

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' COVER SHEET REVIEW

42 Broadway - 6th floor
Commissioners' Hearing Room
New York, NY 10004
March 26, 2021

March 26, 2021

PRESENT:

Secretary Miguelina Camilo

Commissioner Gino Marmorato

Raphael Savino, Deputy General Counsel

Mr. Cullory

Nicholas Zimmitti

Daniel Castorina

Zoya Shpigelman

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2 (The meeting commenced.)

3 MR. SAVINO: Good afternoon,
4 commissioners, it is March 26, 2021. We are here
5 for the commissioners' cover sheet review
6 committee. Kind enough to join us are
7 Commissioner Miguelina Camilo and Gino Marmorato.
8 For the beginning, we'll be presenting purported
9 defects on citywide races and then we'll move on
10 to Brooklyn.

11 COMMISSIONER MIGUELINA CAMILO: Okay.
12 Mr. Savino, thank you. I know we got a core of
13 emails with the materials, so if you could just
14 tell us the candidate name and the petition
15 number so we know where to look, thank you.

16 MR. CULLORY: Alright. Thank you,
17 commissioners. I will start with the citywide.
18 The first item that I have is for candidate
19 Jocelyn Taylor, it's petition number KG210056.
20 This is a pagination error. The candidate, this
21 is a democratic petition for mayor of the city of
22 New York. I have the actual petition here,
23 because it's a defect involving the petition
24 itself. And I will describe the issue and also

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2 show it to the camera. I can walk it closer if
3 you'd like. But at issue is the very first page
4 of this petition is not, there's no page number
5 on it. And perhaps, more problematic is that
6 additionally, each of these tabs, which are on
7 the side here are a separate petition which has
8 been bound together with the same petition, the
9 top of which is KG2100506, but in the single
10 bound package, it is also KG497507488, 468, the
11 first page of which is not numbered, 480 and 467.

12 So there are a total of seven petition
13 volumes bound together in one volume. We would
14 submit that this is an error, that we can send a
15 letter advising [unintelligible] [00:07:12] they
16 can come fix it within three business days.

17 COMMISSIONER CAMILO: And to be clear,
18 those seven separate volumes don't have
19 consecutive page numbers, correct?

20 MR. CULLORY: Yeah, those are -- they
21 are separately paginated. But they are
22 erroneously bound together in a single volume
23 with the exception that number 506 has the first
24 page with no page number and number 468 has also

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2 no page number on the first page and that is the
3 fifth petition that is bound together in there.
4 But the rest are consecutively paginated.

5 COMMISSIONER CAMILO: Okay. So I would
6 approve sending a notice of defect with the
7 proper instruction from legal to either
8 separately bound the petitions or number them
9 correctly.

10 MR. SAVINO: Okay.

11 COMMISSIONER MARMORATO: I second.

12 MR. SAVINO: With your permission, I
13 will initial this with my initials and check the
14 boxes where you folks would normally.

15 COMMISSIONER CAMILO: Yes, thank you.

16 MR. SAVINO: Alright, pagination issue.

17 MR. CULLORY: Okay. The next item that I
18 have commissioners, if you're ready, is also for
19 candidate Jocelyn Taylor, this is petition number
20 KG2100507, along with a few other issues, also
21 named on this cover sheet is Pearlene Fields, or
22 Pearlene Fields. This is a Democratic petition
23 for mayor for Ms. Taylor and for borough
24 president of Kings County for Ms. Fields. On this

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2 cover sheet, staff found a potential defect that
3 the total number of volumes listed in the
4 petition is seven, but more than seven volumes
5 are listed as identification numbers. We submit
6 that this is an error, and we would, a curable
7 one that we would recommend sending a non-
8 conformance notice so that the candidate can fix
9 it within three business days.

10 COMMISSIONER CAMILO: I would move to
11 follow legal's recommendation.

12 COMMISSIONER MARMORATO: I second.

13 MR. SAVINO: Thank you.

14 MR. CULLORY: Alright. Thank you,
15 commissioners. For the third item I have, it's
16 once again candidate Jocelyn Taylor, this is the
17 last one I have for that candidate and petition
18 NY2102839. This is once again a Democratic
19 petition for mayor. This is the same issue that
20 we had before. The top petition is NY2102839, but
21 I have all these tabs here, and I will read out
22 that this is once again several petitions that
23 have been bound together in a single petition.
24 Also attached to this are BX213, BX214, RH144,

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2 QN532, KG496, Q9513, Q9 -- or excuse me, QN523,
3 QN514, QN550, KG5486, KG487, KG469, KG478 and
4 KG479. And that is again represented here, and I
5 can go through it if you'd like but while, per
6 your other question, these are consecutively
7 paginated, they have improperly bound multiple
8 petitions together in on volume. And we would
9 submit that we would send the same letter that we
10 did for the first problem advising the candidate
11 that they have to rebind these petitions or
12 renumber them.

13 COMMISSIONER CAMILO: Okay. So I move to
14 send a notice of defect to the candidate.

15 COMMISSIONER MARMORATO: I second.

16 MR. CULLORY: Alright. The next item I
17 have for citywide elections is for Art Chang,
18 this is petition numbers KG2100722 and then also
19 included is 723 and 724. This is a Democrat
20 candidate for mayor. Staff identified a potential
21 issue with the cover sheet. In staff's view, the
22 cover sheet has improperly written volume
23 identification numbers. They are listed as
24 KG210722 instead of KG2100722 and that's for all

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2 three of the volumes, so they're missing a zero.
3 Staff found that this was a defect. Our
4 recommendation would be that that's a curable
5 defect that can be remedied by sending a notice
6 of non-compliance and allowing the candidate to
7 re-file an amended cover sheet.

8 COMMISSIONER CAMILO: I would move to
9 send the notice.

10 COMMISSIONER MARMORATO: Second.

11 MR. SAVINO: Thank you.

12 MR. CULLORY: Alright, thank you,
13 commissioners, the fifth item I have for citywide
14 is once again for candidate Art Chang. This is
15 for petition KG2100723, this is a pagination
16 error. This is once again democratic candidate
17 for mayor, the same candidate as we just
18 discussed. On this petition, there is a single
19 page number error that staff was able to find. It
20 begins -- or, it doesn't begin, it's
21 consecutively paginated up to the 242nd page.
22 After that there is no page number and then after
23 that, it resumes at 243. We would recommend
24 sending a notice of defect to the candidate

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2 allowing them to renumber the petition within the
3 allotted time discussed in the letter.

4 COMMISSIONER CAMILO: Okay. I move that
5 we send the notice as recommended.

6 COMMISSIONER MARMORATO: I second.

7 MR. CULLORY: Okay. Thank you,
8 commissioners. The sixth item I have for citywide
9 elections is for candidate Bill Morowski. This is
10 a Democratic candidate for mayor. I don't have a
11 volume number for this candidate because one was
12 not listed on their cover sheet. That in and of
13 itself is a defect, but additionally, staff found
14 that the petition was attached to the cover
15 sheet, that is a defect in and of itself and
16 additionally, the cover sheet not only does not
17 contain certification regarding the necessary
18 signatures but it actually says that the petition
19 does not contain the adequate number of
20 signatures. All of these are defects. We would
21 recommend sending the notice of non-compliance
22 and allowing the candidate to file an amended, a
23 compliant amended cover sheet.

24 COMMISSIONER CAMILO: Thank you, yes. I

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2 would move to send a notice.

3 COMMISSIONER MARMORATO: I second.

4 MR. CULLORY: And the final citywide
5 item that I have is for candidate Elizabeth
6 O'Hagan. This is a Republican candidate for mayor
7 and once again, I don't have a volume number for
8 you because one was not listed on the cover
9 sheet. Because no volume was listed on the cover
10 sheet, that's a defect that we would recommend
11 sending a letter on. And additionally I note that
12 there is no certification that the petitions
13 contain the adequate number of signatures and we
14 would recommend sending a notice of defect to the
15 candidate saying the same.

16 COMMISSIONER MARMORATO: I move that we
17 send a notice of defect to the candidate.

18 COMMISSIONER CAMILO: and I will second.

19 MR. CULLORY: Alright. Thank you,
20 commissioners. That's all I have for citywide. If
21 it's okay, I would like to present Brooklyn while
22 I'm in the room, save myself some trouble.

23 COMMISSIONER CAMILO: Yes, thank you.

24 MR. CULLORY: Alright. Thank you, the

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2 first item I have for Brooklyn is for Sabrina N.
3 Gates, petition number KG2100764. This is a
4 Democrat candidate for City Council in the 33rd
5 Council District. This is actually in response to
6 a notice of non-compliance that we send to this
7 candidate on Tuesday. They filed an amended cover
8 sheet after found that the cover sheet which
9 contained a middle initial did not match the
10 petition which did. The candidate filed an
11 amended cover sheet, staff has reviewed and found
12 it is in compliance, and so we would recommend a
13 finding that this was a valid cure.

14 COMMISSIONER CAMILO: I would move to
15 deem it a valid cure.

16 COMMISSIONER MARMORATO: I second.

17 MR. SAVINO: I will stamp it as such.

18 MR. CULLORY: The next item I have for
19 Brooklyn is for candidate Shadow G. Tarver,
20 petition number KG2101315. This is a Democratic
21 candidate for City Council in the 36th District.
22 The issue here identified by staff is that the
23 address on the petition does not match the
24 address on the cover sheet. Specifically the

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2 cover sheet has the candidate's zip code on it,
3 which is 11221, there is no zip code listed on
4 the petition. The address otherwise remains the
5 same. This is, it does not match and so we would
6 recommend sending a notice of defect to the
7 candidate and allowing them to correct their
8 cover sheet.

9 MR. SAVINO: And I note it's not just
10 one number off or transposed. I mean it's
11 completely missing. Is that correct?

12 MR. CULLORY: That is correct. On the --
13 it's missing on the petition, not on the cover
14 sheet.

15 MR. SAVINO: Oh, missing on the
16 petition, hmm.

17 COMMISSIONER CAMILO: Alright. I would
18 recognize per our rules that the cover sheet
19 match the petition exactly, that we do send a
20 notice to cure.

21 COMMISSIONER MARMORATO: I second.

22 MR. CULLORY: Alright. The next item
23 that I have for Brooklyn is for candidate Steven
24 D. Patzer, petition number is KG2100237 and also

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2 256, the Democrat candidate for City Council in
3 the 14th City Council District. This, similar to
4 Ms. Gates earlier, this amended cover sheet was
5 received in response to a notice of non-
6 compliance that our office sent yesterday, on
7 March 25. In that NCN, the candidate was advised
8 that the address didn't match. Specifically on
9 the candidate's petition, it listed second floor
10 on their address. The cover sheet did not. This
11 amended cover sheet does now include that address
12 change. It has been reviewed by staff and is
13 otherwise compliant and we would recommend that
14 this is therefore a valid cure.

15 MR. SAVINO: Just so you're aware,
16 there's been pretty consistent rulings if there's
17 information such as an apartment number that's on
18 petition, but it's not on the cover sheet, it
19 doesn't match. And there's been similar rulings
20 that if the cover sheet has the apartment number,
21 which will make it easier if it has to be served
22 and it has extra information, then that's okay.
23 But I believe this is not the case here, correct?
24 It's on the cover sheet.

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2 MR. CULLORY: Oh, it is now. It's not
3 just the --

4 MR. SAVINO: Oh, okay, so it's a good
5 cure. Well, we recommend that it's a valid cure.

6 COMMISSIONER CAMILO: Yes, I would move
7 to adopt that recommendation.

8 COMMISSIONER MARMORATO: I support and
9 second it.

10 MR. SAVINO: There's my stamp again.

11 MR. CULLORY: Alright. The next item I
12 have for Brooklyn is for candidate Andy J. Marte,
13 this is a Democratic candidate for City Council
14 in the 34th Council District. As you know, that's
15 a crossover district, so in Kings and Queens
16 County. The listed petitions are KG2101111 and
17 also 1112. And additionally, it's QN2101026 and
18 also 27. Staff identified potential discrepancy
19 in these petitions and cover sheet. Specifically,
20 the Kings County petitions that I named have
21 listed as office council member for the borough
22 of Brooklyn and the Queens petitions have council
23 member for the 31st Council District in the
24 borough of Queens.

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2 MR. SAVINO: It's a crossover district,
3 so they have a piece of each but --

4 MR. CULLORY: The cover sheet says
5 Brooklyn / Queens, that doesn't match exactly.
6 Staff felt that that was a discrepancy that
7 needed a notice of defect and we could send that
8 if the commissioners agree with staff's analysis.

9 COMMISSIONER CAMILO: I approve the
10 recommendation to send them notice.

11 COMMISSIONER MARMORATO: I second.

12 MR. SAVINO: They'll have a hard time
13 fixing that.

14 COMMISSIONER CAMILO: It's just a slash
15 and the addition of the borough, right? Like
16 that's what --

17 MR. SAVINO: On the cover sheet, it has
18 I guess Bronx / Queens, yeah, you know,
19 [unintelligible] [00:19:47] maybe in the reverse
20 order, but the petitions have, you know, we get
21 the first page of every petition from CRU and
22 that's what we do to compare the cover sheets.
23 Some of the petitions say Queens and some say the
24 Bronx. But none of them say both.

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2 MR. CULLORY: So just I guess so the
3 record is clear, the cover sheet says borough of
4 Brooklyn / Queens.

5 MR. SAVINO: Okay.

6 MR. CULLORY: The Kings County petitions
7 of which this district is in, say borough, does
8 not Brooklyn / Queens. And the Queens County
9 petitions also for this [unintelligible]
10 [00:20:16] simply just say [unintelligible]
11 [00:20:20].

12 MR. SAVINO: I'll check with CRU to see
13 if that's an issue with them after this hearing,
14 but as far as our purposes for cover sheet
15 review, it certainly does not match.

16 COMMISSIONER CAMILO: Right. And I think
17 just on that basis, even if geographically it's
18 correct, if they put something on the cover sheet
19 we would expect them to have the same
20 identification on the petition, correct?

21 MR. CULLORY: I understand.

22 MR. SAVINO: Yeah, and it would have
23 made sense too, because like I said, it's a
24 crossover district. So, but I'll talk to CRU

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2 later and see if this, they think this might have
3 other issues in terms of the petition being
4 somewhat incorrect.

5 MR. CULLORY: Okay. Then, I guess moving
6 forward, I only have two items left. The fifth
7 item from Brooklyn that I have is for candidate
8 Eric S. Frankel, petition number KG2100412, I
9 note that there are two others listed on the
10 cover sheet. Those are not at issue here.
11 Specifically, and I'm sorry, this is a Democratic
12 candidate for council member in the 38th
13 District, on petition number 412, the cover sheet
14 does not match what the petition says in terms of
15 the office listed. The cover sheet says that this
16 is a candidate for council for the 38th District,
17 but that petition lists this candidate as council
18 member from the 20th Council District. That is an
19 error that obviously does not match. We would
20 recommend sending a notice of defect reflecting
21 same to candidate.

22 COMMISSIONER CAMILO: Yes, I would
23 approve sending notice.

24 COMMISSIONER MARMORATO: I second.

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2 MR. CULLORY: And the final item that I
3 have commissioners is for, I think you have my --

4 MR. SAVINO: Did I take it?

5 MR. CULLORY: -- the last item that I
6 have is for candidate Lisa Lewis, petition
7 KG2100907 and this is one final pagination error,
8 identified by staff and for the record, this is a
9 Democratic candidate for judge of the civil court
10 in the 2nd Municipal Court District, vacancy
11 number seven, also listed on this petition are
12 Sharon D. Hudson, civil court candidate for
13 vacancy number five and Rene T. Collymore for
14 City Council in the 35th Council District. This
15 petition, which is about 32 pages, I believe it's
16 32 pages, is completely unnumbered. It's not that
17 it's not sequentially, there are no page numbers.
18 So we would recommend sending a notice of defect
19 to the candidates and allowing them to
20 [unintelligible] [00:22:44].

21 COMMISSIONER CAMILO: Yes, I approve the
22 recommendation to send notice of defect. Gino?

23 COMMISSIONER MARMORATO: Sorry, I was on
24 mute. I second.

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2 MR. CULLORY: Alright. That's all I have
3 for my presentation. I will get to work on those
4 letters now. Thank you, commissioners.

5 COMMISSIONER CAMILO: Thank you so much.

6 MR. SAVINO: Young Nicholas, would you
7 like to be our next contestant? I think he's
8 reluctantly about to join utility.

9 MR. CULLORY: I'll leave my rules here
10 if you want.

11 MR. SAVINO: Yeah, please. Thanks.

12 MR. CULLORY: Thank you, commissioners.

13 MR. NICHOLAS ZIMMITTI: Hello,
14 commissioners.

15 COMMISSIONER CAMILO: Good afternoon.

16 MR. ZIMMITTI: Good afternoon.

17 COMMISSIONER MARMORATO: Good afternoon.

18 MR. ZIMMITTI: I think I should wait for

19 --

20 COMMISSIONER CAMILO: Yes.

21 COMMISSIONER MARMORATO: Yes.

22 MR. ZIMMITTI: Thank you.

23 COMMISSIONER CAMILO: Thanks. Just let
24 us know please what county are you presenting on?

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2 MR. ZIMMITTI: For Manhattan, New York.

3 COMMISSIONER CAMILO: Thank you.

4 COMMISSIONER MARMORATO: Thank you.

5 MR. ZIMMITTI: And I will say the list
6 of petitions, the defects that I sent you, the
7 number six, which is a pagination issue, that has
8 another issue, so I won't be presenting it today
9 if that's okay with you. Thank you.

10 COMMISSIONER CAMILO: It may be, well
11 when you get to it, we'll see if one notice can
12 be sent, you know.

13 MR. ZIMMITTI: Okay. Thank you. Okay,
14 commissioners, thank you. What are you looking
15 for?

16 MR. SAVINO: Tabs, but don't worry about
17 it.

18 MR. ZIMMITTI: Okay. so if you don't
19 mind, I'll start with the number one, which is a
20 pagination issue. And it's for volume 1791. There
21 is page one, page one on the --

22 COMMISSIONER CAMILO: Can you just
23 [unintelligible] [00:25:34] the candidate's name,
24 I'm so sorry.

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2 MR. ZIMMITTI: Oh, my apologies. There
3 are three candidates, Jacqueline De Luna, Josue
4 Perez, and Theo Bruce Chino Tavarez.

5 COMMISSIONER CAMILO: Got it.

6 MR. ZIMMITTI: Okay. The first page of
7 the volume has a page number and then the
8 subsequent pages are blank. It's a simple fix.
9 They can make a copy, they can put in the
10 numbers.

11 COMMISSIONER CAMILO: I would --

12 MR. ZIMMITTI: If you like I could bring
13 it up and show you.

14 COMMISSIONER CAMILO: No worries. I
15 would move to send a notice of defect to the
16 candidate for improper pagination.

17 MR. ZIMMITTI: Thank you. The second
18 item --

19 COMMISSIONER CAMILO: Oh, I'm just going
20 to ask for Commissioner Marmorato's approval.

21 MR. ZIMMITTI: Oh, my apologies.

22 COMMISSIONER MARMORATO: I second,
23 sorry.

24 COMMISSIONER CAMILO: Thank you.

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2 MR. ZIMMITTI: The second one is same
3 type of issue. It is petition number 2719. The
4 candidates are John Oliver for the county
5 committee, John Oliver for delegate for the
6 judicial convention, Alex Pan, comptroller, Theo
7 Bruce Chino Tavarez for public advocate and
8 Paperboy Love Prince for mayor. Same issue, this
9 is just a single page volume and there is no
10 number on it.

11 COMMISSIONER CAMILO: Is it a single
12 page petition?

13 MR. ZIMMITTI: That's what it looks
14 like.

15 COMMISSIONER CAMILO: So do we require a
16 cover sheet and numbering?

17 MR. SAVINO: I think we had one of these
18 yesterday. And the thought was what are you going
19 to number if there's one page, you know.

20 MR. ZIMMITTI: True.

21 MR. SAVINO: But the does require
22 sequential numbering.

23 COMMISSIONER CAMILO: So just to
24 clarify, what you have before from this, from the

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2 candidates is a one page document?

3 MR. ZIMMITTI: I believe it's a one page
4 document. I'm, it --

5 MR. SAVINO: Did we pull the petition
6 from downstairs?

7 MR. ZIMMITTI: I pulled the petition
8 from downstairs.

9 MR. SAVINO: And this is it?

10 MR. ZIMMITTI: This is it. I don't know
11 if they had more pages as a volume and just never
12 bound it.

13 MR. SAVINO: Then should have given it
14 to you.

15 MR. ZIMMITTI: Right. Okay. I mean we
16 were getting this [unintelligible] [00:28:14]
17 from the petition storage room. It appears to be
18 one page, we can always double check later, if we
19 need to, but yeah, it looks like a one page
20 petition.

21 COMMISSIONER MARMORATO: I would
22 recommend moving this issue to another cover
23 sheet review committee if we don't have the full
24 --

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2 MR. SAVINO: Okay.

3 COMMISSIONER MARMORATO: -- if they're
4 not sure that we have all the proper materials to
5 be reviewed.

6 MR. SAVINO: Not a problem. I seriously
7 doubt there's anything else, but you know, it
8 doesn't hurt to be safe.

9 COMMISSIONER CAMILO: Right. Just
10 because of the other matters, I know you
11 mentioned CRU gives you the first page of the
12 petition, but we saw bounded petitions for the
13 other matters.

14 MR. SAVINO: This, he actually went
15 downstairs, Mr. Zimmitti and got it from the
16 petition storage room. This is the original
17 downstairs, so I don't think anything is going to
18 change, right, but I would be happy to look into
19 it further if you desire.

20 COMMISSIONER MARMORATO: Okay.

21 MR. ZIMMITTI: I will do that.

22 MR. SAVINO: But it does seem a bit
23 silly to require a page number when it's one
24 page, but --

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2 COMMISSIONER CAMILO: My tendency would
3 be to say it's not a defect if it's just one
4 page, we don't need a page number. But if we're
5 unsure if there's another page that would require
6 a cover sheet, I don't want to make --

7 MR. SAVINO: Right, ten pages, ten pages
8 need a cover sheet and we'll be happy to look
9 into that for you. No worries, I completely
10 understand.

11 COMMISSIONER CAMILO: If you could
12 adjourn it until Monday, I think that's
13 commissioner Marmorato's recommendation.

14 MR. SAVINO: Okay. Let's do it. Will do.

15 MR. ZIMMITTI: Do you need to write a
16 note on there?

17 MR. SAVINO: Adjourn to Monday.

18 MR. ZIMMITTI: May I move on to the
19 next?

20 MR. SAVINO: Yes, please do.

21 MR. ZIMMITTI: Please, thank you. It
22 would be number four, it's again a pagination
23 issue. The petition is number 3933, it is Vincent
24 de Marco. He's running for City Council. The

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2 volume begins at page 39.

3 COMMISSIONER CAMILO: Oh.

4 MR. ZIMMITTI: And then jumps to page
5 27, and then goes up from there properly to page
6 38.

7 COMMISSIONER CAMILO: Alright. So on
8 that basis, I would recommend that we send a
9 notice of defect to the candidate.

10 COMMISSIONER MARMORATO: I second
11 Commissioner Camilo's motion.

12 MR. SAVINO: Not to beat a dead horse,
13 but I should probably give you all of the
14 information. It is stamped on the front by the
15 front counter and they always stamp the back, the
16 last page. So I have a feeling we're not going to
17 find anything earth shattering when we do our
18 inquiry but I just thought I'd pass that on.

19 COMMISSIONER CAMILO: Is that for the
20 prior issue? The prior matter that we were just
21 looking at?

22 MR. SAVINO: Yes.

23 COMMISSIONER CAMILO: So stamping it on
24 the front and back means that's all been

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2 received?

3 MR. SAVINO: That's the standard
4 procedure from the front counter, they stamp the
5 front and they stamp the back.

6 COMMISSIONER CAMILO: Okay. So I would
7 recommend that we do not send a notice of defect,
8 there's no error for [unintelligible] [00:31:16]
9 page number.

10 MR. ZIMMITTI: Thank you.

11 COMMISSIONER MARMORATO: Uh, did you say
12 that the law does require all page numbering?

13 MR. SAVINO: Numerically sequential, and
14 I think the public policy behind that is because
15 objectors need to know page three line seven not
16 enrolled, page eight, you know. Here --

17 COMMISSIONER MARMORATO: Okay. I'll
18 second Commissioner Camilo's motion.

19 MR. ZIMMITTI: Thank you, commissioners.

20 MR. SAVINO: We don't want to get
21 confused. No defect.

22 MR. ZIMMITTI: So the next issue is
23 again, it's two volumes that were bound together.
24 The petition number that I have is 2819 and we

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2 have volume 2819 and then volume 216, it's a
3 Bronx volume, 216 attached. And they are, and
4 this is the way it was received.

5 MR. SAVINO: So the page numbers go all
6 the through and start again or?

7 MR. ZIMMITTI: Yes.

8 MR. SAVINO: Alright.

9 MR. ZIMMITTI: It goes from page one to
10 11 on volume 2819 and on Bronx volume 216, it
11 begins at page one and runs to page seven?

12 COMMISSIONER CAMILO: And is this for
13 the candidate for mayor Jocelyn?

14 MR. ZIMMITTI: I'm sorry, it is for
15 Jocelyn Taylor.

16 COMMISSIONER CAMILO: And City Council -
17 -

18 MR. ZIMMITTI: Yeah, and it just says
19 office of mayor, city of New York, yes. And
20 Tamika Mapp, City Council, 8th Council District

21 COMMISSIONER CAMILO: Okay. Are they
22 listed on the same petition, or it's one volume
23 is for the mayor candidate and one volume is for
24 Tamika Mapp and they just happen to be bound

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2 together?

3 MR. ZIMMITTI: No, they're listed, the
4 two are listed on the first volume and then on
5 the next volume, the 216 volume, they're listed
6 again together even though --

7 COMMISSIONER CAMILO: It's two separate
8 --

9 MR. ZIMMITTI: -- two separate volumes.

10 COMMISSIONER CAMILO: Okay. I would
11 recommend sending a notice to the candidate, a
12 defect.

13 COMMISSIONER MARMORATO: Is that legal's
14 recommendation as well?

15 MR. ZIMMITTI: Yeah, it's partly
16 numbered.

17 COMMISSIONER MARMORATO: Got you. I
18 second.

19 MR. SAVINO: This one you did already,
20 right? Defect, and --

21 MR. ZIMMITTI: Yeah.

22 MR. SAVINO: -- this one is for that
23 one. Alright. Moving right along, don't worry, I
24 got it.

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2 MR. ZIMMITTI: They're all numbered.

3 MR. SAVINO: I got it.

4 MR. ZIMMITTI: Okay, item seven, it's
5 multiple volumes. I only emailed a few of the
6 pages because they're all the same issue. The
7 cover sheet, oh, I'm sorry. The volume numbers
8 are, it's a New York 203209, 210, 215 and 216.
9 The candidate is Kristin Richardson Jordan, 9th
10 City Council. The issue is that the cover sheet
11 has an address of 43 West 132nd Street, but the
12 petitions have 45 West 132nd Street for the
13 candidate's address.

14 COMMISSIONER CAMILO: So, as the cover
15 sheet and petition do not match and it's our
16 standard practice that they must, I recommend
17 sending a notice of defect to the candidate for
18 the -- it's a curable defect.

19 COMMISSIONER MARMORATO: I second
20 Commissioner Camilo's motion.

21 MR. ZIMMITTI: Okay. Thank you,
22 commissioners. The next issue is number eight,
23 petition volume number 2993. And on the cover
24 sheet, the candidate's name is Ben Kallos, the

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2 office is borough president. He claims 16
3 volumes. Of the 16 volumes, he appears in 15, but
4 this one volume 2993, his name does not appear.
5 On 2993, we have Grisel Ortiz-Thompson for female
6 district leader and a Barry J. Wineberg for male
7 district leader. And those are the only two names
8 that appear on that petition volume.

9 COMMISSIONER CAMILO: Yes, and I see he
10 listed that petition volume on his cover sheet so
11 that is an error and I would recommend sending a
12 notice of defect to the candidate.

13 COMMISSIONER MARMORATO: I second.

14 MR. ZIMMITTI: Thank you. Item number
15 nine on the list, it's a long list of petition
16 volumes beginning with 214, 2213, 212, 207, New
17 York 206, 202, 201 and then 3295, 3296, 3297 and
18 3289. The cover sheet is, excuse me, the
19 candidate is Tali and I'm going to spell the
20 name, F as in Frank-A-R-H-A-D-I-A-N Weinstein,
21 district attorney. The cover sheet indicates an
22 address of 905 Fifth Avenue, but the petition has
23 an address of 907 Fifth Avenue.

24 COMMISSIONER MARMORATO: I'm just trying

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2 to see which document you're referring to, so.

3 MR. ZIMMITTI: It would be marked number
4 9.

5 MR. SAVINO: Where is the marking, top
6 right?

7 MR. ZIMMITTI: Yes.

8 COMMISSIONER CAMILO: But --

9 MR. SAVINO: On the defect sheet?

10 MR. ZIMMITTI: On the defect sheet, it
11 would be, yes. And the list that he would have a
12 nine after.

13 COMMISSIONER CAMILO: Right. So I do see
14 the cover sheet that ends in the address 905 and
15 I see a copy of the petition pages, which lists
16 907, so the address numbers do not match, and on
17 that basis, I would recommend sending a notice of
18 defect to the candidate to cure.

19 COMMISSIONER MARMORATO: I second.

20 MR. ZIMMITTI: Thank you, commissioners.
21 Next item, number ten. There are four petition
22 volumes, the volume numbers are 3295, 3296, 3297
23 and 3298. The candidate's name is Melissa Mark-
24 Viverito, female district leader for the 68th

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2 Assembly District and on her petition, on her
3 cover sheet, there is no apartment number, yet on
4 the petitions, she does indicate an apartment
5 number 2.

6 MR. SAVINO: Well, this is one of those
7 situation where there's more information on the
8 cover sheet than in the petition.

9 MR. ZIMMITTI: No, it's the opposite.

10 MR. SAVINO: Oh, it's the opposite,
11 okay. Well this time it's been ruled a defect,
12 just for the sake of consistency, but obviously
13 it is within your discretion.

14 COMMISSIONER CAMILO: So we have
15 reviewed the cover sheet and the petitions, the
16 address do not match, addresses do not match. On
17 that basis, I would recommend setting them notice
18 of defect.

19 COMMISSIONER MARMORATO: I second.

20 MR. ZIMMITTI: Thank you, commissioners.
21 And my final issue here is number 11, and it's
22 petition number 3133. The candidate, these are
23 delegates and alternate delegates on the cover
24 sheet, the one issue we have is that it's a zip

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2 code issue, but it's the last candidate for
3 delegate, Adriano Casimiro, I hope I pronounced
4 that, they cut off, on the cover sheet, his zip
5 code is 10033 and on the, excuse me, on the
6 petition, it's 10033. On the cover sheet, it's
7 1003. And we checked, and that wasn't an issue
8 with copying or anything. It just wasn't on
9 there.

10 COMMISSIONER CAMILO: I'm just looking
11 through. So I do, I would move to send a notice
12 of defect to the candidate to cure.

13 COMMISSIONER MARMORATO: I concur.

14 MR. SAVINO: And are you -- does that
15 conclude the matters from Manhattan?

16 MR. ZIMMITTI: That concludes
17 Manhattan's matters.

18 MR. SAVINO: Alright. Without further
19 ado, we'll ask the lead for Queens to come in,
20 Mr. Castorina.

21 MR. ZIMMITTI: Okay. Thank you very much
22 commissioners for your time.

23 COMMISSIONER CAMILO: Thank you.

24 COMMISSIONER MARMORATO: Thank you.

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2 MR. ZIMMITTI: And if I have your
3 permission, I'm going to go start making letters.

4 COMMISSIONER CAMILO: Thank you.

5 COMMISSIONER MARMORATO: I second.

6 MR. ZIMMITTI:

7 COMMISSIONER CAMILO:

8 COMMISSIONER MARMORATO: I second.

9 MR. SAVINO: Come on down, you go that
10 way, he goes this way, it's like COVID protocol.

11 COMMISSIONER CAMILO: Hi.

12 MR. CASTORINA: How are you.

13 COMMISSIONER CAMILO: Good.

14 MR. CASTORINA: Alright. The first item
15 is, this is the defect sheet of QN2100950.

16 MR. SAVINO: Candidate?

17 MR. CASTORINA: The candidate is Devian
18 Shondel Daniels, Democratic Party, Democratic
19 Party, total number of volumes in the petition is
20 missing from the cover sheet. It's just got a big
21 blank. I mean it does have one number listed, but
22 it's supposed to indicated how many number, you
23 know, how many petitions there are.

24 COMMISSIONER CAMILO: Yes, so I see the

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2 cover sheet, it's completely devoid of any
3 petition numbers. Oh, of the number of volumes.

4 MR. CASTORINA: Of the number of
5 volumes, yeah, the number of volumes. Understood.

6 COMMISSIONER CAMILO: Yes, so I would
7 move to send notice of defect to the candidate.

8 MR. CASTORINA: Okay.

9 COMMISSIONER MARMORATO: I'm sorry, I'm
10 just looking for the correct attachment. The
11 candidate's name was?

12 MR. CASTORINA: Devian Shondel Daniels.

13 COMMISSIONER CAMILO: It's the last
14 attachment in the Queens email.

15 COMMISSIONER MARMORATO: Thank you,
16 commissioner.

17 MR. SAVINO: Here, I don't know if this
18 helps, but you can see where the yellow is
19 there's no number.

20 COMMISSIONER MARMORATO: Okay.

21 COMMISSIONER CAMILO: Yeah.

22 COMMISSIONER MARMORATO: I second
23 Commissioner Camilo's motion.

24 MR. CASTORINA: Okay. The next one we

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2 have is Edwin Wong, Edwin K. Wong, do you see
3 that attachment?

4 COMMISSIONER CAMILO: Yes.

5 MR. CASTORINA: Yeah, this is an attempt
6 to cure. This is an amended cover sheet. We sent
7 out a letter of non-compliance so on the petition
8 it said Edwin K. Wong. On the cover sheet, it was
9 Edward Wong. So, on the amended sheet, they fixed
10 the problem and they wrote, they put the initial.

11 MR. SAVINO: And they did the amended
12 properly, correct?

13 MR. CASTORINA: Yeah, they did it
14 proper. And we had a team review it and thought
15 it was sufficient.

16 COMMISSIONER CAMILO: Great, so I would
17 move to accept this as a valid cure.

18 MR. SAVINO: Alright. I get to use my
19 stamp again.

20 COMMISSIONER MARMORATO: I second.

21 MR. SAVINO: Oh, I shouldn't have
22 stamped it before the second.

23 COMMISSIONER MARMORATO: Quite all
24 right.

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2 MR. SAVINO: And that'll go to CRU, so
3 they'll know it's a valid cure and the NCN is --

4 MR. CASTORINA: The next one is Iva
5 Westbrook. It's the same issue, well, actually on
6 this one, Iva Westbrook, on the original cover
7 sheet, it said Pamela Westbrook and on the
8 petitions it said Iva Westbrook, so they amended
9 it, they fixed the issue and it's Iva Westbrook
10 is the proper name and so that's -- we had sent a
11 letter of non-compliance out and they fixed the
12 issue.

13 COMMISSIONER CAMILO: And the proper
14 language is there to file an amended?

15 MR. CASTORINA: Yeah.

16 COMMISSIONER CAMILO: Okay. So move to
17 approve this as a valid cure.

18 COMMISSIONER MARMORATO: I second
19 Commissioner Camilo's approval.

20 MR. SAVINO: I agree. Thank you.

21 MR. CASTORINA: Put a valid cure. This
22 is the [unintelligible] [00:46:12]. The next one
23 we have, it's the amended cover sheet from
24 Michael Conigliaro and Lauren Rivero.

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2 MR. SAVINO: It's kind of weird because
3 the original cover sheets basically said that, on
4 the bottom, not with respect to every candidate,
5 with respect to this one, for example, said, and
6 you can see, no representation is made as to
7 sufficient signatures for Michael Conigliaro, so
8 a defect notice was sent to him as far as I
9 recall saying that there was no statement
10 indicating you have the sufficient number of
11 signatures. Well, on the amended, they added
12 someone else that they're not claiming or they're
13 saying doesn't have sufficient signatures, a
14 Lauren Rivera. You know, that's, again, that's
15 insufficient and you have to state that you have
16 enough signatures and so I guess I would suggest
17 that we send a notice to her as well, because she
18 was added to the list of those who are not
19 qualified by the contact person. If they have
20 something that otherwise shows they do have
21 enough signatures, I'm sure they'd be happy to
22 bring it to us, but when the cover sheet says you
23 don't have enough signatures, it's kind of
24 [unintelligible] [00:47:34] end game.

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2 COMMISSIONER CAMILO: I'm sorry. I just
3 want to understand. Was the original issue that
4 they had made the statement about the number of
5 signatures?

6 MR. SAVINO: Right. If you look at the
7 statement, it says, you know, I have a sufficient
8 number of signatures, and then it goes on to say,
9 you know, basically, however, no representation -
10 - it doesn't say however, but no representation
11 is made as to sufficient signatures for Michael
12 Conigliaro, I'm probably saying that wrong, for
13 member of the City Council 29th and for Lauren
14 Rivero, female member Republican state committee.

15 MR. CASTORINA: The original one only
16 had Michael and then so the amended one, they
17 added Lauren Rivero to it, so it's still --

18 MR. SAVINO: But theoretically, they
19 didn't fix the first problem, which was to
20 certify that you have sufficient signatures on
21 the ballot and their amended goes as far as
22 saying someone else that they submitted petitions
23 for should not be on the ballot. I believe that
24 these -- I know that some of these candidates had

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2 a different set of petition volumes with a
3 different committee to fill vacancies and so were
4 this to fall through the cracks, they still have
5 a candidacy based on other petitions they filed.
6 But clearly here, the attempted cure doesn't
7 change the fact that they don't have enough
8 signatures, and actually again adds another
9 candidate that they're saying doesn't have enough
10 signatures.

11 UNIDENTIFIED FEMALE: Well, didn't the
12 [unintelligible] [00:48:55] --

13 COMMISSIONER MARMORATO: Would legal's
14 recommendation be that the candidate be removed
15 from the ballot for failing to cure defect?

16 MR. SAVINO: Well, legal's opinion would
17 be that this is ruled an invalid cure and if they
18 have a separate candidacy that will survive with
19 a different set of petitions, but this one is
20 clearly no good because it doesn't contain the
21 required language, it actually contains the exact
22 opposite of what's required. So my, our
23 recommendation is the --

24 COMMISSIONER MARMORATO: Was it sent to

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2 the correct candidate?

3 COMMISSIONER CAMILO: I think they have
4 a contact person.

5 MR. SAVINO: The defect was sent to
6 Daniel Mayo, he's the contact person.

7 COMMISSIONER MARMORATO: Who indicates
8 he's not an agent of Michael Conigliaro.

9 MR. SAVINO: The original one didn't add
10 that stuff, but, you know, then why are you
11 submitting a cover sheet with his name on it? It
12 still doesn't mean he's an agent, but it doesn't
13 make a lot of sense to me.

14 COMMISSIONER CAMILO: So I think
15 Commissioner Marmorato's question may have been
16 was Michael Conigliaro sent a notice?

17 MR. SAVINO: No, the contact person was
18 sent a notice of defect that gives him three days
19 to try and cure. And out letter, which I'll have
20 to work on drafting some unique language for in
21 this situation, but the out letter does go to the
22 candidate as far as I can recall.

23 COMMISSIONER CAMILO: So can you just
24 repeat legal's recommendation.

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2 MR. SAVINO: This is not a valid cure.
3 It, the defect was you didn't state you had a
4 significant number of signatures to get you on
5 the ballot. That remains the same. And as I said,
6 I don't know what I'm going to do with Rivera but
7 they add that as someone else who doesn't have
8 sufficient signatures. So, you know, and to make
9 it easy, so to speak, for all purposes today,
10 again, we sent a defect saying that it didn't
11 have the required language, they can send us
12 another cover sheet still missing the required
13 language, the recommendation is it's not a valid
14 cure.

15 COMMISSIONER CAMILO: Commissioner
16 Marmorato, do you want -- go ahead.

17 COMMISSIONER MARMORATO: Yeah, I move to
18 adopt legal's recommendation that this is not a
19 valid cure. There is some concern about the
20 different candidates' names. You know, I would
21 actually move, before ruling on this matter, I
22 would just want to find out some additional
23 information if we can.

24 MR. SAVINO: Okay.

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2 COMMISSIONER MARMORATO: Is it possible
3 that we can move this matter to Monday's hearing?

4 MR. CASTORINA: Honestly it's
5 [unintelligible] [00:51:37] that Darlene, or
6 Jocelyn and this other person, they
7 [unintelligible] [00:51:46] one of those letters
8 at least.

9 [CROSSTALK]

10 COMMISSIONER MARMORATO: I'm having
11 difficulty hearing everyone.

12 MR. CULLORY: Alright.

13 MS. PATEL: Do we need to look this up?

14 MR. CULLORY: So I can pull it up on
15 Avid.

16 MS. PATEL: [unintelligible] [00:51:56].

17 COMMISSIONER CAMILO: Counsel Patel, we
18 can hear your conversation. I'm sorry, Counsel --

19 MR. CULLORY: I was told that we only do
20 overnight mail. Everybody puts an email address.

21 COMMISSIONER CAMILO: Counsel Patel, we
22 can hear your conversations.

23 MR. CULLORY: I'm fine with that. I
24 don't know --

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2 COMMISSIONER MARMORATO: Commissioner,
3 Counsel Patel, can you please mute your --

4 MS. PATEL: Oh, I'm so sorry.

5 COMMISSIONER CAMILO: We're hearing all
6 your conversations, there you go. Okay. I'm sorry
7 about that. Commissioner Marmorato, what would be
8 your direction to legal, like what further
9 information? Just so they have that.

10 COMMISSIONER MARMORATO: Does legal have
11 enough information? Is there any information
12 that's missing, which would warrant us adjourning
13 this matter until Monday or do you -- are you
14 comfortable that you have all the information
15 necessary for us to make a ruling and adopt
16 legal's recommendation?

17 COMMISSIONER CAMILO: And now you're
18 muted, so --

19 COMMISSIONER MARMORATO: Now you're
20 muted. No?

21 COMMISSIONER CAMILO: Sorry, Mr. Savino,
22 we don't hear you. You're still on mute. Okay,
23 yes.

24 MR. SAVINO: Now can you hear us?

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2 COMMISSIONER MARMORATO: Yes.

3 MR. SAVINO: Yeah, I mean my
4 understanding again is Michael Conigliaro has a
5 different set of petitions. This doesn't appear
6 like they had his permission to put him on here.
7 I don't know. I'm speculating. But I think this
8 is clearly not a cure, a valid cure.

9 [CROSSTALK]

10 COMMISSIONER MARMORATO: I move to adopt
11 legal's recommendation that the cure was not,
12 wasn't valid.

13 COMMISSIONER CAMILO: And I would
14 second.

15 MR. SAVINO: Thank you, commissioners.
16 Moving right along, we have more?

17 MR. CASTORINA: The next item is for
18 Marvin Jeffcoat and it's actually the exact same
19 issue as the last one we had. So we sent out the
20 letter, I mean his cover sheet has the exact same
21 language, that no representation is made for
22 sufficient signatures, so it's the exact same
23 issue.

24 MR. SAVINO: Yeah, it's another Daniel

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2 Mayo Queen Republican Party. Again, he said that
3 there's not enough signatures for Marvin Jeffcoat
4 and his amended says the exact same thing, not
5 enough signatures. Or, I should put it this way,
6 I don't want to mislead you. Well, you have the
7 documents, but no representation is made as to
8 the sufficient signatures for Marvin Jeffcoat,
9 and as you know, that's legally required. So his
10 amended just kind of did the same thing. It only
11 affects that candidate.

12 COMMISSIONER MARMORATO: I move that the
13 cure is invalid.

14 COMMISSIONER CAMILO: I would second.

15 MR. SAVINO: Thank you, commissioners.

16 MR. CASTORINA: The next one is for
17 Harpreet S. Toor, and in this situation, we sent
18 out a letter of non-compliance due to the fact
19 that the address on the petition didn't match the
20 address on the cover sheet, they fixed the issue.
21 They put the right address on the new amended
22 cover sheet, and the team reviewed it and thought
23 everything else was matched and was good.

24 [unintelligible] [00:55:41] which way, I believe

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2 this was one where the address was completely
3 different. It wasn't just a couple of, you know.

4 MR. CASTORINA: On each volume, it was
5 different.

6 COMMISSIONER CAMILO: Okay, but now,
7 it's being fixed so I move to approve as a valid
8 cure.

9 COMMISSIONER MARMORATO: I second.

10 COMMISSIONER CAMILO: Any other matters
11 for Queens?

12 MR. CASTORINA: And we have one more,
13 the last one --

14 COMMISSIONER MARMORATO: Sultan Maruf.

15 MR. CASTORINA: -- is for oh, yeah
16 Sultan Maruf and this one was the one that we
17 received the letter, and so they fixed the issue.
18 There was the zip code was off one number and
19 they sent an amended cover sheet with the right
20 zip code.

21 COMMISSIONER CAMILO: And the amended
22 has the correct language, I'm authorized, yep,
23 okay. I move to approve this as a valid cure.

24 COMMISSIONER MARMORATO: I second.

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2 MR. CASTORINA: And that's all I have.

3 MR. SAVINO: I think that concludes the
4 matters for today for Queens. On deck is Zoya
5 Shpigelman who is covering the Bronx and Staten
6 Island.

7 MR. CASTORINA: Thank you.

8 COMMISSIONER CAMILO: Thank you.

9 COMMISSIONER MARMORATO: Thank you.

10 MR. SAVINO: Yeah, that's the entrance
11 for COVID. Yeah, I don't know if they used to
12 [unintelligible] [00:57:12] conference room
13 [unintelligible] [00:57:16].

14 MR. CASTORINA: Thank you.

15 MS. ZOYA SHPIGELMAN: Good afternoon,
16 commissioners.

17 MR. SAVINO: This will conclude, once
18 we're done with this, this will conclude the
19 hearing. I know you're probably wondering if we
20 have other matters to attend to.

21 COMMISSIONER CAMILO: Bronx and Staten
22 Island, yes we have that.

23 COMMISSIONER MARMORATO: Yes. And this
24 is the last one?

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2 MR. SAVINO: This is the last --

3 MS. SHPIGELMAN: Yes, it is.

4 MR. SAVINO: [unintelligible] [00:57:37]

5 two boroughs.

6 COMMISSIONER MARMORATO: We saved the

7 best --

8 MS. SHPIGELMAN: Yeah, Z for last.

9 COMMISSIONER MARMORATO: And we saved
10 the Bronx, the best for last.

11 MR. SAVINO: Of course.

12 MS. SHPIGELMAN: So, good afternoon,
13 commissioners, do I have your permission to
14 start?

15 COMMISSIONER CAMILO: Yes.

16 COMMISSIONER MARMORATO: Yes.

17 MS. SHPIGELMAN: Okay. So the first --

18 MR. SAVINO: Alright. Name which one
19 you're doing, Working Families, Mino Lora,
20 BX2101805, if you guys are able to pull that up,
21 or if you want to tell us what you've got in
22 front of you, we'll pull it up for our records.

23 COMMISSIONER CAMILO: Yeah, just tell us
24 the petition number and candidate name and then

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2 we'll find it.

3 MR. SAVINO: Working Families,
4 BX2101805, Mino Lora.

5 COMMISSIONER MARMORATO: Yes,
6 identification missing on cover sheet.

7 MR. SAVINO: She's running for council
8 district, 11 CD, and the error is?

9 MS. SHPIGELMAN: The identification
10 number.

11 MR. SAVINO: Oh, yeah, they write one,
12 total number of volumes in petition, one and then
13 identification number, blank. So they don't have
14 ID numbers, so yeah, that's a defect. I mean
15 that's our recommendation.

16 COMMISSIONER CAMILO: So I would move to
17 send a notice to the candidate, notice of defect.

18 COMMISSIONER MARMORATO: I second.

19 MS. SHPIGELMAN: Thank you. The next
20 one, the petition identification number is
21 BX2100129 and BX2100150. The party is Democratic
22 and the candidate's name is Brian Benjamin.

23 COMMISSIONER CAMILO: And what is the
24 issue?

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2 MS. SHPIGELMAN: Okay. Let me know if
3 you pulled it up. Oh, you did? Okay. So the name
4 on the cover sheet does not match the name on the
5 petition. And the middle initial appears on the
6 petition, but not on the cover sheet.

7 COMMISSIONER CAMILO: So as they do not
8 match, I would recommend, or I would move to send
9 a notice of defect to the candidate.

10 COMMISSIONER MARMORATO: I second.

11 MR. SAVINO: I believe it goes to the
12 contact person, but if there's a subsequent outl
13 letter, if it's not cured, that does go to the
14 candidate. Anything that says you're off the
15 ballot, specs, all those things, go to the
16 candidate.

17 MS. SHPIGELMAN: Yes.

18 MR. SAVINO: Sometimes the candidate is
19 the contact person, but you know.

20 MS. SHPIGELMAN: Okay. The next one --

21 COMMISSIONER MARMORATO: It's just
22 missing an initial, right?

23 COMMISSIONER CAMILO: Yeah, the A.

24 COMMISSIONER MARMORATO: Okay.

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2 MS. SHPIGELMAN: Yes.

3 MR. SAVINO: Is that what this one was?
4 Which one?

5 MS. SHPIGELMAN: This one.

6 MR. SAVINO: Okay.

7 MS. SHPIGELMAN: The next one,
8 commissioners, is Staten Island, identification
9 number RH210039, the party is Democratic, the
10 candidate's name is Aidan Rivera. Okay. And the
11 name on the cover sheet does not match the name
12 on the petition, and then there's no
13 identification number.

14 MR. SAVINO: There are two separate
15 defects.

16 MS. SHPIGELMAN: Correct.

17 COMMISSIONER CAMILO: So I do see the
18 names don't match. He's missing the middle
19 initial on the cover sheet, but I do see an
20 identification number on the cover sheet.

21 MS. SHPIGELMAN: Uh, see there is an
22 identification number.

23 COMMISSIONER MARMORATO: I see an
24 identification number as well, RH210394.

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2 MS. SHPIGELMAN: Yeah.

3 COMMISSIONER MARMORATO: Is that
4 correct, Commissioner Camilo?

5 COMMISSIONER CAMILO: That's what I see
6 as well, it matches the copy of the petition. So
7 it's still, I notice a defect as to the name.

8 MS. SHPIGELMAN: Yes. Thank you,
9 commissioners.

10 MR. SAVINO: I'm not sure why the
11 bipartisan team made that finding but they are
12 looking at a lot of stuff. Either way, we find
13 one a defect, not to the other one.

14 COMMISSIONER MARMORATO: What, I'm just
15 looking at the, I'm just looking to see the name,
16 what the defect is with the name.

17 COMMISSIONER CAMILO: The cover sheet
18 has Aidan Rivera and the petition has Aidan Q.
19 Rivera.

20 MS. SHPIGELMAN: Yeah, that's right. The
21 middle initial.

22 COMMISSIONER CAMILO: They need to match
23 exactly.

24 COMMISSIONER MARMORATO: I see the

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2 petition, I see the cover sheet and the petition,
3 the same name.

4 MS. SHPIGELMAN: The cover sheet --

5 COMMISSIONER MARMORATO: I'm sorry,
6 you're right. I was looking at the bottom where
7 it indicates the signature, the signature is just
8 listed at the bottom.

9 MR. SAVINO: Right. He's own subscribing
10 witness. And, right, didn't have the --

11 COMMISSIONER MARMORATO: Yeah, I support
12 Commissioner Camilo's motion to send a cure.

13 MR. SAVINO: And we can always revisit
14 some of these rules down the line if you'd like,
15 but certainly, we can't make changes during the
16 middle of the game.

17 COMMISSIONER CAMILO: Yes.

18 MS. SHPIGELMAN: Okay. If you're ready,
19 I'll start with the next one.

20 COMMISSIONER CAMILO: Yes.

21 MS. SHPIGELMAN: The next one is party
22 Democrat, the petition identification number is
23 BX211804. The office is city council, 15th
24 District and the candidate's name is Altagracia

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2 Soldevilla. I hope I'm pronouncing that
3 correctly, Soldevilla.

4 COMMISSIONER CAMILO: Mm-hmm.

5 MS. SHPIGELMAN: And there is no
6 identification number at all on the cover sheet,
7 as you can see, commissioners.

8 COMMISSIONER MARMORATO: Yes.

9 COMMISSIONER CAMILO: I move to send a
10 notice of defect on this petition.

11 COMMISSIONER MARMORATO: I second.

12 MS. SHPIGELMAN: Thank you.

13 MR. SAVINO: [unintelligible] [01:04:08]
14 you're so fast.

15 MS. SHPIGELMAN: I thank you,
16 commissioners. The next one is BX210176. The
17 office district is city council 15, and it's
18 Lilithe Lozano. And the problem with the defect
19 is the number of volumes is not listed, the
20 number of signatures, and the volume number is
21 not [unintelligible] [01:04:50] written on the
22 cover sheet. This is what the bipartisan team
23 wrote as a defect.

24 COMMISSIONER CAMILO: I'm just looking,

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2 one second.

3 MS. SHPIGELMAN: And I recommend that
4 the candidate needs a notice of non-compliance
5 for this as well.

6 COMMISSIONER CAMILO: I just want to
7 make sure, because there's two cover sheets, and
8 one is blank, but the other one has some
9 information on it.

10 MS. SHPIGELMAN: Yes.

11 COMMISSIONER CAMILO: And we're saying
12 it's missing, it has the volume number, it says
13 one volume. And then it's listing identification
14 numbers.

15 MS. SHPIGELMAN: It has the
16 identification numbers on one of them, however,
17 the candidate did send two blank cover sheets, so
18 it just wasn't clear which one they wanted to
19 use. The total --

20 COMMISSIONER MARMORATO: I have three
21 cover sheet, I have three cover sheets total,
22 right? Two blank and then one lists the number of
23 volumes as well as the identification numbers?

24 MS. SHPIGELMAN: Yes. So I guess the

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2 team wasn't sure which one the candidate wants to
3 use.

4 COMMISSIONER CAMILO: Okay. We have one
5 cover sheet though that does list the volume and
6 it does have the signature from the candidate or
7 the agent. The candidate's information, contact
8 information and that it was stamped in your
9 office.

10 MS. SHPIGELMAN: Okay.

11 COMMISSIONER CAMILO: The two blank ones
12 were not stamped by our office. So I'm, I
13 understand counsel's recommendation to send a
14 notice, but I think based on only the one cover
15 sheet being stamped that this is not a defect.

16 MS. SHPIGELMAN: Okay. Certainly it is
17 within your discretion and we can rule this as a
18 non-defect, if we want to go with the one with
19 all the information on it. I just felt the need
20 to present it to you, because the team obviously
21 was confused.

22 COMMISSIONER CAMILO: I'm just looking
23 through it to make sure I have all the materials.
24 But my recommendation would be to not deem this a

1 March 26, 2021

2 defect.

3 MS. SHPIGELMAN: Okay.

4 COMMISSIONER MARMORATO: Sorry, I was
5 muted. I'll adopt Commissioner's Camilo's
6 position. I see that one cover sheet was stamped,
7 which does contain the number of volumes in the
8 petition, as well as the identification numbers
9 and the two blank cover sheets were not stamped,
10 so I will support her motion that it is not a
11 defect and no [unintelligible] [01:07:45].

12 MS. SHPIGELMAN: Perfect.

13 COMMISSIONER CAMILO: Thank you.

14 MS. SHPIGELMAN: Thank you,
15 commissioners.

16 COMMISSIONER MARMORATO: Thank you.

17 MS. SHPIGELMAN: And that would be all
18 for --

19 COMMISSIONER MARMORATO: Do we have one
20 more matter for Richmond County?

21 COMMISSIONER CAMILO: It was emailed
22 separately.

23 MS. SHPIGELMAN: Oh, it was emailed
24 separately, so this was, this doesn't, that was

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2 an error on my part to send it to you,
3 commissioners. This was an amended cover sheet
4 that came in within the time frame that it was
5 supposed to come in, so everything is okay with
6 it. So there's nothing really to present to you.
7 That was just an error on my part.

8 COMMISSIONER MARMORATO: All set.

9 COMMISSIONER CAMILO: You don't need us
10 to deem it a valid cure?

11 MS. SHPIGELMAN: It is, it was reviewed
12 by a bipartisan team already and it came in
13 within the designated time for it to be cured,
14 so.

15 COMMISSIONER CAMILO: Right. So then we
16 would, can you just --

17 COMMISSIONER MARMORATO: Counsel Savino?

18 COMMISSIONER CAMILO: Yeah.

19 COMMISSIONER MARMORATO: Yeah, I'm
20 sorry, Counsel Savino, do we need to -- do the
21 commissioners need to rule on the Brandon Landry
22 matter as it being --

23 MR. SAVINO: Oh, no.

24 MS. SHPIGELMAN: It came in within the

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2 timeframe.

3 MR. SAVINO: Yeah, I mean not only from
4 my recollection was no action take, so documents
5 are presumed valid until there's a finding that
6 they're not. But in addition, it looks like,
7 whether it was the contact person, or the
8 candidate, I don't know, but they submitted an
9 amended cover sheet that meets all the
10 requirements, quote unquote, as of right, before
11 the last day, moments to file, which was midnight
12 yesterday. So assuming there was a defect, even
13 though the other commissioners split, again,
14 didn't rule, this is not even a valid cure, this
15 is totally acceptable and probably shouldn't have
16 been presented. There's no offense.

17 MS. SHPIGELMAN: It was my error to send
18 it.

19 MR. SAVINO: Yeah, because this was good
20 and it was filed before the deadline.

21 COMMISSIONER MARMORATO: Okay.

22 COMMISSIONER CAMILO: Okay. Alright.

23 MR. SAVINO: I wouldn't even rule on it.

24 COMMISSIONER CAMILO: No, no, we

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2 appreciate you clarifying that. We just didn't
3 want it to be a matter that you did need a ruling
4 on.

5 MR. SAVINO: Thank you, you know, Mr.
6 Castorina's back and I apologize for taking some
7 more of your time, but Mr. Mayo on a number of
8 other petitions also said that, you know, I swear
9 that whatever, whatever has enough signatures
10 except for this guy.

11 MR. CASTORINA: So we sent out NCN
12 letters.

13 MR. SAVINO: Right. So we sent an NCN on
14 all of them and his response was basically he
15 sent the same cover sheet he sent before, so it's
16 not an amended, it doesn't have any amended
17 language on it. And it still says this guy
18 doesn't have enough signatures, but then it adds
19 on the bottom that I'm not an agent of, for
20 example, Felicia Khan, one of the ones he said
21 that doesn't have the number of signatures. And
22 then it says the candidate should be contacted.
23 So I mean, he responded with the NCN notice with
24 a cover sheet attached to it, but I would have to

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2 take that all three are not valid cures because
3 they don't have any amended language and they
4 don't contain anything different, basically in
5 terms of the legal requirements than the first
6 one.

7 COMMISSIONER MARMORATO: Have we had
8 instances in the past where the contact person
9 has alleged the same and have we ever taken an
10 extra step to [unintelligible] [01:11:17].

11 MR. SAVINO: Well, we've had guys,
12 candidates say I believe I have enough
13 signatures, which again, doesn't satisfy the
14 statutory requirement and those folks were
15 removed. Maybe they thought we weren't, you know,
16 that it wouldn't be caught and this way they
17 wouldn't be perjuring themselves but I believe
18 it's not sufficient. It has state affirmatively
19 that, you know, it has enough signatures.

20 COMMISSIONER CAMILO: I think just on
21 the face of the cover sheet and what information
22 we expect to be there, any additional information
23 or information that's conflicting is not a matter
24 for us to account. You know, the cover sheet has

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2 to have the information that is needed. If it's
3 not there, then it's not a valid cure.

4 MR. SAVINO: I also respectfully
5 recognize the fact that these weren't scanned and
6 sent to you. Is that correct, Daniel?

7 MR. CASTORINA: Yeah, no.

8 MR. SAVINO: So if you want us to have
9 this conversation with a different committee, we
10 certainly can.

11 COMMISSIONER CAMILO: Something
12 [unintelligible] [01:12:22] or we did not
13 receive?

14 MR. SAVINO: Right. These weren't --

15 MR. CASTORINA: These weren't an amended
16 cover sheet, he just sent back the cover sheet
17 without amended so we didn't have
18 [unintelligible] [01:12:31].

19 MR. SAVINO: Yeah, Dan didn't consider
20 it an amended because it's completely not an
21 amended.

22 MR. CASTORINA: Yeah.

23 COMMISSIONER MARMORATO: I would --

24 MR. CASTORINA: But it's the exact same

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2 issue of the two that you ruled on.

3 MR. SAVINO: He just resent the cover
4 sheet saying don't talk to me even though he's
5 listed as the contact person. This is the
6 language here that says, you know, there's enough
7 signatures for these guys basically but
8 underneath in bold, you saw the other line, I'm
9 not making a representation towards this
10 candidate. It's not [unintelligible] [01:12:58].

11 COMMISSIONER MARMORATO: I would refer,
12 I would let the --

13 MR. SAVINO: Sure.

14 COMMISSIONER MARMORATO: -- committee on
15 Monday review it so that they can make an
16 adequate and fair decision with having the
17 documents in hand.

18 MR. SAVINO: I completely understand.

19 COMMISSIONER CAMILO: And I will concur
20 with Commissioner Marmorato's request.

21 MR. SAVINO: Was this done?

22 MS. SHPIGELMAN: Yeah. That's done.

23 MR. SAVINO: Okay. So do you have
24 anything else?

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2 MS. SHPIGELMAN: No, that's it.

3 MR. SAVINO: Oh, you'll tell me about
4 the thing in a second.

5 MS. SHPIGELMAN: Okay.

6 MR. SAVINO: Alright. So does that
7 conclude the matters for Staten Island and the
8 Bronx?

9 MS. SHPIGELMAN: Yes, it does.

10 MR. SAVINO: There being no other
11 matters to present right now, I'd like to make a
12 motion, but I'd recommend a motion to adjourn.

13 COMMISSIONER MARMORATO: I move that we
14 adjourn.

15 COMMISSIONER CAMILO: Thank you, I
16 second.

17 MR. SAVINO: Alright. Pleasure seeing
18 you guys, even if remotely and have a great
19 weekend.

20 COMMISSIONER CAMILO: Thank you.

21 MS. SHPIGELMAN: Thank you so much,
22 commissioners.

23 COMMISSIONER MARMORATO: Thanks
24 everyone.

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COMMISSIONER CAMILO: Thank you for all
of your work. Have a good weekend.

MR. SAVINO: You too.

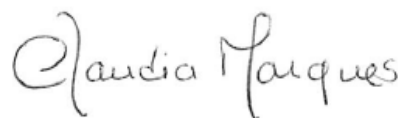
MS. SHPIGELMAN: Thank you.

(The meeting concluded.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on March 26, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: October 12, 2021

GENEVAWORLDWIDE, INC

256 West 38th Street - 10th Floor

New York, NY 10018