

BOARD OF ELECTIONS  
IN THE CITY OF NEW YORK

COMMISSIONERS' COVER SHEET REVIEW

42 Broadway - 6th floor  
Commissioners' Hearing Room

New York, NY 10004

January 21, 2021

3:00 p.m. - 3:14 p.m.

January 21, 2021

**PRESENT:**

Commissioner Gino Marmorato

Commissioner Patricia Ann Taylor

Rafael Savino, Deputy General Counsel

Tom Sattie, Ballot Coordinator

1 January 21, 2021

2 (The meeting commenced at 3:05 p.m.)

3 MR. RAFAEL SAVINO: Good afternoon,  
4 commissioners. As you know, my name is Rafael  
5 Savino, I'm joined at the table with Tom Sattie.  
6 We are here for the Commissioners' Cover Sheet  
7 Review Committee on January 21, 2021. And I guess  
8 will go ahead and present what bipartisan teams  
9 felt may be a defect and it's obviously up to you  
10 guys in terms of ruling on that.

11 The first defect for Build Back the  
12 Bronx candidate Troy Blackwell, District 15 City  
13 Council, the cover sheet was attached to the  
14 petition, which violates rule C1, as I believe  
15 you may discuss, the party name was in excess  
16 characters, pursuant to 7-106 of the Election  
17 Law, that is too long. And there was no number of  
18 volumes listed on the cover sheet, which is a  
19 violation of board rule B-1 and no number of  
20 volumes on the cover sheet of board rule C-2.

21 COMMISSIONER GINO MARMORATO: Counselor,  
22 just confirming that these aforementioned defects  
23 are curable?

24 MR. SAVINO: Yes. They can submit an

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2 amended cover sheet.

3 COMMISSIONER MARMORATO: Okay. I move  
4 that we send notice to the candidate to provide  
5 an amended cover sheet and to modify the  
6 character in their party name.

7 COMMISSIONER TAYLOR: I do have a  
8 question however.

9 MR. SAVINO: Sure.

10 COMMISSIONER TAYLOR: On the first item,  
11 where the cover sheet was attached to the  
12 petition, if we didn't have the other three  
13 items, what would be the solution for that one  
14 item?

15 MR. SAVINO: It's a pretty simple  
16 solution. They have to submit a separate cover  
17 sheet --

18 COMMISSIONER TAYLOR: Okay.

19 MR. SAVINO: -- with either the, NC,  
20 well, in this case, I would say with the notice  
21 of noncompliance attached, pursuant to our rules.

22 COMMISSIONER TAYLOR: Alright. Fine. So  
23 I would like to second Commissioner Marmorato's  
24 motion.

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2 MR. SAVINO: Alright. With your  
3 permission, commissioners, I will check off the  
4 appropriate boxes on the defect sheet and initial  
5 it on your behalf, if that is acceptable.

6 COMMISSIONER TAYLOR: That would be  
7 great.

8 COMMISSIONER MARMORATO: Yes.

9 MR. SAVINO: Thank you. Moving on to  
10 another potential defect, the party name Second  
11 Choice, the candidate is Kevin Pazmino, and  
12 unfortunately the cover sheet party name does not  
13 match the name on the petition. As you can see,  
14 it says Second Choice, and on the petition it's  
15 Patriot Party. So again, this is a curable  
16 defect. If you --

17 COMMISSIONER TAYLOR: And you're quite  
18 certain that this particular candidate hasn't  
19 filed two sets of petitions?

20 MR. TOM SATTIE: Yes.

21 MR. SAVINO: I'm sorry, I didn't hear  
22 you clearly.

23 COMMISSIONER TAYLOR: At one point in  
24 the past, we had a person who had filed two

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2 separate sets of petitions under two separate  
3 names and I just wanted to make sure that this  
4 wasn't the case here.

5 MR. SAVINO: That is not the case here.

6 COMMISSIONER TAYLOR: In that case, can  
7 the candidate cure it by filing correctly?

8 MR. SAVINO: An amended cover sheet  
9 within three days.

10 COMMISSIONER TAYLOR: Okay.

11 MR. SAVINO: From when they get the  
12 notification. Business days.

13 COMMISSIONER TAYLOR: So, Commissioner  
14 Marmorato?

15 COMMISSIONER MARMORATO: We move, I move  
16 that send the candidate a notice to cure the  
17 cover sheet in a timely manner pursuant to the  
18 law.

19 COMMISSIONER TAYLOR: I second it.

20 MR. SAVINO: Alright. Thank you,  
21 commissioner. Again, I will initial the defect  
22 sheet and check the appropriate boxes and put my  
23 initials next to it. Last, but not least, defect  
24 number three, party is commUNITY with C-O-M-M and

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2           then UNITY capitalized. The candidate,  
3           Bernandette Ferrara, for the 15th City Council  
4           District, the first name on the cover sheet does  
5           not match the first name on the petition. It's  
6           Bernadetta on the cover sheet, and Bernadette on  
7           the petition.

8                        COMMISSIONER MARMORATO:   Okay,  
9           counselor, we see that.

10                      COMMISSIONER TAYLOR:   Well it end in T-  
11           E, correct, yes.

12                      COMMISSIONER MARMORATO:   Would counsel  
13           request a motion on this one issue before we get  
14           to the second issue or do you want to do it  
15           collectively?

16                      MR. SAVINO:   We can deal with this one  
17           issue and then Mr. Sattie can move on to the next  
18           one. Traditionally, that has been, you know, if  
19           the names are spelled incorrectly, it should  
20           match the cover sheet petition. So again, they  
21           can cure this by filing an amended cover sheet.

22                      COMMISSIONER MARMORATO:   I move that we  
23           send the candidate the notice to cure the defect  
24           by having them file an amended cover sheet with

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2 the correct --

3 COMMISSIONER TAYLOR: Spelling.

4 COMMISSIONER MARMORATO: -- candidate's  
5 name.

6 MR. SAVINO: Thank you, again,  
7 commissioners for your time. And with that, I  
8 will recognize Mr. Sattie.

9 MR. TOM SATTIE: Commissioners, thank  
10 you. One of the two issues that I was going to  
11 raise has already been addressed by the  
12 commissioners, that being the party name too long  
13 of candidate Troy Blackwell, so I only have one  
14 issue to bring to your attention. Candidate John  
15 Sanchez filed a petition with the independent  
16 body Community First on January 4, 2021.  
17 Subsequently, Candidate Bernadette Ferrara filed  
18 a petition with the independent body name  
19 commUNITY on January 19, 2021. The staff  
20 recommends that these party names, independent  
21 body names actually are too similar and that  
22 pursuant to Election Law, Section 6-138-3, and  
23 rule A-4 of the Board's independent nominating  
24 rules, that Candidate Ferrara be required to



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2 change her independent body name and Candidate  
3 Sanchez be allowed to keep his independent body  
4 name. If this were approved by the commissioners,  
5 a letter would be sent to Candidate Ferrara  
6 informing her of such and she would have seven  
7 days to file a change of her independent body  
8 name, and if she did not file it, she would not  
9 be removed from the ballot, but the Board would  
10 make the necessary independent body name change.

11 COMMISSIONER MARMORATO: What is  
12 counsel's recommendation?

13 MR. SAVINO: I agree with Mr. Sattie.  
14 And it is a curable defect. I think as he may  
15 have mentioned, if they don't change the name, it  
16 would be up to the commissioners to pick a new  
17 name if they don't do it within seven days.

18 COMMISSIONER TAYLOR: And they are both  
19 within the same district. Is that correct?

20 MR. SATTIE: That is correct, ma'am.  
21 They're both running in the 15th Council  
22 District.

23 COMMISSIONER MARMORATO: I move that we  
24 send Candidate Ferrara a notice to cure and have

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2 Candidate Ferrara change the name of the party  
3 and I move that Candidate Sanchez be allowed to  
4 move forward with the name of his party, which is  
5 Community First.

6 COMMISSIONER TAYLOR: Second it.

7 MR. SAVINO: Alright. I believe that are  
8 all of the matters to be presented today. If  
9 there is a motion to adjourn.

10 COMMISSIONER TAYLOR: So moved.

11 COMMISSIONER MARMORATO: I move to  
12 adjourn today's -- I second.

13 MR. SAVINO: Alright. Thank you again,  
14 commissioners for your time and making yourself  
15 available. We really do appreciate it. Have a  
16 great day.

17 MR. SATTIE: Commissioners, thank you  
18 very much. Enjoy.

19 COMMISSIONER MARMORATO:  
20 [unintelligible] [00:13:40], Thank you Mr.  
21 Sattie, thank you Mr. Savino. Have a great day.

22 MR. SATTIE: Thank you, everybody.

23 (The meeting concluded at 3:14 p.m.)

24

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on January 21, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



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Date: June 14, 2021

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