

**MINUTES OF THE MEETING OF THE EXECUTIVE COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON SUNDAY, MAY 21, 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
Justin N. Carman, Member-At-Large (JD3)
Maura E. Botsford, Member-At-Large (JD8)
William K. Schmidt, Member At-Large (JD9)

MEMBERS ABSENT

Karyn A. Keniry Thompson, Member-At-Large (JD4)
Keith C. Redhead, Member-At-Large (JD5)

OBSERVERS

Morry C. Davis, State Committee Member, Judicial District 1
Shawn C. DeGrand, State Committee Member, Judicial District 5
Christopher M. Olenski, State Committee Member, Judicial District 6
Steven G. Becker, State Committee Member, Judicial District 7
Michael R. Rebmann, State Committee Member, Judicial District 8
Patrick Ford, Region 8 Representative to the Libertarian National Committee (LNC)

The meeting was called to order at 7:01 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. Duane Whitmer spoke, asking for help with gathering petition signatures for his Independent Nominating Petition for Erie County Executive.

Secretary Mark Braiman issued a written report (**Exhibit 1**). In response to a request therein, a motion by Richard Purtell that **any observer of an LPNY meeting who is not a member of the State Committee or a nominee for such membership may use a pseudonym during meetings** passed without objection. The Chair asked for whether there was any objection the request in the Secretary's report to format minutes of State Committee meetings with the list of names in Porcupine-recorded votes only as an Exhibit at the end of the minutes. No objection was presented. **The minutes of the February 19, 2023 and April 12, 2023 meetings of the Executive Committee, as presented with the Secretary's Report with minor subsequent corrections provided by Andrew Kolstee to the Secretary on morning of May 21, 2023** were approved by voice vote.

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

Chair Andrew Kolstee issued a report. We are awaiting a response from the Supreme Court of the United States for our *certiorari* petition on the appeal of our joint ballot-access case with the Green Party. An Activist Forum was held on May 18, 2023. These will continue to be held monthly.

Communications Director Duane Whitmer issued a report that included Outreach Division Stephen Felano. Freedom Weekend is scheduled for June 10-11, to be held in Bergen at the Firing Pin despite that venue's recently having suffered a fire. Spike Cohen and Duane Whitmer will be speaking. The following weekend and week (June 18-25) will be PorcFest in Lancaster, New Hampshire. Duane has been working with smaller counties to get press releases to media outlets such as smaller radio stations, which he has observed to be more responsive than stations in bigger cities. Printing of literature for PorcFest, county fairs, and other in-person events, for which funding was approved in April, will be completed this week.

Field Development Director Andrew Kolstee issued a report, referring to documentation available online, that the County Affiliate in one (1) county has met all required affiliation criteria. Motion by Mark Braiman to **certify that the County Affiliate in Yates County has met the criteria required in Article 11.2.3 of the Rules of the Libertarian Party of New York** passed without objection.

The Field Development Director's report also included a list of one (1) county that has held a convention (Wayne).

The Field Development Director's report also included a list of nine (9) county organizations that have previously been organized during the 2020-2022 period but have not yet held a convention, or have not reported holding a convention, or have not yet provided documentation of holding a convention: Albany, Chenango, Fulton, Montgomery, Otsego, Orleans, Richmond, Schoharie, and Westchester. According to LPNY Rules, these counties needed to provide documentation by the next meeting of the State Committee. They will now all be considered for revocation of their affiliation. The Field Development Division will hold a meeting this week. Andrew Kolstee will make a recommendation that certain County Affiliates be allowed to continue their organization attempts, while others that have made no significant progress should have their affiliation revoked.

Information Technology (IT) Director Justin Carman issued a report. The website on the new host is up and running for internal testing, but it is not yet fully populated with the information from the old website, so not yet directly linked to LPNY.org. LPNY.org email addresses were created for all State Committee members. Motion by Justin Carman on behalf of the IT Committee to **authorize the Chair to sign a contract (Exhibit 3) with Humanitru for a Customer Relationship Management (CRM) system for data management for the Libertarian Party of New York and authorize an expenditure of up to \$2,400 for the service** was debated. As a point of information, William Cody Anderson asked what the "Transaction Fee of 1%" in the contract means. Andrew Kolstee said that this fee, payable to Humanitru, is in

addition to the credit card processor fee charged by Stripe. Andrew Kolstee pointed out that there is an annual fee due to Humanitru based only on the number of active constituents, which only includes those donating to or volunteering for the LPNY, not the total number of contacts in the database. Andrew Kolstee asked the Treasurer how many individual people have donated to the LPNY in the past 3 years, other than buying tickets to a convention. Treasurer William Cody Anderson stated that the number of such donors is probably under 100. Therefore, the LPNY is not at the point of having to pay for the next level of services from Humanitru, that begin at a level of 1,000 active constituents. The original motion passed without objection.

Legislative Affairs Director Richard Purtell issued a report. He has been in contact with Jonathan Lerche of the Association of NY State Realtors regarding A786, the Surplus Proceeds Bill, requiring notification of property owners whose properties have been seized. Purtell reported also that he and others are making inquiries in order to figure out the meaning of the natural-gas hookup ban. The Legislative Affairs Division continues to work to support A3312, the bill to reduce signature requirements on candidate petitions.

Rules Committee Chair Andrew Kolstee issued a report. The next Rules Committee meeting will be held on May 29, 2023. There are about 5 proposals left over from the March 5, 2023 meeting of the State Committee, which will be re-introduced at the June 4, 2023 meeting of the State Committee.

Chair Andrew Kolstee proposed the formation of an Events Committee, stating that the creation of such a Committee was intended but not completed when the Events Coordinator position was created at the March 26, 2023 meeting of the Executive Committee. **An Events Committee to be chaired by the Events Coordinator was constituted** without objection.

Events Coordinator Maura Botsford reported that the first meeting of the Events Committee is scheduled for Wednesday, May 24, 2023 at 7:30 p.m..

Motion by Duane Whitmer to **request a hearing for removal of Jeffrey Bradley (JD7), who has missed all 4 meetings of the State Committee since September 2022; and Erin Becker (JD8), Robert Cocomello (JD9), Robert Greibesland (JD9), and Randyn Tarnoff (JD10) each of whom has missed the last 3 meetings of the State Committee and are eligible for removal due to abandonment of position if they do not attend the June 4, 2023 meeting;** was seconded by Richard Purtell and passed without objection.

Region 8 Representative to the National Libertarian Party, Patrick Ford, reported that a Vermont state legislator switched party affiliation from Republican to Libertarian, and that this received a good amount of local and national media attention. Ford volunteered to help the LPNY with media outreach such as for the Freedom Weekend event in Bergen in the beginning of June. He also intends to be at PorcFest all week.

Motion by William Cody Anderson to **adjourn** was seconded by Duane Whitmer and passed by voice vote.

The meeting was adjourned at 8:26 p.m.

Mark Stephen Braiman,
Secretary.

EXHIBIT 1 (Page 1 of 2)

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

With assistance from the IT Division, the Secretary has posted Draft Minutes for Executive Committee Meetings of December 18, 2022; January 15, 2023; February 19, 2023; March 26, 2023; and April 12, 2023 on the Party-Resources page. In addition, Draft Minutes for the March 5, 2023 meeting of the State Committee have also been posted. Approval of these minutes is requested.

Notice of the following should be taken by the Executive Committee prior to approval:

1. There is a discrepancy between the name of "Grace Galactica" reported by the Secretary as an observer for the March 26, 2023 Executive Committee meeting, as well as for the March 5 State Committee meeting; and the Chair's request to add her legal family name that appears in New York State Board of Elections records. The Secretary received multiple requests from Grace that this last name not appear in any official records prepared by the Secretary. The Secretary in late March agreed to abide by Grace's request solely for the recordings of her presence as an Observer at our meetings, on the following grounds:
 - a. Grace provided the Secretary with credible testimony that she had been stalked and verbally harassed on previous occasions by members of the Libertarian Party from other states.
 - b. Grace stated that she believed that listing her legal family name as an Observer to LPNY meetings in online-accessible documents could lead to additional stalking and harassment from those out-of-state LP members.
 - c. The Secretary subscribes to the opinion, generally supported in law, that people should be able to identify themselves by their preferred name, so long as it is not for a fraudulent purpose.
 - d. The Secretary sees little or no possibility of fraud arising from identifying Grace Galactica by that name in LPNY Party minutes, when she is acting simply as an observer to LPNY Executive Committee or State Committee meetings. This is because almost all members of the Executive Committee, and in fact the vast majority of members of the LPNY State Committee, have shown themselves to be familiar with her identity as "Grace Galactica" through comments in meetings and on the Discord channel.
 - e. As Secretary responsible for recording minutes and maintaining membership lists, I hereby state my intention to continue to use the name "Grace Galactica" when identifying her presence solely as an observer to official Executive Committee and State Committee meetings. However, I will defer to a directive by the State Committee (or Executive Committee) to do otherwise.

EXHIBIT 1 (Page 2 of 2)

2. As requested in my Secretary's Report of the 26 March 2023 Executive Committee meeting, I have prepared minutes of the March 5 State Committee meeting using the style of only including as an Exhibit (numbered Exhibit 6 for the draft of the March 5 State Committee meeting minutes). the detailed listing of names of votes taken in the Porcupine App, and including only the numbers of ayes, nays, and formal abstentions In reporting vote outcomes in the main body of the Minutes. This seems to me to be the most complete yet compact way to present the outcomes of routine votes that have not officially been declared as Roll-Call votes according to Robert's Rules.

EXHIBIT 2 (Page 1 of 2)

LPNY Treasurer's Report
May 21, 2023

Housekeeping Committee account balance as of May 21, 2023: \$1123.86 (-\$1555.04 since March 26)

Constituted Committee account balance as of May 21, 2023: \$25,167.14 (+\$1576.32 since March 26)

LPNY 2022 Petitioning Committee account balance as of May 21, 2023: **\$4,335.95** (no change since March 26)

Deposits to Housekeeping account since March 26:

None

Disbursements from Housekeeping account since March 26:

Becker Gallagher Legal Publishing (SCOTUS certiorari filing) - \$1088.32

Grasshopper - \$33.29

Constant Contact – 200.07

Grasshopper - \$33.29

Constant Contact - \$200.07

Deposits to CC account since March 26:

Net Donations - \$1576.32

Disbursements from CC account since March 26:

None

EXHIBIT 2 (Page 2 of 2)

Deposits to petitioning account since March 26:

none

Disbursements from petitioning account since March 26:

William Ostrowski - \$400.00 (in transit)

Check for \$400.00 has been sent to Mr. Ostrowski from petitioning account as previously resolved by the Executive Committee. Remaining funds in petitioning account (\$3935.95) will be transferred to the CC account, the petitioning committee dissolved, and the account closed.

Respectfully submitted,

W. Cody Anderson

Treasurer