting County Chair and County Liaison of Rensselaer County on July 1, 2023, which will expire on December 31, 2023 passed without objection.

The appointment of Brian Wells as Acting County Chair and County Liaison of Washington County on July 1, 2023, which will expire on December 31, 2023 passed without objection.

The appointment of Rajib Maitra as Acting County Chair and County Liaison of Westchester County on July 1, 2023, which will expire on December 31, 2023 passed without objection.

The affiliation of the County Organization in Oneida County passed without objection.

Communications Director Duane Whitmer issued a report including a report on behalf of the Outreach Division. Motion by Duane Whitmer to **authorize an expenditure of up to three thousand five hundred dollars (\$3,500) to secure a booth at the 2023 New York State Fair** passed 5-0-2.

Motion by Mark Braiman **to adjourn** was seconded by William Cody Anderson and passed without objection.

The meeting was adjourned at 8:45 p.m.

Mark Stephen Braiman,
Secretary

Exhibit 1 (page 1 of 2)

Secretary's Report for LPNY Executive Committee Meeting of May 21, 2023.

The porting of the LPNY.org website to a new host, which is ongoing, means that it is more challenging to post minutes of meetings to that website, in a way that can be counted on not to introduce discrepancies between versions hosted on the old and new hosts.

At the request of Chairman Andrew Kolstee, authoritative minutes for Executive Committee and State Committee meetings will now be posted at LPedia.org, which will also serve directly as the archival collection of these minutes. (See https://lpedia.org/wiki/Index_of_New_York_State_Party_Meetings. Scroll to near the bottom of the page for the list of 2022-2024 meetings, and then click on the appropriate link in the rightmost column for the minutes).

The Secretary requests approval today of the posted Draft Minutes for Executive Committee meetings of December 18, 2022; January 15, 2023; February 19, 2023; March 26, 2023; and April 12, 2023; and State Committee meetings of March 5, 2023 and March 19, 2023.

The Secretary also requests that the Executive Committee engage in some discussion of the following Rules issues that have recently become apparent while carrying out secretarial duties:

1. At the most recent Rules Committee meeting, I suggested the following change to Article 6.5.3, indicated in red and green: “**SECRETARY.** The Secretary shall keep an accurate and complete record of the proceedings of all meetings of the State Committee and shall keep these records up-to-date and in order ~~in the master book~~ at the LPedia page containing the official minutes of the Libertarian Party.” The “master book containing the official minutes” is an ill-identified physical object that has not been used since at least 2019. My proposed change in wording would help any member of the State Committee, or any other interested party, to figure out where they can get access to minutes. One challenge posed by switching to purely online records in a public archive is that elsewhere in the Rules, Article 7.5.2 makes reference to the minutes of Executive Sessions. It does not seem advisable or even necessary to place minutes of Executive Session in LPedia. The highly structured recording style for minutes that Andrew Kolstee adopted, and that I have embraced fully, is to record only actions (motions and elections) taken by the Executive Committee or State Committee, and not discussions. Applying the same principle to Executive Session minutes, there should be nothing recorded, because no official actions may be taken. The “minutes” would consist of nothing but a statement that the Executive Session took place, began at a certain time, and adjourned at a certain time. This information is already present in the minutes of the Executive Committee Meeting itself. It seems advisable to eliminate all requirement in our Rules of minute-taking during Executive Session; and certainly any requirement to store those minutes at LPedia.com. I ask for guidance from the Executive Committee on whether or not there is broad agreement with this idea.
2. Article 6.7. provides for a term for State Committee members that is inconsistent with our practice over the past 2 Organization meetings, in 2020 and 2022: “**TERM.** State Committee members shall serve until the conclusion of the Organization Meeting following the primary election at which their successors are elected.” This implies that the “rump” State Committee members, who were not

Exhibit 1 (page 2 of 2)

elected or possibly did not even run at the most recent election, should still “serve”, meaning that they have a vote on all matters including approval of rules, election of new officers, etc. This is illogical or at least undemocratic. Chairman Kolstee has expressed a concern that the existing wording was mandated by Election Law ELN 2-112, which says in part “...Until such organization meeting, the existing state committee shall exercise all legal authority. Upon the conclusion of such organization meeting, the new state committee shall assume all legal authority vested in the previously organized state committee.” This was *not* an idiosyncratic interpretation of election law by only Andrew Kolstee. I myself, and 4 or 5 others, participated in writing those rules, and fully endorsed this wording of Article 6.7. But I didn’t really understand, and I think the rest of the Rules Committee and State Committee have never understood, all the implications of what we wrote. I realize now there is a potential for intraparty conflict built into this rule. And there is contradictory wording in Election Law pertaining to terms of members. See for example ELN 2-106, paragraph 1 “Members of the state and county committees shall be elected at the primary election as herein provided.” And the same section, paragraph 4: “Members shall hold office until the next election at which members of the committee are elected”. Clearly at our organization meeting in September 2022 in Niagara Falls, the prior members who were not re-elected in the June 2022 primary were (ambiguously) not invited. I certainly don’t believe that they were given any opportunity to vote. It is not clear whether former Secretary Kolstee recorded their presence as voting members in Niagara Falls. Those official minutes have not been recorded at LPedia.org. My personal recollection of that meeting is that no such former members were invited to participate in any Porcupine votes. In any case, the Executive Committee and Rules Committee should probably start discussing this area of potential conflict, well in advance of the 2024 Organization Meeting.

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Since I was not at the last state committee meeting, I wanted to reiterate our inflow position for the record.

A summary of monthly donation income since the current state committee was seated appears below. We have seen monthly income trending downward since November 2022.

Oct 22 - \$1005.75
Nov 22 - \$1663.41
Dec 22 - \$1455.07
Jan 23 - \$1019.95
Feb 23 - \$1285.21
Mar 23 - \$1193.01
Apr 23 - \$1032.17
May 23 - \$825.60

Although our recurring monthly expenses have held steady for some time, the implementation of the Humanitru CRM system will have significant one-time (\$1200) and recurring costs (\$3000/year) that we will need to cover going forward.

In short: monthly revenue must be increased significantly in order to adequately cover both our additional recurring expenses, as well as the unexpected expenses, such as for legal and candidate support, we are certain to incur. I defer to the Finance Director to speak to the ways in which he intends to attain the means we require, and to the Communications Director to speak to progress made on resuming our email outreach, which has traditionally been our best opportunity to energize our base and ask for donations periodically.

Respectfully submitted,

W. Cody Anderson
Treasurer

Exhibit 2 (page 2 of 2)

LPNY Treasurer's Report
June 25, 2023

Housekeeping Committee account balance as of June 25, 2023: **\$2410.50** (+\$1286.64 since June 4)

Constituted Committee account balance as of June 25, 2023: **\$25,111.60** (-\$4468.27 since June 4)

Deposits to Housekeeping account since June 4:

Transfer in from CC - \$5,000

Disbursements from Housekeeping account since June 4:

Humanitru - \$3,480.00

Grasshopper - \$33.29

Constant Contact - \$200.07

Deposits to CC account since June 4:

Net Donations - \$571.73

Disbursements from CC account since June 4:

Transfer out to Housekeeping - \$5,000.00
