

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 29, 2021

March 29, 2021

PRESENT:

President Frederic M. Umane

Commissioner Rodney L. Pepe-Souvenir

Raphael Savino, Deputy General Counsel

Mr. Cullory

Zoya Shpigelman

Hemalee Patel, General Counsel

Daniel Castorina

1 March 29, 2021

2 (The meeting commenced.)

3 MR. SAVINO: Good afternoon,
4 commissioners. We are here for a commissioners'
5 cover sheet review committee. It's March 29th.
6 The commissioners who will be overseeing the
7 hearing are Commissioner Umane and Commissioner
8 Pepe-Souvenir. Thank you for agreeing to be
9 available. There are a number of potential
10 defects and cures that are to be presented and
11 without further ado, Mr. Cullory [phonetic] will
12 present the first batch for citywide.

13 MR. CULLORY: Good afternoon,
14 commissioners. I have first to present two
15 citywide defects. If you're ready with the
16 document specific email, I can get started.

17 MR. SAVINO: The first is Wanda Nunez.

18 MR. CULLORY: Yeah, the first item I
19 have is for Wanda Nunez. Ms. Nunez is a
20 Republican candidate for mayor. The issue
21 identified by staff is that Ms. Nunez' cover
22 sheet does not adequately identify any petition
23 volume or identification numbers. Her cover sheet
24 claims four total petition numbers. The

1 March 29, 2021

2 identification number listed is 1-240. That is
3 not a valid petition number and it's unclear if
4 that's four or 240 petition numbers. We therefore
5 would submit that this is a curable defect that
6 can be fixed by filing an amended cover sheet and
7 we recommend sending a notice of defect to that
8 one.

9 COMMISSIONER UMANE: I agree.

10 COMMISSIONER PEPE-SOUVENIR: I agree as
11 well, it's curable.

12 MR. SAVINO: With your permission
13 commissioners, I will check the boxes in the
14 appropriate places and initial it as opposed to
15 sending it back and forth, if that's okay with
16 you.

17 COMMISSIONER PEPE-SOUVENIR: That's
18 fine, yeah.

19 COMMISSIONER UMANE: You can add my FU,
20 go ahead. [laughter]

21 MR. CULLORY: Alright, commissioners,
22 the next and final citywide item that I have is
23 for Kevin Parker. Mr. Parker is a Democratic
24 candidate for comptroller. The petitions listed

1 March 29, 2021

2 on the cover sheet are KG2100843, along with
3 several others. The issue identified by staff is
4 that Mr. Parker's cover sheet lists him as Kevin
5 Parker, but on all seven of Mr. Parker's
6 petitions, he is listed as Kevin S. Parker.

7 COMMISSIONER PEPE-SOUVENIR: S. Parker.

8 MR. CULLORY: If the commissioners agree
9 with staff that this is a defect, we would
10 recommend sending a non-conformance letter to Mr.
11 Parker allowing him to file an amended cover
12 sheet, changing that name. Obviously, if you
13 disagree, we will act accordingly.

14 COMMISSIONER PEPE-SOUVENIR: Well, I
15 agree. We should send it back and allow him to
16 cure it. It's a middle initial.

17 COMMISSIONER UMANE: Yeah, well, okay.
18 But the office is right, the name is right, it's
19 just the middle initial.

20 MR. CULLORY: That's correct.

21 COMMISSIONER UMANE: But it is curable,
22 so I guess we can ask him to cure.

23 MR. CULLORY: Okay. Alright. Next,
24 commissioners, I have several items from

1 March 29, 2021

2 Brooklyn, the first of which is for Scott Murphy.

3 COMMISSIONER UMANE: Okay. You have to
4 give me a second here.

5 MR. CULLORY: Sure, sure.

6 COMMISSIONER PEPE-SOUVENIR: Yeah.

7 COMMISSIONER UMANE: Okay.

8 MR. CULLORY: Alright, commissioners if
9 you're ready, I'll proceed. The first item I have
10 for Brooklyn is for Scott Murphy, democratic
11 candidate for the 34th City Council District. Mr.
12 Murphy, the area identified by staff is an
13 invalid identification number. The cover sheet
14 for Mr. Murphy lists as its ID number KN2100943.
15 It is not a valid identification number. Perhaps
16 he meant KG, that's the Kings County one. In any
17 event, it's a curable defect that can be fixed by
18 filing an amended cover sheet identifying the
19 correct petition number and that would be our
20 recommendation, if you were to agree with staff's
21 decision.

22 COMMISSIONER UMANE: Okay.

23 COMMISSIONER PEPE-SOUVENIR: Yeah, I'm
24 fine with that. We can, we can, yeah.

1 March 29, 2021

2 MR. CULLORY: Okay. The next item I have
3 is for Sharon R. Wedderburn. Ms. Wedderburn is a
4 Democratic candidate for the 35th City Council
5 District. This is another issue in which the
6 petition number is incorrect. Claimed on this
7 cover sheet is one volume, but the number, or
8 excuse me. Claimed on the cover sheet is 32
9 petitions, but volume number is listed as simply
10 one. That's a defect because it doesn't match and
11 it's not a valid petition number. We would
12 recommend that this is a curable defect that
13 could be fixed by sending an amended cover sheet
14 after our notice of defect indicating that the
15 petition numbers don't match.

16 COMMISSIONER UMANE: Okay.

17 COMMISSIONER PEPE-SOUVENIR: Yeah.

18 MR. CULLORY: Okay. The next item I have
19 for Brooklyn is a cover sheet for Victor Swinton
20 and Khari O. Edwards. These are candidates for
21 the 38th City Council District and for borough
22 president respectively, both Democrats. The cover
23 sheet identifies one volume in the petition, but
24 did not file identification numbers. It's a

1 March 29, 2021

2 curable defect that can be fixed with an amended
3 cover sheet [unintelligible] [00:09:56].

4 COMMISSIONER UMANE: Okay.

5 COMMISSIONER PEPE-SOUVENIR: I agree.

6 MR. CULLORY: Okay. The next item I have
7 for Brooklyn is Vivian M. Morgan, the Democratic
8 candidate for the 40th City Council District.
9 This is the same problem. Ms. Morgan lists one
10 volume number but does not list any number of
11 volumes in the petition and so it's an invalid
12 petition number and it doesn't match anyway. We
13 would recommend filing an amended cover sheet
14 same as the last couple of candidates.

15 COMMISSIONER UMANE: Okay.

16 COMMISSIONER PEPE-SOUVENIR: Alright.

17 MR. CULLORY: Okay. The next item I have
18 for Brooklyn is Brian W. Kelley. This is amended
19 cover sheet, petition number 82100011 and it's a
20 Conservative candidate for the judicial delegate
21 in the 42nd Assembly District. We issued a con-
22 formance notice on this on March 23rd. In that
23 situation, the cover sheet was not indicated as a
24 cover sheet, it was just a floating document

1 March 29, 2021

2 basically. It didn't say what it was. The
3 candidate timely filed this amended cover sheet.
4 It has been removed by staff and it
5 [unintelligible] [00:11:05] the NCN and is
6 otherwise valid and we would recommend that this
7 is a valid cure from the March 23rd NCN that was
8 done.

9 COMMISSIONER UMANE: Okay.

10 COMMISSIONER PEPE-SOUVENIR: Fine.

11 MR. CULLORY: Alright. The next item
12 that I have is for Casilda Elena Roper-Simpson.
13 This is for petition numbers KG2100692 and 682.
14 And this is a Democratic candidate for judge in
15 the civil court vacancy number four. Ms. Roper-
16 Simpson lists ten petitions, two of which I just
17 identified, staff identified issues with. But
18 typically, in these two petitions, Kings 692 and
19 682, the candidate is not actually on those
20 petitions. This is a curable defect which can be
21 fixed by filing an amended cover sheet with the
22 number of petitions that the candidate is
23 actually on. We would recommend sending a letter
24 to that effect and allowing that candidate an

1 March 29, 2021

2 opportunity to cure.

3 COMMISSIONER PEPE-SOUVENIR: I'm fine
4 with that.

5 COMMISSIONER UMANE: Okay.

6 MR. CULLORY: Okay. The next item I have
7 is for a Charles Finkelstein, petition number
8 KG2100704, along with seven other petitions, all
9 of which have the same problem. Mr. Finkelstein
10 is a Democratic candidate for judge in the civil
11 court, vacancy number four. Specifically, staff
12 identified that Mr. Finkelstein's address on his
13 cover sheet does not match his address listed on
14 any of his petitions. The cover sheet says 401
15 East 58th Street. All of the petitions say 1563
16 East 27th Street. This all of course, doesn't
17 match, but this is a curable defect and it can be
18 fixed by filing an amended cover sheet which we
19 would recommend, giving him the opportunity to
20 cure and a letter from our office.

21 COMMISSIONER PEPE-SOUVENIR: I'm fine
22 with that.

23 COMMISSIONER UMANE: Okay.

24 MR. CULLORY: Alright. The next item I

1 March 29, 2021

2 have --

3 COMMISSIONER UMANE: [unintelligible]
4 [00:13:05] where he's registered?

5 MR. CULLORY: I don't believe our staff
6 has looked into that yet. I'm not sure where his
7 registered address is yet.

8 MR. SAVINO: Yeah, it's not really part
9 of the cover sheet review, I'd have to check and
10 see if that's something they --

11 COMMISSIONER UMANE: Okay. I was just
12 curious because, okay.

13 MR. CULLORY: It's a substantial
14 difference between the two addresses, yeah, I
15 would agree.

16 COMMISSIONER UMANE: No, and one may be
17 in the district and one may not be.

18 COMMISSIONER PEPE-SOUVENIR: Right.

19 COMMISSIONER UMANE: And he may have
20 moved or whatever. I was just curious.

21 MR. CULLORY: Alright. The next item I
22 have for Brooklyn is for candidate John Williams.
23 This is petitions KG2101334 and 133, the
24 Democratic for city council in the 40th Council

1 March 29, 2021

2 District. In particular here, the staff
3 identified that the candidate's address does not
4 match. The cover sheet lists 45 Parade Place, 1D
5 as the address. The petitions list, I'm quoting
6 verbatim here, 45 Parade Parade Place, Brooklyn
7 New York, 11226. This does not match but it also
8 lists an apartment number on the cover sheet
9 that's not listed on the petition. To the extent
10 Parade Parade Place --

11 COMMISSIONER UMANE: Yeah, but the
12 cover, the apartment number on one and not the
13 other is not material.

14 MR. CULLORY: Okay, and especially if
15 it's on the cover sheet providing additional
16 information.

17 COMMISSIONER UMANE: Yeah. And
18 obviously, there was -- well, not obviously, but
19 it appears to me that there was a printer error
20 on the petition, because unless you know, 76
21 trombones led the big parade, you know, with ten
22 coronets right behind. You know, it was obviously
23 a typo. I mean I'm not sure if we were to send
24 him an address correction, would we ask him then

1 March 29, 2021

2 to put Parade Parade on the cover sheet?

3 MR. CULLORY: That would be the way it
4 would match.

5 COMMISSIONER UMANE: [unintelligible]
6 [00:15:05] the way of trying to correct this. So
7 I'm not sure what the, you know, what we would be
8 looking to for a correction.

9 MR. SAVINO: As far as cover sheet
10 review, goes, it is that it matches the petition,
11 so you're correct, that's, uh, to fix this, so.

12 MR. CULLORY: Oh, file an amended cover
13 sheet and then a printer error letter to the
14 extent that Commissioner Umane is right and
15 that's what happened? After the amended cover
16 sheet?

17 [CROSSTALK]

18 MR. SAVINO: It would be at the
19 discretion of the committee.

20 COMMISSIONER UMANE: Yeah. I mean
21 theoretically, they should submit the printer
22 error letter. I'm not sure if it's really a cover
23 sheet defect. And somebody could object to the
24 addresses not being correct. But I think we have

1 March 29, 2021

2 enough information to, again, my problem is we
3 send them a letter and tell them to fix it, but
4 how is he going to fix it?

5 MR. CULLORY: By putting the same --

6 COMMISSIONER UMANE: And that applies to
7 the cover sheet which is actually correct and
8 even more precise than the petition. So I'm not
9 sure whether this is something that we would, we
10 should send out a letter on, because I'm not sure
11 what they can do to fix it, because the cover
12 sheet is correct.

13 MR. CULLORY: Find that it's a defect
14 and then let them fix it down the line, yeah.
15 It's up to you, commissioners, respectfully,
16 whatever you decide, we'll abide by.

17 COMMISSIONER UMANE: I would do nothing
18 here and it may be that it's somebody could -- we
19 could maybe put it on prima facie for the, you
20 know, for the petition being incorrect, but it's
21 something that they could fix, but this is not a
22 petition review, it's only a cover sheet review.

23 COMMISSIONER PEPE-SOUVENIR: It's a
24 cover sheet review.

1 March 29, 2021

2 COMMISSIONER UMANE: And I think the
3 cover sheet is correct. So to send out a cover
4 sheet letter under these circumstances seems to
5 be unnecessary.

6 MR. CULLORY: Okay. Well, if
7 Commissioner Pepe-Souvenir agrees, that's fine,
8 we'll take no action on this.

9 COMMISSIONER PEPE-SOUVENIR: I'm
10 agreeing with Commissioner Umane. I agree with
11 him.

12 MR. CULLORY: The next item I have for
13 Brooklyn is for candidate Mathieu Eugene,
14 petition KG2100816 is a Democratic candidate for
15 the 40th City Council District. This solution
16 once again, staff identified that the address do
17 not match. The candidate's cover sheet says 145
18 Linden Boulevard. The petition says 143 Linden
19 Boulevard. This is a curable defect that could be
20 fixed with an amended cover sheet. We would
21 recommend drafting an NCN letter to send the
22 candidate to that effect.

23 COMMISSIONER PEPE-SOUVENIR: I recommend
24 that we allow him to cure.

1 March 29, 2021

2 COMMISSIONER UMANE: Yeah, okay.

3 MR. CULLORY: Alright. The next item
4 that I have, sorry commissioners, one moment
5 please. Raphael had to step out, I'm sorry.

6 COMMISSIONER UMANE: Did we do Brian
7 Kelley already? I'm sorry, I was in the wrong --

8 MR. CULLORY: I don't believe I have a
9 candidate with that name.

10 COMMISSIONER UMANE: No, we did. I'm
11 sorry. We're up to Mathieu Eugene. Is that --

12 MR. CULLORY: Yes.

13 COMMISSIONER PEPE-SOUVENIR: Yes.
14 Mathieu Eugene was the last one we did.

15 MR. CULLORY: Yes, that was the one
16 where the address was 145 and 143.

17 COMMISSIONER PEPE-SOUVENIR: And it was
18 143, right.

19 MR. CULLORY: And I, for Brooklyn, I
20 have only three more items left.

21 COMMISSIONER UMANE: Okay. Alright. So
22 the next item I have is for Rick Echevarria. This
23 is petition number KG2100759 and New York2102117.
24 Of the seven petitions listed, these are the two

1 March 29, 2021
2 that staff identified problems with. And Mr.
3 Echevarria is a Democrat candidate for delegate
4 to the 2nd Judicial District convention in the
5 54th Assembly District. Staff identified that on
6 the two petitions listed, offices do not match.
7 The party position on the cover sheet is for the
8 delegate to the judicial district Democratic
9 convention, as I said. The petitions say that
10 he's a candidate for the 37th Council District,
11 obviously not the same. We would recommend that
12 this is an amended curable defect because you can
13 remove those petitions from the cover sheet, and
14 so we would recommend drafting a letter to that
15 effect and allowing the candidate an opportunity
16 to cure.

17 COMMISSIONER UMANE: Yeah.

18 COMMISSIONER PEPE-SOUVENIR: That's
19 fine.

20 MR. CULLORY: Okay. The next item that I
21 have is for candidate Robert E. Cornegy, Jr. The
22 petition number at issue is KG210111. This is a
23 Democrat candidate for Brooklyn borough
24 president. The issue here identified by staff is

1 March 29, 2021

2 that the petition listed, KG210111 is not a
3 petition that has the candidate's name on it. So
4 I think that this is a typo. I think it's
5 actually meant to be 1111, but that's not what
6 the cover sheet says. And so we would recommend
7 that this is a curable defect that can be fixed
8 by an amended cover sheet after we send a letter
9 to this candidate saying the above.

10 COMMISSIONER UMANE: Okay.

11 COMMISSIONER PEPE-SOUVENIR: I'm
12 agreeing, we can allow him to cure.

13 MR. CULLORY: Okay. And the last --

14 COMMISSIONER UMANE: [unintelligible]
15 [00:21:14] mistake, how is that possible?

16 MR. CULLORY: I'm sorry?

17 COMMISSIONER UMANE: Stanley Schlein,
18 who did this. I think that's out of
19 [unintelligible] [00:21:23].

20 MR. CULLORY: The final item that I have
21 is for a Rohan Marshall, petition KG2101260 and
22 several others. This is a Democrat candidate for
23 Kings County district attorney. This is another
24 apartment number issue, so to the extent that

1 March 29, 2021
2 commissioners are inclined not to rule on that,
3 I'm just giving that as a heads up. Specifically
4 staff identified the cover sheet, this 125
5 Ashland Place, Apartment 11B, [unintelligible]
6 [00:21:56] the petition simply lists 125 Ashland
7 Place, there is no apartment number. If you agree
8 with staff, we would recommend sending an NCN
9 allowing the candidate to cure, but although
10 usually we defer to you if you do not think
11 that's a material defect.

12 COMMISSIONER PEPE-SOUVENIR: Well,
13 doesn't this lend the same argument that
14 Commissioner Umane made?

15 MR. CULLORY: Right.

16 COMMISSIONER PEPE-SOUVENIR: The two are
17 -- yeah, because we're just looking at the cover
18 sheet and the cover sheet has Apartment 11B.

19 MR. CULLORY: That's correct. Am I
20 correct then assume that the decision is no
21 defect and we'll file it accordingly?

22 COMMISSIONER UMANE: Correct.

23 COMMISSIONER PEPE-SOUVENIR: Yes.

24 MR. CULLORY: And that's all the items

1 March 29, 2021

2 that I have for Brooklyn. We will draft those
3 letters and send them out this afternoon. I
4 appreciate your time, commissioners, I think,
5 who's on deck, Bronx and Staten Island are next.

6 MR. SAVINO: Okay.

7 COMMISSIONER PEPE-SOUVENIR: Thanks.

8 COMMISSIONER UMANE: Thank you.

9 MR. SAVINO: So no defect.

10 MR. CULLORY: You want to hang on to
11 them? Thank you for your time, commissioners.
12 Have a good afternoon.

13 COMMISSIONER PEPE-SOUVENIR: You too,
14 thank you so much.

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

17 COMMISSIONER UMANE: Hi.

18 MS. SHPIGELMAN: Okay. Whenever you're
19 ready I can begin.

20 MR. SAVINO: The first one is Angel
21 Cruz.

22 MS. SHPIGELMAN: Can you hear me?

23 COMMISSIONER PEPE-SOUVENIR: Yes, yes.
24 You can begin.

1 March 29, 2021

2 MS. SHPIGELMAN: Okay. The first one I
3 have here is Angel Cruz, that's the candidate's
4 name, the party is Democratic. And the office and
5 position is judge of the civil court of the city
6 of New York, vacancy number one, Bronx County. So
7 originally, we sent the candidate an NCN, notice
8 of non-compliance for the fact that his cover
9 sheet was supposed to have Bronx County on it. It
10 had Queens County on it. He amended it within the
11 required timeframe period. And we recommend that
12 this is a valid cure.

13 COMMISSIONER PEPE-SOUVENIR: So you're
14 saying it's cured based on his amendment?

15 MS. SHPIGELMAN: Yes, the cover sheet,
16 right, is amended.

17 COMMISSIONER PEPE-SOUVENIR: He did it
18 within the correct required time period, and so
19 he should be fine?

20 MS. SHPIGELMAN: Yes.

21 MR. SAVINO: That's correct. He actually
22 filed as of right before the deadline.

23 COMMISSIONER PEPE-SOUVENIR: Okay.

24 COMMISSIONER UMANE: I just have a

1 March 29, 2021

2 question.

3 MS. SHPIGELMAN: Sure.

4 COMMISSIONER UMANE: In the amended
5 cover sheet, one of the petition numbers is
6 circled.

7 MS. SHPIGELMAN: Oh, we apologize for
8 that. It's, it was probably the team just trying
9 to check off the petitions.

10 MR. SAVINO: Yeah, they often circle
11 ones they haven't gone to yet.

12 MS. SHPIGELMAN: But they did review it.

13 COMMISSIONER UMANE: Okay.

14 MS. SHPIGELMAN: They okayed it.

15 COMMISSIONER UMANE: Then it's a good
16 cure, a valid cure.

17 MS. SHPIGELMAN: Thank you. The next I
18 have is also, the original candidate's name is
19 Althea V. Stevens. Okay. The public office is
20 member of the New York City Council from the 16th
21 Council District. Okay, this is also Bronx
22 County. It was the NCN that we sent originally on
23 the 23rd was the name on the petition did nt
24 match the name on the cover sheet. However, Ms.

1 March 29, 2021

2 Stevens did cure it, correctly according to her
3 amended cover sheet. It is now the correct name,
4 which matches the petition, so we recommend that
5 this be deemed a valid cure as well.

6 COMMISSIONER UMANE: Okay. And it was
7 the middle initial that was incorrect? Is that
8 it.

9 MS. SHPIGELMAN: Correct. Mm-hmm.

10 COMMISSIONER UMANE: Alright.

11 COMMISSIONER PEPE-SOUVENIR: Okay.

12 MS. SHPIGELMAN: Thank you. Okay. Next
13 we have the name of the candidate is Joyce
14 Briscoe, okay, the public office is city council
15 member District 12, Bronx County. Okay, and the
16 middle initial is not on the cover sheet. And the
17 office on the petition says community board,
18 which is not council, not member of city council.
19 So it doesn't match, the cover sheet and the
20 petition do not match.

21 MR. SAVINO: And that's something CRU
22 we're told will be prima facie as well.

23 MS. SHPIGELMAN: Yes.

24 COMMISSIONER UMANE: Okay. Alright. We

1 March 29, 2021

2 should send the cover sheet cure notice.

3 MS. SHPIGELMAN: Okay.

4 MR. SAVINO: Outlining both issues?

5 COMMISSIONER PEPE-SOUVENIR: I have a
6 quick question.

7 COMMISSIONER UMANE: But it's likely
8 that the candidate will be knocked off prima
9 facie because one of the minor things we like
10 them to know is which office they're running for.

11 MS. SHPIGELMAN: Absolutely.

12 COMMISSIONER PEPE-SOUVENIR: It would
13 help, it would help. It would help.

14 MS. SHPIGELMAN: I would have to agree,
15 commissioner.

16 MS. SHPIGELMAN: Okay. So do I have the
17 okay for both issues to send the notice of non-
18 compliance?

19 COMMISSIONER UMANE: Yes.

20 COMMISSIONER PEPE-SOUVENIR: Yes.

21 MR. SAVINO: Middle initial as well.

22 MS. SHPIGELMAN: Okay. The next one we
23 have is quite a few. So we have the delegates
24 here to the 12th judicial Democratic convention

1 March 29, 2021

2 of the 84th Assembly District. Okay. You have the
3 party position on the cover sheet does not match
4 the petition, so here's a similar problem that --

5 COMMISSIONER PEPE-SOUVENIR: What's the
6 name, what's the name?

7 MS. SHPIGELMAN: These are the delegates
8 to the 12th judicial Democratic --

9 COMMISSIONER PEPE-SOUVENIR: Oh, the
10 delegates, okay.

11 MS. SHPIGELMAN: Yeah. Those are the
12 list of names. You see Yolanda Garcia, Carmen
13 Chico Estrella, if you want I could name the rest
14 of them, but --

15 COMMISSIONER PEPE-SOUVENIR: No, that's
16 okay. I just needed to identify what document you
17 were looking at.

18 MS. SHPIGELMAN: Sure, so it's really
19 the same issue, you know, the cover sheet and the
20 petition have to match, but here the party
21 position on the cover sheet does not match the
22 petition, so this is an issue. And we recommend
23 sending a notice of noncompliance.

24 COMMISSIONER PEPE-SOUVENIR: You can

1 March 29, 2021

2 send it. Send the notice.

3 COMMISSIONER UMANE: I have a question
4 here, because I'm looking at the petition, and
5 the names, I don't even see them all here, at
6 least on the petition that was sent to us. So is
7 it possible that the error really is the wrong
8 petition number?

9 MS. SHPIGELMAN: It has to have, it's
10 supposed to have all of them, delegate, Yolanda
11 Garcia, [unintelligible] [00:30:03] what was it.
12 I think I attached all the petition that has
13 Jocelyn Taylor and Tomika Mapp on it.

14 COMMISSIONER UMANE: Okay. But it --

15 MR. SAVINO: Well we can get all the
16 petitions.

17 MS. SHPIGELMAN: Just to, yeah, just to
18 give you an example, but I can send you all of
19 the petitions.

20 MR. SAVINO: Or, or put it over here.

21 COMMISSIONER UMANE: Well, yes, I mean
22 that's the one I'm looking at and that doesn't
23 have any of the candidates for the judicial
24 delegate on there at all.

1 March 29, 2021

2 MR. SAVINO: [unintelligible]

3 [00:30:34].

4 COMMISSIONER UMANE: So my point to you
5 is it may not be the wrong office but it may be the
6 wrong petition number. And that the correction
7 isn't, but you're going to send them something
8 that he doesn't need to correct.

9 MS. SHPIGELMAN: Right. I see your
10 point, commissioner I just, I think the team was
11 looking at the right petition. Yeah, I can pull
12 the right petition with all the names on it for
13 you.

14 COMMISSIONER UMANE: Okay. But --

15 MR. SAVINO: Or be presented tomorrow or
16 something.

17 MS. SHPIGELMAN: Or tomorrow, yes.

18 COMMISSIONER UMANE: Okay. Do you
19 understand what I'm saying though? I think they
20 may have just listed the wrong petition number.

21 COMMISSIONER PEPE-SOUVENIR: Oh.

22 COMMISSIONER UMANE: That may be the
23 error.

24 MR. SAVINO: Do we only have the one?

1 March 29, 2021

2 MS. SHPIGELMAN: Yeah. It's just an
3 example.

4 COMMISSIONER UMANE: If they're right on
5 the other one.

6 MS. SHPIGELMAN: This would be the one.

7 MR. SAVINO: [unintelligible]

8 [00:31:24].

9 MS. SHPIGELMAN: Yeah, in the interest
10 of time, is that okay if we provide the rest of
11 the petitions, the rest of the names on it
12 tomorrow?

13 MR. SAVINO: We'll do it
14 [unintelligible] [00:31:34] volunteers.

15 COMMISSIONER UMANE: Okay. But before
16 you send the notice out, we should just make sure
17 we --

18 MR. SAVINO: Well, [unintelligible]
19 [00:31:39] sending tonight.

20 COMMISSIONER UMANE: [unintelligible]
21 [00:31:43] the right, sort of the correct error
22 to correct. That's my point.

23 COMMISSIONER PEPE-SOUVENIR: So there's
24 no, we're not clear on what the error is.

1 March 29, 2021

2 MR. SAVINO: Right. So would you, are
3 you suggesting that we --

4 COMMISSIONER UMANE: Are we under the
5 three days? Do we have time to wait until
6 tomorrow?

7 MS. SHPIGELMAN: This is 25th and this
8 is the 25th, March 25th, today is the 29th.

9 COMMISSIONER PEPE-SOUVENIR: Today is
10 the 20th already.

11 MR. SAVINO: And this is the original?
12 The original cover sheet?

13 MS. SHPIGELMAN: Yeah, this is the
14 original cover sheet. And then this is the
15 petition, 1203.

16 MR. SAVINO: Okay. [unintelligible]
17 [00:32:23] the one [unintelligible] [00:32:26].
18 Uh, yeah, perhaps, it probably would be better if
19 we did this one today.

20 COMMISSIONER UMANE: Could you call and
21 get somebody to bring it up and we'll keep going?

22 COMMISSIONER PEPE-SOUVENIR: Right. If
23 we could just keep moving.

24 MS. SHPIGELMAN: Yes. Okay, so, I think

1 March 29, 2021

2 he's going to --

3 COMMISSIONER PEPE-SOUVENIR: Go get the
4 petitions and let us take care of that --

5 MS. SHPIGELMAN: Yes.

6 COMMISSIONER PEPE-SOUVENIR: -- all now,
7 so that when we, whatever we send, we'll let them
8 know the right error that needs to be corrected.

9 MS. SHPIGELMAN: I agree. Should I keep
10 moving while he's getting it?

11 COMMISSIONER PEPE-SOUVENIR: Yes, yes,
12 you can keep on going.

13 MS. SHPIGELMAN: Okay. So Aramis Ocasio
14 is the name of the candidate.

15 COMMISSIONER PEPE-SOUVENIR: Yes.

16 MS. SHPIGELMAN: Aramis Ocasio, the
17 public office is 15th City Council, okay, but
18 this is also Bronx County. As you can see,
19 commissioners, the name of the party is missing
20 from the cover sheet and the total number of
21 volumes does not match the identification numbers
22 given, right. So, if you see, if you look at the
23 cover sheet, it's supposed to have which party.
24 It doesn't have that. And then it says total

1 March 29, 2021

2 number of volumes in the petition is 57. That's,
3 and that's -- there's only one identification
4 number for that, so that can't be right.

5 COMMISSIONER UMANE: Okay. That's,
6 you're correct.

7 MS. SHPIGELMAN: Okay, so --

8 COMMISSIONER PEPE-SOUVENIR: This is
9 curable.

10 MS. SHPIGELMAN: Yeah, this is a curable
11 defect, they just need to fix the cover sheet. Do
12 I have your permission?

13 COMMISSIONER UMANE: Yes.

14 COMMISSIONER PEPE-SOUVENIR: Yes, yes
15 you do, you do.

16 MS. SHPIGELMAN: Okay. Thank you,
17 commissioners. Okay. And then, let's see, the
18 name of the candidate, the next one is the name
19 of the candidate is Sammy Ravelo. The public
20 office is president of the borough of Bronx of
21 the city of New York. Here the name on the cover
22 sheet does not match the name on the petition.
23 And as you know, it has to correctly match and it
24 does not here. So I would recommend --

1 March 29, 2021

2 COMMISSIONER PEPE-SOUVENIR: What's
3 legal's recommendation?

4 MS. SHPIGELMAN: I would recommend
5 sending a notice of non-compliance since the name
6 on the cover sheet does not match the name on the
7 petition.

8 COMMISSIONER PEPE-SOUVENIR: I'm
9 agreeing to that.

10 COMMISSIONER UMANE: Okay. I'm sorry,
11 which one was that.

12 MS. SHPIGELMAN: Sammy Ravelo.

13 COMMISSIONER PEPE-SOUVENIR: Sammy
14 Ravelo.

15 COMMISSIONER UMANE: I'm sorry. It was
16 she who must be obeyed, so -- [laughter].

17 COMMISSIONER PEPE-SOUVENIR: And
18 basically, Ms. Patel, is that the name on the
19 cover sheet does not match the name?

20 MS. SHPIGELMAN: Right. On the petition,
21 and it's supposed to.

22 COMMISSIONER UMANE: But we, wait a
23 second.

24 MS. SHPIGELMAN: Yeah.

1 March 29, 2021

2 COMMISSIONER UMANE: The cover sheet
3 says Sammy Ravelo.

4 MS. SHPIGELMAN: Right.

5 COMMISSIONER UMANE: And the petition
6 says Elyuhu Lauren [phonetic].

7 MS. SHPIGELMAN: Yes.

8 COMMISSIONER UMANE: So is the issue
9 that the name doesn't match or is it the wrong,
10 is Sammy Ravelo on all the other petitions, in
11 all the other volumes in the petition?

12 MS. SHPIGELMAN: Well, the name of the
13 candidate here --

14 MR. SAVINO: Yeah, I think it should be
15 the candidate doesn't appear on the petition,
16 unless there is another one that --

17 COMMISSIONER UMANE: The name is not
18 wrong.

19 MR. SAVINO: No, here it is, okay.

20 MS. SHPIGELMAN: One is supposed to be
21 [unintelligible] [00:36:27].

22 MR. SAVINO: Okay.

23 COMMISSIONER PEPE-SOUVENIR: So there's
24 two separate names.

1 March 29, 2021

2 COMMISSIONER UMANE: Yeah. So it was,
3 they're claiming the petition volume was the
4 error. It's not incorrect name.

5 MR. SAVINO: Right. He doesn't appear on
6 this one.

7 COMMISSIONER UMANE: Proving that there
8 are 11 volumes claimed, if the candidate's
9 [unintelligible] [00:36:46] is on ten of them the
10 issue isn't that the name is incorrect, it's that
11 he claimed the wrong petition volume.

12 MS. SHPIGELMAN: Claimed the wrong
13 petition, that would be correct, yes. I would
14 have to agree with that, commissioners. Okay.

15 MR. SAVINO: Okay. We'll mark that as a
16 defect, but with a notation that he claimed a
17 petition that he does not make an appearance in.

18 COMMISSIONER PEPE-SOUVENIR: That's not
19 his.

20 COMMISSIONER UMANE: Yeah.

21 MS. SHPIGELMAN: Thank you so much for
22 pointing that out. I have here, I have Jocelyn
23 Taylor, Tamika Mapp, oh, okay. Fernando Cabrera,
24 Angel Cruz and Verena C. Powell with, this is

1 March 29, 2021

2 Bronx County, Democratic Party, and the total
3 number of volumes in the petition does not match
4 the number claimed on the cover sheet.

5 COMMISSIONER UMANE: So she claimed
6 extra ones? Or [unintelligible] [00:36:46] --

7 MS. SHPIGELMAN: It says the, the cover
8 sheet says the total number of volumes in the
9 petition is 11.

10 COMMISSIONER UMANE: Yes.

11 COMMISSIONER PEPE-SOUVENIR: We have 12,
12 I'm counting 12.

13 COMMISSIONER UMANE: Yes, you have 12.

14 MS. SHPIGELMAN: Yeah, so it doesn't
15 match.

16 COMMISSIONER UMANE: That's good.

17 MS. SHPIGELMAN: Okay.

18 COMMISSIONER PEPE-SOUVENIR: And what's
19 your recommendation?

20 MS. SHPIGELMAN: Our recommendation is
21 just to send a notice of noncompliance so that
22 the number of volumes can be corrected.

23 COMMISSIONER PEPE-SOUVENIR: Okay.

24 MS. SHPIGELMAN: Okay. Thank you,

1 March 29, 2021

2 commissioners. And the last thing we have, yes,
3 this was one, this was a defect, right.

4 MR. SAVINO: Right.

5 COMMISSIONER UMANE: Well, yean, but
6 there's something else here.

7 MS. SHPIGELMAN: Yeah, there's Jason
8 Price.

9 COMMISSIONER UMANE: With Taylor and --
10 because Jocelyn Taylor is on some but not all of
11 these other ones, or at least, for example, she's
12 on the first copy of the one you sent us, but
13 she's not on the second one.

14 MS. SHPIGELMAN: Right.

15 COMMISSIONER UMANE: So, is, but Tamika
16 Mapp and Angel Cruz and Verena Powell are. So is
17 this incorrect for Jocelyn Taylor? Because she's
18 not on all of them.

19 MS. SHPIGELMAN: Right. She's on
20 petition 1204, Jocelyn Taylor and Tamika Mapp,
21 but in petition 1212, there's Cabrera, Mapp, Cruz
22 and Powell, all of them are on it. And she's not
23 on it.

24 COMMISSIONER UMANE: Right. So this is,

1 March 29, 2021

2 you're going to have to figure this out when you
3 send the notices because Jocelyn Taylor is
4 claiming petition signatures on volumes that
5 she's not on.

6 MS. SHPIGELMAN: Yes, we see that. Thank
7 you, commissioner. We will make a note of that.

8 MR. SAVINO: In addition to the 11
9 versus 12?

10 MS. SHPIGELMAN: Right.

11 COMMISSIONER PEPE-SOUVENIR: Right.

12 MS. SHPIGELMAN: The last, if you don't
13 mind, commissioners, the last thing we do have on
14 the agenda, this is a Richmond County issue with
15 the name of the candidate Jason R. Price. His
16 cover sheet was never signed. If you see there's
17 the signature of candidate or agent, there was no
18 signature.

19 MR. SAVINO: This issue has come up
20 before. I know when I say before, it was looked
21 at, discussed, I note there's no requirement to
22 have a contact person. I know that our rules say
23 that an amended certification must be signed, and
24 we couldn't find the statute, several people in

1 March 29, 2021

2 legal did some research and I guess it's never
3 been appealed or at least left Supreme Court as
4 far we have discovered so far, but it does seem a
5 little odd that you would be able to file one
6 without a signature and yet one could interpret
7 that to be the place to sign a contact person.
8 Because the team marked it up, we thought it was
9 something we should bring to your attention.

10 MS. SHPIGELMAN: Right. We wanted to
11 leave it up to your discretion, commissioners.

12 COMMISSIONER PEPE-SOUVENIR: So you're
13 basically saying it's not a defect?

14 COMMISSIONER UMANE: Do we say it has to
15 be signed by the candidate, in our rules? I don't
16 have --

17 MR. SAVINO: It does not. It doesn't say
18 that in our rules.

19 MS. SHPIGELMAN: It doesn't actually
20 state that, Commissioner Umane. It actually
21 states on page six of our designating petition
22 rules for the primary that when you're amending a
23 cover sheet, yes, you need the certification
24 language, you need the signature, all of that.

1 March 29, 2021

2 But there's no actual rule that actually says
3 that a cover sheet, not an amended cover sheet,
4 but a cover sheet needs that signature.

5 COMMISSIONER UMANE: Okay. Then it's not
6 wrong.

7 MR. SAVINO: Okay.

8 MS. SHPIGELMAN: We just --

9 COMMISSIONER PEPE-SOUVENIR: Just as a
10 practice -- I just have a question, as a practice
11 however, do we normally ask that the candidate or
12 contact person sign it as a practice?

13 MS. SHPIGELMAN: Yes.

14 MR. SAVINO: If you want a contact
15 person, I know it's required, but there is
16 nothing in the rules about that, so we don't ask
17 them to do anything. They file what they file.
18 And other than our rules, that's the only legal
19 advice, if you want to call that legal advice,
20 other than publishing the rules, that's all we
21 can really do.

22 MS. SHPIGELMAN: Right. And also, just
23 to add to your point, commissioner, there is a
24 line that says signature of candidate or agent.

1 March 29, 2021

2 COMMISSIONER PEPE-SOUVENIR: Right.
3 Exactly. Right, so it would seem to me that
4 that's something that's, even if it's not
5 required or it's not in the law, that we ask that
6 candidate or the contact person sign off on the
7 cover sheet.

8 MS. SHPIGELMAN: That was my initial
9 information as well.

10 MR. SAVINO: It is underneath, directly
11 underneath at least in most cover sheets, I
12 hereby authorize notice of determination, you
13 know, be sent to the contact person above. But,
14 you know, it does seem a bit odd, you know, that
15 you wouldn't have to sign it, but we have yet to
16 find anything that requires it.

17 COMMISSIONER UMANE: It does list his
18 own email address.

19 MS. SHPIGELMAN: Right.

20 COMMISSIONER UMANE: And I personally
21 [unintelligible] [00:43:59] phone number and his
22 name.

23 MS. SHPIGELMAN: Right.

24 COMMISSIONER UMANE: I mean the issue,

1 March 29, 2021

2 the other issue is that supposing I filed this
3 and I have nothing to do with Jason Price. So I
4 filed the cover sheet and I'm not authorized to
5 do it, no one signed it, nobody authorized it, so
6 the question is whether if it's the candidate
7 themselves that are doing it, whether there's any
8 need for the signature. I'm troubled if it's not
9 in our rules, or in the state guidelines on this
10 whether we should be imposing this sort of
11 without notice to anybody.

12 COMMISSIONER PEPE-SOUVENIR: Well, does
13 everybody else sign it? All the other cover
14 sheets signed by either the agents or candidates?

15 MR. SAVINO: Yes.

16 MS. SHPIGELMAN: Yes.

17 MR. SAVINO: I haven't seen any, at
18 least that I can recall that were not signed.

19 MS. SHPIGELMAN: That's why this issue,
20 from what I asked, this issue has been very rare.
21 Most people do sign it, you know. But we just
22 didn't want to leave this out. We wanted to leave
23 this in your discretion.

24 COMMISSIONER PEPE-SOUVENIR: I feel much

1 March 29, 2021

2 more comfortable if, since we have the form and
3 the form requires a signature that they should be
4 a signature on the form. That's my feeling. What
5 say you, Commissioner Umame?

6 COMMISSIONER UMANE: I believe I'd check
7 the rules and the law, and our rules. And if
8 it's, you know, if it's not actually required,
9 then I don't think we can require it.

10 MR. SAVINO: The rules are on page five
11 and six. Maybe I'm -- I apologize that we don't
12 have the handbook, it basically mirrors the
13 statute.

14 COMMISSIONER UMANE: I'm looking in my
15 brand new 2021 election law book.

16 COMMISSIONER PEPE-SOUVENIR: I'm looking
17 in my old 2020 election law. Here we go.

18 COMMISSIONER UMANE: It wasn't changed.
19 I was just acknowledging that I'm looking it up.

20 COMMISSIONER PEPE-SOUVENIR: I know. And
21 I'm acknowledging that I'm jealous that you have
22 the brand new one already. And if there's no rule
23 that says they have to sign it, however in your
24 review, you felt it was necessary that we come to

1 March 29, 2021

2 some kind of decision whether or not people
3 should sign it or not. And I feel like if that's
4 been the practice, where candidates have either
5 signed it, or their agents have signed it for
6 them, which gives us added confidence that this
7 is being filed by a viable candidate, that it
8 should be signed. That's my feeling. And why have
9 the form that says signature of candidate or
10 agent, when that's not required.

11 MS. SHPIGELMAN: I think Ms. Patel wants
12 to say something.

13 COMMISSIONER PEPE-SOUVENIR: We're not
14 hearing, the commissioners.

15 MS. HEMALEE PATEL: Can I add something,
16 I'm sorry. I didn't get, I was working on
17 something else, I didn't get a chance to address
18 it. If you look at the statute on cover sheets,
19 which we're all looking at, 62-15.2 and then
20 under B, on the second page, page 746 of the new
21 book, cover sheets shall be substantially in the
22 form set forth in Section 62-15.8, and if you
23 look at that, that cover sheet actually has a
24 place for signature of candidate or agent.

1 March 29, 2021

2 COMMISSIONER PEPE-SOUVENIR: Right, on
3 the bottom.

4 MS. PATEL: That's where we got the
5 form, from the statute itself, from the form
6 cover sheet.

7 COMMISSIONER PEPE-SOUVENIR: So it would
8 seem to me that a signature, while they're not
9 stating that explicitly, a signature would be
10 required.

11 COMMISSIONER UMANE: What was the
12 section in the state thing that you were citing?

13 MS. PATEL: Sorry, Commissioner Umane,
14 I'm having trouble hearing you because I'm --

15 COMMISSIONER UMANE: So what's --

16 COMMISSIONER PEPE-SOUVENIR: 62-15.8.

17 MS. PATEL: It's 62-15.8 commissioner.
18 It's on, in the new book, it's on page 751, the
19 form of a cover sheet, a sample cover sheet.

20 COMMISSIONER PEPE-SOUVENIR: It's the
21 actual form of the cover sheet.

22 MS. PATEL: Right, that the statute puts
23 forth.

24 COMMISSIONER PEPE-SOUVENIR: Right.

1 March 29, 2021

2 MS. PATEL: Which is what we used,
3 obviously. So that's where we got the -- even
4 though the language of the statute --

5 COMMISSIONER PEPE-SOUVENIR: Is silent.

6 MS. PATEL: -- is silent, the form that
7 the statute --

8 MR. SAVINO: Right, provided by the
9 state board.

10 MS. PATEL: -- provides, right.

11 COMMISSIONER UMANE: Cover sheet shall
12 contain the following information,
13 identification, the statement that petition has
14 ben [unintelligible] [00:49:55].

15 MR. SAVINO: Yeah, the portion about
16 putting your website on there, if you're a senate
17 or assembly used to gone, it's not there, and it
18 used to say I hereby authorize [unintelligible]
19 [00:50:12] underneath that, but that is, you
20 know, that is correct, that line.

21 MS. SHPIGELMAN: So just to echo what
22 Ms. Patel just said, if there is the form that's
23 provided by the state board that has that line,
24 that means that, you know, that's the ordinary

1 March 29, 2021

2 practice.

3 COMMISSIONER PEPE-SOUVENIR: It's
4 indicative that a signature would be required,
5 since it's part of the form. While the statute is
6 silent as to specifically saying it requires a
7 signature, it is on the form. I would say --

8 COMMISSIONER UMANE: Okay. So let's send
9 out the notice, but I would like to add this to
10 the --

11 COMMISSIONER PEPE-SOUVENIR: Sure, the
12 full board.

13 COMMISSIONER UMANE: -- hearing
14 tomorrow. And that we should then make a formal
15 decision.

16 MS. PATEL: Sure.

17 COMMISSIONER UMANE: And provide to
18 change it in the rules going forward.

19 MS. PATEL: Yes.

20 COMMISSIONER PEPE-SOUVENIR: Yes.

21 COMMISSIONER UMANE: So that we're
22 consistent.

23 MS. SHPIGELMAN: Thank you.

24 MS. PATEL: Okay.

1 March 29, 2021

2 MS. SHPIGELMAN: Thank you.

3 COMMISSIONER UMANE: So if it's
4 ambiguous, we should fix it.

5 COMMISSIONER PEPE-SOUVENIR: Make it
6 clear, absolutely.

7 MS. SHPIGELMAN: And before I go,
8 commissioners, I just wanted to clarify on the
9 delegates question with all those names starting
10 with Yolanda Garcia, and on, I just wanted to
11 clarify with you what exactly you wanted to do as
12 far as the NCN.

13 MR. SAVINO: I think they wanted us to
14 pull the other petitions, which we've now done,
15 right.

16 MS. SHPIGELMAN: Which we've done. And
17 what's also in there?

18 MR. SAVINO: The prior [unintelligible]
19 [00:51:47] is not in the applications.

20 MS. SHPIGELMAN: And this isn't to waste
21 your time, commissioners, I'm just trying to be
22 as efficient as I can. So, I, please bear with
23 me.

24 MR. SAVINO: Yeah, and they don't have

1 March 29, 2021

2 these copies, but you know, I think --

3 MS. SHPIGELMAN: Because I know --

4 COMMISSIONER UMANE: I mean what I was
5 hoping for is that we're just accurate. So if
6 that's the one we're talking about with Taylor as
7 the mayor, on her letter, it should state that
8 she claimed petitions that her name did not
9 appear on.

10 MS. SHPIGELMAN: Okay.

11 COMMISSIONER UMANE: And that there are
12 incorrect numbers on the petition, on the sheet
13 that she did file.

14 MS. SHPIGELMAN: Right.

15 MR. SAVINO: Right. There are some where
16 they appear on it and there are some where they
17 don't.

18 COMMISSIONER UMANE: So all of them once
19 again, one comment is that the numbers don't
20 jive. That's number one. But on some they may, it
21 may be another issue that they claim volumes that
22 did not contain their petition.

23 MS. SHPIGELMAN: Okay. Uh --

24 COMMISSIONER UMANE: And it's a pain in

1 March 29, 2021

2 the neck, you may need to -- but you've got to
3 figure that out, so that at least they know.

4 MR. SAVINO: Right.

5 MS. SHPIGELMAN: Okay. We'll go through
6 it again and just to make sure that this is
7 accurate.

8 MR. SAVINO: Well, we'll find out which
9 ones they don't appear on and send them a letter
10 to that effect. Because I do see it on some, but
11 I don't see it on the others.

12 COMMISSIONER UMANE: Okay.

13 MS. SHPIGELMAN: Okay. Thank you
14 commissioners, that will be all for Bronx and
15 Staten Island.

16 COMMISSIONER UMANE: Are there any for
17 Manhattan today?

18 MR. SAVINO: Well, we have Queens coming
19 in, there was a couple from Manhattan.

20 COMMISSIONER UMANE: I didn't see, I
21 don't think I got an email with those.

22 MS. SHPIGELMAN: Thank you, have a great
23 rest of your day.

24 COMMISSIONER PEPE-SOUVENIR: Thank you

1 March 29, 2021

2 so much, have a good day.

3 COMMISSIONER UMANE: I'm not sure I got
4 an email with any additional ones. That's why I
5 was asking.

6 MR. SAVINO: Right, from Manhattan. The
7 lead on that had a personal matter that they had
8 to run out for at the last minute, but he does
9 have, probably not the last minute, he found out
10 about it earlier today. He does have a couple of
11 matters to present tomorrow.

12 COMMISSIONER UMANE: Okay. Are there
13 others for today, because I don't have any other
14 --

15 MR. SAVINO: From Queens.

16 COMMISSIONER UMANE: I don't have any
17 other emails for today.

18 COMMISSIONER PEPE-SOUVENIR: I thought
19 we had a few others. I thought [unintelligible]
20 [00:54:39].

21 MR. SAVINO: There should be one for
22 Queens.

23 MR. CASTORINA: There's six in Queens.

24 COMMISSIONER PEPE-SOUVENIR: Oh, I

1 March 29, 2021

2 thought there were four.

3 MR. CASTORINA: Let me see if -- they
4 may not be on here. I can view stuff forwarded.

5 COMMISSIONER PEPE-SOUVENIR: Yeah, we
6 had a couple, we had a couple from Queens, yeah.

7 MR. CASTORINA: Yeah, there's six.

8 COMMISSIONER UMANE: Okay. Let me look.

9 COMMISSIONER PEPE-SOUVENIR: Yeah,
10 Indisha Bro [phonetic] I think we have, we have
11 Daniel Mayo Queens, Brian Benjamin I think.

12 COMMISSIONER UMANE: When did the email
13 --

14 MR. CASTORINA: Oh, here it is. Uh,
15 around 12:20 --

16 COMMISSIONER PEPE-SOUVENIR: Don't we
17 have a Manhattan, isn't Brian Benjamin Manhattan?

18 COMMISSIONER UMANE: Yes.

19 MR. CASTORINA: I just forward the
20 email. You want to send it?

21 MR. SAVINO: Okay.

22 COMMISSIONER PEPE-SOUVENIR: Do we have
23 a Manhattan?

24 COMMISSIONER UMANE: I don't have that

1 March 29, 2021

2 email, so could somebody forward that to me?

3 MR. CASTORINA: Commissioner, we're
4 going to forward it to you right now.

5 COMMISSIONER UMANE: Thank you.

6 MR. SAVINO: Queens defects, okay. Oh,
7 it was 12:51.

8 MR. CASTORINA: 12:51

9 COMMISSIONER UMANE: Okay. Hang on, let
10 me, if I have it and I apologize.

11 MR. SAVINO: No worries, I can certainly
12 resend it.

13 COMMISSIONER UMANE: Yes, Hold on, I'm
14 sorry, I have it, never mind. I got it. Okay.
15 Sorry.

16 MR. CASTORINA: That's okay. Alright.
17 We're going to start with these ones. This is the
18 Kalan. The first one is Felicia Kalan.

19 MR. SAVINO: Republican Party, member of
20 city council, 22nd Council District, that's what
21 they're attempting to run for, or running for I
22 should say. To make a long story short, the cover
23 sheet basically claims that certain candidates
24 have enough signatures and then says that there's

1 March 29, 2021

2 no representation made as to signatures of
3 Felicia Kalan. They were sent a defect notice. Is
4 what I'm saying correct?

5 MR. CASTORINA: Yes.

6 MR. SAVINO: And all they did was
7 respond with the same --

8 MR. CASTORINA: This one, yeah.

9 MR. SAVINO: -- basically the same cover
10 sheet, not an amended saying tell the candidate.
11 It's my understanding that they do have
12 candidacies from different petitions and this is
13 not one of those. So, we'd have to write -- well,
14 we've done it on another one. We'd have to write
15 a bit of a revised letter explaining to them that
16 these petitions won't be considered part of their
17 candidacy but the others would remain.

18 COMMISSIONER UMANE: Well, this cover
19 sheet was just for one volume.

20 COMMISSIONER PEPE-SOUVENIR: But they, a
21 request was sent to them to amend it and they did
22 not amend it?

23 MR. CASTORINA: Yes, so they --

24 COMMISSIONER PEPE-SOUVENIR: And just

1 March 29, 2021

2 returned it?

3 MR. CASTORINA: Yes, so if you see that
4 one of the documents is the cover sheet, they
5 just sent it back and they circled it, that was
6 their attempt at amending it.

7 COMMISSIONER PEPE-SOUVENIR:

8 [unintelligible] [00:58:52]?

9 MR. CASTORINA: Yeah.

10 MR. SAVINO: But they still don't attest
11 to the right amount of signatures, and actually
12 said reach out to the candidate.

13 MR. CASTORINA: Yeah.

14 COMMISSIONER UMANE: And it doesn't say
15 amended cover sheet, it doesn't --

16 MR. CASTORINA: Right.

17 MR. SAVINO: It doesn't have the
18 certification.

19 MR. CASTORINA: Exactly.

20 COMMISSIONER UMANE: So this is not a
21 valid cure.

22 COMMISSIONER PEPE-SOUVENIR: Mm-hmm.

23 MR. SAVINO: And unfortunately, we had a
24 couple other ones of these.

1 March 29, 2021

2 MR. CASTORINA: Yeah, so the next one we
3 have is Vanessa Simon and it's actually the exact
4 same issue, the same contact agent as well.

5 COMMISSIONER PEPE-SOUVENIR: So do we
6 send it again with another letter?

7 COMMISSIONER UMANE: No. They get one
8 shot.

9 COMMISSIONER PEPE-SOUVENIR: One bite at
10 the apple? Okay.

11 COMMISSIONER UMANE: Yeah, they have
12 three days in which to do it, but --

13 COMMISSIONER PEPE-SOUVENIR: Got you.

14 COMMISSIONER UMANE: So I agree, this is
15 not a proper cure.

16 MR. CASTORINA: Okay. That's for Simon.

17 COMMISSIONER UMANE: But it is correct
18 as to [unintelligible] [01:00:02] Mayo and Kathy
19 Wu Coreno [phonetic]? So it was only Simon it's
20 not good for? Is that correct?

21 MR. CASTORINA: I note that they have --

22 COMMISSIONER PEPE-SOUVENIR: Those are
23 good?

24 MR. SAVINO: When I say they filed

1 March 29, 2021

2 exclusionary language with respect to
3 [unintelligible] [01:00:21] this will not be
4 considered part of his candidacy. But that is
5 another issue.

6 COMMISSIONER UMANE: Okay. I have
7 another question, I have another question that I
8 just noticed.

9 MR. SAVINO: Sure.

10 COMMISSIONER UMANE: This was sent to
11 Daniel Mayo, who says he's not their agent.

12 MR. SAVINO: Right.

13 COMMISSIONER UMANE: But did we send
14 this to the right people and is that why it
15 wasn't cured?

16 MR. CASTORINA: Well, he's the contact
17 person with respect to these cover sheets, so
18 when a cure is not accepted, we would generally
19 send something saying that's --

20 COMMISSIONER UMANE: No, it's not --
21 he's saying I am not --

22 COMMISSIONER PEPE-SOUVENIR: I am not
23 the agent of Vanessa Simon.

24 MR. CASTORINA: But yeah, he is the one

1 March 29, 2021

2 who sent the cover sheet with the language for
3 Vanessa Simon. So what we did in the other cases
4 like this is we just sent the individual who they
5 don't claim sufficient signatures for, instead of
6 a quote unquote out letter, just saying that this
7 petition number won't be considered as part of
8 their candidacy, because I believe they do have
9 petitions they did file on their behalf that were
10 authorized, unlike this one.

11 COMMISSIONER PEPE-SOUVENIR: But can I
12 ask a question, and just pardon my ignorance. So
13 was it Daniel or whoever the agent is that signed
14 this, was the request to make, to amend the
15 petition sent to Daniel Mayo?

16 MR. CASTORINA: Yes.

17 COMMISSIONER PEPE-SOUVENIR: And Daniel
18 Mayo is now responding back to say he's not the
19 agent for Vanessa Simon? Is that what -- am I
20 understanding that's how it --

21 MR. CASTORINA: Even though his cover
22 sheet says that he is, yeah, his name was circled
23 that he's not the agent and added that. But not
24 the other requirements.

1 March 29, 2021

2 COMMISSIONER UMANE: Right. He declined
3 to cure it and Vanessa Simon never had an
4 opportunity to cure.

5 COMMISSIONER PEPE-SOUVENIR: Exactly.
6 That's where it's going to lead to.

7 COMMISSIONER UMANE: That was the point
8 that I was trying to make.

9 COMMISSIONER PEPE-SOUVENIR: Right.
10 Which meant that if he's saying he's not the
11 agent, then that means Vanessa Simon is not even
12 aware that she had an opportunity to cure it or
13 was required to --

14 COMMISSIONER UMANE: So it should go to,
15 it should go to the candidate and not the --

16 COMMISSIONER PEPE-SOUVENIR: This agent
17 here.

18 COMMISSIONER UMANE: Yeah.

19 COMMISSIONER PEPE-SOUVENIR: Right.

20 MR. SAVINO: Okay. I mean what we have
21 done in the past and again, if you'd prefer that
22 we send it to the candidate, was let them know
23 that this petition will not be considered part of
24 their candidacy and, you know, if they wish to

1 March 29, 2021

2 respond in any way, that was the notice that was
3 being sent to them. And as I say, my
4 understanding --

5 COMMISSIONER UMANE: [unintelligible]
6 [01:02:51] to her own petition?

7 MR. SAVINO: Yes.

8 COMMISSIONER UMANE: Oh, okay. No I
9 understand.

10 COMMISSIONER PEPE-SOUVENIR: How does
11 that change it? Just explain to me how that
12 changes it.

13 COMMISSIONER UMANE: Well, she filed her
14 own petition, and she's not claiming these
15 signatures. So she would get a letter saying that
16 an additional petition volume was filed
17 containing signatures with your name on it, but
18 you have not claimed them. And it gives her an
19 opportunity to claim them should she want to.

20 COMMISSIONER PEPE-SOUVENIR: Got you.
21 Okay.

22 COMMISSIONER UMANE: But her candidacy
23 shouldn't be knocked off because she never got
24 these notices, so that's why it's important to

1 March 29, 2021

2 know she filed other petitions or other volumes
3 and did file her own petition for this.

4 COMMISSIONER PEPE-SOUVENIR: Got you.
5 Okay.

6 COMMISSIONER UMANE: And that's not
7 going to go to Danny Mayo. It's going to go --

8 COMMISSIONER PEPE-SOUVENIR: Go to her.

9 COMMISSIONER UMANE: -- her, right?

10 MR. CASTORINA: Yeah, it'll go to the
11 candidate.

12 COMMISSIONER UMANE: Okay.

13 MR. CASTORINA: We actually had, had a -
14 -

15 COMMISSIONER UMANE: Should we go back
16 to Kalan as well? Is that the same situation? Did
17 Kalan file?

18 MR. CASTORINA: Oh, that is the same
19 situation, Simon and then Kalan, right?

20 COMMISSIONER UMANE: So I would do the
21 same thing there.

22 MR. CASTORINA: Commissioners, we had
23 the same issue on Friday with the same contact
24 agent, different candidates and the commissioners

1 March 29, 2021

2 did rule it a not valid cure. And we sent the
3 letter out, like you said, to the candidate,
4 explaining to them that just for that volume,
5 they wouldn't be on that volume. But we didn't
6 send it to Daniel Mayo, we sent it to the
7 candidate. And if their cover sheet --

8 COMMISSIONER UMANE: Well, no, but they
9 should be given a letter saying they had a right
10 to claim that.

11 MR. CASTORINA: That is something that
12 we usually do in the cleanup, an opportunity to
13 claim.

14 COMMISSIONER UMANE: Right.

15 MR. CASTORINA: It's not on their cover
16 sheet, their specific cover sheet, this doesn't
17 leave the palace.

18 COMMISSIONER UMANE: So it doesn't knock
19 them off, but it gives them an opportunity to get
20 additional signatures?

21 COMMISSIONER PEPE-SOUVENIR: Right.

22 COMMISSIONER UMANE: And I don't mean to
23 tell the other commissioners what they should do,
24 but that's what they should have done, what we're

1 March 29, 2021

2 doing now.

3 MR. SAVINO: Well, on those other ones,
4 they should get an opportunity as well, but we
5 didn't want them to think their candidacy was
6 over based on this defect.

7 COMMISSIONER UMANE: So, but it's, in
8 other words, yes. They should just get an
9 opportunity to cure letter? I'm sorry, an
10 opportunity to claim letter, and not a -- and I
11 guess, I don't think they filed a cover sheet at
12 all as to these petitions, because the person who
13 filed it said they're not authorized to file it.
14 So to me, it's as if they didn't file at all.

15 MR. SAVINO: Well, he didn't say
16 [unintelligible] [01:06:11] sent the first one.

17 MR. CASTORINA: No.

18 COMMISSIONER UMANE: [unintelligible]
19 [01:06:15] to claim it or they don't. That's --

20 MR. SAVINO: Right. Well, on the first
21 one, he did seem to claim that he was an agent,
22 but on his cure, that's where he wrote I'm not an
23 agent.

24 COMMISSIONER UMANE: Oh.

1 March 29, 2021

2 MR. SAVINO: [unintelligible]

3 [01:06:30]]

4 COMMISSIONER UMANE: Alright. So then --

5 COMMISSIONER PEPE-SOUVENIR: Right.

6 COMMISSIONER UMANE: Oh. No. On the
7 original cover sheet for Kalan, I'm not, I'm not
8 an agent of Felicia Kalan.

9 MR. CASTORINA: No, that's what he sent
10 back to us. On the original one --

11 COMMISSIONER PEPE-SOUVENIR: After the
12 request to cure, right?

13 MR. CASTORINA: Right. March 22nd.

14 COMMISSIONER UMANE: Yeah. Yeah, but
15 what about the one that was received, oh, they're
16 all March 22nd.

17 MR. CASTORINA: Yeah.

18 COMMISSIONER UMANE: You sent us three
19 copies of the same thing.

20 MR. CASTORINA: No, the original is the
21 last page, should be the last page. This is the
22 original, March 22nd. So he sent that one back
23 probably the same day, immediately, he just
24 circled it and sent it.

1 March 29, 2021

2 COMMISSIONER UMANE: Or, yeah, but it's
3 the same day, they're all March 22nd. So he
4 wouldn't have gotten --

5 MR. CASTORINA: And at 9:15. Do we not
6 have that right?

7 COMMISSIONER UMANE: And the letter went
8 out on March 23rd. So I don't know what's going -
9 - frankly, I don't understand what's going on.
10 Oh, well.

11 MR. SAVINO: Well, obviously, we have
12 certainly limitations, you know, time that we
13 have to respond to these and get these notices
14 out. And it does take some time to get from CRU
15 to us. There have been a couple of other
16 occasions this year where amendeds were filed as
17 of right that we had yet to receive. But I don't
18 think he would file.

19 COMMISSIONER UMANE: Maybe he got a
20 copy. What he could have done is gotten a copy or
21 used the one that he filed that had a stamp on it
22 March 22nd and maybe he filed that as the amended
23 cover sheet with circling it. The first one is
24 circled, the other two are not circled.

1 March 29, 2021

2 MR. SAVINO: Right.

3 MR. CASTORINA: I think that was his
4 attempt to cure.

5 COMMISSIONER UMANE: Alright.

6 MR. SAVINO: And, you know, we'll double
7 check for the cover sheets, do you the cover
8 sheets for Kalan and the other ones separately?

9 MR. CASTORINA: Mm-hmm.

10 MR. SAVINO: Okay.

11 MR. CASTORINA: We have those.

12 MR. SAVINO: Were those reviewed?

13 MR. CASTORINA: Yeah.

14 MR. SAVINO: Okay. There are cover
15 sheets for the city council candidates that he
16 said there's not enough signatures for, and a
17 different batch of petitions that were reviewed
18 and that were deemed to be compliant. And I could
19 double take a look at that and see if this one's
20 even on there, which I doubt it is.

21 COMMISSIONER UMANE: Okay. So then they
22 could get the letter saying they have a right to
23 claim.

24 COMMISSIONER PEPE-SOUVENIR: Right.

1 March 29, 2021

2 MR. CASTORINA: The clean up process,
3 correct.

4 COMMISSIONER UMANE: Okay.

5 MR. SAVINO: But I would also, you know,
6 I don't want to just send an out letter based on
7 this, if there is an out letter.

8 COMMISSIONER UMANE: That's my point. We
9 shouldn't send an out letter that she -- this was
10 a petition that was filed that has her name on
11 it, but she hasn't claimed it. So the fact that
12 there may not be any cover sheet at all for that
13 shouldn't be enough to knock out her candidacy.

14 COMMISSIONER PEPE-SOUVENIR: Right.

15 MR. SAVINO: Right. That was what I was
16 intending to put in the letter, but I'll double
17 check with CRU if they have them together, but
18 there's different committees to fill vacancies so
19 they've got to separate them, and I just didn't
20 want the candidate to get a letter thinking that
21 they were off the ballot when [unintelligible]
22 [01:10:07] --

23 COMMISSIONER PEPE-SOUVENIR: Right.

24 COMMISSIONER UMANE: Right. But that's

1 March 29, 2021

2 what would have -- that's what happened on Friday
3 you were saying, somebody was saying.

4 MR. SAVINO: Right. We sent a letter
5 saying this petition will not be part of your
6 candidacy because the defect wasn't cured, but
7 you know, if they object to that, they certainly
8 could do an [unintelligible] [01:10:28], but my
9 understanding is they don't have any interest in
10 that, but I understand what you're saying
11 commissioner.

12 COMMISSIONER UMANE: I think we need to
13 send that.

14 COMMISSIONER PEPE-SOUVENIR: Yeah.
15 Because Kalan is in the same situation as Simone,
16 correct?

17 COMMISSIONER UMANE: Right. Yes.

18 COMMISSIONER PEPE-SOUVENIR: So what
19 we're doing for Simon should be done for Kalan as
20 well.

21 MR. CASTORINA: Okay.

22 MR. SAVINO: And I mean we can still
23 send him an opportunity to claim, you know, when
24 we get to that stage in the process.

1 March 29, 2021

2 COMMISSIONER UMANE: I would not send an
3 out, I would just send an opportunity to claim.

4 COMMISSIONER PEPE-SOUVENIR: To claim,
5 right.

6 MR. SAVINO: No, as I said, the -- after
7 there's been a not a valid cure so to speak,
8 which, you know, theoretically, technically,
9 that's what this is, generally there is a letter
10 that goes out saying the cure was no good and
11 you're off. But this case is a bit different, we
12 didn't want the candidates, if we sent that
13 traditional letter to think that they're off, but
14 we could send the opportunity to claim, I guess
15 there's no point that we have to wait until the
16 end of the process, that's where it traditionally
17 is done, after the cleanup is done and we have
18 all of the volume numbers in the ledger when
19 that's been reviewed to make sure everything is
20 accurate.

21 COMMISSIONER UMANE: Let's get going.

22 MR. CASTORINA: The next one we have is
23 Amit S. Bagga, and this was a pagination issue.
24 There were --

1 March 29, 2021

2 COMMISSIONER UMANE: Okay. Hang on a
3 second, I need a minute to step out. Hang on.
4 Sorry. Okay.

5 MR. CASTORINA: So the next one we're
6 going to look at is Amit S. Bagga. And it's --

7 COMMISSIONER UMANE: We seem to have two
8 Baggas here.

9 Mr. CASTORINA: Yeah, we have two. So
10 these are both pagination issues. But for the
11 QN2100585, there were no page numbers listed
12 after page 32. So they, we sent them a letter on
13 the 25th of March letting them know about this.
14 They responded, they fixed the petitions and we
15 had a team review the petitions, they made sure
16 they were numbered and sequentially and they
17 found that they were, and we're asking that this
18 could be a valid cure.

19 COMMISSIONER UMANE: Okay.

20 MR. CASTORINA: The same goes for the
21 other, the other one, petition that ends in
22 2100584, the exact same issue, the team reviewed
23 it and they, all pages were now cured.

24 COMMISSIONER PEPE-SOUVENIR: Okay.

1 March 29, 2021

2 Alright.

3 COMMISSIONER UMANE: Okay.

4 MR. CASTORINA: The next one we have is
5 Felicia Singh. So on this one, the cover sheet
6 didn't have the number of volumes listed, so we
7 sent out a letter on the 23rd. They responded and
8 they amended, sent an amended cover sheet and
9 listed the correct number of volumes. The team
10 reviewed it and found that it was correct, for
11 we're asking for this one to be a valid cure as
12 well.

13 COMMISSIONER UMANE: Okay, it's good.

14 COMMISSIONER PEPE-SOUVENIR: Okay.

15 MR. CASTORINA: And then the final one
16 we have is Linda --

17 COMMISSIONER PEPE-SOUVENIR:

18 Guillebeaux.

19 MR. CASTORINA: There you go. Thank you.
20 And this one was actually missing a petition
21 identification number. So they sent us to the
22 cover sheet, but there's no identification
23 number, so we're asking if we could send a letter
24 to them, just letting them know and asking if

1 March 29, 2021

2 they could cure it.

3 COMMISSIONER PEPE-SOUVENIR: Yeah, I'm
4 good with that.

5 MR. CASTORINA: Okay.

6 COMMISSIONER UMANE: Okay. So that they
7 don't have, oh, they have one volume and no
8 identification, this is fine, that's fine. That's
9 good.

10 MR. CASTORINA: Okay. And that's all we
11 have for Queens.

12 COMMISSIONER UMANE: Okay.

13 COMMISSIONER PEPE-SOUVENIR: Okay. We
14 have one city one, right?

15 MR. SAVINO: We had those earlier, the
16 ones that are ready now, once all the petitions
17 have been collected. We had two citywides
18 earlier, I believe.

19 COMMISSIONER PEPE-SOUVENIR: Oh, so we
20 don't have Brian Benjamin? I don't know where did
21 I hear that from?

22 COMMISSIONER UMANE: She was talking
23 about Manhattan. I don't see Brian Benjamin.

24 MR. SAVINO: That's right. that is not

1 March 29, 2021

2 on today's calendar.

3 COMMISSIONER PEPE-SOUVENIR: Oh, okay.

4 MR. SAVINO: Why isn't it -- oh, Nick
5 sent it, but I guess he sent it, yeah.

6 COMMISSIONER PEPE-SOUVENIR: And Jessica
7 Flores isn't on there either? I thought I had
8 two, Brian Benjamin and Jessica Flores, both New
9 York City ones.

10 MR. SAVINO: Right. We don't have
11 anything from Manhattan today for the reasons I
12 described earlier.

13 COMMISSIONER PEPE-SOUVENIR: Okay.

14 MR. SAVINO: But it will be presented
15 tomorrow.

16 COMMISSIONER PEPE-SOUVENIR: Okay.

17 COMMISSIONER UMANE: So we're done. I
18 move we adjourn.

19 COMMISSIONER PEPE-SOUVENIR: I second.

20 MR. SAVINO: Alright. Thank you
21 commissioners.

22 MR. CASTORINA: Thank you.

23 COMMISSIONER UMANE: Thank you all --

24 COMMISSIONER PEPE-SOUVENIR: Thank you

1 March 29, 2021

2 so much.

3 COMMISSIONER UMANE: -- for your hard
4 work, please thank your [unintelligible]
5 [01:17:06] --

6 COMMISSIONER PEPE-SOUVENIR: Thank you
7 so much. I learned so much today.

8 (The meeting concluded.)

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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 29, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

Claudia Marques

Date: October 12, 2021

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