

**MINUTES OF THE EXECUTIVE COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON TUESDAY, DECEMBER 22, 2020 ON THE ZOOM MEETING APP
REGULAR SESSION**

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
Pietro S. Geraci, Member-At-Large
Paul M. Grindle, Member-At-Large
Richard F. Purtell, Member At-Large

MEMBERS ABSENT

Maria V. Borell, Member-At-Large

OBSERVERS

Gary S. Popkin, Judicial District 2
Brandon G. Lyon, Judicial District 4
Steven G. Becker, Judicial District 5
Mark S. Braiman, Judicial District 6
Christopher M. Olenski, Judicial District 6
Eric A. Cooper, Judicial District 7
James M. Dayton, Judicial District 7
Richard Bell, Judicial District 11
Paul C. Sechrist, Member, Local Affiliate Development Committee

The meeting was called to order at 7:04 p.m. by William Cody Anderson, Chair.

William Cody Anderson issued a Chair’s report. The ballot access lawsuit is moving forward and there will be action on it very shortly and everyone will be updated accordingly. The Chair also announced receiving letters of resignation from Maria Borell as Member-At-Large of the Executive Committee and representative from Judicial District 5 of the State Committee (**Exhibit 1**), Dustin Tait as representative from Judicial District 6 (**Exhibit 2**), and Nicholas Phelps as representative from Judicial District 8 and Chair of the Niagara County Libertarian Party (**Exhibit 3**).

Motion by Andrew Kolstee to **accept the resignations of Maria Borell as Member-At-Large of the Executive Committee and representative from Judicial District 5 of the State Committee, Dustin Tait as representative from Judicial District 6 of the State Committee,**

and Nicholas Phelps as representative from Judicial District 8 of the State Committee and chair of the Niagara County Libertarian Party was seconded by Richard Purtell and passed by unanimously without debate.

Motion by Andrew Kolstee to **waive reading and accept the minutes of the November 8, 2020 Meeting of the Executive Committee** was seconded by Pietro Geraci and passed unanimously without debate.

Lora Newell issued a Treasurer's report in writing (**Exhibit 4**). Motion by Lora Newell to **reimburse William Cody Anderson for \$77.00 for postage and the mailings to Boards of Elections** passed unanimously without debate.

Andrew Kolstee read a report of the Platform Committee provided in writing by Chair Frederick Cole. The committee will hold their next meeting next month. Furthermore, he is looking for direction for the committee in the form of a resolution from the Executive Committee. Motion by Andrew Kolstee to **affirm the Chair of the Platform Committee's vision to focus on a principle-centric rather than policy-centric platform and refine our existing platform accordingly** was seconded by Lora Newell, debated, and passed 7-1.

Local Affiliate Development Committee Chair Robert Arrigo issued a report on the committee's County Rules Template. Model County Rules Subcommittee Chair Andrew Kolstee issued a report. Motion by Andrew Kolstee to **adopt the County Rules Template as amended (Exhibit 5) and recommend it's use by County Affiliates** was seconded by Pietro Geraci and passed unanimously without debate.

Local Affiliate Development Committee Chair Robert Arrigo issued a report on the results of the survey that was sent to the Chairs of the County Affiliates. He stressed the importance that political activism is more than just interviewing and endorsing candidates and that legislative action is a key aspect. He observed that many County Affiliates are seeking guidance with regard to infrastructure. In summary, the survey presents a baseline for the Local Affiliate Development Committee to pursue facilitating growth of the County Affiliates. Additionally, the Local Affiliate Development will host a one-hour meeting to be held on the second Tuesday of each month throughout 2021, focused on training county leaders and exchanging ideas and best practices. The first meeting is set for Tuesday, January 12, 2021.

Anthony D'Orazio issued a report of the Public Engagement Committee on behalf of Chair Maria Borell. He intends to expand upon the content in the blog and seek out contributors. He also wants to send out the next press release in both English and Spanish and is looking for help with translations.

Motion by Andrew Kolstee to **appoint Anthony D’Orazio as chair of the Public Engagement Committee** was seconded by Lora Newell and passed unanimously without debate.

IT Committee Chair Andrew Kolstee issued a report in writing (**Exhibit 6**). William Cody Anderson requested more frequent updates of the Constant Contact list and reported that an R.I.T. capstone project investigated the LPNY.org website for security vulnerabilities and we performed well. They did recommend that personal email addresses be removed from the website. There was a discussion on policies concerning requirements for using the LPNY.org email addresses for party business, starting with the members of the State Committee. Motion by Andrew Kolstee to **allocate up to \$100.00 per year for the purchase a subscription to a Business Starter account at Google Workplace** was debated and passed unanimously. Motion by Lora Newell to **appoint Lora Newell and Gabrielle Cordova as co-Chairs of the Fundraising Committee** was seconded by Pietro Geraci and passed unanimously without debate.

Motion by Richard Purtell to **constitute a Legislative Affairs Committee with a targeted focus of leveraging state legislative changes which fit the goals of our party** was seconded by Lora Newell. Motion by Andrew Kolstee to amend the motion to **add the appointment of Richard Purtell as chair of the Legislative Affairs Committee** was seconded by Anthony D’Orazio and passed unanimously without debate. The main motion to **constitute a Legislative Affairs Committee with a targeted focus of leveraging state legislative changes which fit the goals of our party with Richard Purtell as chair** passed unanimously without debate.

Legislative Affairs Committee Chair Richard Purtell issued a statement on his vision for the committee.

Andrew Kolstee issued a report on the status of the certification of County Affiliates in accordance with Article 9.1.1. of the Rules of the Libertarian Party of New York (**Exhibit 7**).

Motion by Andrew Kolstee to **certify that the County Organizations in Nassau and Orange Counties have met the criteria required in Article 9.1.1. of the Rules of the Libertarian Party of New York** was seconded by Anthony D’Orazio. Motion by Paul Grindle to divide the question to consider each County Organization separately was seconded by Pietro Geraci and passed unanimously without debate.

Motion by Andrew Kolstee to **certify that the County Organization in Orange County has met the criteria required in Article 9.1.1. of the Rules of the Libertarian Party of New York** was seconded by Anthony D’Orazio and passed unanimously with one abstention without debate.

Motion by Andrew Kolstee to **certify that the County Organization in Nassau County has met the criteria required in Article 9.1.1. of the Rules of the Libertarian Party of New York** was seconded by Anthony D’Orazio, debated, and failed 6-2.

Motion by Paul Grindle to **constitute a special committee consisting of Robert Arrigo, Pietro Geraci, Paul Grindle, and Andrew Kolstee to produce a report by December 27, 2020 to send to the Nassau County Libertarian Party of the items in their County Rules that violate Election Law in order to rectify their rules in accordance with Election Law** was seconded by Pietro Geraci, debated, and passed unanimously.

Motion by Andrew Kolstee to **accept the resignations of Justin Burchard as County Contact of Cayuga County, Mandy Atkinson as County Contact of Franklin County, Frederick Cole as County Contact of Schenectady County, Peter Olausson as County Contact of Steuben County, Robert Norbury as County Contact of Sullivan County, Nathan Dunn as County Contact of Warren County, and David Boddery as County Contact of Washington County** was seconded by Robert Arrigo and passed unanimously without debate.

Motion by Andrew Kolstee to **remove Mark Deon as County Contact of St. Lawrence County and Jeffrey Chang as County Contact of Putnam County** was seconded by Robert Arrigo and passed unanimously without debate.

Motion by Andrew Kolstee to **appoint Michele Ball as County Contact of Allegany County, Patrick Ward as County Contact of Franklin County, Barbara Neznec as County Contact of Montgomery County, William O’Donnell as County Contact of Putnam County, Robert Greibesland as County Contact of Rockland County, and Brian Wells as County Contact of Washington County** was seconded by Robert Arrigo and passed unanimously as amended.

Motion by Pietro Geraci to **schedule the next meeting of the full State Committee on Saturday, January 23, 2021 at 1:00 p.m.** was seconded by Anthony D’Orazio and passed unanimously without debate.

The Chair directed Anthony D’Orazio to contact TJ Ferreira regarding the use of Porcupine for the meeting and his availability for that date. The Chair also announced that we will need to advertise the five vacancies on the State Committee, the vacancy of the Member-At-Large on the Executive Committee, and the election of the Judicial Committee.

Motion by Andrew Kolstee to **revoke the status of the County Organization in Niagara County as a County Organization** was seconded by Richard Purtell and ruled out of order by the Chair.

Motion by Andrew Kolstee to **request a hearing to be held by the State Committee at the next State Committee meeting for the purpose of revoking the affiliation of the County Organization in Niagara County** was seconded by Pietro Geraci and debated. The Chair ruled that this matter be moved to Executive Session.

Motion by Richard Purtell to **postpone Andrew Kolstee's motion regarding holding a hearing for the purpose of revoking the affiliate to the next Executive Session** was seconded by Anthony D'Orazio and passed unanimously without debate.

Motion by Andrew Kolstee to **enter Executive Session for the purpose of discussing personnel matters** was seconded by Lora Newell and passed without objection.

The meeting entered into Executive Session at 9:33 p.m.

Executive Session was adjourned at 10:07 p.m. without objection.

Motion by Anthony D'Orazio to **allow the disclosure of any actions taken during Executive Session that would require action by the State Committee** was seconded by Lora Newell and passed unanimously without debate.

Motion by Lora Newell to **adjourn** passed without objection.

The meeting was adjourned at 10:09 p.m.

Andrew Martin Kolstee,
Secretary

Exhibit 1

December 22, 2020

Dear NY Libertarian State Chair Mr. Cody Anderson.

Regretfully, I have to resign from the Libertarian Executive Committee and JD5 representative effective immediately. Due to personal issues, I cannot give this position the time and dedication it deserves. I sincerely apologize.

Sincerely,

Maria Borell

Exhibit 2

From: dtait@lpny.org
Subject: Resignation
Date: December 6, 2020 at 11:11 PM
To: canderson@lpny.org
Cc: akolstee@lpny.org



Effective immediately I am resigning from my post as JD6 Representative for Libertarian Party of New York State Committee.

A formal letter will be mailed this week.

Thank you.

Exhibit 3

12/23/2020

Roundcube Webmail :: Letter of Resignation

Subject **Letter of Resignation**
From Nick Phelps <nickphelps78@gmail.com>
To W. Anderson <canderson@lpny.org>
Date 2020-12-08 16:39



Dear LPNY Chair,

I would like to notify you that I am resigning from my positions as Niagara County Libertarian chairman and State committee effective immediately.

Thank you very much for the opportunity you have given me to represent the libertarian party on the state and county level.

Due to recent changes in my personal life I am no longer able to coordinate the efforts of the party but I will be happy to help smooth a transition if necessary.

Sincerely,

Nick Phelps

Sent from my iPhone

Exhibit 4

LPNY Treasurer's Report December 22, 2020

LPNY KEY BANK

Housekeeping Committee account balance as of 12.22.20: \$12,330.12

Outstanding checks: \$71.70

CC General account balance as of 12.22.20: \$12,015.77

Total cash on hand as of 12.22.20: \$24,345.89

Expenses for November:

Call Hub: \$675.00

Constant Contact: \$128.25

Grasshopper: \$32.77

Jim Ostrowski (retainer fee, 1 year) \$3000.00

Total Expenses for November: \$3836.02

Request for reimbursement:

Motion to reimburse Cody Anderson \$77.00 for postage for BOE mailings.

Fundraising results for November: \$2896.78

December Fundraising to date: \$1113.06

Respectfully submitted,

Lora Newell

Treasurer

Exhibit 5 (page 1 of 7)

Rules of the Libertarian Party of _____ County

As <adopted/amended> at the Organization Meeting of the County Committee held on <DATE>.

Article 1: Organization

1.1. **NAME.** The name of this organization shall be the <Libertarian Party of _____ County>.

1.2. **STRUCTURE.** The <Libertarian Party of _____ County> is a County Affiliate of the Libertarian Party of New York and shall pursue becoming and maintaining a constituted County Committee as defined in election law. Until such time, or if the Libertarian Party's status as a recognized political party is lost, the <Libertarian Party of _____ County> shall function as a County Organization as defined in the Rules of the Libertarian Party of New York and shall exercise all of the powers of a constituted County Committee as set forth herein and not prohibited by applicable law.

1.3. **JURISDICTION.** The jurisdiction of the <Libertarian Party of _____ County> shall be < _____> County in the State of New York.

1.4. **PURPOSE.** The <Libertarian Party of _____ County> is organized for the purpose of supporting and electing candidates nominated by the Libertarian Party to public office and engaging in political action for the promotion of principles and policies of the Libertarian Party.

Article 2. Membership

2.1. **MEMBERS.** Members shall consist of individuals who are registered or pre-registered to vote in < _____> County and are enrolled in the Libertarian Party. Pre-registered members are entitled to the same rights of any registered member except as prohibited by law.

Article 3: County Committee

3.1. **AUTHORITY.** The County Committee shall be the highest governing body of the Libertarian Party in _____ County in the State of New York. It shall have full authority to set policies and goals for the <Libertarian Party of _____ County>, establish committees, raise and allocate financial resources, and hire staff consistent with the Rules of the Libertarian Party of New York and applicable law.

3.2. **COMPOSITION.** Each election district within the county is entitled to have two representatives on the County Committee, who shall reside in the county and assembly district containing the election district that they represent. In addition to the members elected as aforesaid, the Chair, Vice-Chair, Secretary, and Treasurer of the County Committee shall be voting members of that committee, by virtue of their office, in the event that one or more of the aforesaid officers would not otherwise be a member of the County Committee.

3.3. ELECTIONS

3.3.1. **BY PRIMARY.** Members of the County Committee shall be elected by enrolled Libertarians at the primary elections in even numbered years held pursuant to election law.

Exhibit 5 (page 2 of 7)

3.3.2. ELECTION OTHER THAN PRIMARY.

3.3.2.1. If the members of the party fail to elect enough delegates at a primary election to form a constituted County Committee per Election Law, an organization meeting shall be held and all members in attendance shall fill vacancies of the election district delegates as the first order of business following the call to order. Election district delegates elected at the primary shall automatically be seated as members of the County Committee in their respective election district.

3.3.2.2. No member will be permitted to vote subsequent to filling of the vacancies, until they have been elected or appointed as an election district delegate as herein provided.

3.4. **OFFICERS.** The officers of the County Committee shall be the Chair, Vice-Chair, Secretary, and Treasurer.

3.4.1. **ELECTION.** The County Committee shall elect the officers at the Organization Meeting. All officers must be enrolled members of the Libertarian Party and reside within <____> County. Such officers shall be considered ex-officio members of the County Committee and shall have the same rights and privileges of any member of the County Committee.

3.4.2. DUTIES.

3.4.2.1. **CHAIR.** The Chair shall preside at all meetings of the County Committee. The Chair shall perform such duties as usually pertain to the office of Chair and shall perform such other duties as are assigned to the Chair by the County Committee. The Chair is responsible for ensuring that all paperwork necessary for the facilitation of the business of the party is filed with the County Board of Elections, including, but not limited to, the filing of the party calls in order to conduct a primary.

3.4.2.2. **VICE-CHAIR.** The Vice-Chair shall act as assistant to the Chair and shall perform such other duties as are assigned to the Vice-Chair by the County Committee. The Vice-Chair shall preside in the absence of the Chair and shall assume all the duties of the Chair in the event the Chair is unable to execute the duties of the Chair.

3.4.2.3. **SECRETARY.** The Secretary shall keep an accurate and complete record of the proceedings of all meetings of the County Committee and shall keep these records up-to-date and in order in the master book containing the official minutes of the <Libertarian Party of ____ County>. At meetings of the County Committee and the Executive Committee, the Secretary shall present the minutes of the previous respective meeting for approval. In all elections and roll call votes, the Secretary shall call the roll of the voting members and shall keep an accurate tally of such votes. The Secretary with unanimous consent may dispense with a roll call vote. The Secretary may appoint assistants for this purpose and, in contested elections, with the consent of a majority of the members of the County Committee present and voting shall appoint an Elections Board which shall include one representative of each contestant in question plus one additional member, so that the Board shall consist of an odd number of persons.

3.4.2.4. **TREASURER.** The Treasurer, or the Treasurer's designated agent, shall receive and give receipts for all monies paid to the county party and shall deposit the same in such bank or banks as shall have been designated by the County Committee. The Treasurer shall present a written report at each meeting of the County Committee or at any other time when so requested by the County Committee. The Treasurer shall, at the discretion of the County Committee, present the financial records of the <Libertarian Party of ____ County> for audit by such auditor(s) as the County Committee shall specify. Expenditures of funds

Exhibit 5 (page 3 of 7)

shall be made only in accordance with regulations established by the County Committee and as allowed by applicable law.

3.5. VACANCIES. If a vacancy occurs on the Executive Committee or the County Committee, the position shall be filled in accordance with this section. Vacancies occur by death, resignation, removal, relocation out of the county, failure to elect an officer, or change of party enrollment to a choice other than Libertarian.

3.5.1. CHAIR. Should a vacancy exist in the office of Chair, the Vice-Chair shall serve as Acting Chair until the election of a new Chair at the next meeting of the full County Committee.

3.5.2. OTHER OFFICERS. Should a vacancy exist in the office of Vice-Chair, Secretary, or Treasurer, the Executive Committee shall fill the vacancy, subject to ratification by a vote of the full County Committee. The individual selected shall serve for the remainder of the term of the office vacated. If the ratification fails, the County Committee shall fill the vacancy.

3.5.3. ELECTION DISTRICT DELEGATES. Should a vacancy exist in an election district on the County Committee, the position shall be vacant until filled by a majority vote of the full County Committee.

3.6. TERM. All County Committee members shall serve until the conclusion of the Organization Meeting following the next primary election in an even numbered year.

3.6.1. OFFICER TERMS. Officer terms expire upon the conclusion of the next Organization Meeting held following the Organization Meeting in which they were elected.

3.7. EXECUTIVE COMMITTEE. The County Committee may authorize an Executive Committee to carry on the duties and exercise the powers of the County Committee when it is not in session or stands in recess, except powers reserved herein exclusively for the full County Committee. The Executive Committee shall be composed of the Chair, Vice-Chair, Secretary, Treasurer of the County Committee and the Members-At-Large, as herein provided. Such authorization shall expire at the start of the succeeding meeting of the County Committee. Quorum at meetings of the Executive Committee shall consist of two-thirds (2/3) of its members.

3.7.1. MEMBERS-AT-LARGE. Members-At-Large of the Executive Committee are to be elected at the Organization Meeting, or at any meeting of the full County Committee held thereafter if there are vacancies or when the allowed number of Members-At-Large increases. Members-At-Large shall serve until the next Organization Meeting after their election. One (1) Member-At-Large will be elected for every five (5) election district delegates on the County Committee with a maximum of five (5) Members-At-Large of the Executive Committee.

Article 4. Meetings.

4.1. ORGANIZATION MEETING. After the State Committee has recognized the <Libertarian Party of _____ County> as a County Affiliate, an Organization Meeting must be held biennially in even number years as required by election law for the purpose of holding officer elections. If no time frame is specified by election law, the meeting must be held between September 17 and October 6.

4.1.1. VOTING MEMBERS. The County Committee elected pursuant to Article 3 shall be the voting members.

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4.1.2. **VACANCIES.** If vacancies exist for election district delegates on the County Committee upon the start of the Organization Meeting, consideration of interested members to fill the vacancies must occur before the election of officers.

4.1.3. **NOTIFICATION.** Notice of the Organization Meeting shall be given to the members no later than thirty (30) calendar days prior to the meeting.

4.2. **OTHER MEETINGS.** Other meetings of the County Committee or Executive Committee shall be held at such times and places as the County Committee or Executive Committee may decide.

4.2.1. There will be at least one (1) meeting of the County Committee held in each quarter of the year. In even numbered years, the organization meeting shall satisfy the requirement for the quarter in which it is held.

4.3. **CALLING OF MEETINGS.** Meetings of the County Committee may be called by one of the following.

4.3.1. The Chair.

4.3.2. Majority vote of the Executive Committee/Officers.

4.3.3. A request in writing signed by one third (1/3) of the County Committee members, given to the Chair or Secretary. The request may be in email form, sent to the originator, the Chair, and the Secretary, indicating support of the call for a meeting.

4.4. **NOTIFICATION.**

4.4.1. Five calendar days notice shall be given. A waiver of notice whether signed before or after a meeting, or attendance without protesting a lack of notice, shall preclude any objection on this ground.

4.4.2. Email notice will be sufficient if sent to the email address provided to the Secretary for this purpose. If consent is given, notice by telephone only may be given in-person and cannot be given by leaving a message. Alternatively, notice given by a text message will be sufficient if acknowledged as having been received.

4.4.3. When notice is given, and documents need to be transmitted with the notice, such documents can be made available online, in any fashion agreed to, for those members who agreed to receive notices by email, text, or telephone.

4.4.4. If anyone would prefer to receive such notices via the U.S. mail, they must inform the Chair and provide a self-addressed stamped envelope for each notice.

4.4.5. The time and place for all meetings of the <Libertarian Party of ____ County> shall also be publicized in such manner as to assure timely notice to all interested parties. This notice shall be provided by the Chair or the Chair's designee.

4.5. **PRESIDING OFFICER.** The County Chair, or in his absence, the Vice-Chair will preside at all meetings of the County Committee and Executive Committee. At the organization meeting of the County Committee, the Chair of the outgoing County Committee, or in his absence the Vice-Chair thereof, shall preside until the Chair of the new County Committee is elected.

Exhibit 5 (page 5 of 7)

4.6. **QUORUMS.** A quorum shall consist of twenty-five percent (25%) of the full County Committee or five (5) members thereof present in-person or by electronic means, whichever is fewer, as long as at least half of the officers of the County Committee are present; or a majority of the entire County Committee if fewer than half of the officers are present.

4.7. **MAJORITY VOTE.** Unless specified elsewhere in these Rules, a majority of votes cast by duly qualified members of the County Committee shall be sufficient to decide the outcome of any issue presented for a vote or of any election.

4.8. **PROXIES.** No proxy votes shall be allowed at any time or in any committee and are invalid on every issue.

4.9. **TRANSPARENCY.** All meetings of the County Committee shall be open to observation by all enrolled members of the Libertarian Party, limited only by the need for orderly meetings. Any such member who expresses interest must be informed of meetings held by telephone or other electronic means.

4.10. **MEETINGS HELD BY ELECTRONIC MEANS.** Meetings of the County Committee and Executive Committee may be held by electronic means. Additionally, at any in-person meeting, voting members may participate by electronic means if technological capabilities allow.

Article 5: Removal of Committee Members

5.1. **GENERAL PROVISIONS.** A member of the County Committee and/or Executive Committee may be removed by the full County Committee, for disloyalty to the party, corruption in office, or enrollment in another party, after notice and hearing upon written charges to be heard by the Executive Committee. The Executive Committee may hear such charges or it may appoint a subcommittee to hear them. If the Executive Committee deems that the charges have been sustained, it shall act thereon or report its findings to the County Committee which shall act thereon.

5.2. **ABANDONMENT OF POSITION.** Any member of the Executive Committee who has previously failed to attend or participate in properly called business meetings for a period of six (6) months and has evinced no other intent to continue in office may be removed following a hearing by the County Committee for having abandoned the position; for this vote, the member or members in question need not be counted for quorum purposes.

5.3. PROCEDURE.

5.3.1. **HEARING.** With a majority vote, the County Committee may approve a hearing to consider removing an officer or election district delegate. The hearing shall be scheduled no sooner than ten (10) days after the approval of the hearing.

5.3.2. **PRESIDING OFFICER.** If the party so charged is the Chair, the Vice-Chair shall preside over the vote to hold the hearing as well as the hearing itself.

5.3.3. **VOTE FOR REMOVAL.** Immediately following a hearing as approved in Article 5.3.1, a two-thirds (2/3) vote is required to remove an officer or election district delegate. The subject of the hearing shall not participate in the vote nor count toward quorum.

5.3.4. **APPEAL.** An individual removed from office may appeal to the State Committee. Such appeal may be granted upon the discretion of the State Committee or its Judicial Committee. The decision of the State Committee shall be binding upon the County Committee.

Exhibit 5 (page 6 of 7)

Article 6. Committees

6.1. **GENERAL.** The County Committee and Executive Committee may create standing or special committees and appoint their members and chair, as it sees fit. The chair of each standing committee shall serve until the end of the first Executive Committee meeting following the next organization meeting, or until their resignation, removal, or reappointment as chair.

Article 7. Candidates for Public Office

7.1. The full County Committee shall make the designation, nomination, authorization, and endorsement of all Libertarian candidates for public office pursuant to these Rules, the Rules of the Libertarian Party of New York, and election law.

7.2. **DOCUMENTS.** Documents pertaining to the designation, nomination, authorization, and endorsement of candidates for public office that are required to be filed with the State Board of Elections must be submitted by the State Committee upon recommendation by one or more County Committees; the County Committee does not have the authority to submit or sign such documents unless as required by election law.

7.3. **VACANCIES.** The County Committee may fill vacancies occurring before or after primaries or for special elections and may decide tie votes in a primary. In doing so, the County Committee must act in accordance with these Rules, those of the Libertarian Party of New York, and Election Law.

7.4. **DEFERENCE TO SUBCOMMITTEES.** The full County Committee, whether directly or by enabling resolution, may defer to a subcommittee or local committee on designations, nominations, authorizations, or endorsements, unless prohibited by the Rules of the Libertarian Party of New York or Election Law.

Article 8. Local Committees

8.1. **RECOGNITION.** The County Committee may recognize any Local Committee within any municipality within _____ County which meets all of the requirements stated in this article. For purposes of these rules, a municipality is considered any subdivision within a county that contains a local government for that subdivision. No more than one Local Committee may be recognized in any one municipality. The County Committee may revoke the recognition of any Local Committee if and only if it fails to live up to its requirements under these Rules.

8.2. **CONTACT PERSON.** The County Committee may appoint a member residing in a municipality as a contact person to form a Local Committee.

8.3. **REQUIREMENTS FOR RECOGNITION.** A Local Committee may be recognized if four (4) or more County Committee members residing in a single municipality meet and elect a Chair, Vice-Chair, Secretary, and Treasurer to serve one (1) year terms and are elected at a meeting held annually.

8.4. **FINANCES.** A Local Committee may raise funds and have a bank account.

8.5. **ENDORSEMENTS.** A Local Committee may endorse any candidate for public office whose precinct is entirely within the municipality as long as it follows the County Rules.

Exhibit 5 (page 7 of 7)

Article 9. Loans

No loans may be made by the Libertarian Party to any member of the County Committee or to any officer thereof.

Article 10. Parliamentary Authority

The latest edition of Robert's Rules of Order shall govern all meetings of the County Committee and Executive Committee in so far as they are applicable and not inconsistent with these rules.

Article 11. Amendments.

These rules shall continue to be the rules for the County Committee until they are amended or new rules adopted by a successor County Committee. These rules may be amended from time to time by a majority vote of the members of the full County Committee present at a meeting at which there is a quorum, provided that a copy of the proposed amendment shall be sent with the notice of the meeting at which such amendment is proposed, such notice to be given not less than thirty (30) days before such meeting.

Article 12. Exclusivity

12.1. These rules shall be the exclusive rules of the <Libertarian Party of ____ County>.

12.2. These rules supersede and replace any document previously filed by the Party, and shall remain in effect until such time that the <Libertarian Party of ____ County> adopts new or amended Rules and files such Rules with the <____> County Board of Elections. No other rules shall be effective unless approved in writing by the County Committee.

Article 13. Severability

Any provision of these rules that is adjudged to be invalid or otherwise rendered inoperative by a court or competent jurisdiction shall not affect the validity of any other provision of these rules.

Exhibit 6 (page 1 of 2)

REPORT OF THE IT COMMITTEE OF THE LIBERTARIAN PARTY OF NEW YORK DECEMBER 22, 2020

WEBSITE

BITPAY. The link to Bitpay is live on the website. Lora Newell had also provided an embedded form, but placement on the website was not possible due to technical limitations.

BLOG. I am constantly making sure that our press releases and e-mails are on the blog on the website.

CLOUDFLARE. Andy Burns has reported the lp.org and lpky.org has moved to Cloudflare. He said, *"We've seen a markedly improved load time. This is a[n] easy win for better page speed performance."*

COUNTY PAGES. All county pages have been updated as far as information I have on their officers. Counties that do not have an organized County Affiliate have a generic statement to contact affiliates@lpny.org. Several counties never had a page on the website, so I created those as generic pages for Allegany, Greene, Hamilton, Herkimer, Lewis, Rockland, Schuyler, Seneca, Tompkins, and Yates.

E-MAILS. All Executive Committee members are now listed on the website with their LPNY e-mails. I just changed the e-mails for Pietro Geraci and Duane Whitmer from their personal to their LPNY. Several State Committee members and County leaders still only have a personal e-mail address and those e-mails are listed accordingly on the website.

HOMEPAGE. The homepage is in need of a redesign, since it has been relatively unchanged since 2017. First, I need ideas in regard to the content and how it should be laid out.

PAGE AUDIT. See its own section in this report.

CONSTANT CONTACT

The most recent import occurred on December 19, 2020 from the CiviCRM database. 8,117 contacts were important (27 new, 8,090 already in the list); 1,067 CiviCRM contacts are unsubscribed from the list and were not imported.

LPNY E-MAILS

It is recommended that all LPNY officials use an LPNY.org e-mail address. All 10 members of the Executive Committee have an LPNY e-mail address, while 37 out of 66 of all State Committee members have an LPNY e-mail address.

DISCORD SERVER

I have been working on adjusting the settings in the LPNY Discord that I created in July 2020. It's a cheaper alternative to Slack, has more features, and conversations can be divided into channels, better than having them all clumped together in several Facebook Messenger chats. I have invited users to try it out and so far, there are 14 users on the server.

GRASSHOPPER

I noticed that when calling the LPNY, the script is as follows: *"Thank you for calling Libertarian Party of New York. If you know your party's extension, please enter it now or press 8 for the name directory. For Fundraising, press 1. For Elections and Campaigns, press 2. For Communication and Media Relations, press 3. For Chapter Development, press 4. For all other inquiries, press 0 and the next available representative will assist you."* This should probably be updated at some point since affiliates are not called chapters anymore and perhaps individual titles should be in the recording.

Exhibit 6 (page 2 of 2)

ZOOM

Upon reviewing the Zoom account recordings for the Executive Committee meetings, I noticed that the November 8, 2020 meeting of the Executive Committee did not record. This may be due to the fact that our cloud space is far over the limits. I have downloaded the videos in there and backed them up in multiple places with my external hard drives.

WEBSITE PAGE AUDIT

As recommended by Andy Burns, I began conducting an audit of all pages on the LPNY website. There were 124 pages on the website at the beginning of the audit. Of these, 112 were published, 6 were drafts, and 6 were private. I take a “snapshot” of the website every so often for the historical archives. This involves using an application to extract all the pages in HTML format, essentially creating a “snapshot” in time. When archiving, I will export a page as a PDF and then extract the information and move it to LPedia.

The following pages I am in the process of archiving. They have been converted to draft:

- 2016 Candidates
- 2017 Candidates
- 2018 Candidates
- 2018 LPNY Convention
- 2018 Petitioning Portal ¹
- 2020 Important Dates
- Capital District
- Giving Tuesday 2019
- Hudson Valley
- Vice Chair Vacancies

¹ We can keep this as we may need a variant of it in the future.

The following pages have been archived and deleted from the LPNY website:

- Blackout CNN – archived on LPedia; it was an event for a 2012 protest.
- Bylaws – the 2016 FLP bylaws, archived on LPedia.
- Divisions – this page was blank.
- Pledge (Old) – duplicate of the about page, which was the preamble of the FLP bylaws.

The following pages I am investigating their purpose and origin:

- 2974-2
- Action
- Ballot Drive 2018
- Redirect
- Test
- Updates
- Volunteer Application

GOOGLE WORKSPACE ACCOUNT

Cody Anderson and I discussed the need for a place to store shared documents, templates, etc. for the Libertarian Party of New York. I plan to make a motion to purchase a Business Starter account for one user subscription at Google Workplace (formerly known as G Suite). The cost is \$6 per user per month. The account includes custom and secure business email, 100 participation video meetings, 30 GB cloud storage, security and management controls, and standard support. We would mostly use the document storage space.

Andrew Martin Kolstee
Chair, IT Committee, Libertarian Party of New York
December 22, 2020

Exhibit 7 (page 1 of 3)

REPORT OF THE SECRETARY OF THE LIBERTARIAN PARTY OF NEW YORK IN REGARD TO CERTIFICATION OF COUNTY AFFILIATES DECEMBER 22, 2020

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 1, 2021 to meeting the following criteria:

- 1) a provision in the rules for at least quarterly meetings (Article 9.3.3)
- 2) a provision in the rules for the election of officers (Article 9.3.1)
- 3) an election of officers held between June 23, 2020 and March 1, 2021 (Article 9.1.1)

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:

<u>RULES (8)</u>	<u>MINUTES, cont.</u>	<u>ATTENDEES, cont.</u>
Albany	Niagara	Genesee
Chemung	Onondaga	Madison
Genesee	Ontario	Monroe
New York (2019 original)	Orleans	Nassau
Onondaga	Otsego	New York
Otsego	Queens	Niagara
Queens	Richmond	Onondaga
Richmond	<u>ATTENDEES (21)</u>	Ontario
<u>MINUTES (13)</u>	Albany	Otsego
Albany	Broome	Queens
Columbia	Chemung	Rensselaer
Erie	Chenango	Richmond
Fulton	Columbia	Saratoga
Genesee	Erie	Westchester
Monroe	Fulton	

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

Exhibit 7 (page 2 of 3)

B. STATUS OF CERTIFICATION

On November 9, 2020, I sent an e-mail to all County Chairs regarding the requirements listed in this report and have since been collecting documentation and reviewing all documentation that I have on file to ensure counties have met the requirements. The following were requested of all County Affiliates:

- 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. MEETINGS PROVISION. Only 8 out of 32 counties have met the criteria for having a provision in their rules for holding at least quarterly meetings.

The 8 counties in compliance with this requirement are as follows: **Broome, Columbia, Nassau, New York/Manhattan, Ontario, Orange, Suffolk, and Ulster.** Most of the County Affiliates' rules have either no provision for regular meetings or the provision is vague.

- 3 counties (**Bronx, Fulton, and Schoharie**) have a provision for "4 meetings per year," but that does not meet the "quarterly" criteria required in the State Party Rules.

2. OFFICER ELECTIONS PROVISION. Only 9 out of 32 counties have met the criteria for having a provision in their rules for electing officers. The 9 counties in compliance with this requirement are as follows: **Broome, Chautauqua, Erie, Fulton, Nassau, Orange, Orleans, Suffolk, and Ulster.** Other counties will need to amend their rules to comply with this requirement:

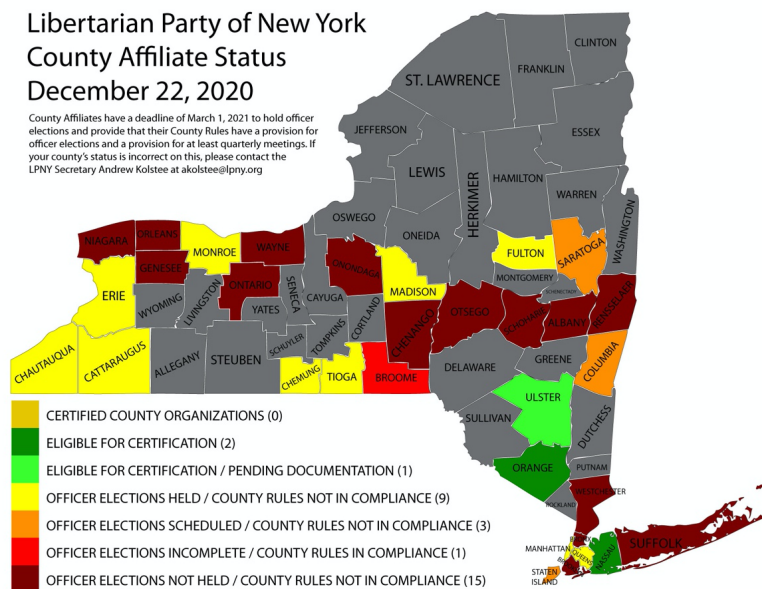
- 11 counties have a provision for an election of officers, but only at an organizing meeting, which is to be held within 20 days after the primary and elected by the elected County Committee, which is not possible for a County Organization, as they were not elected at a primary. All 12 of these counties use the Monroe Template, which is only useful if the counties are a constituted County Committee. **The 11 counties with this provision are as follows: Bronx, Cattaraugus, Chenango, Columbia, Monroe, Ontario, Rensselaer, Saratoga, Schoharie, Tioga, and Westchester.**
- **Madison** County requires election of officers at the first meeting after June 23, 2020, but there is no provision for subsequent officer elections.
- **New York** and **Kings** Counties provides for the election of officers if constituted but does not provide for election of officers if not a constituted county committee.
- **Niagara** County has a provision for election of officers, but there is no provision for holding "*a convention or special meeting to elect officers no less than once every two years.*"
- **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 7 counties (**Albany, Chemung, Genesee, Onondaga, Otsego, Queens, and Richmond/Staten Island**), as aforementioned, are not on file with the Secretary, so I do not know whether or not they are in compliance with the State Party rules.

Exhibit 7 (page 3 of 3)

3. ELECTION OF OFFICERS. Since June 23, 2020, only 13 County Affiliates have held an election of officers: **Cattaraugus, Chautauqua, Chemung, Erie, Fulton, Madison, Monroe, Nassau, New York/Manhattan, Orange, Queens, Tioga, and Ulster.** The following counties must hold an election of officers between June 23, 2020 and March 1, 2021:

- **Broome** County held their election of officers, but it is incomplete.
- **Columbia, Richmond/Staten Island, and Saratoga** Counties have their conventions scheduled.
- I have also been informed that 4 counties (**Chenango, Orleans, Otsego, and Wayne**) expect to hold their convention early in the new year before the March 1, 2021 deadline, but no exact date is set.
- The status of an election of officers of the remaining 12 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 1, 2021 deadline: **Albany, Bronx, Genesee, Niagara, Onondaga, Ontario, Kings/Brooklyn, Rensselaer, Schoharie, Suffolk, and Westchester.**

C. SUMMARY. A total of 3 counties have met the criteria to be certified per Article 9.1.1. (**Nassau, Orange, and Ulster**). Only 2 counties (**Nassau and Orange**) have provided documentation and are eligible to be certified. The remaining 29 counties must ensure that their rules are in compliance and they hold an election of officers by March 1, 2020 if they have not done so already.



Respectfully submitted,
Andrew Martin Kolstee
Secretary, Libertarian Party of New York