

LUZERNE COUNTY BOARD OF ELECTIONS AND REGISTRATION  
AGENDA

Jan. 12, 2022 at 5:00 P.M.

Council Meeting Room

Luzerne County Courthouse

200 N. River Street Wilkes-Barre, PA 18701

And

Video/Teleconference via ZOOM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF AGENDA

PUBLIC COMMENT ON AGENDA ITEMS

This is an opportunity for members of the public to address the Board on matters listed on the agenda. (limited to 4 minutes & one comment time per person) Please refer to the Board of Elections and Registration Online page of County's Website at <https://www.luzernecounty.org/1282/ABC-Meetings-Online> for information on how to participate in Public Comment via technology.

APPROVAL OF MEETING MINUTES FROM: December 6, 2021 (pp. 3-7)

AGENDA ITEMS - BUREAU OF ELECTION

1. Status of SURE Trainings (Who on SURE Username list still needs & when scheduled)
2. Status of Licensing Bureau Employees Relocation Out of Election Bureau Office
3. Information on Approximately 25 Voters' Names not in Pollbook on November Election Day
4. Status/Plan for Completion of #7 & #9 Directives (See p. 8 )
5. Campaign Finance Form Reporting - Explain Process of Collecting Information at Bureau and Status of Required Forms to have been Submitted for Nov. 2021 General Election
6. Status of Special Election for 116th Legislative District

7. Explanation of Current Requirements/Process for Municipalities to put races on the ballot
8. Election Bureau Cybersecurity Information - Plan for Cyber-Resilience Going Forward and How Being Addressed
9. Upcoming Permanent Mail-in/Absentee Voter Mailer- Explanation/Information

#### AGENDA ITEMS - BOARD OF ELECTIONS & REGISTRATION

1. Follow Up - Board of Election Survey Letter Sent to Segment of Voters with “Ballots Pending Not Yet Returned” Status (See pp. 10-15)
2. Letter to Poll Workers on New Mandated Training Per Year & Change in Compensation for Trainings Going Forward
3. 2022 Board of Elections & Registration Meeting Dates (See p. 9 )
4. Status: Follow-Up / Summary Report from “The Election Group”

#### PUBLIC COMMENT ON NON-AGENDA ITEMS

This is an opportunity for members of the public to address the Board on matters not listed on the Agenda but which must be within the subject matter jurisdiction of the Board. Please refer to the Board of Elections and Registration Online page of County’s Website at <https://www.luzernecounty.org/1282/ABC-Meetings-Online> for information on how to participate in Public Comment via technology.

#### MOTION TO ADJOURN

#### ADJOURNMENT

### LUZERNE COUNTY BOARD OF ELECTIONS AND REGISTRATIONS MEETING MINUTES DECEMBER 6, 2021

#### CALL TO ORDER 5 PM

#### EXECUTIVE SESSION

An executive session was held on November 11, 2021 from 10:00-10:19 AM to discuss litigation. No deliberations took place.

## PLEDGE OF ALLEGIANCE

## ROLL CALL

Patrick Castellani here, Richard Nardone here, Kathy Roth here virtually, Audrey Serniak here, Denise Williams here virtually

## APPROVAL OF AGENDA

Motion to adopt made by Rick Nardone 2nd Patrick Castellani, unanimous

## PUBLIC COMMENTS (4 minutes)

Walter Griffith-Thanked Board for their hard work. Campaign finance reports need to be organized so information can be found more easily. The write-in candidates should be validated prior to the tie-breakers taking place.

## MINUTES

Motion made to approve the minutes for October 27, 2021; November 2-19, 2021; November 5, 2021; and November 24, 2021 by Rick Nardone 2nd Kathy Roth, unanimous

## BUREAU OF ELECTIONS REPORT

Mail-in Ballots Received Late-2021 primary 772, 2021 general 458; we need to get the ballots out earlier. The suggestion was to target the first date they can be mailed not just meet the deadline.

There were 25,000+ requests for ballots and 25,000+ sent out.  
There were 18,000+ voted.

With 260 voted provisionally and 458 returned late. Denise Williams suggested phoning voters who requested but did not vote the ballots to find out why the 6000+ discrepancy.

Eryn Harvey reported that there would be a request made for the IT department to work on the campaign finance reports that are on the website.

Poll Book/Voter Discrepancies-Eryn Harvey did not have time to look into why some voters did not appear in the poll book and had to vote provisionally; crosschecks showed they were in the poll book. She had asked this be removed from the agenda as she didn't have time to research.

Denise Williams did not see why this couldn't be done.

## BOARD OF ELECTIONS REPORT

Election Board Meeting Dates 2022

January 12, 2022 January 26, 2022

February 9, 2022 February 23, 2022

March 9, 2022 March 23, 2022

April 13, 2022 April 27, 2022

May 11, 2022 June 22, 2022 July 13, 2022

August 10, 2022 August 24, 2022

September 7, 2022 September 21, 2022

October 12, 2022 October 26, 2022

December 7, 2022

Motion to accept proposed dates made by Rick Nardone 2nd  
Patrick Castellani, unanimous

Poll Worker Survey-Denise Williams asked if we have poll worker emails so that we can do a survey instead of the focus groups done after the primary.

Eryn Harvey advised that we have email addresses and the Election Group drew up a survey which went out last week. She will get a copy to the Board.

Rick Nardone will follow-up with Angela Gavlick and Romilda Crocamo regarding any evaluation report on the general election.

Directives 7, 8 &9 (written procedures, job descriptions, website) tabled from 9/30/21

Denise Williams and Rick Nardone suggested tabling these until the new director is hired.

Rick Nardone would like to discuss with all interested the Board's backing off giving operational directives to the Bureau.

The Board felt that timelines, benchmarks and progress reports would be necessary.

Poll Worker Pay/Training Pay-The Board previously voted to require poll workers attend training at least once a year and that poll workers not be paid for training if they didn't attend training; the Board allowed the payment for training even if not attended to prevent staffing

shortages for the general election.

Rick Nardone will draw up a letter that will be sent to past poll workers advising them a portion of the pay is for working the polls and a portion is for attended training. This is an incentive to attend training and gives workers advance notice of the requirements.

The Board and PaulaRadick will review it before it is mailed.

People Voting in the Wrong District-Denise Williams suggested better training for the JoE's so that people would go to the correct ward to vote; if people vote provisionally in the incorrect ward, their ballot is usually only partially counted.

Pat Castellani suggested that signs in the polling places might help,

Licensing Department is Moving-Angela Gavlick advised that some administrative work has to be done but Licensing would move to their own space by the end of January.

Mail-in Ballots Not Returned-Paula Radick advised that the Board could obtain the list of people who requested a mail-in ballot and did not return it and could call them to ask them why.

There could be a sampling which could indicate if there was a problem.

Denise Williams asked if this election's numbers are consistent with the 2021 primary and 2020 general election.

#### PUBLIC COMMENTS (4 minutes)

Walter Griffith-People may have voted provisionally because they did not receive their ballot on time. We need to mail out ballots faster; they didn't go out quickly enough. Late campaign finance reports have to be addressed. What happens after the election? What does the Bureau do from November 25th certification until before the May primary? The consultants were supposed to work through the election and they are still doing surveys; the Board should be informed.

Voters have to be knowledgeable; goal is to make it easy but at the end of the day, they don't have to vote.

Council-elect Greg Wolovich-Suggest checking the prior election ballot's races to prevent errors.

Jessica Morgan-Judge of Elections, did get the survey. Some questions were if first time judge of elections, did you go to training, were you given enough advance notice of training, would you be interested in training people, thoughts on improving.

As a judge of elections, she thought they'd get many more surrendered ballots than they did; people didn't come out; our elections have been messed up for the last 2-3 years. Acting Manager Crocamo says we had a successful election-How many ballots were in the drop boxes, how many were legal? Witnessed a woman trying to deposit several ballots in the drop box at the Bureau.

Denise Williams-There were a total of 5403 ballots in the drop boxes; 3842 in Penn Place; 884 at the Pittston Library; 362 at Wright Twp; 315 at Hazleton

Regarding the attempt to deposit multiple ballots-the tapes will be reviewed but it appears that a nursing home employee was dropping them off without knowing that this shouldn't be done; there's a need to educate people running the assisted living facilities.

Three people need to receive training on the SURE system.

Rick Nardone stated the Board can't speak for the Acting Manager; suggested that people ask the Manager

NEXT MEETING Tentatively scheduled for January 12, 2022

MOTION TO ADJOURN

Made by Rick Nardone 2nd Patrick Castellani, unanimous

ADJOURNED 6:47 PM

Board of Elections & Registration Directives to Bureau of Elections

1. Written Outline of Process for Handling Complaints or Issues at State or Local Level & Report of Follow Up to Complaints or Issues from the May 2021 Primary. Submit both to Board of Elections & Registration by July 9, 2021
2. Posting of May 2021 Primary Campaign Finance Reports to county website in a “user-friendly” manner. Complete by July 16, 2021.
3. Written plan/process created and completed for May 2021 Primary Pollworker Feedback. All feedback received will be shared with the Board of Elections & Registration. Complete by July 30, 2021
4. Creation of plan - going forward - to post Campaign Finance Reports on the website after each of the pre-election and post-election mandated dates for campaign finance reporting. Submit plan to Board of Elections & Registration by August 13, 2021.
5. Plan and Implementation of an Election Day Poll Worker/Bureau Staff Direct Communication Means. Submit plan to Board of Elections & Registration by August 30, 2021
6. Evaluation/Review of current poll worker training program with focus on attendance and understanding of directions and ways to improve both. Submit findings and proposed changes for improvement by August 30, 2021
7. Written outline of basic procedures and practices for “Election Operations of the Bureau” (Pre-Election Day Procedures, Election Day Procedures, Adjudication Procedures, and Post-Election Day Procedures). Submit by September 30, 2021
8. Documentation of/outline of job descriptions for each position in the Bureau of Elections. This should be specific and itemized to the fullest extent possible. Overlap with duties and responsibilities between positions should be noted in job description. Submit by October 15, 2021
9. Research for, and upgrade of the Bureau of Elections Website to a more “user-friendly” platform with well-formatted content that is easy to scan. Complete by October 30, 2021

## Election Board Meeting Dates

January 12, 2022  
January 26, 2022  
February 9, 2022  
February 23, 2022  
March 9, 2022  
March 23, 2022  
April 13, 2022  
April 27, 2022  
May 11, 2022  
June 22, 2022  
July 13, 2022  
August 10, 2022  
August 24, 2022  
September 7, 2022  
September 21, 2022  
October 12, 2022  
October 26, 2022  
December 7, 2022

Summary of Absentee/Mail-in Ballot Totals for November 2021 Election

Mail-in/Absentee Ballots Sent: 25,112  
Mail-in/Absentee Ballots Returned & Votes Recorded: 18,250

Mail-in/Absentee Ballots placed in a Drop Box: 5,403

Total number of mail-in ballots/absentee ballots on Bureau "Pending Not Returned Yet List": 6,226

(Discrepancy in numbers - 636) - Upon inquiry - Eryn Harvey stated that the reason is that the SURE System numbers (in bold above) and "Pending Not Returned List" use different logic.

Breakdown of 6,226 "Pending Not Returned Yet List" by Political Affiliation:

|                     |     |
|---------------------|-----|
| Democrat: 4,050     | 65% |
| Republican: 1,625   | 26% |
| No Affiliation: 416 | 7%  |
| Independent: 76     | 1%  |
| LN: 24              | .4% |
| Other: 22           | .4% |
| Green: 13           | .2% |

Mail-in/Absentee ballots were sent out: Oct. 19th (late evening)

Election IQ notes on invoice that 24,993 total mail-in/absentee ballots processed (119 difference) - Eryn Harvey states that the 119 reflects "Ballots on Demand" number.

Mail-in Ballots Not Received/Voted Provisionally: approx. 260

Mail-in Ballots/Absentee Ballots Received After Nov. 2021 General Election Day: 928 (772 were received late after May 2021 Primary Election Date)

Mail-in Ballots/Absentee Ballots Returned to Election Bureau as Undeliverable: 649

Summary of Survey Letter to Voters on "Pending Not Yet Returned" List

Survey Letter sent to 1,382 of the 6,226 voters on the "Pending Not Yet Returned" list

106 responses received (approximately 8% of the voters mailed)

Breakdown of Addresses Voters Responded From:

Dallas: 10  
 Wilkes-Barre: 9  
 Mountaintop: 9

West Pittston: 6  
 Exeter: 6  
 Sugarloaf: 5  
 Kingston: 4  
 Hazle Twp.: 3  
 Wyoming: 3  
 Plains: 3  
 Shavertown: 3  
 Sweet Valley: 3  
 Harding: 3  
 Harveys Lake: 3  
 Glen Lyon: 2  
 Hanover Twp.: 2  
 Plymouth: 2  
 West Wyoming: 2  
 Hughestown: 2  
 Nanticoke: 2

1 each received from following: Duryea, Forty Fort, Shickshinny, Pittston, Avoca, Trucksville, Noxen, Laurel Run, White Haven, Drifton, Conyngham, Wapwallopen, Drums, Benton, Bloomsburg, Swoyersville, Warrior Run, Pringle, Larksville, Freeland, Courtdale, Bear Creek Twp., West Hazleton, No Address Given

#### Mail-In Vs. Absentee Ballot Breakdown

Absentee: 56  
 Mail-in: 50

#### Receive Absentee/Mail-in Ballot? Yes or No

Yes: 75  
 No: 31

#### If Yes, Received - When? (Responses)

13: No Date Given in Response or Did Not Recall  
 12: Week Before Election Day  
 10: October 30th  
 5: November 1st  
 4: October 29th  
 4: November 2nd  
 4: "Too late to return and arrive on time"  
 4: November 3rd  
 2: A day or two before Election Day  
 2: "Prior to Election Day"  
 1: November 2nd or Nov. 3rd  
 1: After Oct. 23rd

- 1: Sometime between Oct. 29th and Oct. 30th
- 1: Oct. 26th
- 1: Oct. 27th
- 1: After Oct. 26th
- 1: After Oct. 27th
- 1: After Oct. 28th
- 1: Nov. 9th
- 1: 2 weeks after Election Day
- 1: 3 weeks after Election Day
- 1: Mailed back in plenty of time from Hazleton Post Office
- 1: Was in "Hold Mail" when returned from out of town on Nov. 7th
- 1: 10 days prior to Election Day
- 1: 2 weeks prior to Election Day
- 1: About 3 weeks prior to Election Day
- 1: Week or two before Election Day

Stands Out: Majority of ballots were received too late to return via mail to be received on time.

31 out of 106 responses did not receive ballot at all.

If Did Not Receive, What Did They Do?

- 7: noted they voted provisionally - one of them noted that they cancelled out of town training to do this - one of them noted they went to West Wyoming Borough and they had no clue what to do
- 6: Did not indicate if they contacted Bureau or voted provisionally
- 3: Noted: Did not call Bureau - Did not vote
- 2: Noted they did not contact Bureau - Did not note if voted provisionally or not
- 2: Noted they contacted Bureau - did not note if they voted provisionally or not
- 2: Noted: Contacted Bureau - No Response from Bureau - Did not have opportunity to vote
- 1: Noted: Did not call Bureau - Away at College - Absentee voter - Unable to vote
- 1: Noted: Did not call Bureau - Works out of town - Absentee voter - could not vote
- 2: Noted: "Did not Vote"
- 1: Noted: "Called office - told to come in to do in office - temporary worker had no tolerance on phone - could not go in or vote at poll - disabled - could not vote"
- 1: Noted: Called Bureau - Told I would receive - Never did - Did not note if voted provisionally or not
- 1: Noted: Did not call Bureau - 2nd time not receiving absentee ballot - Did not state if voted provisionally or not
- 1: Noted: Called Bureau - told it was mailed - away at college - could not vote
- 1: Noted: Tried contacting Bureau - could not get through - did not vote

Out of 31 who did not receive ballots at all - 7 noted they voted provisionally (votes could have counted), 12 noted they did not/did not have opportunity or could not (3 out of area, one disabled) vote at all, no indication given if the other 22 voted provisionally.

If Received Ballot - What Did They Do?

14: Noted that they surrendered their ballot at poll and voted in-person

12: Mailed it back

1: Did an "On-Demand Ballot"

4: Returned ballot to Penn Place Ballot Drop Box

1: Noted: Voted Provisionally - couldn't locate ballot at home

9: Noted: Did not vote - received too late - absentee voter - could not be in county on Election Day

8: Noted: Did not vote - not enough time to mail back

2: Noted: Did not vote - out of town - absentee voters - ballot was in "hold" mail after Election Day

1: Noted - could not vote - Temple Student - Away at School

1: Noted: Did not vote - received on Election Day - absentee voter - living out of county - away at school

1: Noted: Did not vote - absentee voter - had left for vacation on 29th - returned on 3rd.

1: Noted: Did not vote - could not be physically present at polls

1: Noted: Did not return - disabled - no reliable transportation

1: Noted: Did not vote - was out of town - absentee voter - ballot came on Election Day or day after

1: Noted: Did not vote - too late - received after Election Day

1: Noted - Did not vote - could not vote in-person

1: Noted: Did not vote - received after Election Day - did not go to poll - thought it could be considered a double vote

1: Noted: Did not vote - received ballot after Election Day - assumed this prevented me from the ability to vote

1: Noted: Did not vote - absentee voter - had already left on vacation

1: Noted: Unable to vote - received after Oct. 26th - was out of town until Nov. 7th

1: Noted: Did not vote: absentee voter - had to go out of town on Oct. 29th. Ballot received Nov. 9th

1: Noted: Did not vote - not enough time to mail back - received Nov. 1st - did not know where drop boxes were

1: Noted: Unable to vote - absentee voter - received ballot day before Election Day - had to commute out of town on Election Day

1: Noted: Did not vote - absentee voter - arrived after 3 pm on Election Day. Was in Florida

1: Noted: Did not vote: absentee voter - out of town - did not return until Nov. 8th

1: Noted: Did not vote - unable to send due to time constraints

1: Noted: Did not vote - received two weeks after Election Day

1: Noted: Did not vote - received a week or two before Election Day

1: Noted: Asked someone about status of my ballot and they could not help me - received ballot one week before Election Day (No indication given if he/she voted or not)

1: Noted: Was not able to return ballot so it would be in on time (No indication if person voted provisionally)

1: Noted: Received ballot on Election Day - Did not fill out or complete - if had returned it would have come in after Election Day (No indication if person voted provisionally)

1: Noted: Did not vote - in hospital

Out of the 75 ballots received and noted as "Pending Not Yet Returned":

14 surrendered their ballots and voted at the poll - it appears mostly due to not having enough time to mail ballot back (vote would have counted)

1 voted "On-Demand" - received ballot evening of Nov. 1st (vote may have counted)

1 Voted Provisionally - not being able to find ballot received (vote may have counted)

4 returned their ballots to a Penn Place Ballot Drop Box (vote should have counted - but on "Not Yet Returned List"??

12 noted that they mailed their ballots back - on "Not Yet Returned List" so - ballot did not arrive in time.

38 voters did not vote due to what appears to be various complications due to lateness of receiving ballot

1 - did not vote because of being in hospital

2 noted they received ballot without enough time to return but gave no indication of if they voted provisionally

1 received within the week before Election Day and gave no indication if they voted their ballot or went to poll.

1 noted having received the ballot in time but "did not vote".

Stands Out: Does not appear by these responses that voters were "sitting out" this election. The overwhelming majority noted dismay at receiving ballots too late in mail to return on time. It appears that many voters may not be familiar or aware of the provisional process. Some absentee voters

who were out of county at time of election and immediately prior to were not able to vote due to mail-in ballots received so late.

The mail-in/absentee ballots were not mailed out from Wilkes-Barre until late evening on Oct. 19th. (the deadline for mailing them) They had to go to Allentown first and were then mailed from there. The earliest they could have left there would have been the 20th. (if there was an immediate turn-around)

Most of these responses state (if the ballot arrived) that it was within just days of Election Day.

Being that Democrats make up 65% of the "Pending Not Yet Returned List", they would have been affected by this more than any other party affiliation.

In light of this information one must ask: Were many mail-in/absentee voters hindered by the lateness of the mailing? Would the results have been different if the mail-in/absentee ballots had been mailed out earlier? The Bureau did meet the deadline for mailing, but, does mailing on or close to the deadline date provide an adequate amount of time for all mail-in/absentee voters to return their ballots on time via the USPS? By this survey, it doesn't appear that way.