

**MINUTES OF THE MEETING OF THE STATE COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON SUNDAY, JUNE 4, 2023
ON THE ZOOM MEETING APP AND
THE PORCUPINE APP**

The meeting was called to order at 5:06 p.m. by Andrew Kolstee, Chair. Secretary Mark Braiman conducted a roll call and determined that a quorum was present.

The Credentials and Nominations Report (**Exhibit 1**) indicated that there were thirty-two (32) of sixty-three (63) voting members of the State Committee present at the time of roll call. The Secretary determined that a quorum was present at all times during the meeting.

MEMBERS PRESENT (42)

Richard F. Purtell (*ex officio*)
Mark N. Axinn (JD1)
Gary S. Popkin (JD2)
William Cody Anderson (JD3)
Justin N. Carman (JD3)
Jennifer L. O'Connor (JD3)
Lora Newell (JD3)
John A. Janes (JD4)
Karen A. Keniry-Thompson (JD4)
Daniel J. Castello (JD5)
Shawn C. DeGrand (JD5)
Zachary D. Remian (JD4)
Matthew K. Guilianelli (JD5)
Erinn Rose Leatherman (JD5)
Adam M. Magoon (JD5)
Keith C. Redhead (JD5)
Craig L. Shute (JD5)
Mark S. Braiman (JD6)
Christopher M. Olenski (JD6)
David S. Penner (JD6)
Craig L. Colwell (JD6)
Steven G. Becker (JD7)
Mark E. Glogowski (JD7)

Sean C. Phelan (JD7)
Marc A. Smith (JD7)
James M. Ziobro (JD7)
Maura E. Botsford (JD8)
Andrew M. Kolstee (JD8)
Frances Law (JD8)
Leonard E. Morlock (JD8)
Michael R. Rebmann (JD8)
Charles R. Roggen (JD8)
Jame J. VanDewalker (JD8)
Duane Whitmer (JD8)
Daniel P. Donnelly (JD9)
William K. Schmidt (JD9)
Jeffrey J. Denecke (JD10)
Jonathan H. Gunther (JD10)
Blay Tarnoff (JD10)
Irwin Mark Weinblatt (JD11)
John Clifton (JD11)
Thomas Pinkhasov (JD13)

Chance Haywood (JD1)
Paul M. Grindle (JD2)
Matthew I. Morgan (JD2)
Amanda H. Ellithorpe (JD4)
Stephen C. Healey (JD3)
Brian L. Wells (JD4)
Jacob T. Cornell (JD5)
Keith D. Price (JD6)
Jeffrey C. Bradley (JD7)
Erin M. Becker (JD8)
Juan R. Ayala (JD9)
Robert J. Cocomello (JD9)
Robert J. Greibesland (JD9)
Christian J. Vondras (JD9)
George T. Ostrowski (JD10)
Robert E. Schuon (JD10)
Randyn Tarnoff (JD10)
Scott W. Thompson (JD10)
Angelo E. Veltri (JD10)
Francisco Olvera (JD11)
Fredy O. Calvache (JD13)

MEMBERS ABSENT (22)

Morry C. Davis (JD1)

OBSERVERS

Grace Merrell (a.k.a. Grace Galatica), candidate for State Committee from Judicial District 6
James Ziobro, candidate for State Committee from Judicial District 7

A request for public comment by Chair Andrew Kolstee received several speakers. Sean Phelan admonished State Committee members to alert Chair or Secretary when they leave the meeting. William Cody Anderson admonished members to stop nominating people for positions on the State Committee who will not regularly show up regularly and promptly, as this causes delays in starting and running meetings due to lack of quorum.

Motion by Mark Braiman to **adopt the Agenda (Exhibit 2)** was seconded by Adam Magoon. A point of information and a point of order were brought by Blay Tarnoff, asking about whether the Platform Committee actually adopted any report, and stating that despite his being on the Platform Committee, he was never given a chance to participate in voting on such a Committee Report. Motion by Mark Axinn to **amend the Agenda to remove the Platform Committee Report** was seconded by Michael Rebmann and was debated. Mark Braiman objected to the proposed amendment to the Agenda, making a point of order that our Rules require a discussion of the Platform at least twice per year, and there has been no such discussion between March 2022 and March 2023. The Chair overruled the Point of Order on the grounds that the current Committee only took office in September of 2022, so there is still time before September 2023 to have two such platform discussions. The amendment failed 11-20-4. (The details of this and all other Porcupine votes are shown in **Exhibit 3**). The Agenda (**Exhibit 2**) was then adopted with no further objections.

Chair Andrew Kolstee called for the filling of one (1) State Committee vacancy from Judicial District 6. Secretary Mark Braiman reported that Duane Whitmer had nominated Grace Galactica Merrell in advance at the prior meeting on 3/5/2023, and that he (the Secretary) had determined this was a now a valid nomination. Craig Colwell nominated Grace Galactica from the floor. Grace Galactica announced that Grace Merrell is her name as recorded in Board of Elections records. She will henceforth be referred to in official minutes as Grace Galactica Merrell. Grace Galactica Merrell was elected with thirty-six (36) votes to one (1) for None of the Above (NOTA).

Chair Andrew Kolstee called for the filling of four (4) State Committee vacancies from Judicial District 7. Secretary Mark Braiman reported that no one had been nominated in advance. Steven Becker nominated James M. Ziobro, who accepted the nomination.

In the first round of voting for the vacancies in Judicial District 7 on the State Committee, the results were as follows:

Candidate (vote for 2)	Votes	Percentage
John Clifton	29	80.56%
Francisco Olvera	26	72.22%
None of the Above (NOTA)	2	5.56%
Grace Galactica (write-in)	2	5.56%
Luke Wenke (write-in)	1	2.78%
Larry Sharpe is a fraud (write-in)	1	2.78%
Total Votes	61	100.00%
Total Voters	36	

James M. Ziobro was elected to fill a vacancy in Judicial District 7 on the State Committee.

with thirty-one (25) votes to four (8) for None of the Above (NOTA).

Chair Andrew Kolstee called for the filling of one (1) State Committee vacancy from Judicial District 12. Secretary Mark Braiman reported that no one had been nominated in advance. Chair Andrew Kolstee, hearing no nominations from the floor, postponed filling this vacancy until the next meeting of the State Committee.

Chair Andrew Kolstee called for the filling of one (1) State Committee vacancy from Judicial District 13. Secretary Mark Braiman reported that no one had been nominated in advance. Chair Andrew Kolstee, hearing no nominations from the floor, postponed filling this vacancy until the next meeting of the State Committee.

Treasurer William Cody Anderson issued a Treasurer's Report in writing (**Exhibit 4**) and the report was accepted without objection. Motion by William Cody Anderson to spend up to one thousand one hundred dollars (\$1100) for half of the printing costs for the *certiorari* filing (\$1088.22 current estimate), to ask the US Supreme Court for permission to hear our case, was seconded by Mark Braiman and was passed without objections.

Andrew Kolstee issued a Chair's Report on the *certiorari* filing, with a press release notice provided in Discord. April 7 is the response date for the NY Board of Elections. Several news outlets have covered our press release.

Andrew Kolstee initiated several hearings requested by Executive Committee at February meeting and approved by the State Committee at its March 5 meeting.

Motion by Justin Carman, on behalf of the Executive Committee, to **remove Jacob Cornell as a member of the State Committee from Judicial District 5 due to abandonment of position**. A hearing took place, which included a statement of the following facts. Jacob Cornell missed meetings on Sept 17-18, 2022; October 23, 2022; March 5, 2023; and March 19, 2023. Andrew Kolstee stated he spoke with him several times, including after the March 5 meeting at which the State Committee had voted for this hearing. Jake Cornell explained to Kolstee that he (Cornell) had been busy, but promised to show up to the March 5 and current (March 19) meetings. However, Cornell did not appear at either at either March 5 or the current meetings. The motion passed without objection.

Motion by Tom Pinkhasov to **remove Keith Price as a member of the State Committee from Judicial District 6 due to abandonment of position** was seconded by Adam Magoon. A hearing took place, which included a statement of the following facts. Keith Price missed meetings on on Sept 17-18, 2022; October 23, 2022; March 5, 2023; and March 19, 2023. Andrew Kolstee stated that he had spoken with Price several times. Keith Price explained he had been busy and promised to show up to the March 5 and current (March 19) meeting, but did not appear at either. Andrew Kolstee received no response to attempts to contact Keith Price after the March 5 meeting at which the State Committee had voted for this hearing. The motion passed without objection.

Motion by Adam Magoon to **remove Scott Thompson as a member of the State Committee from Judicial District 10 due to abandonment of position** was seconded by Steven Becker. A

hearing took place, which included a statement of the following facts. Scott Thompson missed meetings on Sept 17-18, October 23, March 5, and March 19. Andrew Kolstee stated that he spoke with Thompson several times prior to March 5, but received no response to attempts to contact him after the March 5 meeting at which the State Committee had voted for this hearing. The motion passed without objection.

Motion by Justin Carman to **remove Angelo Veltri as a member of the State Committee from Judicial District 10 due to abandonment of position and moving out of state to Texas** was seconded by Adam Magoon. A hearing took place, which included a statement of the following facts. Angelo Veltri missed meetings on Sept 17-18, October 23, March 5, and March 19. Andrew Kolstee stated he spoke with him several times, and received no response to attempts to contact him after the March 5 meeting at which the State Committee voted for this hearing. Motion accepted without objection.

Outreach Chair Duane Whitmer issued a report. It has been difficult to get traction from traditional press due to layoffs in the business. Need to do outreach using different approaches. There was good turnout at an event in Orleans County featuring John Salka and George Ostrowski on ballot access. Reaching out in this way to politicians to speak at events is a good way to get our ideas out, without direct pressure to vote for our candidates. Speakers on Climate Change Bill, Cannabis Legalization, are some examples. County fair season coming up will be a good way to promote such ideas. The Outreach Committee feels the need to add an Events Coordinator position.

Rules Committee Chair Andrew Kolstee reissued the written report (**Exhibit 5**) that had received partial consideration at the March 5, 2023 meeting of the State Committee.

Motion by the Rules Committee Chair to **amend the Rules according to Proposal 17, to add the possibility of hearings initiated by the Full State Committee rather than just the Executive Committee**, was passed without objection.

Motion by the Rules Committee Chair to **amend the Rules according to Proposal 18, to clarify that Platform Amendments require assent of 2/3 of the entire State Committee membership, rather than possibly just 2/3 of the Executive Committee**, was passed without objection.

Platform Committee Chair Mark Glogowski requested to issue a written Report. Blay Tarnoff raised a point of order that no Report was ever voted on by the Platform Committee and so the purported Platform Committee Report from Mark Glogowski is not in order. The Chair ruled in favor of the Point of Order. Chris Olenski mentioned that emails sent out by the Platform Committee Chair included all members of the Platform Committee and he in particular did have an opportunity to respond. William Cody Anderson, not on the Platform Committee, said he also did see an email from Chair Glogowski that appeared to be looking for crowdsourcing opinions on planks being considered by the Platform Committee. However, Anderson stated he did not think that Glogowski followed a proper procedure for obtaining Committee approval for a Report. Glogowski was not able to state a list of members of the Platform Committee in order to poll them as to their participation in endorsing a formal Committee report. Mark Axinn asked

Dr. Glogowski to continue as Chair, but to reconstitute the Committee take more formal action and formal votes in the future. Motion to Commit or Refer from Gary Popkin. seconded by Mark Axinn. Blay Tarnoff raised a point of order that the Report that has not been issued to the State Committee cannot have any action taken on it, even to Commit or Refer. Chair ruled the point of order to be well taken. Motion by Adam Magoon **to dissolve the Platform Committee and to re-form it at the next meeting of the Executive Committee** was not seconded. William Cody Anderson raised a point of order that the Platform Committee is a Standing Committee and cannot be dissolved. Chair Andrew Kolstee found the point of Order well taken and ruled the motion to dissolve the Committee out of order. Chair Andrew Kolstee asked the Platform Committee Chair to provide a list of members and scheduled meeting times.

Motion by Adam Magoon to **remove all members of the Platform Committee excluding Mark Glogowski who shall remain as Chair**, was seconded by Tom Pinkhasov and debated. Motion by Blay Tarnoff to **amend the motion to remove the exception, so that the motion includes removal of the Chair from the Committee** was seconded by Adam Magoon, but failed 15-17-3. Original motion passed 27-2-4. (The details of these Porcupine votes are shown in **Exhibit 3**).

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

Meeting was adjourned at 6:38 p.m.

Mark Stephen Braiman,
Secretary.

EXHIBIT 2 (PAGE 1 OF 3)

LIBERTARIAN PARTY OF NEW YORK AGENDA OF THE STATE MEETING OF MARCH 19, 2023

4:00 P.M. Call to Order (Andrew Kolstee, Chair)

4:00 P.M. Roll Call and Confirmation of Quorum (Mark Braiman, Secretary)

4:05 P.M. Public Comment

4:15 P.M. Adoption of Agenda

4:20 P.M. Filling of Vacancies on the State Committee

Judicial District 6 (1 vacancy)

Judicial District 7 (4 vacancies)

Judicial District 12 (1 vacancy)

Judicial District 13 (1 vacancy)

Nominations submitted and accepted before the meeting:

Grace Galactica Merrell, to fill a vacancy in Judicial District 6

4:35 P.M. Treasurer's Report (Cody Anderson)

4:45 P.M. Communications/Outreach Report (Duane Whitmer)

4:55 P.M. Chair's Report (Andrew Kolstee)

5:05 P.M. Hearings

Hearing to remove Jacob Cornell as a member of the State Committee from Judicial District 5 due to abandonment of position.

Hearing to remove Keith Price as a member of the State Committee from Judicial District 6 due to abandonment of position.

Hearing to remove Scott Thompson as a member of the State Committee from Judicial District 10 due to abandonment of position.

Hearing to remove Angelo Veltri as a member of the State Committee from Judicial District 10 due to abandonment of position.

5:35 P.M. Rules Committee Report (Andrew Kolstee)

Consideration to adopt proposed amendments to the Rules. Click [here](#) to review the report.

5:55 P.M. Platform Committee Report (Mark Glogowski)

Consideration to adopt proposed amendments to the Platform. Click [here](#) to review the report.

6:25 P.M. Resolutions

Resolution 3 - Use of Party Resources (from the table)

Debated by the State Committee on October 23, 2023, but postponed until after the election.

Consideration to **adopt the following resolution.**

WHEREAS, Libertarian Party of New York (LPNY) resources are generally quite limited now after ballot access struggles, and this pattern is expected to be repeated in other years;

THEREFORE BE IT RESOLVED, that in even-numbered years from June 1 through Election Day, LPNY resources may only be used to support (a) Candidates for state or local office who are both LPNY members and who will be listed on the Libertarian Party line for that office, (b) Non-LPNY members who were already nominated by the LPNY State Committee for statewide offices and who achieved ballot-access status, **and** (c) ~~LPNY members who were nominated by the State Committee for Governor or for~~

~~President but failed to get on the pre-printed ballot and are making an effort to gain ballot access for the LPNY through a write-in campaign;~~ and the LPNY Candidate Support Committee and Executive Committee shall enjoy broad discretion allocate previously-budget funds to support such candidates.

EXHIBIT 2 (PAGE 2 OF 3)

Resolution 5 - Criteria for Ballot Access

Recommended by the Executive Committee.

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 party 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 New York 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.

EXHIBIT 2 (PAGE 3 OF 3)

Resolution 8 - Amendment to Ballot Access Threshold Bill

Submitted by Richard Purtell.

WHEREAS, the Libertarian Party of New York supports Assembly bill A3312 sponsored by Assemblyman Ken Blankenbush, which was reintroduced in this session from the bill introduced in the previous session by former Assemblyman John Salka to re-establish the 15,000 petition signature threshold for statewide independent candidates to be placed on the ballot and 50,000 votes for such body to obtain recognized party status, and

WHEREAS, the introduction of **public taxpayer** financing of elections was a major justification for increasing the ballot access thresholds for an independent body,

THEREFORE BE IT RESOLVED, the LPNY supports and shall promote an amendment to the A3312 bill, which would allow for two different thresholds categories:
1) the first would require 15,000 petition signatures for a statewide independent candidate to be placed on the ballot and 50,000 votes in order for such nominating body of that candidate to achieve recognized party status, except that such body shall be ineligible for public financing of campaigns and

2) the second would require 45,000 petition signatures for a statewide independent candidate to be placed on the ballot and 130,000 votes or 2% of the votes in order for such nominating body of that candidate to achieve recognized party status, in which case such body shall be eligible for public financing of campaigns as per current election law.

6:50 P.M. Old business

6:55 P.M. New business

7:00 P.M. Adjournment

