

**FOR IMMEDIATE RELEASE**

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**FINDING IN THE COMPLAINTS OF  
NOELIA CANDELARIA, PAT LAGANA, AND ALEX PAYAN AGAINST  
GARY ZUCKERMAN, PAMELA JAFFEE, AND RANDY SELLIER  
(RYE TOWN DEMOCRATIC COMMITTEE),  
CANDIDATES FOR RYE TOWN GOVERNMENT**

Tarrytown, NY (December 18, 2023) - The Westchester County Fair Campaign Practices Committee met via Zoom on December 13, 2023 to hear the complaints of Noelia Candelaria (Republican/Conservative), candidate for Rye Town Supervisor, and Pat Lagana (Republican/Conservative) and Alex Payan (Republican/Conservative), candidates for Rye Town Council, against incumbent Gary Zuckerman (Democrat), candidate for Rye Town Supervisor, and incumbent Pamela Jaffee (Democrat) and Randy Sellier (Democrat), candidates for Rye Town Council. Pat Lagana and Alex Payan attended the Hearing and were represented by Aldo Vitagliano. Gary Zuckerman and Pamela Jaffe attended the Hearing and were represented by Harry Brussel.

**COMPLAINT #1:** Ms. Candelaria, Mr. Lagana, and Mr. Payan complained that the statement in a town-wide mailing that Chairman Vitagliano “hand-picked” the Republican/Conservative candidates was false and misleading since candidates are nominated through a standard process.

**FINDING: FAIR CAMPAIGN PRACTICE**

The Committee found that the use of the term “hand-picked” is considered normal political discourse. Mr. Vitagliano is chairman of the Port Chester Republican Party and vice chair of the Rye Town Republican Party. It would be expected that he would have significant involvement in the selection of the candidates.

**COMPLAINT #2:** Ms. Candelaria, Mr. Lagana, and Mr. Payan complained that the statement included in a town-wide mailing and on social media posts that “Safe Reproductive Health Care is on the Ballot this November Right Here in Westchester,” as well as the reference to Mr. Vitagliano and his family in the mailing, was false and misleading since (a) abortion was not on the November ballot, (b) Rye Town government does not get involved with the issue of abortion, and (c) Mr. Vitagliano and his family were not candidates.

**FINDING: UNFAIR CAMPAIGN PRACTICE**

In framing who they are to voters, candidates often infuse in their campaign platform their views on national issues. However, it is unfair to use language that is misleading in laying

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out a candidate's campaign platform. The mailing in question did state where the Republican and Conservative Parties stand on a woman's right to choose, but the choice of words used here matters. To state that the issue was "on the ballot" is misleading to the voter because no such matter was up for local consideration. In addition, there was no evidence offered that any of the Rye Town Republican/Conservative candidates had shared their positions on the issue. The Committee also finds it unfair to call out the views of the Vitagliano family as part of the candidates' platform. Neither Mr. Vitagliano nor his family members were candidates.

Including false or misleading statements in the mailer violates the following FCPC Principle: "The candidate will not use or condone any campaign material or advertisement that misstates, misrepresents or distorts material fact or any communication that misleads the public,"

and also violates FCPC Guidance #10:

"A candidate is urged to exercise great care when characterizing his/her opponent's positions. In the absence of a specifically publicly stated position on an issue, a candidate should avoid attributing a position on this issue to her/his opponent."

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Committee Members: Susan P. Guma, [Chair], Jennifer Mebes Flagg [Coordinator], Elizabeth Bermel, Gisele Castro, LaRuth Gray, Kyle-Beth Hilfer, Lee Kinnally, Robert C. Kirkwood, Carole Princer Levy, Don Marra, Paul Bennett Marrow, Joy Rosenzweig, Susan Schwarz, John Stern, Evelyn M. Stock  
Party representatives (ex officio): Republican Party, Democratic Party, Conservative Party, Working Families Party, Independence Party, Green Party

The purpose of the Westchester County Fair Campaign Practices Committee is to help set an acceptable standard for political discussion by offering a forum for identifying unfair campaign practices and promoting a climate in which candidates conduct honest and fair campaigns. The Committee encourages candidates to conduct campaigns openly and fairly, to focus on issues and qualifications, to refrain from dishonest and defamatory attacks, and to avoid the use of campaign materials that distort the facts.

The Committee accepts written complaints from candidates about alleged unfair campaign practices. The Committee may then hold hearings to determine whether the action complained about is indeed unfair or whether it falls within acceptable political discourse. Among other things that the Committee will consider to be an unfair campaign practice is a misstatement of a material fact or any communication that misleads the public.

The Committee has no power to compel anyone or any group to stop doing what it has found to be unfair, nor does it have the authority or power to enforce election or other laws.

If the Committee acts on a complaint, it will release its findings to inform the public. The Committee may choose not to consider a complaint; in that case, a hearing is not held and the parties to the complaint are notified.

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Statement of Principles of the Committee, as stated in its Manual, is available at [www.faircampaignpractices.org](http://www.faircampaignpractices.org). The Westchester County Fair Campaign Practices Committee believes that candidates should conduct their campaigns in accordance with the following principles:

- The candidate will conduct a campaign for public office openly and fairly, focusing on issues and qualifications.
- The candidate will not use or condone any campaign material or advertisement that misstates, misrepresents or distorts material fact or any communication that misleads the public.
- The candidate will neither engage in nor be involved with false or misleading attacks upon the character of an opponent, nor in invasions of privacy unrelated to fitness for office.
- The candidate will not participate in or condone any appeal to prejudice.
- The candidate will clearly identify by name the funding source of all advertisements and campaign literature published and distributed.
- The candidate will not abuse the Westchester County Fair Campaign Practices Committee process in order to obtain political advantage. This includes, but is not limited to announcing that he/she has filed a complaint, or quoting from the Committee's Findings unless the individual Finding cited is quoted in its entirety. The Committee considers selective quotation or misrepresentation of its Findings to be an unfair campaign practice.
- The candidate will publicly repudiate materials or actions made on behalf of their candidacy that violate this Statement of Principles.