

From: Deborah Munitz (Seidman) deb@welcomedriver.com
Subject: Fwd: FOIL Appeal, Request for answers, additional FOIL
Date: July 31, 2015 at 10:58 AM
To: Christian Sampson SampsonC@ramapo-ny.gov
Cc: Maureen Pehush PehushM@ramapo-ny.gov, Robert.Freeman@dos.ny.gov, Janice Gittelman GittelmanJ@ramapo-ny.gov, Kristen Zebrowski Stavisky StaviskK@co.rockland.ny.us, Louis C. Babcock BabcoLo@co.rockland.ny.us

Chris,

I am following up on the FOIL appeal that I wrote below and then formalized into a printed letter that I delivered a week ago. As I explained to you already, my intent is not to make the town look bad by appealing the FOIL request; I just want to get access to the documents available to you as is my right. I promised you that I would withdraw my appeal if I did get access to the requested materials and I intend to follow through on that promise.

I want to acknowledge that I did get access to a "draft" procedure plan for the canvassing and certification. The procedures seem incomplete to me as I have written to you but if you confirm in writing that this is all there is then I agree that request is closed.

I want to acknowledge that I did get copies of only the front of the absentee ballot envelopes. Since it is still my belief that this entire class of ballots should not be counted it is not meaningful at this time to get the backs of the envelopes so I acknowledge that request closed.

I want to acknowledge that I did get copies of the front of the affidavit ballot envelopes. It is my understanding that there is no back, so I acknowledge that request closed.

I still have not been given access to other external paperwork related to the election. I tried to be general in my request since I am not an expert in the paperwork related to the election but generally when faced with a general request one either gets copies of more than one wants or is asked to come in to review the paperwork and narrow the request. I am willing to accept an overwhelming amount of scans or to come in and be shown what there is in order for me to narrow my request.

Based on an updated understanding of what materials should be available this is my best attempt to narrow the request:

- get the challenge lists I requested
- get copies of the ballot reconciliation forms for each of the polling locations as well as the one(s) at town hall used to track absentee ballots or any other paperwork used for tracking which ballot books (I assume tracked by range of ballot numbers) were sent where, how many ballots were used from the different books, and how those ballots were used.
- any written instructions issued to the polling inspectors
- access to the polling registers and the ability to mark any pages which I would like copied under FOIL. As I explained already I am interested in resolving one way or another claims that unregistered voter information was written into the books and to determine if this happened what the scope of it might be. This research that I would do would of course be shared with you so that you too can report on this as needed.

I believe that the copies of the paperwork is straightforward and can be done easily. As far as access to the voter registration books, I also believe that could be done easily as well since they are in town hall and you have a lot of staff in attendance to keep an eye on things including yourself. I think we can work together to minimize any inconvenience and this would enable to me retract my outstanding FOIL appeal which I am willing to do once it is closed.

I know that you have an overwhelming amount of work to do with respect to the canvassing and certification process and I do want to work cooperatively with you to collect the information that I need without getting in your way.

Please let me know when we can arrange for these final items so we can close this out.

Best wishes,

Deb Munitz
 5 Rose Hill Road
 Suffern NY 10901
 845-368-1284

Begin forwarded message:

From: "Deborah Munitz (Seidman)" <deb@welcomedriver.com>
Subject: FOIL Appeal, Request for answers, additional FOIL
Date: July 23, 2015 at 4:15:01 PM EDT
To: Christopher Sampson <SampsonC@ramapo-ny.gov>
Cc: Maureen Pehush <PehushM@ramapo-ny.gov>, Robert.Freeman@dos.ny.gov

Dear Chris,

I want you to know that I received your mail. Thank you for your reply.

1. **No notice:** I was upset to not have received a call or email about the 7/29 date. I did happen to find out through the Journal News but only because of social media. You should not rely on public gossip to fulfill a promise that you made (multiple times in writing). That being said, I did find out and I did put it on my calendar as you know so this is water under the bridge and no longer a point requiring follow-up.

said, I did find out and I did put it on my calendar as you know so time to water under the bridge and no longer a point requiring follow up.

2. No Record Reply to ballot counting plan: By your reply it seems to me that you are saying that no such document exists at this time. Please confirm that you intended to convey a No Records response. I find it hard to believe that a documented process that should have been in place on or before 9/30/2014 still does not exist. If you do confirm that no document exists then please answer this question: Do you have a due date for your plan?

The questions I had that I suggested we talk about for 5 minutes relate to that plan. I would like to request a short conversation with you under the circumstances as my concerns and suggestions might help you finalize your plan. If you need volunteer help on this matter please don't hesitate to ask. This is an operational issue and I happen to be very good at creating procedures.

3. Absentee Ballot Received List: I happen to agree with the argument that absentee ballots should not be counted because registration was not required. Since this is a known issue with respect to this election I am hoping that your procedures for counting the ballots, if the town plans to proceed with counting these ballots, an effort should be made to count these separately and apart from the main machine voted ballots so that the election is not invalidated for that reason alone. If you do not have this list then scans of the outside of the envelopes would suffice.

4. External Paperwork FOIL Appeal: The impoundment has been lifted. I asked only for the copies of the paperwork that exists now. The ballots that are in the machines or inside envelopes is not expected as those are not in the public domain. Your lack of a process is not a valid reason to withhold FOILable information. My interest in these documents is very much related to my wanting to be able to understand whether the process being followed is a good one and in order to track the process. My intention is not to obstruct or unnecessarily slow down the process but it has been a very long time since this information has been available to you and there is no longer a valid reason to withhold it from the public. Please consider this a FOIL Appeal; if you want it in writing instead I can do that immediately.

To be clear I expect the following information to be available immediately and covered by my prior request:

- Copies of all non-affidavit, non-absentee ballots;
- Copies of all absentee envelopes;
- Copies of all absentee applications;
- Copies of all affidavit envelopes;
- Poll registers showing attendance and signatures of voters;
- Polling location challenge reports.
- Instructions issued to election inspectors;

I respect the town's interest in saving money and again, I am willing to volunteer time to help process the paperwork. Additionally if it would be easier for you to make access available for the inspection of the records, this could reduce the amount of scanning of the materials I am requesting.

In light of this reply and the lack of a response regarding a process that should have already been documented and in place on 9/30/2014. I would like to meet with you for 5-10 minutes

Thank you for your this reply and for replying to this appeal by email in a timely manner.

Deborah Munitz
5 Rose Hill Road
Suffern NY 10901
845-368-1284

On Jul 23, 2015, at 2:49 PM, Chris Sampson <SampsonC@ramapo-ny.gov> wrote:

Ms. Munitz:
Deborah,

In your e-mail of June 24th you requested:

1. That I notify you when the count will occur with respect to the Ward Referendum and to allow me to be present to observe the count.

I believe you are aware at this point that I issued a press release last Friday indicating that the process of validating and counting the votes will begin in Ramapo Town Hall on Wednesday, July 29th. The process at Town Hall will consist of validating the Absentee and Affidavit Ballots. Once completed the ballots will be delivered to the Board of Elections to be counted.

2. That I send you the overall plan that you have in place at this time.

I'm in the process of finalizing the plan/procedures that will be implemented here at Town Hall. Once documented, I plan to make those procedures public.

Additionally, you requested under FOIL the following related to this Special Election:

- 1) the list of all affidavit ballots actually sent in.

I'm in the process now of creating such a list to help facilitate my validation process. Once completed, I can make that list available. Your subsequent requests asked for copies of Absentee Ballot lists. These are also being finalized to facilitate the validation process and can be made available when finalized.

- 2) the ability to review the voter registration books, the ballot books that contain the unused ballots and all lists maintained by the poll workers including but not limited to the challenge lists, and the affidavit ballot envelopes as soon as the impoundment is lifted.

These materials will be used as part of the ballot validation process. Once that process is completed, I can make those items available to you.

Christian G. Sampson, RMC CMC
Ramapo Town Clerk
237 Route 59
Suffern, NY 10901
Tel: 845-357-5100 ext. 263
Fax: 845-357-8513
Mobile: 845-721-6582

Registrar of Vital Statistics
Marriage Officer
Notary Public
Ex Officio - New York State Town Clerks Association

From: Deborah Seidman-Munitz [<mailto:deb@welcomedriver.com>]

Sent: Monday, July 20, 2015 12:07 PM

To: 'SampsonC@ramapo-ny.gov'

Cc: 'staviskk@co.rockland.ny.us'; 'BabcocLo@co.rockland.ny.us'; Maureen Pehush
<PehushM@ramapo-ny.gov>; 'Freeman, Robert J (DOS)' <Robert.Freeman@dos.ny.gov>

Subject: FOIL Request of 6/24/15 Outstanding

Importance: High

Dear Town Clerk , Christian Sampson,

I just got an email from Lohud with a link to this article:

<http://www.lohud.com/story/news/politics/2015/07/19/ramapo-set-count-ward-system-vote-july->

[29/30377913/](#)

It has been 3.5 weeks since I sent you the request below. Perhaps my wording was clear enough so I am clarifying that request now so that you may respond with the documentation I am asking for.

- 1) Plan for counting the ballots. Please reply to me electronically with the plan/process which you plan to follow with regard to counting the ballots of the Special Election of 9/30/14.
- 2) Absentee Ballots. I asked under FOIL on 9/29/14 via email and then again in person on 10/3/14 for the list of all absentee ballots actually sent in. You refused to give it to me on 10/14/14 stating: "Deborah, despite my assurance to you that the records you requested concerning the September 30th referendum are available, I am denying you access to those records given the current circumstance of open pending litigation regarding that referendum." It is time to be responsive to that request.
- 3) Copies of, or access to review, external paperwork related to the Special Election of 9/30/14 now that the impoundment is lifted. As requested several weeks ago: "I would like to request the ability to review the voter registration books, the ballot books that contain the unused ballots and all lists maintained by the poll workers including but not limited to the challenge lists, and the affidavit ballot envelopes as soon as the impoundment is lifted."

Finally please send me any notice regarding the details of this counting of the ballots on 7/29/15. And can you confirm that no Absentee or Affidavit Ballots will be counted or processed in advance of the counting. If there will be any pre-processing of the absentee or affidavit ballots, I would like to request to be in attendance to witness the process.

Thank you,

Deborah Munitz
5 Rose Hill Road
Suffern NY 10901
845-368-1165

From: Deborah Seidman-Munitz [<mailto:deb@welcomedriver.com>]

Sent: Wednesday, June 24, 2015 3:42 PM

To: 'SampsonC@ramapo-ny.gov'

Cc: 'staviskk@co.rockland.ny.us'; 'BabcocLo@co.rockland.ny.us'; 'Alan Berman'; Maureen Pehush; 'Alan Berman'

Subject: FW: Request to present at Board Elections tomorrow Tuesday 9/30 at night for election counting

Importance: High

Dear Chris,

I am emailing you to remind you of your promise to notify me when the count will occur with respect to the Ward Referendum and to allow me to be present to observe the count.

I know that you have had a suitable amount of time to plan the process.

Can you please send me the overall plan that you have in place at this time? (I am making the

assumption that it is written down, just send me what you have.)

Additionally, I would like to request under FOIL the following related to this Special Election:

- 1) I had previously requested under FOIL as was my right to inspect the list of all affidavit ballots actually sent in. You had denied that to me finally because of the Garvey order. I would like to receive that list by return email.
- 2) I would like to request the ability to review the voter registration books, the ballot books that contain the unused ballots and all lists maintained by the poll workers including but not limited to the challenge lists, and the affidavit ballot envelopes as soon as the impoundment is lifted.

Thank you,

Deborah Munitz
5 Rose Hill Road
Suffern NY 10901
845-368-1165

From: Chris Sampson [<mailto:SampsonC@ramapo-ny.gov>]

Sent: Thursday, October 02, 2014 6:45 PM

To: 'deb@welcomedriver.com'

Cc: Maureen Pehush; Alan Berman; Louis C. Babcock; 'staviskk@co.rockland.ny.us'

Subject: RE: Request to present at Board Elections tomorrow Tuesday 9/30 at night for election counting

Deborah, I saw Kristen Stavisky's response to you regarding Counting ballots. You are welcome to come and observe the "Ward Referendums" vote count once we are allowed to proceed. I will let you know when that occurs. --- Chris

Christian G. Sampson
Ramapo Town Clerk
237 Route 59
Suffern, NY 10901
Tel: 845-357-5100 ext. 263
Fax: 845-357-8513
Mobile: 845-721-6582

Registrar of Vital Statistics
Marriage Officer
Notary Public
President - New York State Town Clerks Association

From: Deborah Seidman-Munitz [<mailto:deb@welcomedriver.com>]

Sent: Thursday, October 02, 2014 10:19 AM

To: Chris Sampson

Cc: Maureen Pehush; Alan Berman; Louis C. Babcock

Subject: FW: Request to present at Board Elections tomorrow Tuesday 9/30 at night for election counting

Dear Chris,

I called the BOE yesterday and it is my understanding that no access to the ballots has taken place yet. I still request to be present when the ballots are counted and would like to confirm that the request that I sent on Monday still stands.

Please respond back and let me know what the plans are for proceeding with the analysis and counting process.

Thank you for your help,

Deborah Munitz
845-368-1284

From: Deborah Seidman-Munitz [<mailto:deb@welcomedriver.com>]

Sent: Monday, September 29, 2014 4:50 PM

To: Maureen Pehush

Cc: Alan Berman (BermanA@ramapo-ny.gov); sampsonc@ramapo.org; voterinfo@co.rockland.ny.us

Subject: Request to present at Board Elections tomorrow Tuesday 9/30 at night for election counting

Dear Maureen,

Alan Berman said that proponents of the referendum would be allowed (within reason) to witness the tallying of the ballots at the board of elections tomorrow night after 10:00pm. I know Chris is out at the BOE today and that you are representing the Town Clerk's office in his absence.

I would like to formally request to the Town Clerk's office to be present at the board elections when the ballots are counted.

Please confirm that this is possible and send me instructions on where this will take place and who to contact on arriving.

I would like to bring up to one additional person with me and can confirm tomorrow who that will be.

I am the author of the Vote6Wards.org website and have been trying to get the word out about the election. I would like to represent an independent voice in the election process.

Best wishes,

Deborah Munitz
5 Rose Hill Road
Suffern NY 10901
845-368-1284 work

917-519-1165 cell