

LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATIONS MEETING MINUTES
LUZERNE COUNTY COURTHOUSE COUNCIL ROOM
MARCH 6, 2023

CALL TO ORDER 5:00 PM

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

Alyssa Fusaro yes, Jim Mangan yes, Danny Schramm yes, Audrey Serniak yes,
Denise Williams yes

EXECUTIVE SESSION

Denise Williams advised an executive session was held on 2/8/23 from 10:30-10:44 AM regarding a
personnel discussion

APPROVAL OF AGENDA

Alyssa Fusaro moved to approve 2nd Jim Mangan, unanimous

PUBLIC COMMENTS (3 minutes)

Walter Griffith, Trucksville-Board needs a better reason for the executive session than 'personnel
discussion'; a lot of money was spent on the ballot marking devices, Bureau can't just decide not to use
them; regarding the memorandum of understanding, the Board can't dictate to the manager on how to
do his job, can't determine candidates to hire and should have no part in the interviews, can't tell the
manager who to hire

Paula Radick advised that 'personnel discussions regarding the Election Bureau was allowed by the
Sunshine Act

Theodore Fitzgerald, Nanticoke-biggest problem with elections is personnel; if the Board gets involved it
will just make it worse; need better management for Luzerne County; need to allow Eryn Harvey to run
her Bureau; need better training; too many hands in the soup, one person needs to be in charge

MINUTES

Jim Mangan moved to approve the minutes from January 18, 2023 Regular Meeting , January 25, 2023
Special Meeting on "Notification to Cure Procedure", February 3, 2023 Special Meeting for the
Adjudication of Mail-in Ballots with Deficiencies & Provisional Ballots, February 13, 2023 Special Meeting
for the Certification of the January 31, 2023 Special Election. 2nd Danny Schramm, unanimous

BUREAU OF ELECTIONS REPORT

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Denise Williams welcomed the new Director of the Bureau, Eryn Harvey, and wished her the best of
luck. Alyssa Fusaro commented that there was now a full staff and checks and balances. Other members
joined in welcoming.

Electronic Poll Books-Eryn Harvey thanked everyone for their kind words; advised that the new
electronic poll books were going out for bid; ES&S were going to evaluate the existing poll books to see if
they could be used for the primary

Denise Williams asked if there would be an inventory. Yes. Can they be available for the primary? Contract is up, ours are an older model with life span of about 5 years. Battery overcharging is a typical issue; purchasing poll books probably doesn't fall under the Election Integrity Grant. Newer models are more like tablets and easier to use; a demonstration from vendors can be arranged.

Mail In and Ballot Printing-Eryn Harvey-3 comparable bids were received; recommends NPC, a PA company which does a lot of printing for government agencies and 10 PA counties; checked references which were all positive; compatible with Dominion and Agillis machines.

Denise Williams advised that election supplies are exempt from the competitive bid process and do not have to go before Council; does this have to go before Council?

Technically no but the Bureau is trying to be more transparent by informing them

So Council is just being notified?

Paula Radick advised Board do a support/no support vote before this goes before Council

Alyssa Fusaro asked how 2 members could vote on this since they did not go in to view the proposals

Audrey Serniak said it was up to them to go in to view and the vote is on whether or not to support the Bureau's recommendation

Denise Williams moved to support the approval of NPC for the printing of mail in and ballots 2nd Alyssa Fusaro

Jim Manga yes, Danny Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Denise Williams yes; motion passes

Election Integrity Grant-Eryn Harvey advised the balance is \$634,301.16 which needs to be used by June; money was spent on the Agillis sorting machine, security upgrades and the Bureau is beginning to explore the possibility of centralizing the pre canvas/canvassing space

Denise Williams asked if the grant could be used for ballot printing and transporting equipment

She was advised that the Bureau wanted to use the EIG to go above and beyond for Luzerne County and those items were already in the regular budget; more warehouse and other security;

the Bureau prefers to draw money from the EIG and not payback to the regular budget because it is a cleaner accounting process

Denise Williams reminded the Bureau that we needed to use the money or lose it 5

Alyssa Fusaro-challenge is to use the money within the stipulations; do we have enough paper for the primary and are there enough privacy screens? Paper will not be an issue with printed ballots and paper needs for the general election will be assessed in July or August.

Alyssa Fusaro-any issue with accessing the casing on the BMD's, Jen Pecora advised that any damage to the BMD's which can occur in transport or tampering must be reported by the Judges of Election; a demonstration of a possible way of accessing the BMV's can be arranged to put Ms. Fusaro's mind at ease

Paper Ballots vs. BMD's-Eryn Harvey said the Bureau believes paper ballots are a better option; received positive feedback from poll workers and voters during special election; less work on the front end but more on the back end, there is plenty of time on the back end

Danny Schramm-use the machines; paper ballots require more privacy; there were few voters during the special election; need to keep track of the paper ballots

Eryn Harvey-any discrepancies would be found during reconciliation; JoE's would be asked if discrepancies found; there is a lot of expense with programming the machines and need a lot of people

Denise Williams-can get 2 ballots by mistake; less secure; can get wrong ballot in the primary;still need one BMD for ADA compliance and the scanners; no cost analysis received

Jen Pecora-there are many moving parts so can't give a cost analysis at this time

Audrey Serniak reminded the Bureau that the back end included adjudication and write ins Denise Williams moved to support using paper ballots over the BMD's 2nd Alyssa Fusaro Danny Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,

Denise Williams no (not given a cost comparison); 4 yes, 1 no motion passes

Primary Status Update-Eryn Harvey reported that the Bureau was doing ballot proofing on the offices; inventorying and ordering supplies; all municipalities had been heard from and that information had been sent to Dominion

Alyssa Fusaro reminded the Bureau that the illustration on the ballot needs to be changed from the one showing a marker to one showing a pen

Drop Boxes-Eryn Harvey said that there would be drop boxes at Penn Place, Hazleton Annex, Misericordia University and possibly Wright Manor; the West Side Annex will probably not be an option for the primary because of possible renovations

Denise Williams moved to approved the Wright Manor as a ballot drop box site pending confirmation
2nd Danny Schramm

Audrey Serniak yes, Alyssa Fusaro no, Jim Mangan yes, Danny Schramm yes, Denise Williams yes; 4 yes, 1 no motion passes

BOARD OF ELECTIONS REPORT

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Memorandum of Understanding-Denise Williams advised that these were only to better define the roles of the Board and the Bureau; for hiring we can only make a recommendation, the final choice is management's

Alyssa Fusaro-Board members share equal power; Chair runs meetings and answers emails; need a process as there was a complete lack of transparency, not aware the interviews were being conducted; not a cohesive team; can't vote on a recommendation if excluded from the process

Denise Williams-can't vote or approve any candidate; county manager confers with the Board as a whole; need under 3 people or there is a quorum; prior director was hired with a bipartisan team sitting

in on the interviews and after conferring with the entire Board; sitting in on the interviews was a courtesy

Jim Mangan-opens a can of worms; beyond what the Board does; yes dialogue but others' responsibility
Danny Schramm-we do election process; not up to us to hire; that's on them

Audrey Serniak-the charter is a problem (Alyssa Fusaro corrected that's it's in the admin code) Board always involved in the interviews; not sure it's a best practice

Alyssa Fusaro-Zoom meetings (muted, sut off but present) and executive sessions are available; there is equal power between each other, we all have different views; two people were singled out, no chance for the others to be involved

Paula Radick advised Board vote to amend the memorandum now and vote on the amended memorandum at a later meeting

Denise Williams moved to remove the hiring process input from the memorandum 2nd Alyssa Fusaro
Alyssa Fusaro yes, Jim Mangan yes, Danny Schramm yes, Audrey Serniak yes, Denise Williams yes;
motion passes

Agenda Procedure Change-Audrey Serniak suggested that a a proposed motion be included with an agenda item where there is likely to be a vote; we don't have working sessions; it would give people and the Office of Law a chance to research the item and perhaps prevent us having to come back and redo things

\ Paula Radick said that a significant change in the proposed motion might cause a vote to be delayed, but additional detail and information in the agenda would allow for more thought before the meeting; asking for more clarity

Bylaws-Denise Williams advised that the Office of Law suggested we reconsider the committee to write the bylaws as the 3 person committee with public meetings is not the most efficient way to do this; there should be 2 people, not 3, with regular updtes to the Board and public; bi- partisan members would be preferred

Alyssa Fusaro-issue with it being behind closed doors; she doesn't feel comfortable being in a room without other people, doesn't trust anyone anymore

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Audrey Serniak-will be a member

Jim Mangan-doesn't want to be on the committee

Denise Williams-if not be-partisan then there will be 2 Democrats

Danny Schramm-Will be a member

Denise Williams moves that the reconsideration of the bylaws committee to be two members of the Board with those members being Danny Schramm and Audrey Serniak 2nd Jim Mangan

Jim Mangan yes, Danny Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Denise Williams yes; motion passes

Campaign Finance-Denise Williams-if someone doesn't file their campaign finance reforms can they be on the ballot for the general election?

Paula Radick advised she would need to research this

Eryn Harvey advised the Bureau needed a tracking system; Beth McBride was currently uploading the forms; one of the admins keeps the files in order

Denise Williams asked if they could have a point person and can we have the 2022 forms uploaded and get ready for the next reports; there are penalties that should be collected if not properly filed

Audrey Serniak-it's time we did the necessary tracking; the website is preferred but the forms need to be publicly accessible

PUBLIC COMMENTS (3 minutes)

Walter Griffith-Candidates need to be educated on how to file their finance forms; unfair to penalize a candidate if they are not trained; perhaps use EIG money; regarding the memorandum thinks we could have amended and voted on now; don't allow Board to be shut out of the hiring process; poll books can still be used if they are plugged in; candidate petitions need to be notarized, saw someone had set up a table in Penn Place to do this; Doesn't think

Act 88 is use or lose, there is a claw back if use is not authorized under the act; does Resolution 2019 require we use the BMD's and will we have to pay back money if we don't

T. J. Fitzgerald, Nanticoke-has been tough on the Board; against Beth McBride because he thought she was politically connected but she was set up to fail; Beth McBride had the answers to all of his questions when he was there this week; hopes Eryn Harvey and Beth McBride will work well together; Emily Cook should be a deputy along with Beth McBride; public needs an apology, moving forward needs to know votes count; asks people to vote

MOTION TO ADJOURN

Alyssa Fusaro 2nd Danny Schramm, unanimous ADJOURNED 7:21 PM