

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

MEETING OF THE DEMOCRATIC CAUCUS

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April 2, 2009
Start: 12:50 pm
Recess: 12:54 pm

HELD AT: Council Chambers
City Hall

B E F O R E: JOEL RIVERA
Majority Leader

COUNCIL MEMBERS:
Quorum of 25 Democratic members

A P P E A R A N C E S [CONTINUED]

James S. Sample
Candidate for Appointment
Richmond County Commissioner of Elections

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[Gavel banging]

MAJORITY LEADER RIVERA: Thank you very much ladies and gentlemen. We now have 25 members in the room, so a quorum is present. We're going to convene the meeting. Today we are here to discuss and consider the reappointment of the Democratic Commissioner of the Elections for Richmond County. The Board of Elections consists of ten Commissioners, two from each Borough--

FEMALE VOICE: [Interposing] I'm sorry, Mr. Majority, can we get a little quiet, I just want everybody to make sure they're clear on the action the caucus is going to be asked to take.

MAJORITY LEADER RIVERA: Okay. Thank you. Let's, please all cell phones silent. Take conversations to the back of the room please. Thank you.

We are here today to consider the reappointment of the Democratic Commissioner of the election for Richmond County. The Board of Elections consists of ten Commissioners, two from each Borough who are directly appointed by the Council. Each Commissioner serves a term of four

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years or until a successor is appointed.

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Commissioners shall be registered votes from each of the major parties in the county for which they are appointed. The normal appointment process is within 30 days after a county organization files a proper certificate of party recommendation with the City Clerk's Office, the full Council can vote to appoint the individual named in the certificate.

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Here the Democratic Committee of Richmond County filed a certificate naming Judith James J. Sample on December 29th, 2008 and the Council did not act on his reappointment by the 30 day expiration period which was January 28th of 2009. When this happens the Council Members who are members of the Democratic Party may appoint any eligible person to such office including Mr. Sample himself who is a registered Republican and a resident of Richmond County.

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Mr. Sample has been sitting as a holdover since December 31st of 2008. If reappointed he will serve the remainder of a 4-year term that expires December 31st, 2012. Mr. Sample was subject to a full background

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2 investigation by the Council's Appointment
3 Investigation Unit and the Rule Committee counsel
4 did not identify any compatibility of office
5 questions or conflict of interest concerns.

6 During this investigation it was
7 learned that last September 23rd the Board of
8 Elections Commissioners unanimously voted to
9 approve a payment to Mr. Sample of \$500 as
10 reimbursement for the costs he incurred due to
11 criminal acts that the Board believed to be
12 related to his official duties. The \$500 was the
13 cost of the deductible that he paid in connection
14 with a fire that occurred at his home in November
15 2007. While the New York City Fire Department did
16 not find it was arson, the Fire Department wasn't
17 able to identify the arsonist.

18 Mr. Sample is here to answer any
19 questions that anyone may have. Does anyone have
20 any questions? Seeing none, I now call for a
21 voice vote on whether James J. Sample should be
22 reappointed as the Richmond County Democratic
23 Commissioner of Elections, New York City Board of
24 Elections. All those in favor say aye.

25 [General response of aye]

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MAJORITY LEADER RIVERA: Those

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against say nay.

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[Off mic] Aye.

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MAJORITY LEADER RIVERA: The ayes

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have it. Congratulations.

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[Cheering in the background]

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MAJORITY LEADER RIVERA: Now we

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will--

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[Background noise]

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MAJORITY LEADER RIVERA: The

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meeting's adjourned.

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[END TAPE 1003]

C E R T I F I C A T E

I, Laura L. Springate certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature Laura L. Springate

Date April 13, 2009