

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor
Commissioners' Hearing Room

New York, NY 10004

December 8, 2020

1:30 - 3:53 p.m.

December 8, 2020

PRESENT:

President Patricia Ann Taylor

Secretary Frederic Umane

Commissioner Jose Araujo

Commissioner Miguelina Camilo

Commissioner Michael Michel

Commissioner Gino Marmorato

Commissioner Simon Shamoun

Commissioner Tiffany Townsend

Commissioner John Wm. Zaccone

Michael J. Ryan, Executive Director

Dawn Sandow, Deputy Executive Director

Pamela Perkins, Administrative Manager

Georgea Kontzamanis, Operations Manager

Tom Sattie, Ballot Coordinator

Rafael Savino, Deputy General Counsel

Amanda Berinato, Queens Chief Clerk

Bart Haggerty, Queens Deputy Clerk

Matthew Graves, CRU

ALSO PRESENT:

Angel Cruz, Esq.

Mujib U. Rahman, Candidate

Sarah Steiner, Esq.

Martin Connor, Esq.

Daniel Mayo, Esq.

Howard T. Neiman, Candidate

Howard Graubard, Esq.

Angelo King, Candidate

Thomas Haggerty, Esq.

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2 (The meeting commenced at 1:42 p.m.)

3 MR. MICHAEL J. RYAN: Okay. Yes, good
4 afternoon. Today is [unintelligible] [00:12:46]
5 of the Commissioners of Elections. My name is
6 Michael Ryan. I'm the executive director and I
7 will start with the roll call of commissioners.
8 President Taylor?

9 PRESIDENT PATRICIA ANNE TAYLOR: Good
10 afternoon, I'm here.

11 MR. RYAN: Thank you. Secretary Umane?
12 Secretary Umane?

13 SECRETARY FREDERIC UMANE: Here.

14 MR. RYAN: There you go. Can you just
15 repeat it so that it's recorded? Thank you.

16 SECRETARY UMANE: Here, here.

17 MR. RYAN: Thank you.

18 SECRETARY UMANE: Here, here.

19 MR. RYAN: Gotcha. Commissioner Araujo?

20 COMMISSIONER JOSE ARAUJO: Present.

21 MR. RYAN: Commissioner Camilo?

22 COMMISSIONER MIGUELINA CAMILO: Present,
23 good afternoon.

24 MR. RYAN: Good afternoon. Commissioner

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2 Marmorato?

3 COMMISSIONER GINO MARMORATO: Present,
4 good afternoon, everyone.

5 MR. RYAN: Good afternoon. Commissioner
6 Michel?

7 COMMISSIONER MICHAEL MICHEL: Present.

8 MR. RYAN: Commissioner Pepe-Souvenir?
9 You're on mute, commissioner.

10 COMMISSIONER RODNEY PEPE-SOUVENIR: Good
11 afternoon, everyone, present.

12 MR. RYAN: Good afternoon Commissioner
13 Shamoun?

14 COMMISSIONER SIMON SHAMOUN: Present,
15 thank you.

16 MR. RYAN: Thank you. Commissioner
17 Townsend? Commissioner Townsend, we see your
18 name. Can we see hear voice?

19 COMMISSIONER TIFFANY TOWNSEND:
20 Apologies, hi, here. Thank you.

21 MR. RYAN: Thank you. Alright.
22 Commissioner Zacccone?

23 COMMISSIONER JOHN WM. ZACCONE: Present,
24 good afternoon everyone.

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2 MR. RYAN: Good afternoon, thank you. My
3 name is Michael Ryan, I am the executive
4 director. And seated to my left is deputy
5 executive director, Dawn Sandow. Manager Pamela
6 Perkins, operations manager, Georgea Kontzamanis.
7 I also believe staff member Mr. Sattie will be
8 assisting us from elsewhere in the building as
9 well. Seat in the table before me that will be
10 participating in these hearings are deputy
11 general counsel Rafael Savino, as well as staff
12 members from the Candidate Records Unit. That
13 said, item number one on the agenda and we will
14 also have to add an executive session for
15 personnel and litigation, so that will be added
16 at the end.

17 In any event, item number one is
18 hearings for the independent nominating petitions
19 for the February 2, 2021 special election for the
20 New York City Council in the 24th Council
21 district in Queens County, which causes me to be
22 reminded that I did not acknowledge the Queens
23 staff that will be participating in these
24 hearings as well. And I can see Ms. Berinato and

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2 Mr. Haggerty, and I'm not certain what other
3 staffers are there. But in any event, they're up
4 on the screen, so if they need to participate,
5 they're available to do so.

6 That said, this hearing will be
7 conducted virtually. There are participants that
8 will be brought in from the waiting room to
9 participate at the time that those matters are
10 called. I would just like to remind all of the
11 commissioners and all of the participants
12 ultimately to please keep their individual
13 microphones on mute and they will be, individuals
14 will be called on as needed to be recognized and
15 I will handle that portion of it as well as Mr.
16 Sattie from elsewhere in the building will advise
17 us as to when there are participants that need to
18 be brought in from the waiting room and that will
19 be handled by staff as well. So, with all that
20 background having been done, President Taylor,
21 the proceedings are yours.

22 PRESIDENT TAYLOR: Thank you, Mr. Ryan.
23 Good afternoon. My name is Patricia Anne Taylor,
24 and I am the Democratic commissioner for Richmond

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2 County and president of the Board of Elections in
3 the City of New York for calendar year 2020.

4 I now call this hearing by the Board of
5 Elections in the City of New York to order. As
6 the roll has already been called, we'll dispense
7 with that requirement regarding the hearing rules
8 unless there is objection. Hearing none, we'll
9 move on.

10 Today's hearings relate to the
11 specifications of objections to matters related
12 to the February 2, 2021 special election for the
13 public office of council member in the 24th
14 Council District in the City of New York, Queens
15 County.

16 We convene today once again under the
17 most extraordinary circumstances in our memory.
18 The COVID-19 virus has changed the way that we
19 live and work here in the City of New York and
20 that is why and my colleagues appear today via a
21 video conference link, as will most of the
22 candidates and objectors or their
23 representatives.

24 Commissioners and staff of the Board of

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2 Election are most mindful our responsibility to
3 ensure that a fair, honest, open and lawful
4 electoral process continues within our city.
5 These hearings will be conducted in accordance
6 with the provisions of the New York State
7 Election Law, the Board's independent nominating
8 petition rules adopted on December 18, 2018, the
9 emergency procedures, which modified those rules,
10 adopted on April 14, 2020 and executive orders
11 issued by the governor of the State of New York,
12 which modified provisions of the Open Meetings
13 Law as well as the New York State Election Law.

14 The most significant modification for
15 this hearing, as noted, as the way it is being
16 conducted, largely remotely using Webex. Each of
17 the commissioners is participating through that
18 system, along with our key members, as are all of
19 the candidates, objectors and their
20 representatives who have registered to appear at
21 this hearing.

22 The schedule for today's hearing was
23 posted on the Board's website and the information
24 shared on various social media as well as posting

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2 it at all Board of Elections offices. Under the
3 Board's emergency procedures, each candidate and
4 each objector or a designated representative had
5 to file their notice of appearance for these
6 hearings by 3:00 p.m. on Monday, December 7,
7 2020. That information was used to send
8 directions on how to participate in this Webex
9 video conference meeting.

10 In addition, persons who wanted to
11 appear in person for this hearing at the Board's
12 executive office were required to communicate
13 that request to the Board no later than 3:00 p.m.
14 on Monday, December 7, 2020.

15 Please note that these emergency
16 procedures were prominently posted on the Board's
17 website and were referenced in many of the
18 notices sent out by the Board and communicated to
19 the candidate and objectors.

20 In addition, each of the calendars
21 listing the matters that the commissioners will
22 consider were posted on the Board's website as
23 well in the Board's hearing room.

24 I have asked that the Board's executive

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2 director, who is on site, Michael J. Ryan,
3 coordinate our activities today using this
4 technology as that will ensure that our meetings
5 are conducted in a more orderly fashion. I turn
6 over the gavel to you, Mr. Ryan.

7 MR. RYAN: Thank you, Madam President.

8 As we already stated, given the use of technology
9 please keep your individual microphones on mute.
10 That said, as a reminder, all persons appearing
11 before this hearing must have filed their notice
12 of appearance by yesterday, Monday, December 7,
13 2020, in accordance with the commissioners'
14 emergency procedures as adopted.

15 In addition, please reminded all
16 commissioners, board staff, attorneys, candidates
17 and objectors that only one person can speak at a
18 time, as the audio visual system cannot
19 accurately record the proceedings if individuals
20 are stepping on each other's conversations. In
21 addition, I'm sure that folks notice, we have
22 sign language interpreters for the hearing
23 impaired who also have to be able to decipher
24 what individual speakers are saying so that that

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2 translation can be accurately transmitted to the
3 hearing impaired members or our audience and/or
4 participants if there are any.

5 As a further reminder, I want to advise
6 all present that the board is required by law to
7 record how each commissioner votes on each
8 matter. In that, in the event that the
9 commissioners are not unanimous in their
10 determination on a given matter, I will ask that
11 our counsel conduct -- or I will conduct, I
12 should say, a roll call vote of the commissioners
13 for the record. That having been said, I will
14 call upon deputy general counsel, Rafael Savino
15 now to call the calendar for this hearing today.

16 MR. RAFAEL SAVINO: Good afternoon,
17 commissioners. We're going to start with the CRU
18 Prima facie calendar, which Mr. Graves is going
19 to address.

20 MR. MATTHEW GRAVES: Good afternoon,
21 commissioners. Our first matter concerns the
22 independent body Community First petition, which
23 has Michael Earl Brown as the candidate. The
24 matter of explanation, petition lacks the

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2 necessary number of signatures to support
3 candidacy and is facially defective. And
4 potential for 48 signatures filed, 450 signatures
5 required.

6 COMMISSIONER ARAUJO: Are there any
7 appearances on this?

8 MR. SAVINO: I'm sorry, appearances?

9 MR. RYAN: Mr. Sattie, are there any
10 appearances for that matter?

11 MR. TOM SATTIE: No.

12 MS. GEORGEA KONTZAMANIS: No.

13 COMMISSIONER ARAUJO: I would move that
14 we adopted the clerks' report, the prima facie
15 report as it relates to this candidate.

16 COMMISSIONER MICHEL: Second.

17 MR. SAVINO: Just to keep you advised
18 commissioners, I know Ms. Steiner is in the
19 waiting room, and she feels that based on that
20 ruling, she should not have to change her party
21 name to Community First.

22 MR. RYAN: Mr. Savino, the ruling has
23 not been completed yet. Right now, what we have
24 is a motion and a second. As soon as we conclude

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2 the commissioners portion of the festivities then
3 we can move on to the extra issues. So we have a
4 motion from Commissioner Araujo and I heard a
5 second but I apologize, I did not hear who that
6 was from.

7 COMMISSIONER MICHEL: Michel.

8 MR. RYAN: Commissioner Michel has
9 seconded the motion. A motion is on the floor,
10 having been made and seconded. Are there any
11 objections? Hearing none, the motion carries. Mr.
12 Savino.

13 MR. SAVINO: Apologies, commissioners,
14 it's up to you whether you'd like to hear from
15 Ms. Steiner on that issue now or perhaps at the
16 end of these hearings. And then I will continue.

17 COMMISSIONER ARAUJO: We can do it at
18 the end. Yeah, we could do it at the end, because
19 it's going to come up anyway, because I know a
20 clerks' report has already been done on this
21 matter.

22 MR. SAVINO: Thank you, commissioners.

23 COMMISSIONER ARAUJO: So if you want, we
24 can call her in at that point, but let's finish

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2 off with this report.

3 MR. GRAVES: Commissioners, the second
4 item concerns a proof of service that was filed
5 with Spec QN19-1 with candidate Soma Syed an
6 objector Cornelius Woodies. The matter is
7 incorrect or omitted objection number from the
8 proof of service as per rule H12, proof of
9 service attached to original specification, as
10 per rule H12.

11 COMMISSIONER ARAUJO: Any appearances on
12 there?

13 MR. RYAN: Oh, any appearances?

14 MR. SATTIE: There is in this case, I'm
15 going to let Angel Cruz into the room.

16 COMMISSIONER ARAUJO: Mr. Cruz
17 represents who, the candidate or the objector?

18 MR. SATTIE: I believe Mr. Cruz
19 represents the objector?

20 COMMISSIONER ARAUJO: Okay.

21 MS. KONTZAMANIS: Mr. Cruz is in the
22 room.

23 MR. RYAN: Yes. Mr. Cruz, you represent,
24 we're just confirming you represent the objector

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2 in this matter? This would be in the matter of
3 Soma S. Syed.

4 COMMISSIONER TOWNSEND: Commissioner
5 Taylor, we can't hear you.

6 MR. RYAN: We're just confirming you
7 represent the objector in this matter? This would
8 be in the matter of Soma S. Syed.

9 MR. SATTIE: No, he's the candidate.

10 MR. CRUZ: I represent the candidate.

11 MR. RYAN: Okay. Alright. So Mr. Cruz
12 represents the candidate.

13 COMMISSIONER ARAUJO: Is there anyone
14 here for the objector?

15 MR. SATTIE: No.

16 MR. RYAN: No, commissioner.

17 COMMISSIONER ARAUJO: Mr. Cruz, right
18 now, the object- the report is requesting that
19 the objections be kicked overtime for omitting to
20 put the proof of service on the objection. Do you
21 have any position on that?

22 MR. CRUZ: I would second that.

23 COMMISSIONER ARAUJO: Well, you can't
24 second that, but you can make the request. So I

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2 move that we adopt the recommendation on this
3 report as it relates to the second candidate.

4 MR. RYAN: Is there a second?

5 COMMISSIONER MICHEL: Second.

6 MR. RYAN: Commissioner Michel seconded.
7 We now have a motion and a second? Are there any
8 objections? Hearing none, the motion carries. And
9 so the candidate is off the ballot, right? I'm
10 going to summarize it anyway, right?

11 COMMISSIONER ARAUJO: The candidate is
12 on the ballot.

13 MR. RYAN: On the ballot.

14 MR. SAVINO: The candidate is on the
15 ballot.

16 MR. RYAN: Right, okay.

17 COMMISSIONER ARAUJO: [unintelligible]
18 [00:27:53] second the objections?

19 MR. SAVINO: Yes, commissioner, the
20 candidate remains on the ballot.

21 COMMISSIONER ARAUJO: Remains on the
22 ballot.

23 MR. SAVINO: The specification was
24 removed.

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2 COMMISSIONER TOWNSEND: Okay.

3 MR. SAVINO: And will not be not be
4 called when -- during the clerks' report.

5 MR. RYAN: Gotcha.

6 MR. SATTIE: Okay?

7 MR. RYAN: Yes. Thank you for that
8 clarification.

9 MR. CRUZ: Thank you.

10 MR. GRAVES: Commissioners, our final
11 matter on the CRU prima facie report.

12 MR. RYAN: Wait one second. Please
13 return Mr. Cruz, are you -- he's not on any other
14 matters, okay. He's been returned to the waiting
15 room. We've just got to be mindful of that, okay.
16 It's a little bit of a juggling act.

17 MR. GRAVES: Oh.

18 MR. RYAN: It's okay. Alright.

19 MR. GRAVES: I apologize.

20 MR. RYAN: So go ahead.

21 MR. SAVINO: Any appearances on this?

22 MR. GRAVES: The final matter concerns
23 proof of service for QN13-1 specification listing
24 Mujib Rahman candidate, Cornelius Woodies

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2 objector, and again we have the same matter,
3 which is incorrect omitted objection number from
4 the proof of service, as per rule H12 and proof
5 of service attached to original specification.

6 MR. RYAN: Are there any appearances,
7 Mr. Sattie?

8 MR. SATTIE: In this case, yes, the
9 candidate, Mujib Rahman is in the waiting room.
10 We're going to call him in now.

11 MR. RYAN: Thank you.

12 MS. KONTZAMANIS: He's in the room.

13 MR. RYAN: Okay. Mr. Rahman.

14 COMMISSIONER ARAUJO: The report is
15 requesting that the board dismiss the objections
16 as a result of the objection number being omitted
17 from the proof of service. Is there anything you
18 want to add?

19 MR. MUJIB U. RAHMAN: It is necessary to
20 add if dismiss, I don't have anything to say, but
21 I have to say anything, I can read a statement.

22 COMMISSIONER ARAUJO: Alright. If
23 there's nothing to add, I would move that we
24 adopt the prima facie report as recommended.

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2 COMMISSIONER MICHEL: Commissioner
3 Michel, second.

4 MR. RYAN: Okay. There is a motion and a
5 second on the floor. Are there any objections?
6 Hearing none, the motion carries.

7 MR. SAVINO: Commissioners, I will not
8 begin with --

9 MR. RYAN: Does that conclude the prima
10 facie calendar?

11 MR. SAVINO: Oh, yes, I apologize. That
12 concludes the CRU prima facie calendar.

13 MR. RYAN: Okay. And so, just to
14 reiterate, Candidate Michael Earl Brown is, the
15 report was adopted, and remains -- is now off the
16 ballot. Soma S. Syed and Mujib U. Rahman, the
17 objections were dismissed and the candidates
18 remain on the ballot.

19 MR. SAVINO: Alright. Going to Queens
20 Spec 6, the first one on the calendar, there is a
21 clerks' report.

22 COMMISSIONER ARAUJO: Now,
23 commissioners, just so you know, this letter was
24 just dismissed with the prima facie case, so I

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2 would move to dismiss it as moot. Mr. Ryan, did
3 you get my application?

4 MR. RYAN: Yes, you said you want to
5 dismiss it as --

6 COMMISSIONER MICHEL: I believe, I
7 believe Mr. Savino just called Spec number six,
8 which I don't think was removed.

9 COMMISSIONER ARAUJO: No, I thought he
10 called Spec number one.

11 PRESIDENT TAYLOR: No, he did not.

12 MR. SAVINO: No, I was going in the
13 order of the calendar that was prepared,
14 commissioners. And the first thing on there is
15 Spec six.

16 COMMISSIONER ARAUJO: I'm sorry. I'm
17 going by the actual Spec number order. I
18 apologize. I withdraw that application.

19 MR. RYAN: Where is the specification
20 calendar? I only had the prima facie calendar.

21 MS. SANDOW: Let me.

22 MR. RYAN: Thank you.

23 COMMISSIONER TOWNSEND: I don't have
24 that either.

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2 MR. RYAN: Alright. Specification number

3 --

4 PRESIDENT TAYLOR: I don't see that
5 either.

6 MR. RYAN: -- is actually in first
7 position on the, on the specification calendar.
8 And the name of the candidate is Deepti Sharma.
9 Is that the matter that you were proceeding on,
10 Mr. Savino?

11 MR. SAVINO: That is correct. Objections
12 by Luis Monterrosa, petition of Deepti Sharma,
13 under the independent body of A Better Queens, as
14 we all know it's for City Council District 24.
15 Number of signatures submitted by candidate,
16 1,193, total valid number of signatures, 469,
17 number of signatures required, 450. Appearances?

18 MR. SATTIE: There are appearances for
19 both the candidate and the objector. I will be
20 calling in, we'll be calling in Sarah Steiner and
21 Martin Connor. Martin Connor is for the candidate
22 and Sarah Steiner for the objector.

23 MR. MARTIN CONNOR: Martin Connor,
24 Martin Connor for the candidate. Can you hear me?

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2 MS. KONTZAMANIS: They're both in.

3 MR. CONNOR: Yeah.

4 MR. RYAN: Yes. And Sara Steiner is for
5 the objector? Ms. Steiner, we see your name, but
6 we don't hear your voice.

7 MS. KONTZAMANIS: She's muted.

8 MR. RYAN: Okay.

9 MS. SARAH STEINER: Unmute me.

10 MR. RYAN: We need her to be unmuted so
11 that she can state her appearance on the record.

12 MS. STEINER: I'm looking for me.

13 MR. SAVINO: Petition on the, on the
14 specification calendar and the name of the
15 candidate is --

16 COMMISSIONER CAMILO: Is someone else
17 hearing the hearing on a different device,
18 because we're getting a feedback.

19 COMMISSIONER PEPE-SOUVENIR: I'm hearing
20 it too, yeah.

21 MR. RYAN: Yes.

22 MS. STEINER: I, there I am. I think,
23 can you hear me?

24 MR. RYAN: Yes, we can.

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2 MS. STEINER: Okay.

3 MR. RYAN: Okay. So, Mr. --

4 MS. KONTZAMANIS: I think she's logged
5 in twice.

6 MR. RYAN: Oh, okay. Apparently Ms.
7 Steiner is logged in twice. So Ms. Steiner and
8 Mr. Connor, please keep your microphones on mute.
9 We'll let Mr. Savino go through the matter again
10 and then I will recognize you first in the order
11 of Mr. Connor for the candidate, and then Ms.
12 Steiner for the objector. And if there's any
13 necessary back and forth, I'll ask you each if
14 you have anything further you wish to add, just
15 so that we can keep an order to the proceedings.
16 So, Mr. Savino, please proceed.

17 MR. SAVINO: Certainly. Objections by
18 Luis Monterrosa, independent body name A Better
19 Queens, to the petition of Deepti Sharma, as we
20 know, for member of the City Council 24th
21 District. Number of signatures submitted for
22 candidate, 1,193, total valid signatures, 469,
23 number of signatures required 450.

24 MR. RYAN: Yes, Mr. Connor, do you wish

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2 to be heard? And if so, please unmute.

3 MR. CONNOR: Am I unmuted?

4 MR. RYAN: Yes.

5 PRESIDENT TAYLOR: Yes.

6 MR. RYAN: We can hear you. Now, you're
7 muted again.

8 MR. CONNOR: Okay. I'm unmuted. Thank
9 you.

10 MR. RYAN: Alright.

11 MR. CONNOR: That's okay. I got kicked
12 out of the lobby before, I don't know why. But I
13 move the clerks' report.

14 MR. RYAN: Thank you, Mr. Connor. Ms.
15 Steiner, do you wish to be heard?

16 MS. STEINER: I have no objection.

17 MR. RYAN: Okay.

18 COMMISSIONER ARAUJO: This is
19 Commissioner Araujo. I'd move the clerks' report.

20 MR. RYAN: Commissioner Michel?

21 COMMISSIONER MICHEL: Commissioner
22 Michel, second.

23 MR. RYAN: There's a motion and a
24 second. Are there any objections? Hearing none,

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2 the motion carries.

3 COMMISSIONER ARAUJO: Objections?

4 MR. RYAN: Yeah, hearing none, the
5 motion carries.

6 MR. SAVINO: The candidate remains on
7 the ballot.

8 MS. STEINER: I am still waiting to
9 speak about the party name.

10 MR. RYAN: Yes, we're going to, Ms.
11 Steiner, we're going to get to that. The
12 commissioners, you didn't hear, made a
13 determination. We're going to go through these
14 matters and we'll get to you before --

15 MS. STEINER: I'll be back in the
16 waiting room.

17 MR. RYAN: -- before we go home, we'll
18 get to you on that, okay. Thank you.

19 MR. CONNOR: Thank you, commissioners.

20 MR. SAVINO: Commissioners, you have --

21 MR. RYAN: Thank you, Mr. Connor.

22 MR. SAVINO: With respect to Spec 6.1,
23 there, the one that we just did, there appears to
24 be a couple other sheets that are just a

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2 calculation of just the overall total number. I'm
3 sure Queens can correct me if that's incorrect.
4 But the objectors and the candidate are the same.

5 MR. RYAN: We're moving on to
6 Specification number one, Michael Earl Brown, is
7 that correct?

8 MR. SAVINO: In the order of the
9 calendar, the next one is Spec one, Community
10 First, Michael Earl Brown, that's correct. This
11 was actually addressed --

12 COMMISSIONER ARAUJO: So again, right, I
13 will renew my request to have this case dismissed
14 as moot as we [unintelligible] [00:36:57] the
15 prima facie calendar.

16 MR. RYAN: So, Commissioner Araujo, just
17 before we get to that, if I could double check to
18 make sure that there's no, no appearances on
19 this.

20 MR. SATTIE: There is Ms. Steiner here
21 for the objector.

22 MR. RYAN: Okay.

23 MR. SATTIE: And this is the issue so
24 that, yeah.

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2 MR. RYAN: Alright. So, let's bring Ms.
3 Steiner back into the room, just so she can be
4 aware of the proceedings, okay.

5 MS. KONTZAMANIS: Ms. Steiner is in the
6 room.

7 MR. RYAN: Okay. So, Ms. Steiner, just
8 for your information, there is now a motion on
9 the floor to dismiss this as moot, as Mr. Michael
10 Earl Brown has already been removed from the
11 calendar prima facie. So that's where we're at at
12 this present juncture. And then we have, we
13 haven't had a second yet. So we just wanted to
14 get you in the room. So, if there's a second, we
15 can proceed.

16 COMMISSIONER MICHEL: Second, Michel.

17 MR. RYAN: So, now there's a motion and
18 a second. Are there any objections to the motion?
19 Hearing none, the motion carries. Okay.

20 MR. SAVINO: Do we hear Ms. Steiner,
21 now, or do we --

22 MR. RYAN: Commissioner Araujo, would
23 you entertain a friendly amendment to your
24 previous direction and allow Ms. Steiner to be

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2 heard now on the other matter, which is related
3 to this?

4 COMMISSIONER ARAUJO: Is she appearing
5 on anything else?

6 MR. RYAN: Ms. Steiner, do you have any
7 other appearances before the Board today?

8 MS. STEINER: No, I don't.

9 COMMISSIONER ARAUJO: Alright.

10 MR. RYAN: Okay.

11 MS. STEINER: May I?

12 MR. RYAN: So, Mr. Savino, can you
13 please briefly detail what Ms. Steiner will be
14 addressing and then we'll allow her to make her
15 presentation.

16 MR. SAVINO: Certainly. Ms. Steiner's
17 position is that since the candidate above her,
18 which had the same name of Community First, she's
19 given seven days to change that, which would be
20 today, but it is her position since the petition
21 above her of Mr. Brown, didn't pass the weight
22 test, which also according to our rules really
23 isn't sufficient to secure your spot on the
24 ballot, as it has to contain all of the

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2 information, cover sheet and petition, that at
3 least appears to have a number of valid
4 signatures.

5 MR. RYAN: Okay, Ms. Steiner, please,
6 please proceed.

7 MS. STEINER: Alright. Thank you. Mr.
8 Brown filed a petition which was prima facie
9 invalid and you have found it so. It had the same
10 name, Community First, as my client, Dr. Neeta
11 Jain's petition. We would prefer not to change
12 our name and don't believe we ought to have to
13 change our name because there is now no longer
14 another candidate with the same party name who
15 filed ahead of us. That's the gist of my argument
16 and my request that we be able to keep the name
17 Community First as our party name.

18 COMMISSIONER ARAUJO: Alright. This is
19 Commissioner Araujo. I'm in agreement with the
20 request. In light of the fact that the first
21 filing party with that name has now been taken
22 off the calendar, then the second filed person
23 who filed that name should be come first and
24 have the right to have that name. So that's my

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2 motion, to allow their party to keep the name.

3 COMMISSIONER MICHEL: This is
4 Commissioner Michel, I second.

5 MR. RYAN: And just for the purposes of
6 clarity, that would be Ms. Steiner, Soma S. Syed,
7 correct?

8 MS. STEINER: No, that is incorrect.

9 MR. RYAN: No?

10 MS. STEINER: That is Neeta Jain.

11 MR. RYAN: Neeta James?

12 MS. STEINER: Neeta Jain.

13 MR. RYAN: Okay. Can you spell that last
14 name for me, because I'm not seeing it.

15 MS. STEINER: Yes. J-A-I-N.

16 MR. RYAN: Okay.

17 MR. STEINER: If you look at the list of
18 [unintelligible] [00:41:07], you'll see her, I
19 guess --

20 MR. RYAN: No, it's okay. I believe that
21 you know who you're representing, so as long as
22 we have the name for the record. It's N-I-T-A J-
23 A-I-N?

24 MS. STEINER: No, N-E-E-T-A.

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2 MR. RYAN: Okay.

3 MS. STEINER: -A-I-N.

4 MR. RYAN: Perfect, okay. So, and that
5 will then stay with the Community First moniker?

6 MS. STEINER: Yes.

7 MR. RYAN: Alright, perfect. So we have
8 a motion --

9 MS. STEINER: So --

10 MR. RYAN: -- and a second. And now I
11 just need to get the full board approval to
12 proceed in that way. Are there any objections?
13 Hearing none, the motion carries. Ms. Steiner,
14 your work here is done.

15 MS. STEINER: Thank you so much.

16 MR. RYAN: Alright.

17 MR. SAVINO: I'm moving on to the next
18 spec, I mean clerks' report on the calendar, 5-1,
19 objections by Alan Sherman, petition of Howard T.
20 Neiman, 24th Council District, number of
21 signatures submitted for candidate 109.

22 MR. RYAN: Mr. Savino, can I just have
23 some clarification?

24 MR. SAVINO: Sure.

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2 MR. RYAN: We saw spec number six, spec
3 number one, and spec number 19. And there was a
4 Soma S. Syed under Michael Earl Brown.

5 MR. SAVINO: Correct.

6 MR. RYAN: What is, that should be the
7 next matter, correct?

8 MR. SAVINO: Correct.

9 MR. RYAN: Alright.

10 MR. SAVINO: My apologies.

11 MR. RYAN: No problem.

12 MR. SAVINO: Alright. Oh, yeah, that's
13 why -- did we do 19? Yeah. Okay. Yeah, Queens 19
14 was dismissed on the prima facie calendar.

15 MR. RYAN: Alright. We still have to
16 address it though.

17 MR. SAVINO: And the objector has no
18 standing in that he lives in Brooklyn.

19 MR. RYAN: Okay. So, this matter --

20 COMMISSIONER ARAUJO: If there's a
21 clerks' report, I would dismiss it as moot.

22 MR. SAVINO: I did not receive a clerks'
23 report. I think, as it was dismissed.

24 COMMISSIONER ARAUJO: I don't have it in

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2 my packet either, so I don't know -- and that's
3 why I'm just referring, that's why I say if there
4 is one.

5 PRESIDENT TAYLOR: I don't --

6 COMMISSIONER MICHEL: I don't believe
7 the objection was sent to the Queens office to
8 inspect.

9 MR. RYAN: Okay. So it was a proof of
10 service issue.

11 MR. GRAVES: And standing.

12 MR. RYAN: And standing. So in any
13 event, it can still be dismissed as moot upon
14 proper motion from the commissioners, so I think
15 that Commissioner Araujo, as long as we get a
16 second to your motion to dismiss as moot, and
17 we'll proceed from there.

18 COMMISSIONER MICHEL: Second, Michel.

19 MR. RYAN: Yes, thank you, Commissioner
20 Michel. We now have a motion and a second. Are
21 there any objections? Hearing none, the motion
22 carries. Please proceed Mr. Savino.

23 MR. SAVINO: Alright, now I'll move on
24 to Queens 5.1, objections by Alan Sherman.

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2 MR. RYAN: Can you also move the
3 microphone closer to you, please? Thank you.

4 MR. SAVINO: Sure. There actually again
5 appears two clerks' reports for 5.1, or three,
6 yeah. but the one that appears to have all the
7 totals is number of signatures submitted for
8 candidate is 466, total number of valid
9 signatures 351, total needed is 450. Appearance?

10 MR. RYAN: And that's with respect to
11 spec number five?

12 MR. SAVINO: Yes.

13 COMMISSIONER ARAUJO: Is there any
14 appearances on this one? Tommie, are there any
15 appearances?

16 MR. SATTIE: Yes, sir, there are. We're
17 going to let in Howard Graubard for the objector
18 and Daniel Mayo and the candidate, Howard Neiman.

19 MS. KONTZAMANIS: They're both in the
20 room, sirs.

21 MR. RYAN: Okay, Mr. Savino, can you
22 please repate the issue with respect to
23 specification number five?

24 MR. SAVINO: Certainly. Again, objection

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2 is by Alan Sherman, petition of Howard T. Neiman
3 for 24th Council District, number of signatures
4 submitted by candidate 466, number of valid
5 signatures, 351, number of signatures required,
6 450.

7 MR. RYAN: Okay, we're getting some
8 background noise, can everybody please make sure
9 their microphones are on mute. Thank you.

10 COMMISSIONER ARAUJO: So, Mr. Candidate,
11 we have you short by 99, do you have a list of
12 exceptions where the Board made an error?

13 MR. DANIEL MAYO: I'm Daniel Mayo. We do
14 not have a list of exceptions.

15 COMMISSIONER ARAUJO: Okay.

16 MR. SAVINO: That is required under the
17 Board rules.

18 MR. RYAN: Yes, as the commissioners are
19 aware, that is a requirement under the Board
20 rules.

21 COMMISSIONER ARAUJO: Does the objector
22 have anything to add?

23 MR. MAYO: Yes, the objector does have
24 something to add. According to --

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2 MR. HOWARD GRAUBARD: No, I'm the
3 objector.

4 MR. MAYO: Oh, I'm sorry. Sorry about
5 that. I'm the candidate. Sorry about that,
6 Howard.

7 MR. RYAN: Yeah.

8 MR. MAYO: My apologies.

9 COMMISSIONER ARAUJO: Does the objector
10 want to add anything?

11 MR. RYAN: You're not muted. I
12 apologize, Mr. Braubard, can you please unmute?

13 MR. GRAUBARD: Yeah, this is an
14 irredeemable petition in any case. The
15 candidate's agent here managed to submit new, two
16 petitions at the same time for different
17 candidates and cost himself 43 signatures just by
18 having the same people sign both petitions. Since
19 his other petition was totally insufficient to
20 begin with, he shouldn't have even done that. But
21 that and the ODs alone, neither of which are
22 redeemable no matter what he submits would kill
23 him in the first place. There's really nothing to
24 do but move the court report.

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2 MR. RYAN: Is --

3 COMMISSIONER ARAUJO: Since there is no
4 list of exceptions of where the Board made an
5 error on behalf of the candidate, I would move
6 the clerks' report.

7 MR. MAYO: I guess before you move, can
8 at least the candidate --

9 COMMISSIONER MICHEL: I second.

10 MR. MAYO: -- speak?

11 COMMISSIONER ARAUJO: We gave you an
12 opportunity to speak. We asked you whether or not
13 you had specific exceptions where the Board was
14 in error.

15 MR. MAYO: I, I didn't get a chance to
16 speak, because you said you want the, you
17 basically had Howard speak first and Howard said
18 he needs to speak first, so I didn't get a chance
19 to speak yet.

20 MR. SAVINO: Is he even on this case?

21 MR. GRAUBARD: [unintelligible]

22 [00:48:09] defer to me, right?

23 MR. RYAN: Mr., Mr. Mayo, as a, as a
24 matter of process, I was here as well, listening

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2 a few minutes ago. You were given an opportunity
3 to speak and you were asked if, pursuant to the
4 rules, you had a list of redeemable signatures,
5 which is required under the, under the rules.

6 MR. MAYO: I understand.

7 MR. RYAN: So now, if you would like to
8 add to that --

9 MR. MAYO: Yes, I intend to.

10 MR. RYAN: -- please proceed.

11 MR. MAYO: Thanks thank you very much.
12 Thank you very much, commissioners. Thank you,
13 Executive Director Ryan. Basically, I'd like to
14 incite rule number H-10 on the filing of the
15 specification. The rule H-10 says before filing
16 specification with the Board, the objector must
17 serve a copy of the specifications. In this case,
18 it was the contact who served, not the objector.
19 So I am saying basically these do not follow rule
20 H-10, therefore the specification should be ruled
21 invalid.

22 MR. GRAUBARD: That's about the most
23 preposterous argument I ever heard. I am the
24 objector's agent and it was served.

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2 COMMISSIONER ARAUJO: Can indicate where
3 the objections, the specifications were served?
4 And then have Rafael take a look at it and let us
5 know.

6 MR. RYAN: Do we have a proof of
7 service?

8 COMMISSIONER MICHEL: That's not the
9 issue, Jose. The question is whether the objector
10 himself has to do the mailing or whether their
11 agent can.

12 MR. MAYO: Correct.

13 COMMISSIONER MICHEL: And I don't think
14 that there's any issue there at all. I don't
15 think we have to do any further inquiry. Their
16 attorney is allowed to, or the contact person is
17 allowed to serve the objection. It doesn't have
18 to be the objector himself or herself.

19 MR. SAVINO: But it does have to be
20 served on the candidate.

21 COMMISSIONER MICHEL: That's the nature
22 of the argument.

23 MR. MAYO: That's correct.

24 COMMISSIONER ARAUJO: [unintelligible]

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2 [00:50:13] served?

3 MR. RYAN: Was it served on the
4 candidate is the question?

5 MR. MAYO: Yes.

6 MR. RYAN: That was an internal
7 question. I'm sorry if that seemed like it was
8 going out to the universe. I was asking for --

9 COMMISSIONER MICHEL: It's the who
10 served rather than the receiver, who's the
11 sender?

12 MR. SAVINO: Right. Which again, is
13 repeated in Rule H-10.

14 MR. GRAUBARD: It's a novel argument.

15 MR. RYAN: Can I see that please?

16 COMMISSIONER ARAUJO: Mr. Savino --

17 MR. RYAN: Is that the proof of service?

18 COMMISSIONER ARAUJO: --

19 [unintelligible] [00:50:47] alright?

20 MR. SAVINO: Yes.

21 SECRETARY UMANE: Mr. Ryan, you're not -
22 - it's not the normal comment or argument. The
23 argument that Mr. Mayo made was that the person
24 who was serving had to be the objector him or

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2 herself. There was no question that it was served
3 on the right person.

4 MR. RYAN: I just was simply --

5 SECRETARY UMANE: [unintelligible]
6 [00:51:21] sent it.

7 MR. RYAN: -- I simply was trying to
8 double check that because the documents --

9 SECRETARY UMANE: Okay.

10 MR. RYAN: -- would not otherwise be
11 available to the commissioners the way they
12 normally would be. That's all. So yes, we're
13 confirming that it was served on the proper
14 entity and now if we can move on with the balance
15 of the process, that'd be great. Mr. Savino.

16 SECRETARY UMANE: I call the question.

17 MR. RYAN: He's calling the question.
18 Alright. Forget it.

19 COMMISSIONER ARAUJO: I move the clerks'
20 report. Move the clerks' report.

21 MR. RYAN: Is there a second?

22 COMMISSIONER MICHEL: Michel.

23 MR. RYAN: Are there any objections?

24 Hearing none, the motion carries.

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2 MR. SAVINO: The candidate will not
3 appear on the ballot.

4 PRESIDENT TAYLOR: The candidate is no
5 longer on the ballot. Is that correct?

6 MR. SAVINO: Correct.

7 MR. RYAN: Yes. On, and then what does
8 that do with specification number eight?

9 COMMISSIONER ARAUJO: Oh, that's a
10 different objector too.

11 MR. RYAN: Yes.

12 COMMISSIONER ARAUJO: But same petition
13 volumes.

14 MR. SAVINO: Alright. Going on to spec
15 8-1, thank you.

16 SECRETARY UMANE: Before you do that,
17 could you get the people in so we don't have to
18 go through it twice.

19 MR. SAVINO: Are there any appearances
20 on 8-1?

21 MR. SATTIE: Yes, there are. There's
22 John Haggerty for the objector and the same two,
23 Daniel Mayo and Howard Neiman for the candidate.

24 MS. KONTZAMANIS: And they're all in the

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2 room.

3 MR. SAVINO: Alright. Objection 8-1,
4 objections of Narya Mulokandov, petition of
5 Howard T. Neiman, obviously for 24th Council
6 District, again this is one where a number of
7 copies were submitted, let me just get to the
8 right one. Okay. The number of signatures
9 submitted by the candidate was 465, total number
10 of valid signatures was 365, 450 are needed.

11 COMMISSIONER ARAUJO: So right now, the
12 candidate is short by 85. Does the candidate have
13 a list of exceptions where the court, where the
14 Board made an error?

15 MR. NOVO: I did not submit such list,
16 but I'd like to let the candidate himself speak.

17 COMMISSIONER ARAUJO: Okay.

18 MR. NOVO: Howard, you want to say
19 something? Howard, is he on mute? Howard?

20 MR. RYAN: Mr. Neiman, you're going to
21 need to unmute.

22 MR. HOWARD L. NEIMAN: Okay. Okay. First
23 of all, thank you, thank you everybody for
24 letting me part of this whole process. There's

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2 obviously, I'm not sure that there's a way to
3 retrieve the hundred signatures at this point.
4 The whole process, the presence of valid
5 signatures, it's sometimes hard to determine and
6 this is just the way the process is, and it's
7 been this way for a long time. On the other hand,
8 I mean I [unintelligible] [00:54:59] to add other
9 than the whole experience of trying to obtain
10 signatures is an incredibly wonderful experience,
11 reaching out to so many members of the community,
12 which I have done before, is a way to really make
13 contact. I actually think it's an ingenious way
14 to, to have somebody run for office, just making
15 all those connections and obtaining all those
16 signatures.

17 You know, unfortunately the whole
18 signature verification process is kind of a very
19 challenging one, and it's -- the ability to
20 actually know correctly whether or not you're
21 getting appropriate signatures or not, how easy
22 it is to knock people off and I guess that's just
23 the way it's been done for a long time, and I
24 accept it. I wish it was better, but that's the

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2 way it is, and again, I truly appreciate
3 everybody's enabling me to be a part of this and
4 I look forward to the possibility of maybe
5 another time.

6 COMMISSIONER TOWNSEND: Thank you.

7 COMMISSIONER ARAUJO: Alright, Mr.
8 Haggerty, do you have anything to add?

9 MR. NEIMAN: Excuse me?

10 COMMISSIONER ARAUJO: No, I'm asking Mr.
11 Haggerty, the objector does -- the candidate, the
12 representative if he has anything to add. Thank
13 you.

14 MR. HAGGERTY: We're on spec number
15 eight now?

16 COMMISSIONER ARAUJO: Yes.

17 MR. HAGGERTY: 8-1?

18 MR. RYAN: Yes.

19 COMMISSIONER ARAUJO: Yes.

20 MR. HAGGERTY: So I'd ask that the
21 clerks' report be adopted, right. Also, the
22 acceptance was done pursuant to executive order
23 but I do not believe the candidate was in the
24 State of New York when this was done, so

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2 therefore, it violates the executive order as
3 well.

4 COMMISSIONER ARAUJO: I would move the
5 clerks' report.

6 COMMISSIONER MICHEL: Move the clerks'
7 report, Michel.

8 COMMISSIONER ARAUJO: Second.

9 MR. MAYO: If I, after approved, I just
10 want to basically add that Howard just became a
11 grandfather and he's basically conferencing in
12 from Israel.

13 MR. RYAN: Okay. Very nice,
14 congratulations.

15 MR. NEIMAN: Thank you.

16 MR. RYAN: And we now have a motion and
17 a second. Are there any objections? Hearing none,
18 the motion carries.

19 MR. SAVINO: The candidate will be
20 [unintelligible] [00:57:28]. Moving along to --

21 MR. RYAN: Four.

22 MR. SAVINO: -- 4-1, are there any
23 appearances?

24 MR. RYAN: Any appearances for spec

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2 four? Angelo King is the candidate.

3 MR. SAVINO: And the objector is Alan
4 Sherman.

5 MR. SATTIE: Yes, there are. There are
6 appearances by Howard Graubard for the objector
7 and Angelo King, the candidate.

8 MR. SAVINO: Alright. In the matter of
9 objection by Alan Sherman to the petition of
10 Angelo King for City Council --

11 MS. KONTZAMANIS: Call in user four, can
12 you identify yourself, please.

13 MR. ANGELO KING: Angelo King.

14 MR. MAYO: Daniel Mayo as well, is here.

15 MR. RYAN: Okay.

16 MS. KONTZAMANIS: There's one more, Mr.
17 Ryan, just one second.

18 MR. RYAN: Yeah. Mr. Mayo.

19 MR. SATTIE: Daniel Mayo has also been
20 admitted for the candidate.

21 MR. RYAN: So it'll be Mr. Mayo and Mr.
22 King who is the candidate, and then the objector
23 is Mr. Graubard and just reminding all
24 participants to please keep your microphones on

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2 mute until recognized. Please proceed, Mr.
3 Savino.

4 MR. SAVINO: Certainly. In the matter of
5 objections by Alan Sherman, petition of Angelo
6 King, City Council 24th District, number of
7 signatures submitted 426, number of signatures --

8 MS. KONTZAMANIS: Mr. Savino needs to
9 move closer to the mic. Mr. Ryan. He's difficult
10 to hear.

11 MR. SAVINO: In the matter, objections
12 by Alan Sherman, petition --

13 MR. RYAN: Can you switch microphones
14 with him?

15 MR. SAVINO: -- of Angelo King.

16 MR. RYAN: Please put it close to your
17 mouth.

18 MR. SAVINO: Okay. Objections by Alan
19 Sherman, petition of Angelo King, number of
20 signatures submitted by candidate 426, total
21 valid signatures 271, number of signatures
22 required 450. Appearances?

23 MR. GRAUBARD: Howard Graubard for
24 objector.

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2 MR. RYAN: And Mr. Mayo.

3 COMMISSIONER ARAUJO: Does any, does the
4 candidate wish to offer an exception, a list of
5 exceptions? You're short 179, or errors that the
6 Board made?

7 MR. RYAN: Mr. Mayo, do you have
8 anything to offer? Mr. Mayo seems to have left.
9 But I see --

10 COMMISSIONER ARAUJO: Is the candidate
11 here?

12 MR. RYAN: I see Mr. King is still
13 there.

14 MR. KING: Yeah, Mayo is the one that's
15 going to be talking in favor of me.

16 MR. RYAN: Okay.

17 MR. KING: I don't know what happened.

18 MR. RYAN: Do we know what happened to
19 him?

20 MR. KING: I don't know.

21 MR. RYAN: Okay. I take it you guys
22 aren't together then, alright.

23 MR. KING: I, I, yeah, uh, well, I was
24 on before, and while I was on hold, you guys

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2 knocked me off.

3 MR. RYAN: Okay, so, so just give us a
4 second. We'll see if we can locate Mr. Mayo,
5 okay.

6 MR. KING: Okay, no problem.

7 MR. RYAN: Okay. Ms. Kontzamanis, do we
8 have an idea of what happened to Mr. Mayo?

9 MS. KONTZAMANIS: We're trying to locate
10 him sir, just one second.

11 MR. RYAN: Got you, okay.

12 COMMISSIONER ARAUJO: Rafael?

13 MR. SAVINO: Yes, commissioner?

14 COMMISSIONER ARAUJO: I see that --

15 MS. KONTZAMANIS: He's in the room now,
16 sir. Mr. Mayo, can you hear us? Mr. Mayo? Mr.
17 Mayo, can you hear us, sir? Mr. Mayo, sir, can
18 you hear us? Is he muted by any chance?

19 COMMISSIONER MICHEL: Yeah, I was going
20 to say, it's like the mic's not on.

21 MR. RYAN: Do we have, just double check
22 that we don't have him muted please.

23 MS. KONTZAMANIS: No, he's not muted on
24 our end, sir.

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2 MR. RYAN: Okay. Thank you.

3 MS. KONTZAMANIS: Mr. Mayo, if you can
4 hear me, maybe you should try calling back in,
5 sir.

6 COMMISSIONER ARAUJO: Do you want to
7 second call this one and we can go on to spec
8 number three?

9 MR. RYAN: Yeah, I think we're going to
10 have to do that. Thank you.

11 COMMISSIONER ARAUJO: I also not that
12 spec number 7-1 also has Mr. King as the
13 candidate. Is Mr. Mayo also representing him on
14 that one?

15 MR. KING: Yes.

16 MR. SATTIE: Yes, he is, sir.

17 MR. KING: He's representing me.

18 MR. RYAN: Okay. So then if you could
19 please return Mr. King and Mr. Mayo to the
20 waiting room, hopefully, we'll be able to work
21 that out and then we can move on to specification
22 number 13 for now. We'll hold off on
23 specifications number four and number seven.

24 MR. SAVINO: Alright. On specification

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2 13, there wasn't, there was not a clerks' report,
3 but the proof of service was attached to the
4 original specification, rule H-12, and proof of
5 service incorrect admitted objection number,
6 again H-12. This was already dismissed on prima
7 facie.

8 COMMISSIONER ARAUJO: To be consistent
9 with what we did before, I would move to dismiss
10 this one as moot.

11 COMMISSIONER MICHEL: Second.

12 PRESIDENT TAYLOR: It was done as a
13 prima facie, correct?

14 COMMISSIONER TOWNSEND: Mm-hmm.

15 MR. RYAN: There is a motion to dismiss
16 this as moot. I'm sorry, Commissioner Taylor, did
17 you say something? Did I miss something?

18 COMMISSIONER ARAUJO: Yeah, to say, to
19 answer her question, the answer is yes,
20 Commissioner Taylor. We're just being consistent
21 since we did it with the other one before.

22 MR. RYAN: Yes. Is there a second?

23 COMMISSIONER MICHEL: Second.

24 MR. RYAN: Any objections? Hearing none,

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2 specification number 13 is dismissed as moot.

3 MR. SAVINO: Queens three, there was
4 also no clerks' report. The notations from CRU
5 say one proof of service copy shipped to Phil
6 Grillo.

7 MR. RYAN: Mr. Savino, you have to talk
8 into the microphone.

9 MR. SAVINO: I apologize, I was trying
10 to read from --

11 MR. RYAN: Right into the microphone.

12 MR. SAVINO: -- the notes from CRU say
13 one proof of service copy shipped to Phil
14 Grillo, one proof of service copy shipped to Leo
15 Jacobs, the substituted candidate.

16 COMMISSIONER ARAUJO: Mr. Savino, I do
17 have a clerks' report for spec 3-1. Is that the
18 same one?

19 MR. RYAN: No, this is spec 13.

20 COMMISSIONER ARAUJO: [unintelligible]
21 [01:04:32] marked it --

22 MR. RYAN: No, I'm sorry, 3-1.

23 COMMISSIONER ARAUJO: --
24 [unintelligible] [01:04:35].

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2 MR. RYAN: We moved on, yep, you're
3 right.

4 MR. SAVINO: Because we skipped along.
5 There is also a spec, that's correct. Would you
6 like to address that now? I'll address it while
7 CRU looks for the proof of service.

8 MR. RYAN: Mr. Savino, you have to talk
9 into the microphone.

10 MR. SAVINO: It's not that sensitive? I
11 thought it was more sensitive. Alright, spec 3-1,
12 objections by Alan Sherman to the petition of
13 Phyllis -- Philip S. Grillo, City Council member
14 24th District, number of signatures submitted,
15 1,314, number of signatures required, I'm sorry,
16 total valid number of signatures 302, and number
17 of signatures required is 450.

18 MR. SATTIE: There is an appearance by
19 the objector, Howard Graubard.

20 MR. RYAN: And no appearances for the
21 candidate?

22 MR. SATTIE: That's correct.

23 MR. RYAN: Okay.

24 MS. KONTZAMANIS: Mr. Graubard is in the

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2 room, sir.

3 MR. GRAUBARD: Hi. The only thing I have
4 to say about this is even if the candidate had
5 submitted a complete list of specifications of
6 what the Board did wrong, he'd still have only
7 426 signatures.

8 COMMISSIONER ARAUJO: I'm sorry. I'm
9 looking at spec number 3-1, right. I have here
10 the number of valid signatures 302. Am I looking
11 at something wrong?

12 MR. SAVINO: He's referring to the prior
13 case.

14 MR. GRAUBARD: Oh. I'm sorry.

15 COMMISSIONER ARAUJO: We're not on that
16 one. We're just dealing with 3-1.

17 MR. GRAUBARD: 3-1, I'm sorry. I got cut
18 off, so I didn't hear everything. I had, it --
19 this is the objection against --

20 COMMISSIONER ARAUJO: Philip Grillo.
21 Right now, he's short, he needed 450, has 302,
22 he's short by 148.

23 MR. GRAUBARD: Well, other than stating
24 that, that noting that I stand by the Board

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2 clerks' report and ask that it be adopted, I
3 should note that Mr. Grillo has declined and
4 substituted and that in the event you invalidate
5 this petition, it will take off candidate Leo
6 Jacobs, who was substituted on the ballot.

7 COMMISSIONER ARAUJO: Well, I would move
8 that we adopt the clerks' report.

9 COMMISSIONER MICHEL: Second, Michel.

10 MR. RYAN: Okay, we have a motion and a
11 second. Are there any objections? Hearing none,
12 the motion carries, the candidate is off the
13 ballot, and Mr. Graubard, can you just please
14 tell me what the quote unquote new candidate's
15 name was again?

16 MR. GRAUBARD: Leo, Leo Jacobs.

17 MR. RYAN: Okay. Thank you very much.
18 Are there any objections? Hearing none, the
19 motion carries. That would then bring us back to
20 specification number four, and then ultimately
21 number seven, involving Candidate Angelo King and
22 Mr. Mayo. I believe Mr. Graubard is also listed
23 for the objector, at least with respect to
24 specification number four, involving Alan

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2 Sherman, and then there is another objector Narya
3 Mulokandov. Mr. Graubard, did we move him out?
4 Oh, there he is, he moved up into the corner.

5 MR. GRAUBARD: No, I'm here.

6 MR. RYAN: Are you also for the other
7 objector on specification number seven as well?

8 MR. GRAUBARD: No, I would assume that
9 that's Mr. Haggerty.

10 MR. RYAN: Alright, no problem. So we'll
11 proceed then with specification number four. I
12 see that Mr. Mayo is back in the room. Mr. King
13 was in the room earlier. Is he available to be
14 taken from the waiting room?

15 MR. MAYO: Mr. King called me and says
16 he won't be joining us.

17 MR. RYAN: Okay. Perfect. So, Mr.
18 Savino, can you proceed with specification number
19 four as Mr. Mayo is now audible.

20 MR. SAVINO: Objections by Alan Sherman,
21 petition of Angelo King, number of signatures
22 submitted 426, number of valid signatures, 271,
23 number of signatures required, 450.

24 COMMISSIONER ARAUJO: This is

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2 Commissioner Araujo. Just before, before we hear
3 from the candidates, I just want to note that the
4 number of signatures submitted is actually 426,
5 which is under the 450 threshold. Does the
6 representative of the candidate want to address?

7 MR. MAYO: Sure. Sir, I was going to
8 invoke the previous rule H-10, but I guess as
9 Commissioner Umane correctly pointed out, it's
10 certainly my argument, but it's one apparently
11 commissioner disagreed with, so, I guess I'll go
12 for move the clerks' report.

13 COMMISSIONER ARAUJO: Does the objector
14 have anything?

15 MR. GRAUBARD: Thank you so much, Mr.
16 Mayo. 426 is under 450. There's not much that
17 needs to be said, except for me to advise Mr.
18 Mayo that in the future, if he's going to run two
19 candidates and one is under the number, he
20 shouldn't submit both petitions and then let one
21 candidate get sacked because of the other one
22 who's insufficient to begin with.

23 MR. MAYO: As long as you don't
24 challenge me, I will.

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2 MR. RYAN: Okay.

3 COMMISSIONER ARAUJO: Putting that to
4 the side, this is Commissioner Araujo, I move the
5 clerks' report.

6 COMMISSIONER MICHEL: Second, this is
7 Michel.

8 MR. RYAN: Are there any objections?
9 Hearing none, the motion carries. Candidate is
10 off the ballot. Specification number seven, also
11 involves Angelo King, please have Mr. Mayo remain
12 in the hearing. And are there any appearances for
13 the objector.

14 MR. SATTIE: Yes, sir, there is. We're
15 going to let John Haggerty into the room.

16 MR. RYAN: Alright. Thank you very much.

17 MR. MAYO: I do have a different
18 argument in this case.

19 MR. RYAN: Alright. We'll get to that
20 Mr. Mayo.

21 MR. SAVINO: Alright. Objections, again,
22 this is 7.1 of --

23 MR. RYAN: Mr. Haggerty is present in
24 the room.

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2 MR. HAGGERTY: Yes.

3 MR. RYAN: Mr. Savino, please proceed.

4 MR. SAVINO: Objections by Narya
5 Mulokandov.

6 MR. RYAN: Mulokandov.

7 MR. SAVINO: Mulokandov, to the petition
8 of Angelo King, number of signatures submitted
9 for candidate 425, total number of signatures
10 required 450. I don't think they address the
11 signatures individually because it was below the
12 450.

13 MR. RYAN: Mr. --

14 COMMISSIONER ARAUJO: Mr. Mayo, do you
15 want to address the fact that you submitted a
16 petition -- a petition was submitted with 425
17 when the statute requires 450?

18 MR. MAYO: Certainly. I'd like to invoke
19 rule H-10 again, but on a different reason. It's
20 supposed to be served on the candidate, it did
21 not. It went to the wrong address. You wrote the
22 wrong address on there. If you check the
23 certified mail at USPS, it was never received,
24 and he wrote down the wrong address, so it wasn't

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2 served upon the candidate. So this should be
3 ruled invalid service.

4 COMMISSIONER ARAUJO: Can CRU hand the
5 proof of service to Mr. Savino and Mr. Ryan? And
6 then while that's happening, Mr. Haggerty, do you
7 want to add something?

8 MR. HAGGERTY: I move the clerks'
9 report. Mr. Mayo has a long history of filing
10 petitions with below the required number of
11 signatures, which in my opinion perpetrates a
12 fraud upon the Board, and certainly makes the
13 Board do all this work and costs the taxpayers
14 money. This is at least the fourth or fifth
15 petition he's done this on, right. And these
16 proofs of service show that it was showed upon
17 the candidate at the address that I believe was
18 on the petition.

19 COMMISSIONER ARAUJO: Alright. Thank
20 you.

21 MR. SAVINO: The proofs of service does
22 have the candidate's name on it.

23 MR. RYAN: Okay, you got to talk into
24 the microphone when you're addressing.

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2 MR. SAVINO: Okay. The proof of service
3 does have the candidate's name on it, at least
4 the one I'm looking at right now from CRU.

5 MR. RYAN: So it comports to our rules?

6 MR. SAVINO: Yes. I apologize.

7 COMMISSIONER TOWNSEND: Yes. So let's
8 move --

9 COMMISSIONER ARAUJO: I move the clerks'
10 report.

11 MR. MAYO: Oh, he has the name. The
12 address is wrong. He wrote down 6510, it should
13 be 6910 164th Street, Apartment 5G, he wrote down
14 56. So the wrong street number and the wrong
15 apartment number.

16 MS. SANDOW: That's the correct address.
17 We have the correct address.

18 MR. GRAVES: That it was mailed to.

19 MR. SAVINO: That's the correct address
20 that it was mailed to, Mr. Mayo.

21 MR. RYAN: So, to be clear, what does --
22 can I see the proof of service please, so that we
23 can make the record correctly. The proof of
24 service that the Board of Elections is in

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2 possession of with the USPS stamp of 11/30
3 indicates an address of 69-10, 164th Street,
4 Apartment 56, which matches the Board's record.
5 So according to the record submitted to the
6 Board, it was mailed to the proper address. That
7 having been said, Mr. Mayo, do you have anything
8 else that you'd like to add to the proceedings.

9 MR. MAYO: The correct address should be
10 5G and USPS certified mail when we checked, it
11 says is it --

12 MR. RYAN: Alright. So --

13 MR. MAYO: -- it is now in the post
14 office not deliverable.

15 MR. RYAN: Well, so is it -- I may have
16 misread it. It's 5G, it looked like a six to me,
17 but it's 5G then?

18 COMMISSIONER ARAUJO: I would move the
19 clerks' report in this matter, please.

20 COMMISSIONER MICHEL: Second, Michel.

21 MS. SANDOW: All in favor.

22 MR. RYAN: Any objections? Hearing none,
23 the motion carries.

24 MR. SAVINO: The candidate is off the

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2 ballot.

3 MR. MAYO: Thank you very much,
4 commissioners.

5 MR. RYAN: And that concludes the
6 hearings, correct?

7 MR. SAVINO: Yes, that is correct.

8 MR. RYAN: That concludes our hearings
9 under Item number one on the agenda. At his
10 juncture, commissioners, I would like to ask to
11 set, at least announce what the next hearing
12 date, commissioners meeting date I should say, is
13 going to be. And then after that, a motion for
14 personnel to go into executive session for
15 personnel and litigation.

16 PRESIDENT TAYLOR: Mr. Ryan?

17 SECRETARY UMANE: I move that we have
18 our next meeting at 1:30 next Tuesday.

19 PRESIDENT TAYLOR: I believe it's a
20 requirement that we adjourn the hearing, and then
21 reconvene the commissioners' weekly stated
22 meeting, if I'm not mistaken.

23 MR. RYAN: Yes. We -- that's correct.

24 SECRETARY UMANE: I move that we, I move

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2 that we conclude the hearings.

3 PRESIDENT TAYLOR: Second it.

4 COMMISSIONER MICHEL: Second.

5 PRESIDENT TAYLOR: And reconvene
6 commissioners' weekly meeting. Go ahead, Mr.
7 Ryan.

8 MR. RYAN: Right, so any objections?
9 Hearing none, the hearings are adjourned and the
10 weekly meeting is reconvened. That said, if we
11 could determine what the next weekly meeting date
12 will be and then make a motion to go into
13 executive session for personnel and litigation.

14 SECRETARY UMANE: I move that we have
15 the next meeting on December 15th at 1:30 and --

16 COMMISSIONER ARAUJO: I'll second, this
17 is Commissioner Araujo, I'll second that,
18 provided me that you allow me an opportunity to
19 thank the Queens staff for their work in
20 reviewing all these specifications during this
21 pandemic. Your hard work is appreciated by
22 myself, Commissioner Michel and the rest of the
23 commissioners at the Board of Elections. Thank
24 you.

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2 PRESIDENT TAYLOR: Absolutely.

3 COMMISSIONER ARAUJO: And I seconded
4 that, by the way.

5 MR. RYAN: Yes, we have a motion --

6 PRESIDENT TAYLOR: Any objections? Oh,
7 go ahead.

8 MR. RYAN: -- we have a motion and a
9 second. If there are no objections, the next
10 weekly meeting of the Board of Commissioners will
11 be December 15, 2020. And now separately a motion
12 to adjourn into executive session to deal with
13 some personnel and litigation matters.

14 PRESIDENT TAYLOR: So moved.

15 SECRETARY UMANE: So moved. Second.

16 MR. RYAN: Any objections? Hearing none,
17 the motion carries. This meeting is adjourned for
18 executive session. If there are any
19 announcements, I will return to make same.

20 [OFF THE RECORD]

21 [ON THE RECORD]

22 MR. RYAN: There are no matters to
23 report from executive session and the next
24 meeting of the Board of Commissioners is December

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15, 2020 at 1:30 p.m. Thank you.

(The meeting concluded at 3:53 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 December 8, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: May 28, 2021

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