

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' COVER SHEET REVIEW MEETING

42 Broadway
New York, NY 10004
April 17, 2020
1:08 p.m. - 1:15 p.m.

April 17, 2020

PRESENT:

Commissioner Tiffany Townsend

Commissioner John Wm. Zaccone

Steven Richman, General Counsel

1 April 17, 2020

2 (The meeting commenced at 1:08 p.m.)

3 MR. RICHMAN: Commissioners, it is
4 Friday, April 17, 2020, approximately eight
5 minutes after 1:00. We are now live streaming.
6 This is a meeting of the Commissioners' Cover
7 Sheet and Petition Review Committee, established
8 pursuant to the Board's petition rules. The
9 committee was designated at the Board's public
10 meeting held this past Tuesday. It consists of
11 Commissioner Tiffany Townsend, the Democratic
12 commissioner from New York County and
13 Commissioner John Zaccone, the Republican
14 commissioner from Richmond County.

15 Commissioners, we e-mailed the three
16 items that we're going to present to you today.
17 They are all amended cover sheets. And with your
18 permission, we'll begin with the staff finding of
19 preliminarily valid.

20 COMMISSIONER ZACCONE: Very
21 [unintelligible] [00:00:50].

22 MR. RICHMAN: [unintelligible]
23 [00:00:49] to the cover sheet of Heather E.
24 Dimitriadis for delegate to the Democratic

1 April 17, 2020
2 Judicial Convention for the 24th Assembly
3 District in Queens, 11th JD. The defect was that
4 on her petition, her address includes the correct
5 apartment, apartment number 3C, as in Charlie.
6 The original cover sheet had a typographical
7 difference, 3G as in George. The notice went out
8 on April 8th, it was timely filed within three
9 business days. Now, the amended cover sheet
10 reflects apartment 3C for Ms. Dimitriadis and as
11 you [unintelligible] [00:01:30] the staff team
12 has recommended this to be deemed a valid cure.

13 COMMISSIONER TOWNSEND: Okay.

14 COMMISSIONER ZACCONE: I agree.

15 COMMISSIONER TOWNSEND: Sorry, I just
16 have to flip my screen here for a moment. I
17 apologize.

18 COMMISSIONER ZACCONE: No, not at all,
19 take your time.

20 COMMISSIONER TOWNSEND: Okay.

21 MR. RICHMAN: It's the last judicial
22 candidate, delegate candidate on the cover sheet.

23 COMMISSIONER TOWNSEND: Okay. We are --

24 MR. RICHMAN: Recommending it is a valid

1 April 17, 2020

2 cure.

3 COMMISSIONER TOWNSEND: Yes, yeah. Okay,
4 great, yes.

5 MR. RICHMAN: Commissioners, then we
6 have two invalid cures. The invalid -- the
7 recommendation why they are not a valid cure is
8 that the notice of noncompliance, we'll first
9 begin with, I believe you have Alison Abulafia
10 and Peter W. Beadle.

11 COMMISSIONER TOWNSEND: Uh-huh.

12 MR. RICHMAN: District leaders in male
13 and -- female and male respectively, Part B of
14 the 28th AD in Queens. Commissioners, the reason
15 we're recommending not a valid cure is this was
16 filed late. The notice of noncompliance went out
17 on April 3rd, which is also reflected both in the
18 petition ledger and I provided you with not only
19 a copy of the notice, but a copy of the correct
20 express mail tracking sheet, listing as 2073. The
21 candidate in the response, included a different
22 tracking number than the number that we assigned
23 that went to him [unintelligible] [00:03:18] from
24 the Board maybe for another defect sheet. And you

1 April 17, 2020

2 do have the postal service report showing that it
3 was delivered at, in the mailbox at 12:03 p.m. on
4 April 7th. And the last day to file properly for
5 that notice would have been April 8th, however,
6 this was not filed until April 13th.

7 COMMISSIONER TOWNSEND: Oh.

8 MR. RICHMAN: So since it was exceeding
9 beyond the three days after the, three business
10 days after the commissioners' determination, we
11 recommend that this is not -- be deemed not a
12 valid cure.

13 COMMISSIONER TOWNSEND: Okay.

14 COMMISSIONER ZACCONE: I agree.

15 COMMISSIONER TOWNSEND: Okay, yeah.

16 Yeah, I mean --

17 COMMISSIONER ZACCONE: Very late.

18 COMMISSIONER TOWNSEND: -- it's how many
19 -- yes, I was just going to say the same thing. I
20 mean it's three days past or whatever that is, so
21 yeah, I'm in agreement.

22 MR. RICHMAN: Okay. The next, not a
23 valid cure, and the last item, commissioners is
24 the same issue. It relates to the amended cover

1 April 17, 2020

2 sheet filed for Jessica Laymon, for male member
3 of the Democratic State Committee -- Jesse, I
4 should say Jesse Laymon, L-A-Y-M-O-N, male member
5 of the Democratic State Committee from the 37th
6 Assembly District in Queens, and delegate to the
7 Judicial Convention from the 37th AD in Queens.
8 The original defect on the cover sheet is they
9 had the wrong zip code, they had him in Brook-
10 Astoria, which is in Brooklyn instead of Queens.
11 They filed it, it's correct. But again, his
12 notice of noncompliance was dated April 3rd, was
13 deposited by the postal service on April 3rd, and
14 it in the same mailing envelope as for Ms.
15 Abulafia and Mr. Beadle, postal service shows it
16 being delivered at 12:03 on April 7th to Mr.
17 Schwartz' office and therefore we're recommending
18 it's not a valid cure because again, this was due
19 on April 8th, it wasn't filed until the 13th.

20 COMMISSIONER ZACCONE: I'll just make an
21 editorial note that even if it was done timely,
22 you know, from the 7th, he would still be late.

23 COMMISSIONER TOWNSEND: Right.

24 COMMISSIONER ZACCONE: So I think he's

1 April 17, 2020

2 clearly late in this case, even if we went three
3 days from the 7th and give him the benefit of the
4 doubt, which we would not do.

5 MR. RICHMAN: Commissioners, it is our
6 recommendation to find it not a valid cure.

7 COMMISSIONER ZACCONE: I agree.

8 COMMISSIONER TOWNSEND: Yeah, I agree,
9 yeah.

10 MR. RICHMAN: Okay. Well, commissioners,
11 so the candidate will not appear on the ballot.
12 Commissioners, that concludes the amended cover
13 sheet review. The materials that we were waiting
14 on from last night, from Monday, from when they
15 went out on Monday, no cures were filed, so this
16 concludes the cover sheet review process for the
17 June primaries. We thank you.

18 COMMISSIONER TOWNSEND: Okay.

19 MR. RICHMAN: And I recommend that we
20 adjourn.

21 COMMISSIONER ZACCONE: Thank you very
22 much Mr. Richman.

23 COMMISSIONER TOWNSEND: Excellent, thank
24 you.

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April 17, 2020

COMMISSIONER ZACCONE: I move to
adjourn.

MR. RICHMAN: Very good.

COMMISSIONER TOWNSEND: Alright.

MR. RICHMAN: Thank you, commissioners,
see you on Tuesday for the hearings, okay.


COMMISSIONER TOWNSEND: See you on
Tuesday, thanks. Have a good weekend.

(The meeting concluded at 1:15 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on April 17, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: February 2, 2021

GENEVAWORLDWIDE, INC

256 West 38th Street - 10th Floor

New York, NY 10018