

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 28, 2021

3:00 p.m. - 3:13 p.m.

May 28, 2021

**PRESENT:**

Commissioner Miguelina Camilo

Commissioner Michael Michel

Hemalee Patel, General Counsel

Raphael Savino, Deputy General Counsel

1 May 28, 2021

2 (The meeting commenced at 3:02 p.m.)

3 MR. RAPHAEL SAVINO: Good afternoon, we  
4 are here on May 28, 2021 for a commissioners'  
5 cover sheet review. Kind enough to join us are  
6 Commissioner Camilo and Commissioner Michel.  
7 Without further ado, we will begin the  
8 presentation. Sure. Okay. Thomas Patrick Downs,  
9 Future independent body, running for mayor, he  
10 submitted actually quite a few different  
11 petitions, but for the purpose of this  
12 presentation, there are four petitions he  
13 submitted that were not securely bound. Where's  
14 the camera, okay.

15 COMMISSIONER MIGUELINA CAMILO: Yeah.

16 MR. SAVINO: It's a rubber band around  
17 them, and I can pull out the others if you wish.  
18 They're not in a circle, but they're still,  
19 again, you know, and securely bound obviously  
20 stops anybody from claiming something fell out or  
21 something's replaced or that sort of thing, so  
22 that is a requirement and we do consider it to be  
23 a defect, that can be fixed.

24 MS. HEMALEE PATEL: That can be fixed,

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2 commissioners, if we sent them a notice to cure.

3 COMMISSIONER CAMILO: I would move that  
4 we send a notice to cure.

5 COMMISSIONER MICHAEL MICHEL: I second  
6 that.

7 MR. SAVINO: Okay. Thank you,  
8 commissioners. So with your permission, I will  
9 place your initials on the defect sheets, put it  
10 on all of them today, and then I will put my  
11 initials above that. Okay. The next matter to  
12 present is also Thomas Patrick Downs, Future  
13 Party, again, running for mayor. He submitted a  
14 number of cover sheets, a number of also volumes.  
15 Each page had a sticker but they were stapled  
16 together. So I guess to explain it briefly, that  
17 the number of volumes claimed on a number of the  
18 cover sheets does not, on two of the cover sheets  
19 does not agree with the claimed identification  
20 numbers, so that the number he listed and how  
21 many petitions does not agree. The total of seven  
22 cover sheets were submitted. The volumes  
23 submitted for this candidacy is not -- well the  
24 total number of volumes for this candidacy is not

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2 on one cover sheet as required. Not one of the  
3 cover sheets lists all of the same, I mean list  
4 all of the same [unintelligible] [00:05:22]  
5 numbers, various petition numbers on a number of  
6 the cover sheets are somewhat illegible and as I  
7 believe I referred to before, a lot, well two  
8 sets were found together.

9 MS. PATEL: So commissioners, if we  
10 could show it to you, when this was filed,  
11 instead of having one identification number on  
12 the one petition and then binding them and  
13 numbering them at the bottom, each page became a  
14 separate volume. Not all of these were listed on  
15 a cover sheet and also technically, if you list  
16 only the first one, then you can't count the  
17 others. So with an opportunity to cure, he, you  
18 know --

19 COMMISSIONER MICHEL: He could try --

20 MS. PATEL: -- he could try and fix it.

21 COMMISSIONER MICHEL: So we can send  
22 them a notice to try to cure it?

23 MS. PATEL: Yes, commissioner, we can.

24 MR. SAVINO: Yes.

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2 MS. PATEL: These are curable defects.

3 COMMISSIONER MICHEL: Okay.

4 COMMISSIONER CAMILO: And I would second  
5 that request.

6 MS. PATEL: Thank you. So commissioners,  
7 I'm going to move on. The candidate's name is  
8 Raja Flores, the independent body is Humanity  
9 United, the office is mayor. As we said this to  
10 you before, you will see the name on the cover  
11 sheet does not match the name on the petition. On  
12 the cover sheet, it says Raja Flores, and on the  
13 petition it says Raja Michael Flores, so  
14 obviously it's a curable defect if you agree that  
15 that he should be sent a -- he, or she, I guess,  
16 I don't know, should be sent a notice to cure.

17 COMMISSIONER CAMILO: Yeah, yeah.

18 MR. SAVINO: [unintelligible]

19 [00:07:09].

20 COMMISSIONER CAMILO: I would move to --

21 COMMISSIONER MICHEL: I second.

22 MS. PATEL: Okay, thank you,  
23 Commissioner Michel, we'll initial the defect  
24 sheet. Abbey Laurel-Smith is our next candidate,

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2 position is mayor, the Pilgrims Alliance Party.  
3 The petition sheets are not numbered sequentially  
4 at the foot of each sheet, so commissioner,  
5 you'll see it's here, and it's all five -- we  
6 didn't send this to you because there was a lot  
7 of things to PDF, but it was fine up until the  
8 last page, which does not have a number, so  
9 again, a curable defect. And then this one which  
10 has no numbers at all.

11 MR. SAVINO: Same candidate.

12 MS. PATEL: Same candidate, so these are  
13 obviously curable defects, commissioners, if you  
14 so allow.

15 COMMISSIONER CAMILO: I move to  
16 [unintelligible] [00:08:01].

17 COMMISSIONER MICHEL: I second it. I  
18 second.

19 MS. PATEL: Thank you, commissioners. We  
20 will send out a notice. Okay. Next candidate is  
21 Michael Lewyn, Libertarian Party running for  
22 borough president running for borough of  
23 Manhattan.

24 MS. PATEL: Commissioners, the

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2 independent nominating cover sheet was not signed  
3 by the candidate or agent. And we sent it to you,  
4 and the candidate's zip code on the independent  
5 nominating petitions that were ending in 4011 and  
6 4019 do not match the zip code on the cover  
7 sheet. The cover sheet zip code is 10016 and  
8 there's two volumes that have the zip code 10014.

9 MR. SAVINO: Since the correct is on the  
10 petition --

11 MS. PATEL: Yeah.

12 MR. SAVINO: We can adjust the cover  
13 sheet to fix it.

14 MS. PATEL: Right, if they're correct on  
15 the petition, we can adjust the cover sheet to  
16 fix it, but it isn't signed, so that is curable.

17 COMMISSIONER CAMILO: [unintelligible]  
18 [00:09:22].

19 COMMISSIONER MICHEL: So we cure it, I  
20 second it.

21 MS. PATEL: Okay. Thank you. We'll send  
22 him a notice to cure, commissioners, thank you so  
23 much. Next candidate is Trisha Ocona, All  
24 Communities United, for borough president in



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2 Brooklyn. There were two cover sheets submitted  
3 for the same candidacy and the number of petition  
4 volumes of both does not match the volume numbers  
5 listed, so commissioners, as we send you the  
6 cover sheets, you can see, it says total number  
7 of volumes, it says two, but there's only one  
8 number and another cover sheet, total number of  
9 volumes listed as two but only one number, one  
10 volume number. And again, this is a defect that  
11 can be cured.

12 COMMISSIONER CAMILO: [unintelligible]

13 [00:10:05].

14 COMMISSIONER MICHEL: I second it.

15 COMMISSIONER CAMILO: Yes. Sorry, my  
16 mute button was not letting me unmute.

17 COMMISSIONER MICHEL: Okay.

18 MS. PATEL: Thank you, commissioners,  
19 we'll send a notice to cure. And the last one is  
20 John A. Tobacco, Jr., Libertarian Party,  
21 candidate for comptroller of the city of New  
22 York. So commissioners, we sent you these two  
23 cover sheets. There was one cover sheet that was  
24 filed at 10:48 on May 25th. There was another

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2 cover sheet that was filed on May 26th at 2:46  
3 p.m. You'll note that on the cover sheet, we had  
4 a member of CRU sign that the date stamp was  
5 incorrect and instead of 2:46 p.m., it said 2:46  
6 a.m. on the stamp. In any event, it was late. The  
7 original cover sheet, we would have otherwise  
8 considered the second one because it was filed  
9 second, but unfortunately, that was late. The  
10 original cover sheet however, does not have a  
11 signature. And it doesn't claim two of the, two  
12 of the volumes that are claimed in the second  
13 one. So with an opportunity to be cured, the  
14 candidate can add the --

15 MR. SAVINO: Add those.

16 MS. PATEL: -- add the volumes and add  
17 the signature.

18 MR. SAVINO: And the cover sheet teams  
19 did look over the petitions and it does appear on  
20 those petitions.

21 MS. PATEL: Right.

22 MR. SAVINO: But --

23 COMMISSIONER MICHEL: But they, so all  
24 of this is they didn't claim the two and there's

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2 no signature on the sheet?

3 MS. PATEL: Yes.

4 COMMISSIONER MICHEL: So that's the  
5 first cover sheet, am I correct?

6 MS. PATEL: Yes.

7 MR. SAVINO: I mean they don't have to  
8 claim the other.

9 MS. PATEL: They don't have to claim,  
10 commissioners, but if they want to.

11 COMMISSIONER MICHEL: Right.

12 MS. PATEL: The second cover sheet was  
13 filed late, but the first cover sheet filed  
14 timely.

15 MR. SAVINO: I assume they would like  
16 to, because they filed the second one.

17 COMMISSIONER MICHEL: Right. Right. So  
18 by giving them an opportunity, they can claim the  
19 two volumes and they can do it and the first  
20 cover sheet would be good then.

21 MR. SAVINO: The amended.

22 MS. PATEL: Yes. Well, the amended, the  
23 amended would be good.

24 COMMISSIONER MICHEL: The amended one,

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2 right. Okay.

3 COMMISSIONER CAMILO: I would second.

4 MS. PATEL: Thank you. Okay,  
5 commissioners, that concludes all of our --

6 MR. SAVINO: Business.

7 MS. PATEL: -- all of our business for  
8 today.

9 COMMISSIONER CAMILO: Thank you both.

10 COMMISSIONER MICHEL: Thank you. Thank  
11 you.

12 MS. PATEL: Thank you so much,  
13 commissioners. Have a good weekend.

14 COMMISSIONER MICHEL: Enjoy your  
15 weekend.

16 MR. SAVINO: You too. Take care.

17 COMMISSIONER MICHEL: Bye-bye.

18 (The meeting concluded at 3:13 p.m.)

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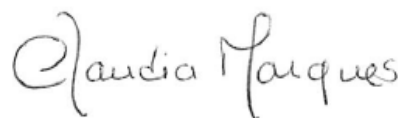
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CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on May 28, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



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Date: November 30, 2021

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