

**MINUTES OF THE MEETING OF THE EXECUTIVE COMMITTEE OF THE
LIBERTARIAN PARTY OF NEW YORK HELD ON SUNDAY, JANUARY 15, 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) (Arrived 7:30)
William K. Schmidt, Member At-Large (JD9)
Karyn A. Keniry Thompson, Member-At-Large (JD4) (arrived 7:10 p.m.)

OBSERVERS (10)

Adam Magoon, State Committee member from Judicial District 5
Amande Ellithorpe, State Committee member from Judicial District 4
Christian Vonadras, State Committee member from Judicial District 6
Dan Castello, State Committee member from Judicial District 5
David Penner, State Committee member from Judicial District 6
Michael Long, Fulton County Secretary and Acting Chair
Paul M. Grindle, State Committee member from Judicial District 2
Rebecca Lau, Manhattan Chair
Richard Bell, State Committee member from Judicial District 13
Christopher M. Olenski, State Committee Member, Judicial District 6

The meeting was called to order at 7:02 p.m. by Andrew Kolstee, Chair. Secretary Mark Braiman conducted a roll call and determined that a quorum was present.

The Chair opened a period of public comment. No comments were offered.

Secretary Mark Braiman issued a report. **Reading of the minutes of the October 16, 2022 Meetings of the Executive Committee was waived and the minutes were approved without objection.** Reading of the minutes of the December 18, 2022 was postponed because there were concerns about needing time to review some of the information in them. Braiman also reported that he emailed to all the members of the State Committee the Rules Committee's proposed amendment on the Conflict Resolution Committee, which had been requested to be communicated to them as soon as possible after finalization of that proposal.

Treasurer William Cody Anderson issued a **Treasurer's Report in writing (Exhibit 1) and the report was accepted** without objection.

Chair Andrew Kolstee issued a report. The first issue of the revived Free New York Newsletter was 12 pages long, got 2400 email reads, and responses from several individuals. The Chair also reported that there will be some legal issues to be discussed in an Executive Session at the end of the meeting regarding our ballot-access lawsuit, and a potential lawsuit regarding the purging of

enrollments by Boards of Election. He plans also to send out an email poll to find out the best date in late February or March for the next meeting of the full State Committee.

Communications Director Duane Whitmer issued a report that included Stephen Felano's report. An eight-minute long video response to and analysis of Kathy Hochul's State of the State, and also responding to the Republicans' response, has been prepared by Felano and will be released this week to social media. A response to the New York State Climate Council's new rules instituting "Climate Tyranny" is being prepared, demanding that the people who have promulgated these rules get rid of gas hookups to their own homes before even suggesting such rules. A press release pertaining to Second Amendment issues is also being prepared. A tentative meeting to prepare advocacy videos about police-state surveillance resistance, with the goal of preventing police surveillance. A commentary has been prepared on New York State's response to the western New York Christmas weekend blizzard, pointing out that based on the response to this one, central government will not be able to help individuals significantly when such events occur in the future.

Field Development Director Andrew Kolstee issued a report, referring to Documentation available online [here](#), that the County Affiliates in four (4) counties have met all required affiliation criteria. **Certifications that the County Affiliates in Erie, Kings, and Onondaga, and Suffolk Counties have met the criteria required in Article 11.2.3 of the Rules of the Libertarian Party of New York** were moved by the Field Development Committee and were approved without objection.

The Field Development Director's report also included a list of two (2) counties that have held a convention but have not yet provided full documentation for certification: **Orange and Putnam**. The report also included a list of thirteen (13) county organizations that have previously been organized during the 2020-2022 period, but have not provided documentation of having held a convention: **Albany, Chenango, Fulton, Montgomery, Otsego, Orleans, Richmond, Saratoga, Schoharie, Tioga, Wayne, Westchester, and Yates**. These need to provide documentation by March 31 or they will be considered for decertification.

The Chair allowed a question from an observer in the Zoom gallery, Fulton County Acting Chair Michael Long, regarding what would happen if the Fulton County's paperwork were not submitted by March 31. Andrew Kolstee responded that the full State Committee would look to see what kind of activity is occurring in the county, and would have the power to decide to keep a county affiliate even if not all documentation is submitted. Even in a worst-case scenario, if a county were to be de-certified, it would still be able to re-form easily with a convention, using procedures set forth in our Rules.

Renewal of Brian Wells as County Contact in Washington County for a three-month term set to expire on April 15, 2023 was approved without objection.

Information Technology (IT) Director Justin Carman issued a report. The IT Committee is still looking to set up a CRM software package, and to use WordPress. The Information Technology Committee decided that we need to get off of National LP's Customer Relationship Management (CRM) software, except for email. The IT Committee is developing a website procedure for

officers and other members to submit requests for IT support, including for announcement or other changes to be made on the LPNY website. The next IT Meeting is this Tuesday January 17, 2023, at 9 p.m.

Legislative Affairs Director Rich Purtell issued a report. The Division has continued filling of positions of subcommittee chairs: Megan Mills-Hoffman as Education Chair, Jim Dayton as Energy Chair; Mark Glogowski as Election Law Chair. Tom Quiter has stepped down as Health Chair. Cody Anderson asked about whether there will be any Legislation to require COVID vaccines for public school students. Rich Purtell says that the Legislature has opened the door by legislating to allow teens to accept STD treatment without parental consent. A particular case pertains to teens accepting the HPV vaccine without parental information/consent, since this vaccine has special liability through the ICP. The Libertarian position is to object to any service that has special liability treatment, and that teenagers should not be put in a position to consent to this liability waiver.

Mark Braiman expressed concern about the Legislative Affairs Division taking positions in front of the Legislature that are not backed up clearly by the Party Platform. Rich Purtell responds that this adds urgency to the development of a Platform.

Keith Redhead, Personnel Division chair, had nothing to report.

Paul Grindle, Chair of the Candidate Support Committee, issued a report. Our Village Trustee candidate for Akron, Charles Robbin, received the financial support that the Executive Committee approved at our December 18 meeting. He has already received the ~50 signatures required to get on the ballot. He needs help with campaign volunteer activities. The election will be on March 21. Paul Grindle requests to have an email sent out to people in his area to request help with the campaign. Andrew Kolstee agrees to send out such an email to the Erie County segment of the email list. Grindle asked for additional request for additional emails to go to other portions of the state for phone banking, graphic design help for flyers, and other activities. Andrew Kolstee states he has no objection. Treasurer William Cody Anderson said that he supports the sending of emails with a candidate spotlight, but cautioned against taking any “call to action”, or other action that would make the State Committee itself into a candidate support committee.

Rules Committee Chair Andrew Kolstee issued a report. A meeting was held and another has been set for January 24, that will be open to observers.

Chair Andrew Kolstee introduced two potential candidates, Paul Grindle and Rebecca Lau, who have expressed interest as Political Director. Each submitted a written application describing their qualifications and prior activities within the Libertarian Party. Each was given an opportunity to speak for five (5) minutes. Kolstee then opened a question-and-answer session. Discussion ensued, first with, and then without the two candidates present in the Zoom meeting. Based on the discussion, and an informal vote among eight Executive Committee members (with the Chair and Secretary not voting), the Chair appointed Paul Grindle as Political Director.

Only one candidate, Chance Heywood, has expressed interest in the position of Finance Director. The Chair Andrew Kolstee will invite him to speak to the Executive Committee at our next meeting on February 19, 2023.

Mark Braiman moved **to recommend the following as a public non-binding resolution to the Full State Committee**, where it would require a 2/3 vote to pass. The motion was seconded by Karyn Thompson.

WHEREAS, getting a Libertarian Presidential candidate on the New York ballot in November 2024 will require 45,000 petition signatures, a level that we did not quite achieve for Governor in 2022; and

WHEREAS, we believe our inability to petition successfully in 2022 was at least partly a consequence of our failures to lay the necessary groundwork early on, to meet the newly-stringent petition requirements; and

WHEREAS, our failure to gain sufficient petition signatures, and subsequent scrambling to achieve ballot access through even less-auspicious means, led to dispiriting internal finger-pointing and a net loss of momentum in building the Party;

THEREFORE BE IT RESOLVED, the Libertarian Party of New York intends to throw our enthusiastic support in 2023-2024 behind the nomination and petition-gathering for 2024 statewide candidates, including a candidate for the United States Senate; placeholder candidates for President and Vice President of the United States; as well as Presidential Electors pledged to vote for the nominees chosen by the 2024 Libertarian National Convention, IF at least three (3) out of the following five (5) criteria are met by December 31, 2023:

- 1) A total of \$300,000 is in the Libertarian Party of New York's Ballot Access bank account.**
- 2) The Libertarian Party of New York has a list of at least 2,000 volunteers who have pledged, via email from a valid return email address, to collect petition signatures to get the statewide candidates on the ballot in 2024.**
- 3) The Libertarian Party of New York has a list of at least 20,000 new members who have pledged via email, from a valid return address, to download and sign a copy of our independent candidate petition, and to have it witnessed and returned via US Postal mail within the first 24 hours of petitioning in April 2024;**
- 4) The Libertarian Party of New York's email list of registered NY voters who have expressed some kind of interest in Libertarianism exceeds 50,000 functioning recent email addresses.**
- 5) At least 50 members of the Libertarian Party of New York have successfully petitioned during the 2023 independent candidate petition period to be listed as Libertarian candidates for public local offices, and have consequently appeared as Libertarians on the November 2023 ballot.**

The motion was discussed extensively, with much debate on whether this should be structured as a non-binding resolution or instead, as a Party Rule.

Cody Anderson moved to amend to change the motion to read (yellow highlighting for changes), and Richard Purtell seconded:

WHEREAS, getting a Libertarian Presidential candidate on the New York ballot in November 2024 will require 45,000 petition signatures, a level that we did not quite achieve for Governor in 2022; and

WHEREAS, we believe our inability to petition successfully in 2022 was at least partly a consequence of our failures to lay the necessary groundwork early on, to meet the newly-stringent petition requirements; and

WHEREAS, our failure to gain sufficient petition signatures, and subsequent scrambling to achieve ballot access through even less-auspicious means, led to dispiriting internal finger-pointing and a net loss of momentum in building the Party;

**WHEREAS, the Libertarian Party of New York intends to throw our enthusiastic support in 2023-2024 behind the nomination and petition-gathering for 2024 statewide candidates, including a candidate for the United States Senate; placeholder candidates for President and Vice President of the United States; as well as Presidential Electors pledged to vote for the nominees chosen by the 2024 Libertarian National Convention, **

THEREFORE BE IT RESOLVED,

The Libertarian Party of New York shall strive to attain at least three (3) out of the following five (5) criteria by December 31, 2023:

- 1) A total of \$300,000 is in the Libertarian Party of New York's Ballot Access bank account.**
- 2) The Libertarian Party of New York has a list of at least 2,000 volunteers who have pledged, via email from a valid return email address, to collect petition signatures to get the statewide candidates on the ballot in 2024.**
- 3) The Libertarian Party of New York has a list of at least 20,000 new members who have pledged via email, from a valid return address, to download and sign a copy of our independent candidate petition, and to have it witnessed and returned via US Postal mail within the first 24 hours of petitioning in April 2024;**
- 4) The Libertarian Party of New York's email list of registered NY voters who have expressed some kind of interest in Libertarianism exceeds 50,000 functioning recent email addresses.**
- 5) At least 50 members of the Libertarian Party of New York have successfully petitioned during the 2023 independent candidate petition period to be listed as Libertarian candidates for public local offices, and have consequently appeared as Libertarians on the November 2023 ballot.**

The proposed amendment passed without objection, and then then motion as amended was passed without objection.

Duane Whitmer moved and Maura Botsford seconded **to pay Will Ostrowski up to \$400 for paid petitioning that was not previously paid by the Sharpe campaign.**

William Schmidt expressed concern that some others are in the “Chow line” to be paid, and asks for the total amount to be paid to everyone in line. William Cody Anderson says that there is adequate money to pay individual petitioners. Duane Whitmer says Pinkhasov’s amount due is \$5500. Cody Anderson says deciding who gets paid puts us in the position of being an employer, and that it would be safer to pay these requests only as directed by the Sharpe Campaign. Duane asked Cody whether any petitioners were paid yet by the LPNY outside such requests from the Sharpe campaign. William Cody Anderson said that such payments have been made so far only in response to requests from Sharpe campaign.

Schmidt suggests that we should solicit Sharpe campaign to give us an amount that we need to pay them, and to give them that amount. William Cody Anderson says that he will call Larry Sharpe and solicit him to direct us to pay out amounts.

Funds in petitioning account total \$4335.95 as of today. This is a multi-candidate committee account, and can be used for any expenses related to supporting those candidates.

Justin Carman expressed concern that these individuals might get duplicate reimbursement from the Sharpe campaign. Cody Anderson says that the Sharpe campaign doesn’t have funds of its own to pay these petitioners.

Karyn Thompson expressed concern that we may become liable to pay everyone with a claim if we pay Will Ostrowski.

William Cody Anderson moved and Duane Whitmer seconded to **Lay the Motion on the Table**, which passed without objection.

Andrew Kolstee offered the Outreach Director Contract (Exhibit 2) for wording.

Mark Braiman brought up a concern that at the December 18 2022 meeting, Karyn Thompson had suggested a 1-year term. Karyn Thompson says that she is comfortable with an open-ended term with a 30-day notice. Duane Whitmer said we should set an evaluation date, and then altered that to specify a termination date of 12/31/23 or until terminated with 30-day notice. There were no other objections to the proposed wording of the contract.

William Cody Anderson requests that Duane Whitmer obtain a W-9 from Stephen Felano

The Executive Committee went into Executive Session at 9:09 p.m. to discuss a current and future legal and political strategy.

The Executive Committee came out of Executive Session 9:50 p.m.

Andrew Kolstee **took the motion to pay Will Ostrowski off the table** without objection.

William Cody Anderson moved, and Richard Purtell seconded, **to postpone the motion until William Cody Anderson has further conversation with the Sharpe Campaign**, and this motion passed without objection.

Motion by William Cody Anderson to **adjourn** was seconded by Karyn Thompson and passed without objection.

Meeting was adjourned at 9:52 p.m.

Mark Stephen Braiman,
Secretary.