

by David King, Kamelia Kilawan and Cristian Salazar

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[STATE SENATE](#) -- [ASSEMBLY](#) -- [CITY COUNCIL SPECIAL ELECTION](#) -- [JUDICIAL RACES](#)

NEW YORK — Before Hurricane Sandy pounded her community, caused her home to flood and left her in the cold without power, Diana Demarco was planning to vote in today's election.

Now the 54-year-old woman says she'll spend the day cleaning the storm waters from her Howard Beach home.

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"You think people care?" she said of the election. "Maybe some do, but there is no electricity and no information."

In an effort to make it easier for storm fatigued New Yorkers like Demarco to exercise their right to vote, Gov. Andrew Cuomo announced yesterday that he would sign an executive order allowing New Yorkers in areas devastated by the storm to cast their ballots at any polls in the state.

"We want everyone to vote. Just because you're displaced doesn't mean you should be disenfranchised," Cuomo said at a press conference last night.

Besides the city, the order covers Nassau, Rockland, Suffolk and Westchester counties.

Voters will be able to fill out affidavit ballots, which will then be mailed to the appropriate Board of Elections. However, people will only be able to vote in the national elections that are uniform across ballots, not local legislative races that will determine their districts' representation.

The possibility that voters won't cast ballots in their own districts for local candidates could mean the difference in some close races. For the State Senate, it could also weigh heavily into whether the Republicans keep control of the chamber.

Chung-Wha Hong, the executive director of the Immigration Coalition of New York City, said allowing people to cast affidavit ballots would give people displaced from their neighborhoods by the storm the opportunity to participate in the democratic process. "People aren't going to go back to the Far Rockaways to vote," she said of one of the hardest-hit parts of the city.

But advocates are worried that there could be a series of problems at the polls today and that turnout will be depressed.

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"On the bright side of the coin, I think this could open dialogue on how hard it is for us voters to exercise our right to vote," said Ashton Stewart, executive director of the League of Women Voters of New York City.

However, because it is a presidential election year and the ballot also includes [important Congressional races](#), people may turn out to vote.

The decision to allow voters to cast affidavit ballots came after days of confusion as county election officials hustled to replace poll sites that were rendered unusable during the storm. In the city, it wasn't until Sunday that the county Board of Elections released a list of 60 or so relocated poll sites.

Adding to the uncertainty, the Board, facing enormous pressure to coordinate the election after the storm knocked out power to two of its offices and left its Election Day plans in disarray, continued to update the list hours later.

Some poll sites were consolidated into larger sites, including in Howard Beach, where brothers Phil Landman, 58, and Elliot Landman, 57, were repairing their home, which was damaged by the storm.

After learning that their nearby poll site would be moved to the other side of the neighborhood, they said there was no way they would be voting this year.

"It's too far away ... It's a hike from here," said Elliot Landman, pointing out that they had no transportation to get there after their three cars were water damaged during the storm.

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### STATE SENATE

With the storm overshadowing the election, it bears recalling that the entire balance of power in the Republican-led State Senate is at stake on Nov. 6. But those districts with competitive races in the city were among the hardest-hit by Sandy, and it's anyone's guess whether voters will turnout to cast their votes.

The election probably is the last thing on the minds of voters in the **15th State Senate District** — which includes Breezy Point, Howard Beach and Far Rockaway, where homes are underwater or have been destroyed by fire.

Neither one of [the two men](#) who are the [leading contenders](#) for the seat, incumbent Democratic Sen. Joseph Addabbo and Republican challenger and Councilman Eric Ulrich, have been hitting the campaign trail hard since storm pummeled their community.

Addabbo has spent his days since the storm assisting in disaster relief across the district. His own campaign office was flooded out, and he estimates that half of the polling places in his district are under water. Meanwhile, Ulrich celebrated the birth of his baby girl last week amidst the chaos of the storm.

Jessica Proud, a spokeswoman for Ulrich, said the campaign was concerned that the new poll sites "threaten to disenfranchise thousands of voters" in Queens that were damaged by the storm.

"The Board of Elections has moved polling sites to areas that are inaccessible to many voters who are without power, public transportation, vehicles and fuel," she said in an email.

Also in Queens, long-term incumbent Democrat Sen. Toby Ann Stavisky is facing a solid

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challenge from J.D. Kim in the **16th State Senate District**. Kim, a political operative, has focused his campaign on small business. Stavisky has touted campaign finance reform as one of her main goals as well as improving the quality of life of her constituents.

The city's other [hot Senate race](#) in the **22nd district** of Brooklyn, between Republican incumbent Martin Golden and young Democratic challenger Andrew Gounardes, has also slowed down if not been completely eclipsed by the storm.

Gounardes' spokesman Chris McCreight says that the election isn't exactly on the forefront of anyone's mind.

"The hurricane definitely impacted some polling sites in Gerritsen Beach and Manhattan Beach," he said. "To what extent, nobody knows, mainly because the focus has been on the destroyed houses and the families. I don't think too many people are thinking about the election at this point in those neighborhoods so it's hard to say if the polling sites will be anywhere near operational by Tuesday."

Golden couldn't be reached for comment last week.

If there was one sign to point to that indicates the struggle for control of the State Senate is closer than anyone cares to admit, it would have to be the race for the newly created **46th district**

The district snakes down around the upstate urban centers like Schenectady and Albany through rural areas and small towns — like it was designed only to reach Republican voters

Republicans currently control the Senate 32 to 29. The district was carved by Republicans to help bolster their majority and added as t [he 33rd district despite](#) the protests of Democrats who said that a new district made no sense.

Most Albany insiders saw it as a hand-wrapped gift to Assemblyman George Amedore, a home builder who appeared on a reality TV show before winning his seat.

Even though the district seems to have been gerrymandered to benefit the Republican candidate, a recent [Siena College Poll](#) shows that Democrat Ceclia Tkazyk trails the popular Amedore by only three points — 44 to 47 percent. Tkazyk has received a major boost from PAC spending, which has likely helped her close the gap on Amedore.

Meanwhile, in the **55th district** in Monroe County, Democrat Ted O'Brien has a major lead over Republican Assemblyman Sean Hanna of 50 to 39 percent, according to the

[Siena College poll](#)

. The seat is currently held by retiring Sen. James Alesi Hanna, who enjoyed a 19-point swing in the polls over just one month.

If Democrats hold on to their incumbents, those two seats could put them in the majority. Of course, that all depends on whether the Independent Senate Democrats, led by Sen. Jeff Klein, decide to play ball. The breakaway faction of Senate Democrats have functioned as a buffer for Senate Republicans during important votes, although it appears important for them to be seen as Democrats in their districts.

Many Democrats think that the Independent Democrats would be forced to return to the fold if the Democratic Conference needed them to create a majority. After all, it would be hard for them to explain to their constituents why they were siding with the Republican Conference. But nothing is guaranteed.

***Read the Gazette's coverage of the two key state Senate races:*** [\*\*Democrats Hope for State Senate Win In Conservative Brooklyn\*\*](#)

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[\*\*Showdown at Howard Beach\*\*](#)

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[\*\*Rival Candidates in State Senate Race Say They Won't Toe Party Lines\*\*](#)

### STATE ASSEMBLY

Although many city-based Assembly members are running opposed and the control of the body is unlikely to change hands anytime soon, there are a number of compelling races in the five boroughs:

Democrat Ron Kim will face Republican Phil Gim in the **40th State Assembly District in Queens**. The pair are vying to replace departing Assemblywoman and Congressional candidate Grace Meng. Gim is a small businessman; Kim has worked in city and state government, including as an aide to Assemblyman David Weprin.

Assemblyman Rory Lancman decided not to run for his seat after losing a congressional primary. Now Democrat Nilly Rozic and Republican Abe Fuchs [are vying](#) to replace him in the **45th State Assembly District**. Fuchs' focus is on education policy while Rozic was the chief of staff for Assemblyman Brian Kavanaugh.

The **45th State Assembly District** in Brooklyn features a three-way showdown between incumbent Democrat Steve Cymbrowitz, Republican Russ Gallo and Independence Party candidate Ben Akselrod. Cymbrowitz [has avoided debating his opponents](#), and has remained fairly quiet while being the subject of numerous attacks from his opponents. For instance, Gallo [slammed Cymbrowitz](#) for looking for staff on Craigslist, and said that the popular classifieds site is "notorious for being used by criminals and those peddling immorality." So far, the race has not featured much substance.

In the **53rd State Assembly District** in Brooklyn, [scandal-scarred](#) Democratic Assemblyman Vito Lopez is facing a challenge from Republican Richy Garcia, who is not very well known and had [suspended his campaign only to revive it](#) after the sexual harassment scandal surrounding Lopez broke.

In a case of [scandal swamped Democratic Brooklyn assemblyman](#) is facing a fairly weak Republican challenger in the **55th State Assembly District**. Assemblyman William Boyland who has won of the worse attendance and legislative records in the Assembly and who is under indictment for bribery charges faces underfunded Republican challenger Jonathan Anderson.

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In the **65th State Assembly District** in Manhattan, Speaker Sheldon Silver — facing a [backlash](#) for his involvement in secretly settling sexual harassment charges against Lopez — faces a challenge from Republican Wave Chan. Silver is expected to win handily. Silver has held the seat since 1977.

In the **76th State Assembly District**, Democratic incumbent Assemblyman Micah Kellner is facing Independence Party Member Mike Zumbuskas (also running on the Republican line). Kellner has been focused on creating a new middle school in the district and has worked against the East 91st Street Transfer Station. Zumbuskas has focused on reducing taxes and says he wants to add to the Republican minority in the Assembly.

There is a full ballot in the **80th State Assembly District** race in the Bronx to replace Naomi Rivera. Mark Gjonaj [defeated the scandal-damaged incumbent in the Democratic primary](#) and now faces Nicole Torres on the Republican line, Patrick McManus on the Conservative Party line and William Edstrom on the Green Party line.

### CITY COUNCIL SPECIAL ELECTION

Six candidates are vying in the special election for the City Council seat in the Bronx that was previously held by disgraced veteran politician Larry Seabrook. The candidates for the 12th district include a community organizer, an Anglican minister, a lawyer, a policy advisor to Rep. Jose E. Serrano, a bus company owner and the executive director of a community center.

The district is bounded by Westchester County to the north, Williamsbridge to the west, Olinville and Baychester to the south and the 338-acre Co-Op City to the east — the largest government-subsidized housing ever built.

The candidates have said education, economic development, crime and public housing are all key issues in the district. Youth violence has also been a subject of concern.

One candidate, Pamela Johnson, said during a debate among five of the candidates that if elected she would propose parenting classes to tackle the youth gang problem in the district. “Some parents don’t know how to be parents,” said the Eastchester community activist.

Another candidate, Cheryl Simmons-Oliver, is a policy advisor on economic development for Rep. Serrano. In a series of videos posted on YouTube, she has outlined a multi-pronged platform, on issues including quality of life and job creation.



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Some observers say the district was neglected during Seabrook's three-term tenure that ended when he was booted from his seat following his conviction in a corruption case. Prosecutors said he funneled \$1.5 million in public funds to nonprofit organizations he controlled.

While most of the candidates in the nonpartisan race have focused their energy on promoting their own records rather than addressing Seabrook's shenanigans, candidate Joseph Nwachukwu told The New York Times that he wanted to increase accountability surrounding how the city's money is spent.

"After the Larry Seabrook debacle, people are looking at us as if we don't have integrity," the 54-year-old Anglican minister told the newspaper last month. "I will set an example and lead by example."

Another candidate in the race, Andy King, lost a challenge to Seabrook in 2009. This year, he's seen by some as the man to beat.

He's raised the most money (\$28,520) and has sought and received public matching funds of \$49,333, according to the city Campaign Finance Board's website. Top donors have included unions, Councilman James Vacca and state Assemblyman Carl Heastie.

He has also won the support of the Bronx Democratic Committee.

The race has also been a test case for a new city rule requiring organizations or groups to disclose their independent expenditures on behalf of candidates.

According to campaign finance records, 1199 SEIU, spent \$4,500 to back King, mainly by printing and distributing a flier for him — not surprising, though, given that the candidate worked as a community organizer for the union.

On his website, King has outlined his platform under the generic slogans of "providing care for our seniors", "improving access to healthcare" and "organizing for positive change."

Another candidate, Neville Mitchell, is a lawyer who represented the relatives of a groom shot and killed by police in a 50-bullet barrage on his wedding day on Nov. 26, 2006.

Mitchell told the Daily News in late October that he planned to sue the city's Board of Election because he said King's name is expected to appear on the ballot twice and in the same column as President Barack Obama.

Board of Elections spokeswoman Valerie Vazquez said the first candidate dropped out of the race and substituted King for the spot.

### **JUDICIAL RACES**

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When voters do go to the polls tomorrow, they will likely be expected to pick judicial candidates whom they probably never even heard about before. There are 43 candidates running to be judges in Bronx, Kings, New York and Queens counties. Up for grabs are spots on the civil, supreme and surrogate's courts.

The New York City Bar Association, [which evaluates candidates in judicial races](#), did not approve 10 of the candidates ("Not approved by reason of the candidate's failure to affirmatively demonstrate that he possesses the requisite qualifications for the court for which he is a candidate") and was unable to review two.

The City Bar says that it cannot comment beyond approving and not approving candidates "to ensure the thoroughness and integrity of the ratings process."

More information about each candidate can be found on the [New York State Unified Court System's guide](#) (it also includes a helpful description of what each court does) as well as on [Judgepedia](#).

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