

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ROCKLAND

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In the Matter of the Application of	)	
MICHAEL PARIETTI, ROBERT ROMANOWSKI and	)	
DEBORAH SEIDMAN,	)	Index No. /15
Petitioners,	)	
	)	AFFIDAVIT IN
- against	)	SUPPORT OF
	)	ARTICLE 78
	)	PETITION
TOWN OF RAMAPO, TOWN OF RAMAPO	)	
TOWN CLERK CHRISTIAN SAMPSON	)	
Defendants,	)	
-----X		

ROBERT ROMANOWSKI, being duly sworn, hereby deposes and, under penalties of perjury, states as follows:

1. I am Robert Romanowski and am a named Petitioner in the above-referenced action.
2. I reside at 183 Maple Avenue, Monsey New York 10952 located in the Town of Ramapo, and was a proponent and organizer of the ward system referendum on the ballot at the Town of Ramapo's special election held on September 30, 2014.
3. I spent the better part of Election Day in court dealing with the Order to Show Cause to impound the ballots to insure their preservation and integrity.
4. At approximately 8:00 p.m. I voted at the Elmwood Elementary School polling location where I usually vote. It was incredibly busy, more so than at any other election.
5. At this polling location I ran into Aron Lebovits of 161 Adar Ct. Monsey NY who appeared to be working the polls and assisting Mary Gesner – Election Inspector Chairperson – with the handling, distribution and instructions regarding the affidavit

ballots; I know this was Mr. Lebovits because he is close neighbor who I have seen and spoken with many times over the past several years. He asked me how the turnout was at other polling locations.

6. Since no poll watchers were allowed at the polling locations I had planned to call the police but I was with Michael Parietti and his phone was dead and there were primarily Hassidim at the location and I was not comfortable asking them for assistance. I quite frankly was surprised at the election inspectors for not having had him removed.

7. Seeing Mr. Lebovits at the polls was not a new experience. He had been at a number of previous elections – legally as a Democratic poll watcher –but at this special election the Town, over objections, specifically had denied any poll watchers. Indeed, the Court had ruled it was without jurisdiction to order the Town to allow poll watchers, so I was quite shocked that Mr. Lebovits was there.

8. I attended all twenty (20) days of the validation as a member of the public. I was there the entire time every day except for the afternoon Tuesday August 4<sup>th</sup>, which was attended by Michael Parietti, and August 20<sup>th</sup> during the time of the Town of Ramapo Town Board meeting when Deborah Seidman was in attendance..

9. Staff followed Town Clerk Christian Sampson's rules with respect to validating affidavit ballots. Sampson refused to consider missing inspectors signatures, missing polling locations, missing dates of inspector and/or voter signatures, and allowed multiple boxes in Part A to be checked and initials and printed names in lieu of signatures – including solely first initials. Other than checking the names against the list of registered voters based on the Rockland County Board of Election ("BOE") files, no other investigation work occurred to confirm the validity of the unregistered voters,

including looking up the voters in the White Pages, or any other online background check database.

10. During the course of the validation the Town of Ramapo discovered at least two names of voters who voted by affidavit ballot, who were registered and who went to the polls, signed the book and voted a second time. When I asked Christian Sampson what he would be doing about this voter fraud, all he said he would do would be to invalidate the affidavit ballot. These voters were: Chaya Gluck of 24 Bedford Ct, Spring Valley New York 10977, DOB: 01-14-94 and Harvey Spitz of 23 Briarcliff Drive, Monsey NY 10952, DOB: 09-12-73.

11. Blank envelopes were uncovered for Nathan R. Horowitz, 12 Neil Rd Spring Valley NY 10977 DOB 11-25-69 who voted at the Viznitz Girls School. On his affidavit envelope he didn't check anything in Part A, did not sign the envelope, but he had placed his ballot into the machine so his envelope was found to be invalid. Ballots also fed into the machine but were in envelopes found to be valid by Christian Sampson were Tranny Walter, Hershy Wertzberger, and Aron Zelefsky.

12. With respect to the Challenge Reports, Mr. Sampson did a cursory review and declared that there were no problems. He did compare this information to the database he was maintaining and did no additional investigation based upon it.

### **Counting Day**

13. On Thursday August 27, 2015, I attended the counting of the September 30, 2014 Town of Ramapo Ward System Referendum vote. The counting and the running of the absentee and affidavit ballots were conducted at the Robert L. Yeager Health Center, 50 Sanatorium Road Pomona NY 10970. The actual count was done at Building

G which is used by the Rockland County Board of Elections to store their voting machines, voting booths, and other equipment. Also at building G are the computers and software used to read the memory sticks that are used by the electronic voting machines; and I am advised that the same electronic voting machines were used at the 2014 Town of Ramapo Ward System Referendum vote.

14. I arrived at building G at 10:05 am on August 27<sup>th</sup>, 2015. The machines had been set at zero and the counting of the absentee and affidavit ballots began.

15. Present at the count from public besides myself were: Michael Parietti - present the entire time; Robert Rhodes - left at 10:30 am and did not return; Veronica D. Boesch, former trustee and mayor of the Village of Airmont - present the entire time; John Goff and cameraman from News 12 came, left and the later returned; Alex Taylor, news reporter for the Journal News, came, left and later returned; Shia Glick; Joseph Knopfler; and two other younger Hassidim were present.

16. From the Town of Ramapo were: Christian G. Sampson, Town Clerk; Michael L. Klein, Town Attorney - left at 12:30 pm and returned 1:30 pm; Janice Gittleman, Deputy Town Attorney - arrived at 12:30 pm and remained until the end; Mona Montal, Director of Purchasing; and Nathan M. Oberman, Received of Taxes.

17. From the Rockland County Board of Elections: Louis C. "Butch" Babcock, Election Commissioner (Republican) - observed only and did not run ballots into any machines; Kristen Z. Stavisky, Election Commissioner (Democrat) - ran affidavit ballots into a machine; Brenda Mone (Democrat) ran affidavit ballots into two machines; Jazz Vasti (Republican) ran affidavit ballots into one machine; Gerard Rogers (Republican deputy commissioner) ran affidavit ballots into one machine; Kathleen M.

Pietanza (Democratic deputy commission) ran all absentee ballots into one machine. Also present were two Rockland County BOE employees who were responsible for obtaining data from the memory sticks.

18. One machine was used for absentee ballots; 5 machines were used for the affidavits ballots.

19. After all the paper ballots had been run through the machines, at approximately 12:15pm, the six machines being used were closed out. The paper tapes were produced by each machine and they were removed along with the memory sticks and with the use of a rubber band, the memory stick was attached to the representative paper tape and placed into a plastic bag. All of the plastic bags, which contained the memory sticks and tapes from this day and from September 30<sup>th</sup>, 2014 were brought to the room with the computer that was able to read the memory sticks. When the results were being read, the door to the room was locked.

20. Present in the locked room where the memory sticks were being read were the two Rockland Board of Elections workers running the computer that read the memory sticks; Louis Babcock, Kristen Stavisky, Christian Sampson and no one else was allowed in the room.

21. At about 1:00pm Christian Sampson came out of the room and declared that the number of ballots is short by 316 ballots. Then Sampson, Stavisky and Babcock went to a different locked storeroom to look for the ballots in that room and they found them hidden amongst the bins of "O'Keefed" affidavit ballots (i.e. the Affidavit envelope containing photocopies of the original ballot).

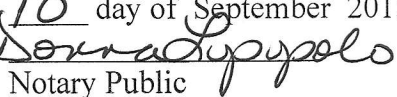
22. Out in the hall Christian Sampson explained that when he had consolidated all of the ballots that morning into one bin, he did not see that box since it was hidden by "O'Keefed" affidavit ballots. At this point four memory sticks were prepared, and four machines were opened up, zeroed and the remaining 316 ballots were fed through the machines. As before, after the ballots were read the machines were closed out as they had been previously (paper tapes were rolled up, memory sticks were attached with rubber bands, etc.)

23. The two commissioners and Christian Sampson went back into the locked room to finish counting votes. At about 2:05pm all parties emerged from the room into the waiting room. In front of the News 12 camera, Ramapo Town Clerk, Christian Sampson read the canvassing results to the public. Alex Taylor of the Journal News was also present for the reading of the results.

24. After the results were read Christian Sampson released a copy of election results (see Exhibit 1) to the members of the public who were present.

25. Then the Town employees left along with the bulk of the BOE employees leaving two BOE employees to remove the ballots from the second reading into designated Town bins and put those bins back into storage.

  
ROBERT ROMANOWSKI

Sworn to before me this  
10 day of September 2015  
  
Notary Public

DONNA LOPOPOLO  
Notary Public, State of New York  
No. 01LO6073989  
Qualified in Rockland County  
Commission Expires April 29, 2018