

Commissioner Kellner: So this is Douglas Kellner co-chair and I also have online Commissioner Spano, my guess is that Commissioner Kosinski is with the lawyers still doing the election hearings and those hearings are still ongoing and so there will not be a report to the Commissioners until those hearings conclude and we are told that that will be still at least 15 minutes from now. So, you can continue to standby, and we'll give you another report in 15 minutes if the meeting has not started by that time.

Commissioner Kosinski: To my right is Commissioner Casale and on video we have Commissioner's Kellner and Spano. And we'll open up today's meeting. We're just doing one item or a series of items today, but they're all related to ballot access. The Board staff has been going through petition challenges and we've been doing petitions for the last few weeks. So, the Board has before it reports by the staff regarding two sets of, or types of petitions, one are designating petitions that were filed for the primary in August, and then there's the independent petitions that were filed for the General Election in November. So, the first set I'd like to take are the designating petitions. We have a list of findings by the staff on the list that was given to us. And I would entertain either a motion or question or any discussion that people would like to have on that particular document. That's the one I'm looking at the designating prima facie review and hearings for State Board of Elections on June 27th, 2022. Is there a motion or any discussion?

Commissioner Kellner: I don't know that I have that document in front of me.

Commissioner Kosinski: Well, let's wait until the Commissioner has that document.

Kristen Zebrowski Stavisky: I just. I just e-mailed it to you. MaryEllen just made the last update.

Commissioner Kellner: Okay, designation prima facie will view petitions.

Commissioner Kosinski: Right.

Commissioner Kellner: Okay.

Commissioner Kosinski: And there was an update on this morning's hearings that you should have on this list as well.

Commissioner Kellner: Okay, I have the list. Do any of the candidates or objectors want to be heard?

Todd Valentine: I object.

Commissioner Kosinski: I'm sorry are you here for designating petition or independent? We're going to do that next. So, let's wait for that. So for the designated petitions, I don't believe there is anybody here Commissioner to speak on any of the designating petitions.

Commissioner Kellner: Okay, I move to adopt report.

Commissioner Kosinski: So we have a motion by Commissioner Kellner to adopt the report, do I have a second?

Commissioner Casale: Second.

Commissioner Kosinski: Second by Commissioner Casale. Any discussion? Then all in favor aye?

Commissioner Spano: Aye.

Commissioner Casale: Aye.

Commissioner Kellner: Aye.

Commissioner Kosinski: Aye.

Commissioner Kosinski: Opposed? So that is unanimously carried. Those findings are approved by the Board. So, the second set of the report is the independent prima facie and hearings for the State Board of Elections for today. And, again, there is an updated list that was provided to the Commissioners this morning. Do all the Commissioners have that list?

Commissioner Kellner: This is the one that says Prima Facie review the first one is Driggers then Cohen, then Goldfein?

Commissioner Kosinski: No. That's not the right one. No. This one the first one would be Sala and then Joseph and then Isner are the first three candidates.

Commissioner Spano: The title of the document is Independent. And it's titled independent.

Commissioner Kosinski: Yeah. The title of the document is Independent Prima Facie review.

Commissioner Kellner: I don't have that document.

Kristen Zebrowski Stavisky: Okay hold on.

Commissioner Kosinski: We'll make sure you. Hold on, we'll make sure you get that.

Commissioner Spano: You know what? I don't have it either.

Commissioner Kosinski: Okay.

Kristen Zebrowski Stavisky: Okay, you should have gotten it from Dawn.

Commissioner Spano: I have it.

Commissioner Kosinski: Okay.

Commissioner Kellner: Okay

Commissioner Kosinski: You have it now?

Commissioner Kellner: Yes, I have it now.

Commissioner Kosinski: Okay, you want a minute to look at it and then we can talk about it?

Commissioner Kellner: Sala, Joseph, Isner, Ahmen, Allono and Ramos?

Commissioner Kosinski: Correct, that's correct.

Commissioner Kellner: Okay.

Commissioner Kosinski: That's the first page.

Commissioner Kellner: Does anyone want to be heard?

Commissioner Kosinski: Yeah, we have someone here to be heard on these on these, on this particular document so, I guess we'll let him speak first, I think before we get any motions on the floor, so, if you want to introduce yourself and then you'll be speaking to, you know the whole room so stand where you can see everybody if you can.

Skiboky Stora: Hi how ya doing, my name is Skiboky Stora, I'm an independent candidate on the Freedom party, I'm running for Governor of New York State, and I'd like to speak on my petitions because I wasn't properly, I wasn't served with any objections on...

Commissioner Kellner: I'm sorry to interrupt Mr. Stora but could he stand where he could be seen on camera?

Commissioner Kosinski: Oh, he can't be seen? Can't you see him? You can't see that, I'm sorry.

Commissioner Kellner: Alright, I can see him. I see him on the live stream, but I don't see him on the WebEx. Let's see maybe I can change the layout here.

Commissioner Kosinski: Hold on, just give him a second.

Commissioner Casale: That's the WebEx right there on the left right?

Commissioner Kosinski: I don't know what they're looking at.

Commissioner Casale: That's our Webex here.

Commissioner Kellner: Okay now I see him, I'm so sorry. Thank you.

Commissioner Kosinski: Okay, that's okay. Okay go ahead.

Skiboky Stora: They did not serve me proper and on my cover sheet, you know it has my apartment on it and that's the same thing that happened on my Republican ballot that these people keep on falsifying my documents. You know, I gave them over 90,000 petitions, you understand, and I believe that these people high ranking white supremacists that does, that tries to falsify black candidates and suspend the candidates so their name won't be on the ballot, and that they won't be heard in they hearing because they not properly serving me and Counsel member right here was there when I showed them all my cover sheets on my independent ballot has my apartment on it. And these guys, you know that I feel is high ranking white supremacists you know they didn't serve me. In the proof of service, it has it right here that they sent it to the street but not my apartment. And on my voter registration card, it has my apartment and on all my cover sheets it has my apartment and these guys object to my petition never served me and I gave them over 90,000 petitioners, and this is not right what's going on with blacks and Hispanics.

Commissioner Kellner: I'm sorry to cut you off but this is on the prima facie list, right?

Commissioner Kosinski: Yes, it is, it is.

Commissioner Kellner: So, ...

Commissioner Kosinski: let me just ask you a quick question

Commissioner Kellner: So this objection's not the issue here, right? And what the prima facie finding?

Todd Valentine: There was no lieutenant Governor candidate as required by statute of court.

Brian Quail: But there's also the issue of 45,000 signatures are required and this the petition has 37,500...

Skiboky Stora: That's a lie. I gave them over 90,000 signature petition and this member was here that day when I went all my cover sheets had my apartment, they never served me anything and this is what they purposely did, so I won't come to the hearing and to be

heard. They never served me. The affidavit for proof of service does not have my address, does not have the address on my cover sheet.

Commissioner Kellner: That's not an issue in the prima facie review. This decision is not being made...

Skiboky Stora: I gave them 90,000 signatures, I gave them over 90,000 petitions and again, these people is falsifying blacks and Hispanics candidate's names off these ballots and I believe that these people is high ranking white supremacist members that should be investigated by the FBI. I'm surprised they being allowed to do this by FBI, man. I'm sorry and it's really hurting our country, man. This white supremacist stuff is really hurting our country and on my cover sheet it has my apartment. On my voter registration it has my apartment, I gave, this man was standing right there when I gave them over 90,000 petitions. These people is falsifying blacks and Hispanic candidates names so they won't be on the ballot, man.

Commissioner Kosinski: Are you saying that you filed 90,000 signatures?

Skiboky Sala: Yes, yes sir.

Commissioner Kosinski: Why do we only have 37,000.

Skiboky Sala: Like I said man, sir, this man was a member that was right there when I did everything, took all my petitions. I don't know what these white these people I feel is high ranking white supremacists, okay, I don't know what games they playing but they know my address to serve me with anything they got problem with my petition. They know my address. They served my address without my apartment, and I have over 500 apartments in my building so it's impossible for me to receive it. I'm sorry, I didn't know I was yelling.

Commissioner Kosinski: We're talking two different issues here; I'm just trying to understand. You said you filed 90,000...

Skiboky Stora: Yes, sir, he was standing right there.

Commissioner Kosinski: In our office then you're saying is 90,000 signatures?

Skiboky Stora: I gave these guys 90,000 signatures. He was standing right there.

Commissioner Kosinski: I'm just curious, this gentleman says we got 90,000 signatures I'm only seeing 37,000 so I can understand.

Skiboky Stora: He was standing right there, man.

Commissioner Kosinski: Yeah, yeah we understand.

Todd Valentine: We counted the number of signatures claimed in the petition...

Commissioner Kosinski: and it's 37,000.

Skiboky Stora: That's a lie. That's a lie. I gave him 90,000.

Commissioner Kellner: Todd do you have available the statute cite for the requirement for Lieutenant Governor?

Skiboky Stora: I'm running for Governor I'm not running for Lieutenant Governor.

Brian Quail: I think the Article 7 provision tells us they have to appear on the ballot together and I believe that a relevant, a relevant case is a matter of Thompson v Cohen 7783rd 1016 of 2010.

Commissioner Kellner: And what's the holding in that case?

Brian Quail: And the State constitution provides in Article 4 section 1, the Governor and Lieutenant Governor shall be chosen as the general election and they shall be chosen jointly by the casting by each voter of a single vote applicable to both offices.

Commissioner Kellner: So, the case was a holding yet by not having a lieutenant governor, the petition is defective?

Brian Quail: I am not intimately familiar with the specific holding of the case.

Commissioner Kellner: Alright but it doesn't have the requisite signatures anyway.

Brian Quail: It does not have the requisite number of signatures.

Skiboky Stora: I gave them 90,000 signatures judge ah Commissioner; I gave them 90,000 signatures and he was right there when I gave them these signatures and I explained to them that these people is illegally removing my name and I believe that they are high ranking white supremacists. And he was standing right there when I explained all this.

Commissioner Kellner: Mr. Stora you have, you do have the right to go to court to challenge our ruling.

Skiboky Stora: What sir?

Commissioner Kellner: You have 3 days to go to court to challenge our ruling.

Skiboky Stora: So, y'all saying that you are removing my name off their ballot even though I wasn't served. I wasn't served, because they did not have my address.

Commissioner Kellner: We're not doing this on the basis of objections, we're doing this on our own review of the petition which is...

Skiboky Stora: And what was that?

Commissioner Kellner: We call it Prima facie review. If the petition itself doesn't comply with the law, we...

Skiboky Stora: 90,000 petitions doesn't comply with the law?

Commissioner Kellner: Alright. I hear you, but the staff says that they counted, and it doesn't have...

Skiboky Stora: I believe your staff is high ranking white supremacists man. I really believe y'all is white supremacists, man, you are illegally removing names off the ballot, and I'm not properly served. You still granting whatever you're doing over I never was served. You're ignoring that law pertaining to me being black. You know that I'm not served, I just brought that to your attention, you know that because I'm black.

Commissioner Kellner: That's what I keep trying to tell you is that you don't have to be served.

Skiboky Stora: Why doesn't I have to be served if I gave that 90,000 signatures, sir?

Brian Quail: There is another point I'd like to make very quickly. You asked a moment ago about a matter of Thompson V Cohen and indeed I did not want to represent to you the holding in that case having not actually read it but only read an excerpt from it. But I have just now read the case and it does very clearly hold an independent nominating petition there needs to be a candidate for Governor and Lieutenant Governor and absent a Lieutenant Governor petition is invalid. I just wanted to call that to your attention.

Commissioner Kellner: So, Mr. Stora do you understand that?

Skiboky Stora: What he say?

Commissioner Kellner: That your petition has to include both a candidate for Governor and a candidate for Lieutenant Governor, otherwise it's ineffective.

Skiboky Stora: Listen, everything on my petition was proper. I'm explaining to you I was not served with any of these things you are talking to. I gave you 90,000 signatures, now you're saying I didn't do my documents is wrong. That my petition is wrong that I, I gave y'all it's invalid?

Commissioner Kellner: Because it doesn't...

Skiboky Stora: Even though I gave you 90,000.

Commissioner Kellner: have a Lieutenant Governor.

Skiboky Stora: Even though I gave you 90,000 and they never served me. This is what you're saying, I gave them 90,000 signatures and they never...

Commissioner Kellner: Even if it had 90,000...

Skiboky Stora: You say what?

Commissioner Kellner: Even if it had 90,000 it would still be defective because it doesn't have a candidate for Lieutenant Governor.

Skiboky Stora: So, now you taking away my signatures because you saying that I didn't put a Lieutenant Governor on it. You going to take away my 90,000 signatures, this is what you're doing Councilman, right?

Commissioner Kellner: That's the law.

Skiboky Stora: That you remove, you remove my 90,000 signatures because you saying I never put a Lieutenant Governor on my petition.

Commissioner Kellner: That's the...

Skiboky Stora: You say what? That's why you doing that? Can I hear a yes or no sir?

Commissioner Kellner: Yes, that's the law.

Skiboky Stora: Okay, I can't get a decision, so I can run this to court, or I don't need it?

Commissioner Kellner: No, we'll do it our...

Skiboky Stora: You made a decision, thank you sir, thank for your time being heard.

Commissioner Kosinski: Thanks for coming. Okay. Is there anybody else here that would like to speak on any of the petitions are that being considered? Hearing none I would entertain a motion by any Commissioners...

Commissioner Spano: I move that we accept the staff recommendations.

Commissioner Kosinski: I have a motion. Anybody second, second by Commissioner Casale. Any other discussions? If not, all in favor, aye

Commissioner Spano: Aye.

Commissioner Casale: Aye.

Commissioner Kellner: Aye.

Commissioner Kosinski: Aye.

Commissioner Kosinski: Opposed? I hear none it was unanimous. So both of the documents were approved by the Board unanimously. That's the only business I have before the Board today. Is there anything else any other commissioner would like to bring before the Board? If not, I would entertain a motion to adjourn.

Commissioner Casale: So moved.

Commissioner Kosinski: Until our next meeting which is July 13th which will be a full Board Meeting as opposed to today which was just on the petitions.

Commissioner Kellner: My understanding is July 13th is just petitions, again.

Commissioner Kosinski: Oh, I'm sorry, I thought it was a full meeting. No, I think July 13th is a full meeting.

Todd Valentine: Finance commissions will meet in August. That's the difference.

Commissioner Kellner: If that's the case, would you consider doing July 14th instead?

Commissioner Spano: I can't do July 14th.

Commissioner Kellner: How about the 12th?

Commissioner Kosinski: Hold on, let me look.

Commissioner Spano: Let me just check the 14th but I don't think I can.

Commissioner Kellner: Actually, the 12th would be better for me too.

Commissioner Spano: I'm okay with the 12th.

Commissioner Kosinski: Do you want to switch it? Alright, we'll do the 12th.

Commissioner Kellner: Thank you so much, I appreciate it.

Commissioner Kosinski: Okay so, with that in mind, we'll adjourn the meeting until July 12th. All in favor?

Commissioner Spano: Aye.

Commissioner Casale: Aye.

Commissioner Kellner: Aye.

Commissioner Kosinski: Aye.

Commissioner Kosinski: Thank you commissioners.