

BOARD OF ELECTIONS  
IN THE CITY OF NEW YORK

COMMISSIONERS' COVER SHEET REVIEW MEETING

42 Broadway - 6th floor  
Commissioners' Hearing Room

New York, NY 10004

August 11, 2020

4:05 - 4:10 p.m.

August 11, 2020

**PRESENT:**

Commissioner Miguelina Camilo

Commissioner John Wm. Zaccone

Steven Richman, General Counsel

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2 (The meeting commenced at 4:05 p.m.)

3 MR. STEVEN RICHMAN: Good afternoon,  
4 commissioners. It is Tuesday, August 11, 2020, a  
5 few minutes after 4:00 p.m. Pursuant to public  
6 notice, this is a meeting of the commissioners'  
7 petition and cover sheet review committee for  
8 independent nominating petitions. Pursuant to the  
9 designation of President Taylor and Secretary  
10 Umane, respectively, Commissioner Camilo,  
11 Democrat of the Bronx, and Commissioner Zaccone,  
12 Republican of Richmond County have been  
13 designated to serve as today's cover sheet review  
14 committee.

15 Commissioners, we have e-mailed you the  
16 relevant materials. We have one item to present  
17 to you that is for your consideration. On August  
18 3rd, 2020, the petition, the petition and cover  
19 sheet review committee reviewed the petition  
20 submitted by Brandon P. Stratford as a candidate  
21 for the New York State Senate, 23rd Senate  
22 District on the Hope is on the Ballot independent  
23 body line. Petition volume RH2000370 failed to  
24 comply with the State Board regulations 62-15.1A,

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2 which states that the sheets of the petition  
3 shall be numbered sequentially at the foot of  
4 each sheet. Notice was sent by overnight mail to  
5 him. It advised him that you may attempt to cure  
6 this defect by filing an exact copy of the  
7 petition volumes with the sheets thereof in the  
8 same order as original filled listed above,  
9 noting thereon any changes or corrections in  
10 compliance with section 62-15.1A of the State  
11 Board rules within three business days of this  
12 letter.

13 What happened in this case is that Mr.  
14 Stratford made an attempt to cure the defect  
15 with, and had several deficiencies. One, he filed  
16 the attempted cure on August 7th. It was due by  
17 midnight August 6th. And in the letter, you could  
18 see, he says there are extenuating circumstances  
19 requiring timely submission. The UPS notice was  
20 delivered on August 4th, but in the mailbox, but  
21 he didn't find it until August 5th. And he asked  
22 for extensions. I would point out that the  
23 statute makes clear that the Board, neither the  
24 Board or the court system can extend the

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2 statutory deadlines.

3 Secondly, rather than filing the volume  
4 in the order given in the instructions, in the  
5 exact same order, what he did was, he's obtained  
6 from the board in the presence of staff, he  
7 numbered the sheets and submitted a total of 150  
8 sheets, including 11 sheets that were not  
9 included in the original volume seeking it to be  
10 added, which is against the rules as well.

11 So based on that finding, we, the staff  
12 recommendation is that be found a not valid cure  
13 for A, not timely being filed and B, for not  
14 filing, the purported cure not being filed, not  
15 in compliance with the directions as to how to  
16 cure the defect, by seeking to add additional  
17 petition volumes.

18 COMMISSIONER ZACCONE: Okay. Mr.  
19 Richman, just one question, I'm looking, it says  
20 there's two attempts to refile, both of them on  
21 the 7th and both of them including those sheets?  
22 I'm --

23 MR. RICHMAN: Again, what we have is  
24 that, we have one -- the two same sheets, the

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2 second volume, one is labeled addendum request.

3 COMMISSIONER ZACCONE: Okay.

4 MR. RICHMAN: But they were both filed  
5 within, at the same time, 11:01 p.m. on August  
6 7th.

7 COMMISSIONER ZACCONE: Okay. I wasn't  
8 sure, because that [unintelligible] [00:04:10]  
9 before that mark on the second one, and I just  
10 wasn't sure who added in, if that was in the  
11 original.

12 MR. RICHMAN: That was, that is on the  
13 original. That was not added by the Board staff.  
14 The board staff finding is on the other sheet, on  
15 the yellow sticky note on the top upper right  
16 hand corner, which is the review of the cover  
17 sheet review team members.

18 COMMISSIONER ZACCONE: Okay. Fine, I  
19 agree that it's, you know, it's a late filing,  
20 it's an improper filing, and the candidate's  
21 party is more than 15 characters.

22 MR. RICHMAN: Well, he got a notice, he  
23 got a notice to change the name, but I don't, if  
24 he doesn't file one, it doesn't make a difference

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2 now, based on your --

3 COMMISSIONER ZACCONE: I know.

4 MR. RICHMAN: -- if Commissioner Camilo  
5 agrees with you.

6 COMMISSIONER CAMILO: Yes, I would  
7 second to follow counsel's recommendation that  
8 this is an invalid cure.

9 MR. RICHMAN: Okay. Thank you  
10 commissioners, a notice will go out tonight by  
11 express mail advising him of your determination  
12 and that starts the clock on an Article 16  
13 proceeding.

14 COMMISSIONER ZACCONE: Very good.

15 MR. RICHMAN: So commissioners, that's  
16 the only matter we have to present to you today.  
17 And so unless you have any other issues to raise,  
18 I would recommend a motion to adjourn.

19 COMMISSIONER ZACCONE: I'll move to  
20 adjourn.

21 COMMISSIONER CAMILO: And I'll second  
22 that.

23 MR. RICHMAN: Thank you, commissioners.

24 (The meeting concluded at 4:20 p.m.)

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the Board of Elections in The City of New York on August 11, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



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Date: March 26, 2021

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