

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' COVER SHEET REVIEW

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

May 19, 2021

3:17 p.m. - 3:25 p.m.

May 19, 2021

PRESENT:

Commissioner Miguelina Camilo

Commissioner Gino Marmorato

Raphael Savino, Deputy General Counsel

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2 (The meeting commenced at 3:17 p.m.)

3 MR. RAPHAEL SAVINO: Good afternoon,
4 commissioners. It's May 19th, and we are here to
5 review cover sheets related to the independent
6 nominating petitions for the general election.
7 Commissioner Camilo has joined us, as has
8 Commissioner Marmorato. We have two matters to
9 present.

10 The first matter is Libertarian Party,
11 for borough president, and if you look at the
12 cover sheet, it indicates volume one, and then it
13 has XPLBT2 it looks like, in terms of the
14 identification number. Now, they do put a sticker
15 on the bottom, which has an ID number, but in
16 actual fact, this was attached to the petition.
17 So one of our rules is it cannot be attached to
18 the petition. The ID number on this cover sheet
19 attached does assign a petition number to the
20 volume, but they have to file a separate cover
21 sheet, one that complies with all the
22 requirements of said cover sheet. The good news
23 is it's a curable defect. We will send a letter
24 and send a notice to cure.

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2 COMMISSIONER MIGUELINA CAMILO: Okay,
3 just to confirm, this is the petition of Michael
4 Lewyn, L-E-W-Y-N for Manhattan borough president?

5 MR. SAVINO: That is correct.

6 COMMISSIONER CAMILO: Okay. So I would
7 move upon counsel's recommendation to send NCN
8 letter for candidate to correct the errors.

9 MR. SAVINO: Okay.

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

12 MR. SAVINO: Alright. And with your
13 permission, I'll put your initials and my
14 initials so we don't have to send the documents
15 back and forth if that's okay.

16 COMMISSIONER CAMILO: Yes.

17 MR. SAVINO: Alright. The second matter,
18 if you look at again, there's a printer's error
19 in between there, but if you go two pages back
20 and you look at the cover sheet, it doesn't give
21 you ID numbers. It only lists 26, it lists the
22 number 26 volume. So that is, in my opinion a
23 defect. There also turns out, you know, which is
24 why you got a lot of attachments, that the

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2 address is incorrect on the petition. So we can
3 certainly ask them to do a cover sheet correcting
4 the errors. But there is a printer's error
5 letter, if you'd like to consider it. It is
6 actually page three of what we sent to you and it
7 indicates that 100-07 has Richmond Hill, Queens,
8 New York, 11418 was printed on all of the
9 petitions and it is instead 100-07 90th Avenue.
10 It is from a copy center, signed by the office
11 manager, but that is -- you know, that's kind of
12 a big difference to leave out the avenue, so I'll
13 leave that within your discretion, commissioners.

14 COMMISSIONER CAMILO: So this is for
15 Candidate Catherine Rojas, candidate for mayor of
16 New York City, Socialist --

17 MR. SAVINO: Mayor of New York City,
18 [unintelligible] [00:20:50], I will point out
19 that she also has designating independent
20 nominating petitions, you know, on the cover
21 sheet. Fortunately for her, she has the proper
22 markings on the independent nominating petition,
23 as opposed to actually the last one we handled as
24 designating petition, which it, that would be

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2 something to consider over prima facie. But in
3 any event, we believe that the cover sheet is
4 definitely defective in that it doesn't have ID
5 numbers, lists only 26 and it would be up to you
6 guys if you wanted to accept the printer's error
7 letter.

8 COMMISSIONER CAMILO: So, to be clear,
9 it's two separate issues. On the cover sheet, I
10 do agree, we should send a notice, as it's
11 missing any volume numbers, and they do indicate
12 that 26 volumes were filed for the candidate or
13 with the candidate's name. So that would be my
14 first thing. I believe that a letter should be
15 sent for that.

16 MR. SAVINO: Okay.

17 COMMISSIONER CAMILO: And then the
18 second issue, I know you sent us in the packet
19 the letter dated May 7th, the printer error
20 letter, which clarifies what was the correct zip
21 code and it seems like one or two digits were
22 incorrect.

23 MR. SAVINO: Right. It said essentially
24 90th Avenue as opposed to 100-07 90th Avenue

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2 compared to 100-07 Ave, Richmond Hill, Queens,
3 New York 11418.

4 COMMISSIONER CAMILO: I believe a notice
5 should be sent. Let me correct myself. I believe
6 we should accept the printer error letter on
7 that, if it was filed appropriately and it was
8 received by our office May 7th.

9 MR. SAVINO: That, you know, we can't
10 sent a notice on that. To be clear, that would be
11 something that rectifies the error that the
12 printer made on the petition if you feel that
13 leaving out 90th Avenue is corrected by the
14 printer's error letter.

15 COMMISSIONER MARMORATO: I support
16 Commissioner Camilo's motion to accept the
17 printer's error letter. But I would support
18 sending out the notice of the cure with respect
19 to the first issue and move that we -- and second
20 that we also accept the printer's error letter.

21 MR. SAVINO: Okay. In that case,
22 commissioners, again, thank you for your time.
23 That is the only two matters to present today.
24 I'm sure we'll have more in the future. I

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appreciate you giving me time to participate with me in the conference. Thank you.

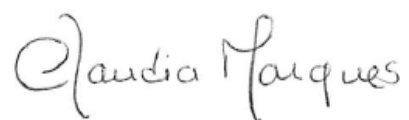
COMMISSIONER CAMILO: Thank you, Mr. Savino. We are adjourned. Okay. Thanks.

(The meeting concluded at 3:24 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on May 19, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: November 30, 2021

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