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## NYS Senate candidate Greenberg off the ballot due to invalid signatures

Thursday, April 30, 2020 - 15:10

ALBANY COUNTY — New York State Senate 46th District candidate [Gary Greenberg](#) has lost his position on the ballot for the June 23 Democratic primary following a [challenge](#) by Rensselaerville Democratic Chairman Hébert Joseph over the number of signatures Greenberg collected for his petition.

The decision was made on April 27 by the New York State Board of Elections. Greenberg told The Enterprise that he immediately filed a motion in the New York State Supreme Court — the lowest level court in the state’s three-tiered system — to fight his way back onto the ballot.

The first hearing is scheduled this Friday, May 1.

“They are trying to subvert a race of two candidates,” Greenberg said, referring to Joseph, who he says is a proxy for Democrat [Michelle Hinchey](#), his primary opponent. “Now what’s Michelle Hinchey scared of?”

Hinchey of Saugerties is the daughter of the late United States Congressman Maurice Hinchey, and is backed by the Democratic committees of each of the five counties covered totally or partially by the 46th District (Greene, Montgomery, Albany, Schenectady, and Ulster).

Greenberg, who lives in Greene County, is a child-victims advocate, having been one himself.

The incumbent senator, Republican George Amedore, is not seeking re-election. Conservative Richard Amedure, of Rensselaerville, is running for the 46th on the Republican line and is seeking the Independence, Conservative, and Serve America Movement lines. Robert D. Alft Jr. is running on the Green Party line. In addition to the Democratic line, Hinchey is seeking the Working Families and Serve America Movement lines.

New York State Senate petitions are typically required to have at least 1,000 signatures from registered voters to secure a candidate’s place on the ballot. Because of the coronavirus, Governor Andrew Cuomo temporarily lowered that threshold to 300 signatures.

*Gary Greenberg*

Greenberg submitted his petition with 337 signatures — a number that he told The Enterprise in March was hard to get under the circumstances. By the time the petitions were reviewed by a State Board of Elections hearing official, only 291 of those signatures were considered valid.

Hinchey told The Enterprise in March that she submitted a petition with more than 2,500 signatures. Her campaign could not immediately be reached for comment on Greenberg’s removal from the ballot, nor his ensuing legal challenge.

Greenberg expressed frustration this week over “petty” complaints about the signatures, such as sloppily written dates and incorrect locations, that were nevertheless significant enough to render the signatures invalid.

“There’s people that think they live in [the village of] Voorheesville and it’s [the town of] New Scotland,” Greenberg told The Enterprise, explaining how a voter can unwittingly put down incorrect personal information. “Or they put Slingerlands, their mailing address, but they live in Guilderland.”

Greenberg, who will be represented by attorney John Sweeney, said that he’s confident his name will be on the ballot.

“I promise when I’m elected as Senator,” he said, “I will make ballot access easier for residents.”

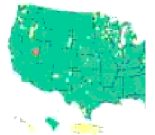
Tags: [New York State Senate](#) [election 2020](#)

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## More Regional News

- **Week CXIII: ‘Endemicity is not a victory,’ COVID researchers say**

When Governor Kathy Hochul on Sunday afternoon, May 8, [tweeted](#) that she had tested positive for the virus — “Thankfully, I’m vaccinated and boosted, and I’m asymptomatic,” she posted — her followers were divided in their advice and remonstrances.



- **Week CXIV: Reinfection rates rise along with spread of Omicron subvariants**

“As the Omicron variant emerged in New York State, the number of people who have been infected with COVID for a second time has increased dramatically,” the state’s health department reports.



- **Albany County publishes first redistricting map draft**

The map will be subject to a public hearing on May 26.





# New York State Unified Court System



## WebCivil Supreme - Appearance Detail

Court: **Albany Supreme Court**  
Index Number: **3476-20**  
Case Name: **Greenberg vs. Joseph And NYS BOE**  
Case Type: **SPEC PROCEED-ELECTION**  
Track: **Standard**

### Appearance Information:

Appearance Date	Time	Court Date Purpose	Outcome Type	Justice Part	Remarks	Motion Seq
05/04/2020		Motion	MOTION DECIDED	DAVID A. WEINSTEIN WEINSTEIN (Motion Part)		<a href="#">1</a>
05/04/2020		Disposition	PRE-DISMISSED	DAVID A. WEINSTEIN WEINSTEIN (Court Activity)		
05/01/2020		Motion	RETURN/SUBMIT	DAVID A. WEINSTEIN WEINSTEIN (Motion Part)		<a href="#">1</a>
05/01/2020	10:30 AM	Hearing	HEARING HELD	DAVID A. WEINSTEIN WEINSTEIN (Hearing)		
04/28/2020		Motion	MOTION FILED	DAVID A. WEINSTEIN WEINSTEIN (Motion Part)		<a href="#">1</a>

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New York State Unified Court System



*WebCivil Supreme - Motion Detail*

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Case Type: **SPEC PROCEED-ELECTION**  
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**Motion Information:**

Motion Number	Date Filed	Filed By	Relief Sought	Submit Date	Answer Demanded	Status	Decision Date	Order Signed
1	04/28/2020	Plaintiff	Dedare Designating Petition	05/01/2020	No	Decided: 05/04/2020 DISMISSED Before Justice: DAVID A. WEINSTEIN		

Close