

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor
Commissioners' Hearing Room

New York, NY 10004

March 23, 2021

1:30 - 3:23 p.m.

March 23, 2021

PRESENT:

President Frederic M. Umane

Secretary Miguelina Camilo

Commissioner Jose Araujo

Commissioner Michael Michel

Commissioner Rodney L. Pepe-Souvenir

Commissioner Simon Shamoun

Commissioner Patricia Anne Taylor

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

Kenneth Moltner, Counsel to the Commissioners

Steven Denkberg, Counsel to the Commissioners

Hemalee Patel, General Counsel

Raphael Savino, Deputy General Counsel

Zoya Shpigelman, Legal Staff

Daniel Castorina, Staff

Nina Carlson, Staff

Nicholas Dimitti, Staff

1 March 23, 2021

2 (The meeting commenced at 1:34 p.m.)

3 [no audio until 00:07:29]

4 MS. SANDOW: -- choice voting. If no
5 candidate receives 50 percent plus one of the
6 vote today in either election, we will conduct
7 the rounds of ranked-choice voting. To do so, all
8 absentees must be received by the board. The last
9 day to receive an absentee ballot is March 30th.
10 The last day to receive a military absentee
11 ballot is April 5th. We have mailed out our
12 absentee ballots as follows. 11th Council
13 District, mailed 4,429 absentee ballots, of which
14 39 are military, returned ballots as of yesterday
15 is 2,018.

16 15th Council District, mailed 1,120
17 absentee ballots of which 50 are military
18 ballots. Returned ballots as of yesterday was
19 297. If no additional ballots are received that
20 are cure eligible, this means the earliest we can
21 begin the rounds of ranked-choice voting would be
22 April 7th, as we would need a day or so to
23 conduct the audit. The date will fluctuate as
24 cure eligible invalid ballots are received. We

1 March 23, 2021

2 will provide an update once again next Tuesday.

3 Item number three on the agenda,
4 commissioners, we have emailed you a copy of the
5 updated canvas procedures that include ranked-
6 choice voting procedures as well as proposed
7 change in the manual recanvas process. As you
8 remember, in the budget last year, the
9 legislature and governor passed a bill that went
10 into effect January 1st of this year, to wit, a
11 manual recanvas for the state of any election
12 that is within a half a percent or 20 votes, or
13 less than 5,000 for elections over a million
14 votes.

15 This is a change in our policy and
16 procedures approved by our board in 2001, where
17 we conduct a manual canvas of any election within
18 a half a percent or less than 10 votes, or two-
19 tenths with over a million votes. This board has
20 also maintained a policy to not conduct a manual
21 recount for delegates and alternate delegate
22 races, a carve out that the state law does not
23 have. Staff is proposing that we amend our
24 procedures to meet the state standard.

1 March 23, 2021

2 PRESIDENT UMANE: I think we have no
3 choice, so I would move that we amend our
4 procedures to apply with applicable law.

5 SECRETARY CAMILO: I would second that.

6 MS. SANDOW: All in favor?

7 MULTIPLE: Aye.

8 MS. SANDOW: Any opposed? Motion moves
9 and adopted. Item four on the agenda is the
10 appointment of the commissioners cover sheet
11 review committee. I'll turn this over to legal,
12 but before I do, I want to remind everyone that
13 petitions are due this week. The last day to file
14 is this Thursday, March 25th. Any filing
15 information including copy requests and public
16 viewing hours can be found on our website at
17 vote.nyc under the box attention petition filers.
18 Legal.

19 MR. SAVINO: Commissioners, we're asking
20 that cover sheet, commissioners cover sheet
21 review teams be designated. I understand there
22 have been some discussion and maybe some
23 volunteers, but if, we're looking for someone
24 today after the stated public meeting, someone on

1 March 23, 2021

2 Thursday, Friday and Monday.

3 MS. SANDOW: Right, we previously sent
4 this out so I, we did have responses, so I'd like
5 to just go through the responses. Tuesday, March
6 23rd, today, Taylor, Commissioner Taylor,
7 Commissioner Shamoun. Thursday, Commissioner
8 Araujo.

9 COMMISSIONER TOWNSEND: It will be
10 Commissioner Townsend for today.

11 COMMISSIONER TAYLOR: It's Townsend that
12 will be serving for the Democrats.

13 MS. SANDOW: I'm sorry, noted.

14 SECRETARY CAMILO: Thank you.

15 MS. SANDOW: Today, Commissioner
16 Townsend, Commissioner Shamoun, Thursday,
17 Commissioner Araujo, Commissioner Zaccone, Friday
18 at 3:30, Commissioner Camilo, Commissioner
19 Marmorato, Monday Commissioner Pepe-Souvenir and
20 Commissioner Umame. All in agreement? Okay,
21 great. I'd like to conclude today's agenda by
22 setting the next meeting date before we go into
23 exec session. And the next date is next Tuesday,
24 March 30th at 1:30.

1 March 23, 2021

2 PRESIDENT UMANE: Alright, I move that
3 our meeting, next meeting we 1:30 on March 30th
4 and that we go into executive session for
5 litigation and personnel.

6 SECRETARY CAMILO: Second.

7 MS. SANDOW: All in favor?

8 MULTIPLE: Aye.

9 MS. SANDOW: Thank you, we will close
10 the meeting.

11 [EXECUTIVE SESSION]

12 MS. SANDOW: Good afternoon, before I
13 close out the meeting with nothing to report from
14 exec session, I would like to just go over agenda
15 item one and two, as we were notified that we --
16 there was no voice, the public could not hear us
17 for those two items. So I'm going to be repeating
18 them again, so the public can hear. Item number
19 one on the agenda on Friday, March 19th at 4:00
20 p.m., the executive committee, along with the
21 borough commissioners certified the election
22 results for the 31st Council District, declaring
23 Selvena Brooks-Powers the winner. The full board
24 ratified this committee's decision.

1 March 23, 2021

2 Item number two on the agenda was an
3 update on the special elections in the Bronx for
4 the 11th and 15th Council Districts. As of noon
5 today, 4,352 voters have voted, including during
6 early voting. We remind everyone that polls are
7 open until 9:00 p.m. and this election is using
8 the new system of ranked-choice voting. If no
9 candidate receives 50 percent plus one of the
10 vote today in either election, we will conduct
11 the rounds of ranked choice voting.

12 To do so, all absentee ballots must be
13 received by the board. The last day to receive an
14 absentee ballot is March 30th, the last day to
15 receive a military absentee ballot is April 5th.
16 We have mailed out absentee ballots as follows.
17 11th City Council District mailed 4,429 absentee
18 ballots of which 39 are military ballots.
19 Returned ballots as of yesterday were 2018. 15th
20 Council District mailed 1,120 absentee ballots of
21 which 50 are military ballots, returned ballots
22 as of yesterday, 297.

23 If no additional ballots are received
24 that are cure eligible, this means the earliest

1 March 23, 2021

2 we could begin the rounds of ranked-choice would
3 be April 7th, as we would need a day or so to
4 conduct the audit. That date will fluctuate as
5 cure eligible invalid ballots are received. We
6 will provide an update once again next Tuesday.
7 Thank you and everybody have a good afternoon.

8 [COVER SHEET REVIEW]

9 MS. ZOYA SHPIGELMAN: Good afternoon,
10 commissioners.

11 MR. RAPHAEL SAVINO: Good afternoon,
12 commissioners. Today is Tuesday, March 23rd,
13 we're having our first cover sheet, commissioners
14 cover sheet review. Joining us remotely is
15 Commissioner Shamoun and Commissioner Townsend.
16 Seated to my right is Zoya Shpigelman and over
17 here, we have Mr. Castorina.

18 Presenting first will be Zoya, who has a
19 couple of Bronx matters.

20 MS. SHPIGELMAN: Yes, so the first one
21 I'm presenting is Democratic Party, Volume
22 BX2100129 and BX2100150. And there are two
23 issues, commissioners. The first one is the name
24 on the petition has the middle initial missing,

1 March 23, 2021

2 that's not on the cover sheet. And as you know,
3 the petition and the cover sheet has to match
4 exactly. And the second issue is the address on
5 the petition does not have the apartment number
6 on the cover sheet. So that also has to match.

7 As you know, according to our rules, C2-
8 I and C2-B of the designating petition rules for
9 the primary. That is --

10 MR. SAVINO: The apartment number is
11 recommended but optional. The middle initial,
12 usually if there's something extra on the cover
13 sheet, extra information, we might say it's okay.
14 But on this one, it's got the apartment number on
15 the petition and then not on the cover sheet. But
16 again, it's within your discretion if you decree
17 that these are both defects, or one or the other.

18 COMMISSIONER SHAMOUN: Are they curable
19 defects?

20 MR. SAVINO: Yes. They can fix the
21 apartment number issue and then they can fix --

22 MS. SHPIGELMAN: -- the middle initial.

23 MR. SAVINO: Right, the middle initial
24 within three days with an amended cover sheet.

1 March 23, 2021

2 COMMISSIONER SHAMOUN: What have we done
3 in the past?

4 MR. SAVINO: I've seen the middle
5 initial go both ways, but the address, yeah, I
6 mean --

7 MS. SHPIGELMAN: The apartment number is
8 optional.

9 MR. SAVINO: Yeah, the apartment number
10 is, you know, again optional but recommended. Our
11 rules do say that it's supposed to match, but I
12 have seen some rulings where they didn't feel the
13 middle initial was an issue. I don't recall the
14 apartment number. I think that might have been
15 ruled a defect more often than not.

16 COMMISSIONER SHAMOUN: Commissioner, do
17 you have a --

18 COMMISSIONER TOWNSEND: I'm, sorry, this
19 is, it just comes a little turned. Excuse me,
20 never mind. I don't have an issue with the
21 apartment number, given that it's optional.

22 MR. SAVINO: Okay.

23 COMMISSIONER TOWNSEND: I'm fine with
24 letting it remain.

1 March 23, 2021

2 COMMISSIONER SHAMOUN: That's fine.

3 MR. SAVINO: And then the other issue --
4 so we're saying not both? I think Commissioner
5 Shamoun just agreed I believe.

6 COMMISSIONER TOWNSEND: Yes.

7 COMMISSIONER SHAMOUN: I'm fine.

8 MR. SAVINO: So the apartment number is
9 not a defect. What about the middle initial?

10 COMMISSIONER TOWNSEND: The middle
11 initial, you've said we've gone either way and
12 it's something that's easily, if it's curable,
13 I'm fine with letting that.

14 COMMISSIONER SHAMOUN: Yeah, let him
15 cure it.

16 COMMISSIONER TOWNSEND: I mean yeah.

17 MR. SAVINO: Okay. Okay. We'll be doing
18 a letter on that one. Just to be clear, apartment
19 number 9. Alright, if I may, I'll fill out your
20 initials on the defect sheet and basically show
21 that it was a split decision. One was not a
22 defect and one was.

23 COMMISSIONER SHAMOUN: Alright. Thank
24 you.

1 March 23, 2021

2 MS. SHPIGELMAN: Okay. If I have your
3 permission, I'll talk about the second. So this
4 one is Democratic Party. The petition,
5 identification number is BX2100154. The
6 candidate's name is Victor Pichardo. He's a
7 delegate to the 12th Judicial Convention in the
8 56th Assembly District. Here, commissioners, the
9 name on the petition, unfortunately does not
10 match the cover sheet, so the name on the cover
11 sheet is Steven Santiano. So that's missing, so
12 as you know the cover sheet and the petition have
13 to match.

14 COMMISSIONER SHAMOUN: What's your
15 recommendation?

16 MS. SHPIGELMAN: The recommendation is
17 that since it does not match, we recommend to
18 rule this as a curable defect.

19 COMMISSIONER TOWNSEND: Okay.

20 COMMISSIONER SHAMOUN: Fine by me.

21 COMMISSIONER TOWNSEND: Yeah, same.

22 COMMISSIONER SHAMOUN: Okay.

23 MS. SHPIGELMAN: Okay, thank you
24 commissioners.

1 March 23, 2021

2 MR. SAVINO: Are you -- is that it for
3 you?

4 MS. SHPIGELMAN: That is it.

5 MR. SAVINO: Alright. That appears to be
6 it from Ms. Shpigelman, who is doing the Bronx
7 and Staten Island. And next up --

8 MS. SHPIGELMAN: Thank you,
9 commissioners.

10 MR. SAVINO: Yeah, come over here.
11 Alright. So take this one, yes and then go write
12 your letters.

13 MS. SHPIGELMAN: I will.

14 MR. SAVINO: Alright, come on down, Mr.
15 Castorino. And I have one that's kind of a
16 megillah, so maybe I'll take a look at that one
17 first. Commissioners, you should have one defect
18 sheet with a whole bunch of writing on it. And
19 hopefully I'll be able to explain that quite
20 clearly. The first, or somewhat clearly. The
21 first issue is, if you see, it's a Republican and
22 it lists a bunch of different ID numbers. If you,
23 you know, for petitions. And if you look at those
24 petitions, I mean I don't know how far you want

1 March 23, 2021

2 to dig into the petitions, but underneath Solaras
3 [phonetic] and Goldstein, for example, underneath
4 the party position state committee and Republican
5 state committee, on each petition, there's a
6 series of numbers under, underneath that, that
7 really don't explain what they are or what
8 they're there for.

9 I can maybe speculate or guess. But each
10 one of these petitions underneath, like I said,
11 the cover sheet, underneath the party positions
12 lists a bunch of different numbers. I mean maybe
13 he was trying to say it was the page numbers
14 those candidates appear on, but --

15 COMMISSIONER SHAMOUN: And this is which
16 county, I'm sorry. I'm just trying to pull it up.

17 MR. DANIEL CASTORINO: Queens.

18 MR. SAVINO: This is Queens.

19 COMMISSIONER SHAMOUN: Okay, so I'll
20 look at the first one, 57? Which one are you
21 looking at?

22 MR. SAVINO: It's the, where is the
23 camera? Okay. It's this one with a lot of read
24 writing.

1 March 23, 2021

2 COMMISSIONER SHAMOUN: I can't see.

3 COMMISSIONER TOWNSEND: I'm looking at -
4 -

5 COMMISSIONER SHAMOUN: Does it have a
6 number? The .PDFs here are numbered.

7 COMMISSIONER TOWNSEND: Yeah.

8 MR. SAVINO: Oh, they are?

9 COMMISSIONER TOWNSEND: Yeah.

10 MR. SAVINO: Oh, that's great. We'll
11 have to print what we send you next time and then
12 we'll have the numbers. I guess the copying
13 machine did that for us.

14 COMMISSIONER SHAMOUN: Oh.

15 MR. SAVINO: But the main question on
16 this issue is how far we want to go and look at
17 the petition. Traditionally, we just see if the
18 cover sheet matches, we see if the date of
19 election matches in the top, designating
20 petition, etc. but I mean I've never seen
21 anything like this before. Usually, if somebody
22 only appears on certain pages, usually, they'll
23 reflect that in the cover sheet, and they'll tell
24 you it is. This, as I said, on every petition

1 March 23, 2021

2 listed up top, 100, 105, 115, 117, 118, 124 and
3 then there's four others, which you were sent,
4 you can see those odd, you know, the numbers on
5 the bottom. So that's one issue. Maybe I'll go on
6 to the next and we can take it from there. That
7 is actually for male state committee, the first
8 one, female Republican state committee, Regina
9 Michelle Landi and James Martinosky, who's the
10 contact person, Daniel Mayo is the contact
11 person. He's done this a few times.

12 In any event, on the cover sheets for
13 several of the petitions, it does say that the
14 number of signatures required by law is there,
15 which it has to, it has to say that. But for
16 Vanessa Simon, 31st Council, the cover sheet
17 specifically says no representation is made as to
18 sufficient signatures for Vanessa Simon, same
19 thing with Felicia Kalan, at petition NE128. Mr.
20 Mayo, when he wrote the required language about
21 having enough signatures, he wrote next to it,
22 you know, no representation is made as to
23 sufficient signatures for Felicia Kalan, 22nd
24 Council District.

1 March 23, 2021

2 And, you know, though he does claim
3 sufficient signatures for the others, again, next
4 cover sheet, Felicia Kalan, is that the one,
5 didn't we just do that one? Yeah, Felicia Kalan,
6 Kalan. I'm sorry. Michael Congiliaro. Again, Mr.
7 Mayo, the contact person or whoever drafted this,
8 did say there was the number of petition
9 signatures as required for all the other
10 candidates, but again, they specifically said not
11 for Congiliaro for the 29th Council District. SO
12 I mean it almost seems silly to send him a NCN
13 notice, I think we have to, telling him if he
14 wants to correct that, because I think the answer
15 will be no, or maybe he just won't even reply.
16 But, clearly, if you don't claim sufficient
17 signatures, it's defective.

18 COMMISSIONER SHAMOUN: Yeah.

19 MR. SAVINO: That is just for those
20 candidates that we spoke of.

21 COMMISSIONER SHAMOUN: That's fine.

22 MR. SAVINO: Okay. And we want to leave
23 the numbers alone, or because we're looking too
24 far in the petition? We really don't start

1 March 23, 2021

2 reviewing signatures, etc. or do you feel that
3 that is something we should rule on? I've never
4 seen it before. But as I said, for county
5 committee, you usually put the page number.

6 COMMISSIONER TOWNSEND: Guys, can you
7 hear me?

8 MR. SAVINO: Yes. Can you hear us?

9 COMMISSIONER TOWNSEND: Guys, can you
10 hear me?

11 MR. SAVINO: Can you hear us,
12 commissioners?

13 COMMISSIONER TOWNSEND: I can't hear
14 you. I just lost sound, so I wasn't sure if you
15 could hear me.

16 MR. SAVINO: We can hear you.

17 COMMISSIONER TOWNSEND: Okay. Now I can
18 hear you.

19 MR. SAVINO: Okay, I moved the mic
20 closer.

21 COMMISSIONER SHAMOUN: If it doesn't
22 pass the smell test, then that's one thing.

23 MR. SAVINO: Right, that's a bit
24 different, yeah.

1 March 23, 2021

2 COMMISSIONER SHAMOUN: So what's your
3 recommendation on that?

4 MR. SAVINO: I'm hesitant to start
5 looking too much at the petitions below, in terms
6 of cover sheet review, below the [unintelligible]
7 [01:39:52] and making sure addresses and names
8 match, etc.

9 COMMISSIONER SHAMOUN: Okay.

10 MR. SAVINO: We've never really gone
11 beyond that. So your ruling would be to go
12 forward where they don't have significant -- the
13 required signatures, they'll get an NCN that he
14 can fix his cover sheet if he wants, and then on
15 the numbers, the weird number listed all over the
16 bottom of the petition, or the middle of the
17 petition, if my understanding of this ruling is
18 correct, that will not be a defect. Alright. Now,
19 let's get a decision on that one too, whatever we
20 do there. What else you got?

21 MR. CASTORINO: So we're on the reading
22 this number?

23 MR. SAVINO: Yeah, you could read them,
24 just ending each one and say -- alright, so now

1 March 23, 2021

2 we've got Democrat QN number ending in 002, for
3 it looks like the 26th Council District.

4 MR. CASTORINO: So the zip code on the
5 cover sheet and the zip code on the petition
6 doesn't match. It looks like there's just an
7 error on the cover sheet. They put an extra one
8 after the zip code, so it's 111061. And on the
9 petition --

10 COMMISSIONER TOWNSEND: Where? Is it the
11 26th Council District?

12 MR. CASTORINO: -- this is, yeah, the
13 26th Council District, of Silkland Al Maurice
14 [phonetic].

15 COMMISSIONER TOWNSEND: Okay. Thank you.

16 MR. CASTORINO: Yeah. And on the
17 petitions, you can see, it's listed 11106, so
18 they just added, it looks like an extra 1 on the
19 cover sheet.

20 COMMISSIONER TOWNSEND: Oh. And what's
21 your recommendation?

22 MR. SAVINO: Well, the zip code has
23 consistently been ruled as a defect. But, you
24 know, it's entirely in your discretion. The cover

1 March 23, 2021

2 sheet, the bipartisan team did also feel that it
3 was a defect. That's why they wrote it up.

4 COMMISSIONER TOWNSEND: Okay.

5 MR. SAVINO: I mean it would be hard to
6 serve an objector if you don't have a zip code.

7 COMMISSIONER SHAMOUN: Yeah, send them
8 the notice.

9 MR. SAVINO: I mean the candidate etc.,
10 you know.

11 COMMISSIONER SHAMOUN: Okay.

12 MR. SAVINO: That's why basically one of
13 the reasons it has to be accurate.

14 COMMISSIONER TOWNSEND: Okay.

15 MR. CASTORINO: And your ruling is?

16 COMMISSIONER SHAMOUN: I said it's a
17 defect.

18 COMMISSIONER TOWNSEND: Yeah.

19 MR. CASTORINO: Okay, thank you,
20 commissioners. I just wanted to make sure we got
21 that on the record. Alright. On the next
22 petition, it ends in the numbers 975, the name on
23 the petition does not match the name on the cover
24 sheet.

1 March 23, 2021

2 COMMISSIONER SHAMOUN: What party and
3 what offices?

4 MR. CASTORINO: This is the Democratic
5 Party and this is for the delegates, 11th
6 Judicial District.

7 COMMISSIONER TOWNSEND: Mm-hmm.

8 MR. CASTORINO: So the name, Eva
9 Westbrook is on the petition, but Pamela
10 Westbrook is on the cover sheet.

11 COMMISSIONER SHAMOUN: Right.

12 MR. SAVINO: That I think, well my
13 recommendation is that's a defect. I mean it's
14 two different first names.

15 COMMISSIONER TOWNSEND: Yeah.

16 MR. SAVINO: Eva and Pamela aren't even
17 close, but anyway, are they even? I don't know.
18 But --

19 COMMISSIONER TOWNSEND: No, I'm in
20 agreement with that.

21 MR. SAVINO: Okay.

22 COMMISSIONER SHAMOUN: I agree.

23 MR. SAVINO: Okay. Alright. What do you
24 got next?

1 March 23, 2021

2 MR. CASTORINO: And this is the last
3 one. This is the Democratic Party. The
4 identification number ends with 910 to 915 and
5 this is for a member of the 32nd Council
6 District. The number of volumes omitted on the
7 cover sheet.

8 MR. SAVINO: Right. I mean this one, if
9 you just look at the cover sheet and you see
10 total number of volumes, blank dash.

11 MR. CASTORINO: It's blank.

12 MR. SAVINO: Yeah, that's a pretty clear
13 defect in my opinion. You've got to let people
14 know the number of petitions you have and the
15 numbers that, the volumes, so people can
16 potentially object, etc.

17 COMMISSIONER TOWNSEND: Right. Okay.

18 MR. CASTORINO: And the agreement on
19 that is it's a defect, commissioners?

20 COMMISSIONER TOWNSEND: Yes.

21 COMMISSIONER SHAMOUN: Yeah.

22 MR. CASTORINO: That's all I've got.

23 MR. SAVINO: Yeah. So I have to write
24 letters on all this stuff and if you want to wait

1 March 23, 2021

2 for me to get back there. Alright, next up, so we
3 have Brooklyn.

4 MR. CASTORINO: Here?

5 MR. SAVINO: Yeah. Nina Carlson is also
6 joining us as she is one of the new leads on this
7 project.

8 MS. NINA CARLSON: Good afternoon,
9 commissioners.

10 COMMISSIONER SHAMOUN: Good afternoon.

11 MR. SAVINO: Alright, ready to go, sure.

12 MR. CASTROLINO: Alright, commissioners,
13 so for Brooklyn, staff has identified five
14 discrepancies in our review so far. The first one
15 I have for your review is for Lisa Lashley, which
16 is for petition number KG2100361. This is a
17 Democrat petition for alternate delegate to the
18 Democratic Judicial Convention, Second Judicial
19 District in the 60th Assembly District. Staff
20 identified that the address on the cover sheet
21 does not match the address on the petition. The
22 cover sheet says Sterling Street. The petition
23 says Sterling Place. I don't know if you can tell
24 on the .PDF we sent you, because there's a lot of

1 March 23, 2021

2 names on the petition, but this is on the fifth
3 line down in the second part of the --

4 COMMISSIONER SHAMOUN: What's the name
5 of the -- what's the name on this? I have names
6 on these .PDFs.

7 MR. CASTORINO: Lisa Lashley.

8 COMMISSIONER SHAMOUN: I'm sorry?

9 MR. CASTORINO: Lisa Lashley.

10 COMMISSIONER SHAMOUN: Okay.

11 MR. CASTORINO: And the address on the
12 cover sheet is listed as 386 Sterling Street, and
13 then on the petition, on five lines down on the
14 alternate delegate section, it is listed as 386
15 Sterling Place. This is a curable defect. Our
16 recommendation would be to send a nonconformance
17 letter and let them attempt to correct it.

18 COMMISSIONER SHAMOUN: I agree.

19 COMMISSIONER TOWNSEND: Okay.

20 MR. CASTORINO: Okay. As with the other,
21 does our office have the authorization to initial
22 on your behalf on the defect?

23 COMMISSIONER SHAMOUN: Thank you.

24 MR. CASTORINO: Okay. The second item I

1 March 23, 2021
2 have is for Sophia Henry, this is the same
3 petition, KG2100361. This is a Democrat petition
4 for delegate. The Democratic Judicial Convention,
5 Second Judicial District in the 60th Assembly
6 District. Once again, staff identified that the
7 address on the cover sheet does not match the
8 address on the petition. In this instance, on the
9 cover sheet, it is listed as 45 Twin Peaks Drive,
10 P-E-A-K-S. On the petition, and this is on the
11 bottom row of the delegate section, it is listed
12 as 45 Twin Pines Drive, P-I-N-E-S. This is also a
13 curable defect. We would recommend sending a
14 nonconformance letter and giving the candidate an
15 opportunity to correct.

16 COMMISSIONER SHAMOUN: I agree.

17 COMMISSIONER TOWNSEND: Yes.

18 MR. CASTORINO: The third item I have is
19 for Christopher W. Banks. This is once again the
20 same petition. That is KG2100361. This is a
21 Democratic petition for delegate to Democratic
22 Judicial Convention Second Judicial District 60th
23 Assembly District. Once again, staff identified
24 that the address on the cover sheet does not

1 March 23, 2021
2 match the address on the petition. In this case,
3 the address is listed as 669 Van Siclen Avenue.
4 If you look, this is, I believe it will be on the
5 third page of your .PDF, because the sample is in
6 the way, we had rescan it. At the top row of the
7 delegate section, this delegate's address is just
8 listed as 669 Van Siclen. In other words, it does
9 not say Van Siclen Avenue. It just says Van
10 Siclen. Staff identified this as a defect. We
11 would recommend that it's the same kind of relief
12 as the other two addresses not matching, sending
13 a nonconformance letter and giving the candidate
14 an opportunity to cure.

15 COMMISSIONER TOWNSEND: Okay.

16 MR. CASTORINO: Commissioner Shamoun?

17 COMMISSIONER SHAMOUN: I agree.

18 MR. CASTORINO: Thank you. That is the
19 last one I have for that petition. I have two
20 more. This next, the next item I have is for
21 Sabrina Gates. This is petition number KG2100764
22 and this is a Democratic petition for council
23 member for the 33rd District. Staff identified a
24 discrepancy between the candidate's name. I want

1 March 23, 2021

2 to note that this was something that I heard
3 happened earlier. On the cover sheet, the
4 candidate is listed as Sabrina Gates, on the
5 petition, the candidate is listed as Sabrina N.
6 Gates. Staff found this to be a defect. I would
7 recommend ruling consistently how the
8 commissioners did in the earlier hearing, which I
9 wasn't in the room, so I'll be honest, I wasn't
10 sure what that was, but if that's a defect,
11 that's one that can be cured and we can send a
12 letter, and if not, they can just appear on the
13 ballot as Sabrina Gates.

14 COMMISSIONER TOWNSEND: Wait, I'm sorry.
15 Say that again, the recommendation?

16 MR. CASTORINO: I'm sorry. This is the
17 same issue that I believe occurred earlier, where
18 the candidate's middle initial appears on the
19 petition, but does not appear on the cover sheet.

20 MR. SAVINO: That is correct. And you
21 guys did rule on that as a defect.

22 MR. CASTORINO: So in that instance, we
23 would ask that you rule in the same way.

24 COMMISSIONER SHAMOUN: I agree.

1 March 23, 2021

2 COMMISSIONER TOWNSEND: Okay.

3 MR. CASTORINO: And we will prepare that
4 letter for you. The final item I have is for
5 Brian W. Kelly. This is petition number
6 KG2100011. This is a Conservative Party petition
7 for delegate to the Second Judicial District
8 convention of the Conservative Party from the
9 42nd Assembly District. In this instance, the
10 defect identified by staff is that the cover
11 sheet does not indicate that it's a cover sheet.
12 It's basically left to kind of the reader to
13 interpret what it is. Our position would be that
14 that is unduly confusing, but this is something
15 that can be cured by filing an amended cover
16 sheet, which would be our recommendation.

17 MR. SAVINO: I mean I've never seen it
18 not say cover sheet before, but it's supposed to
19 identify what the document is.

20 COMMISSIONER TOWNSEND: There's a first
21 thing for everything, you that.

22 COMMISSIONER SHAMOUN: And it's only our
23 second day doing this.

24 COMMISSIONER TOWNSEND: I'm sure it will

1 March 23, 2021

2 continue to get weird.

3 MR. CASTORINO: Well, filing petitions
4 and not claiming enough signatures was a little
5 strange too. So yeah, our recommendation would be
6 to send a nonconformance letter and let the
7 candidate file an amended cover sheet, which
8 identifies it as an amended cover sheet.

9 COMMISSIONER TOWNSEND: Okay.

10 COMMISSIONER SHAMOUN: I agree.

11 MR. SAVINO: Thank you.

12 MR. CASTORINO: That's all I have.

13 MR. SAVINO: And then coming up next is
14 Mr. Nicholas Demitti who has Manhattan.

15 MR. CASTORINO: Want me to bring those
16 with me?

17 MR. SAVINO: Yeah, you might as well
18 start doing the letters. Come on in Nicholas.

19 MR. CASTORINO: Thank you for your time,
20 commissioners.

21 MR. NICHOLAS DEMITTI: Good afternoon,
22 commissioners.

23 COMMISSIONER SHAMOUN: I'm looking for
24 the email. Did we get an email on Manhattan?

1 March 23, 2021

2 MR. SAVINO: Oh, these ones are just
3 pagination issues.

4 COMMISSIONER SHAMOUN: okay.

5 MR. SAVINO: So since we've been remote,
6 I usually do a Vanna White and I kind of hold it
7 up to you guys or maybe Mr. Dimitti can do that.

8 MR. DIMITTI: So I can show you it is
9 petition volume New York 2103747 and it runs from
10 pages 1 to 83 pretty clearly. Then the next page
11 is 71 and then runs up from 71 all the way to
12 119. So they started renumbering it at page 71.
13 It's just the pagination issue. It's easily
14 remedied by making a copy and renumbering the
15 pages.

16 COMMISSIONER TOWNSEND: Okay.

17 MR. SAVINO: Is that two in there or
18 just one?

19 MR. DIMITTI: Just one.

20 MR. SAVINO: Okay. So our recommendation
21 is a defect and give them a chance to cure.

22 COMMISSIONER TOWNSEND: Okay.

23 COMMISSIONER SHAMOUN: I agree.

24 MR. SAVINO: Okay, the ayes have it. I

1 March 23, 2021

2 don't believe there's anything else that we have
3 at this time.

4 MS. CARLSON: No, not [unintelligible]
5 [01:53:02].

6 MR. SAVINO: Thank you for you
7 [unintelligible] [01:53:06], victims and I'm sure
8 we'll see you soon. Thank you again for your
9 time.

10 COMMISSIONER SHAMOUN: Is that
11 everything?

12 MR. SAVINO: Yes, yes.

13 COMMISSIONER SHAMOUN: Okay.

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

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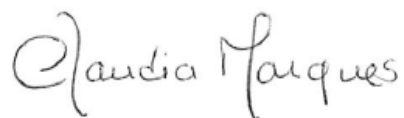
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CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on March 23, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: October 12, 2021

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