

**LUZERNE COUNTY BOARD OF ELECTIONS AND REGISTRATION**

**AGENDA**

**July 12, 2023 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 & MOMENT OF SILENCE**

**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 3 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:** May 3, 2023 Regular meeting (pp. 4-9), May 16, 2023 Election Day Notes & May 19-June 5, 2023 Special Meeting for Adjudication of the May 2023 Primary Election (pp. 10-28), June 5, 2023 Special Meeting for Certification of the May 16, 2023 Primary Election (pp.29-30)

**1. 2022 Election Integrity Grant (pp.31-33):** Information, Discussion

**2. E-Pollbook RFP's:** Information & Status

**3. 2023 Campaign Finance Reports – 2022 Annual, 2<sup>nd</sup> Friday Pre-Primary & 30 Day Post-Primary:** Information & Status

**4. Election Board Clerk Designation:** Information

**5. Bureau Leadership Training Needed for Election Processes:** Information & Status

**6. Board of Elections & Registration Meeting Start Time Change to 6:00 PM (Old Business):** Information, Discussion, Board Vote

**7. Memorandum of Understanding Between Board of Elections & Registration and Administration related to Documents that Require Board Member Signatures (Old Business):** Information, Discussion, Board Vote

- a. Proposed Motion: A Memorandum of Understanding between the Board & Administration be created and posted on the Board of Elections & Registration M.O.U. Webpage stating: "Any documents received by the Administration that require Board of Elections & Registration member signatures must be presented to and signed only by the Board members. These documents will also be presented in a timely manner in order to provide ample time for the Board members to review prior to signing."

**8. Write-In Votes with Unshaded Circles -Status Going Forward:** Discussion & Board Vote

**9. Use of Government Employees & Candidates on Ballot as Poll Workers by Election Bureau for May Primary Election:** Information, Discussion

**10. Request that a Written Standard of Procedure be created by Bureau Leadership and Provided for Board of Election Review for "Recruitment of Poll Workers and Qualification Requirements for Poll Workers" (DW):** Discussion & Board Vote

**11. County Council Ordinance/Charter Amendment Submission Received by Board of Elections & Registration (pp. 34-43):** Information, Review, Discussion, Board Vote

**12. Request that a Written Standard of Procedure be Created by Bureau Leadership and Provided for Board of Election Review for: Stocking and Sealing Voting Machines Prior to Deployment to Polls- Including Checklist Requiring Two-Deep Bureau Leadership Sign-Off (DW):** Discussion & Board Vote

**13. Request that a Written Standard of Procedure be Created by Bureau Leadership and Provided for Board of Election Review for the Election Bureau's 2% Audit Process (DW):** Discussion & Board Vote

**14. Request that a Written Standard of Procedure be Created by Bureau Leadership and Provided for Board of Election Review for the Red Ballot Bag Seals and Red Ballot Bag Chain of Custody Cards – Beginning with Initial Sealing at Poll. (Previously Voted on by Board during July 20, 2022 Meeting) (DW):** Discussion & Board Vote

**15. Request for Written Standard of Procedure be Created by Bureau Leadership and Provided for Board of Election Review for the Bureau Leadership's Pre-Canvassing Instructions Given to Election Day Workers (DW):** Discussion & Board Vote

## **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. (Limited to 3 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.

## **ADJOURNMENT**

LUZERNE COUNTY BOARD OF ELECTIONS  
AND REGISTRATIONS MEETING MINUTES  
LUZERNE COUNTY COURTHOUSE COUNCIL ROOM  
MAY 3, 2023

CALL TO ORDER 5:00 PM

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

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

APPROVAL OF AGENDA

Alyssa Fusaro moved to approve 2nd Jim Mangan, unanimous

PUBLIC COMMENTS (3 minutes)

Robin Kochin, Dallas Township-a 6 PM start time will serve the public; misprinting the ballots is a disservice to the public, website requires people navigate hundred of pages to find information they want; Beth McBride said the election to precedence over campaign finance reports but primary was already botched; the Bureau needs to do their job competently; Board shirked their duty by not investigating the paper shortage but pushed it off to an overworked DA's office; Board and Bureau focused on convenience rather than integrity; Luzerne County is successful at voter disenfranchisement and corruption; are we proud of our partisanship and do we even care?

MINUTES

Motion to approve the minutes of April 5, 2023 made by Alyssa Fusaro 2nd Jim Mangan,  
unanimous

Motion to approve the minutes of April 19, 2023 made by Dan Schramm 2nd Jim  
Mangan,  
unanimous

BUREAU OF ELECTIONS REPORT

Lack of Residency on Primary Ballots-Eryn Harvey said that there will be notices posted at the polls, advertised in the newspaper and on the county website; decided against mailing letter to voters as confusing since the ballots are being received; does the Board want to send emails?

Board decided to send the emails

Alyssa Fusaro moved to affirm the Bureau send emails to the voters where possible making them aware of the residency mistake issue where impacted 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,

Denise Williams yes, motion passes

Eryn Harvey advised the cost incurred by the error is minimal, newspaper ads and posters at the polls, quote for mailing is about \$15,000

Denise Williams-will the counties with multi-county school boards be contacted?

Eryn Harvey-they didn't put the residency on the ballots; finds a lot of counties don't list residency for judges or school boards

Paula Radick-multi-county races should include the candidate's county

Alyssa Fusaro-suggest contacting impacted counties

Eryn Harvey-can't tell other counties what to do

Paula Radick-only Department of State can tell another county what to do

Denise Williams-inform them so that it won't come back at us

Paula Radick-worry about Luzerne County

Denise Williams-who proofs the ballot?

Eryn Harvey-everyone in Bureau leaderships proofs it; Dominion provides checklists but doesn't proof; the Office of Law doesn't review it; Department of State receives the samples

Beth McBride-Dept of State corrected title of one judges race, nothing on residency

Denise Williams-is proofing a Board responsibility? Board doesn't receive checklists or candidate petitions

Eryn Harvey-why does the Board approve the ballot?

Denise Williams-if we need to proof we need more information; Dominion checklists are not adequate

Eryn Harvey-ballots are on the website, notified candidates to sign off; not helpful to be told this after the mail-ins went out; need to know sooner rather than later

Alyssa Fusaro-other counties dropped residency off and others followed suit; send emails ASAP

Eryn Harvey-will send emails tomorrow morning

Denise Williams-candidates and the public not required to proof the ballot; thanked Mr. Holly for informing the Board

Alyssa Fusaro-another step towards election integrity; mistakes and challenges leading to making things good

Denise Williams-will put an updated SOP for ballot proofing on the agenda for August

Jim Mangan-other counties are not following the law; disappointed that the Department of State

didn't step up; higher level of guidance needed; currently not sufficient

Primary Election Update-Eryn Harvey-doing pretty well with poll workers; thanked the media for their help in recruiting; poll book training is taking place; privacy screens have been delivered; mailing ballots began last week, dropped from Lehigh Valley and people have started using the drop boxes

Jim Mangan-how often are the ballots picked up from the drop boxes and is there a schedule required by law; concerned because sheriff department resources are stretched

Beth McBride-pick ups are Tuesday and Thursday

Denise Williams requested a list of poll workers, Bureau will send

Walking or street lists are sent as a back up to the electronic poll books

Regarding the election day phone bank-it will be the same due to poor cell phone reception; JoEs have administrative assistant's extensions

Jen Pecora-will look into a cell phone booster; advised it is \$40/month/phone for use on 2-3 days per year; have adequate staff and phones

Beth McBride-JoEs need to call there assigned admin assistant first and then try other lines

Denise Williams-regarding overvotes, the scanner holds and the voter can either reject the ballot, spoil and redo, or can choose to cast it as is; ambiguous marks-can the voter cast anyway? What happens if there is a power outage and the ballots need to be scanned in later?

Eryn Harvey-Bureau will check on ambiguously marked ballots/emergency

Paula Radick-secrecy folders are required for privacy

Eryn Harvey-Bureau will be sending them out

Dan Schramm-questioned how the ballots would be accounted for because there are Republican and Democratic ballots; believes not accounting somehow for different parties will make reconciliation difficult

Eryn Harvey advised they know how many ballots are going out and how many returned; there

is a separate reconciliation process for provisional ballots

Election Integrity Grant-Due June 30th; total \$497,015.74; using about \$104,600 on warehouse security, \$65,000 on election day ballot printing; also mail in ballot printing and poll worker pay; about \$126,000 remaining

Alyssa Fusaro requested a breakdown of the warehouse expenses; Eryn Harvey will send

Denise Williams requested the blank form for reconciliation; Eryn Harvey will send when she receives it

Pre-canvassing Room-Eryn Harvey-reported that the furniture is being delivered tomorrow; the configuration will be similar to Court Room A; there will be a floor plan

Dan Schramm-any cabling needed? answer-all done and tested; suggests a cover for the gap between the elevator and floor be obtained to make transporting the ballot cages easier

Jim Mangan-will the SURE system be available? Answer-SURE no, Dominion links yes

Alyssa Fusaro-can Zoom capability be set up? Can EIG be use for that

Jen Pecora-will check into that

## BOARD OF ELECTIONS REPORT

Meeting Start Time Change from 5 to 6 PM-Denise Williams reported she emailed the Acting Manager but hasn't heard back

Jen Pecora-at a standstill; will follow up

Memorandum Regarding Board Signatures-Denise Williams reported that Acting Manager Swetz prefers, since a Manager will soon be hired, to let the new Manager settle this; strides in communication have been made; likes the memorandum

Will put this on the agenda for the next regular meeting

Bureau Leadership Presence at Meetings-Denise Williams stated that we need a Bureau presence for the entire meeting not just the Bureau part of the agenda

Alyssa Fusaro was advised that Beth McBride is the Board clerk; requested Emily Cook's presence for the 3 meetings prior to the election, expertise to answer certain questions

Denise Williams-agrees that the operations manager should be at meetings prior to the elections, has answers to questions about operations

Jim Mangan-integrate questions or switch the Board/Bureau sections on the agenda

Denise Williams-Bureau has been present for full meetings in the past, with one exception; Board's role not just for the Bureau but for the public as well

Jen Pecora-no problem with that but need mutual respect; this is the Board's meeting; last meeting was demoralizing

Denise Williams-respect goes both ways

Jen Pecora-wants to work together to produce a successful election; Bureau working hard

Alyssa Fusaro-work for the public, when things go awry the finger pointing comes to us; need to hold the Board and Bureau accountable; respect given and returned; we all have issues

Denise Williams-we are berated but we don't walk out; we go through it; need a physical presence of Board members and others at meetings

Processing JoE Bags-Alyssa Fusaro-last election observed the processing of the JoE bags; saw provisional attestation envelopes and walking lists thrown in the trash; public information but must be requested, should not be thrown away but should be shredded; Board members should be present for JoE bag processing so that everyone feels more comfortable

Jen Pecora-will shred if we want

Audrey Serniak-thought that Bureau had agreed to shredding this info at a prior meeting

Denise Williams, Jim Morgan, Dan Schramm-shred

Jen Pecora-can instruct to shred info; not a hassle or difficult to do

Denise Williams-concerned that 3 members present is a public meeting; if Board members think this is necessary, they can observe; doesn't feel it's necessary for her to be there; pre-canvassing and canvassing deals with counting ballots, this is Bureau processing, everyday duties

Alyssa Fusaro-good for us to be involved; wants someone else to be there to witness the process

When Does the Board Need to Vote-Paula Radick-County Council is the legislative body, the Board is not; the Board can vote on issues that are within our power; case by case basis; Office of Law would have to advise

Signs at Polling Places-Jim Mangan-timely removal of signs is an issue

Denise Williams-consistency, are there non-profits or churches that don't allow, can they be listed on the website; doesn't see any conflict of interest for them

Beth McBride-no polling places has indicated they are prohibiting political signs



Alyssa Fusaro-need to refer polling place contracts to Council with specifics on what need to be revamped

PUBLIC COMMENTS (3 minutes)

Bob Caruso-regarding signs- need to follow the law and allow posting, we pay rent; inform the DA; how many times has the Bureau signed for the Board? Other courtroom was used once before and was too small; 10 year anniversary of the Hazleton school district revote scandal; we find from that the people responsible are the people responsible

Allen Heninger, Dallas Township, JoE-Signs? Is the 10 ft rule in effect? Who gets to remove the signs?; satisfied and gratified by the depth of issues and debate; feels very secure; appreciates Alyssa Fusaro's discussion of JoE bags, finds enlightening; appreciates she took the time to observe and address; regarding the Bureau, found it interesting that he has a specific assigned administrative assistant to call; requests that this be included in JoE training (Beth McBride advised him to call the office for his administrative assistant; A.H.-his contact was a rover in the last election; needs to be clarified in training)

Susan Palmer, Wilkes Barre City, Ward 18-how many emergency and provisional ballots will they get?

Jen Pecora-enough for each registered voter in each precinct, there are no emergency ballots since using paper, 50 Democrat and 50 Republican provisional ballots will be provided

Will the number of ballots on the tally sheet match the number of ballots sent out? These numbers didn't match last election; at Ward 18 everything that was received went back in the bag

Ronald Knapp, Nanticoke-happy JoEs are attending meeting; how often are the voter rolls purged?; Alyssa Fusaro-every single cycle; ambiguous marks are only time ballots rejected; would like the poll watcher certificates published next week and not at the last minute; asks the press to publicize need to correct overvotes

Joseph McCabe, Laflin-didn't have a successful election last time; need to move heaven and hell to have a successful election this time; all people including Bureau should be at meetings; how often are voter rolls purged, Beth McBride-purged according to the statute

MOTION TO ADJOURN

Alyssa Fusaro 2nd Danny Schramm; unanimous

ADJOURNED 7:15 PM

LUZERNE COUNTY BOARD OF ELECTIONS AND REGISTRATION  
SPECIAL MEETING FOR ADJUDICATION OF THE MAY 2023 PRIMARY  
ELECTION

MAY 19, 2023 at 9:00 A.M.

Penn Place Building Room 301

20 N. Pennsylvania Ave., Wilkes-Barre, PA 18701

CALL TO ORDER 9:08 AM

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

ROLL CALL

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,

Denise Williams yes

EXECUTIVE SESSION

9:09-9:50 AM-Potential litigation regarding the Wyoming Valley West school board race; ballots for Larksville Ward 3 were given out instead of the correct Larksville 303 for some voters; 40 Democratic and 17 Republicans were not given the correct ballot; the solicitor is researching the issue; the Board will count Larksville election day ballots first

ADOPTION OF AGENDA

Alissa Fusaro moved to adopt the agenda 2nd Jim Mangan, unanimous

PUBLIC COMMENT ON AGENDA ITEMS

Gerard Gauchan representing Mayor George Brown-requests a hand count of the paper ballots so that write-in votes where the bubbles are not colored in are counted

Paula Radick- advised that they must petition the court if they want those votes to be counted

Bob Prescott, Harveys Lake Borough-wants to know which candidates will be on the ballot

Advised that the process will take days and he should check the website

Walter Griffith-concerning the adjudication of over votes

Advised that this would be done during the write-in adjudication

## ADJUDICATION

The Chair reviewed the process

Walter Griffith representing Republicans, Tom Shubilla representing Democrats not present

Mail-in Votes-Death of Voter-2

Paula Radick advised do not count

Both ballots were not voted as they were returned to the Bureau unopened

Alyssa Fusaro moved to reject 2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,

Denise Williams yes, unanimous

Mail-in Canceled by Bureau Because New Ballot Issued-4

(71 provisionals that should be election day being transposed by bipartisan team; request machines be checked for any additional provisionals; 10:37 AM Tom Shubilla present)

Denise Williams moved to confirm as canceled the 3 ballots canceled and replaced by the Bureau 2nd Dan Schramm

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,

Denise Williams yes, unanimous

(Alyssa Fusaro asked if the Larksville machines had been checked; Emily Cook advised that the machines have not been returned and would be checked as soon as they were)

Denise Williams moved to add 1 to the total of canceled and replaced ballots 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,

Denise Williams yes, unanimous

ID Not Verified-14

Paula Radick advised voters have 6 calendar days to verify ID; these ballots can be adjudicated on Tuesday morning

No Signature on File-0

Undeliverable Ballots-168

Ballots canceled in SURE; voters given the the opportunity to correct

Mail-in Outer Envelope

No Outer Envelope-3

Paula Radick-reject

Denise Williams moved to reject the 3 ballots without the outer envelope 2nd Dan Schramm

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,  
Denise Williams yes, unanimous

No Signature-26

Paula Radick-reject

Reviewed and reported 22 with no signature and 4 other

Alyssa Fusaro moved to reject 22 with no signature 2nd Audrey Serniak

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,  
Denise Williams yes, unanimous

Denise Williams moved to accept the 2 ballots with signatures in the wrong spot

Walter Griffith asked if voters were notified if ballot was rejected by the Agilis; advised yes

Denise Williams moved to accept 1 ballot with the signature in the witness section  
2nd Jim Mangan

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,  
Denise Williams yes, unanimous

Denise Williams moved to accept 1 ballot with the signature in the witness spot  
2nd Jim Mangan

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

Two ballots have witness signatures but not voter mark

Paula Radick advised to reject as both a mark and witness signature are required

Alyssa Fusaro moved to reject the 2 ballots without a voter mark 2ns Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,  
Denise Williams yes, unanimous

Two ballots move forward-secrecy envelopes ok and no marks on ballots

Bad Affirmation-58

Paula Radick advised to reject; need the signature of the voter but if there is a reason to accept lean toward enfranchise

32 ballots appear to be members of the same household

Alyssa Fusaro moved to accept the 32 paired/same address ballots 2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,

Denise Williams yes, unanimous

Denise Williams moved to accept the one ballot where the voter made their mark but the witness signed in the wrong place 2nd Jim Mangan

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,

Denise Williams yes, unanimous

Jim Mangan moved to accept the ballot where the husband signed but match had no signature but then withdrew the motion

Denise Williams moved to accept 1 that doesn't have a bad affirmation 2nd Dan Schramm

Alyssa Fusaro no, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,

Denise Williams yes, 4 yes, 1 no, motion passes

Denise Williams moved to accept the 1 that was signed in the wrong place 2nd Alyssa Fusaro

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro no,

Denise Williams yes, unanimous

Jim Mangan moved to approve 1 ballot with married name 2nd Alyssa Fusaro

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,

Denise Williams yes, unanimous (35 ballots moving forward)

Alyssa Fusaro moved to approve 2 with 'short' signatures 2nd Dan Schramm

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,

Denise Williams yes, unanimous

Alyssa Fusaro moved to reject bad affirmation(X) 2nd Audrey Serniak

Alyssa Fusaro yes, Jim Mangan no, Dan Schramm yes, Audrey Serniak yes,

Denise Williams no, 3 yes, 2 no, motion passes

Lunch 12:25-1:20 PM

Chair reported that 71 provisional ballots which were transposed will be reviewed

No Date-97

Paula Radick-do not count but segregate

Alyssa Fusaro moved to move 2 ballots from no date to wrong date category 2nd Dan Schramm

Jim Mangan no, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,

Denise Williams yes, 4 yes, 4 no, motion passes

Alyssa Fusaro moved to reject but segregate 95 ballots with no date 2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,

Denise Williams yes, unanimous

Wrong Date-95 (range 4/22-5/16)

Paula Radick-reject but segregate

Denise Williams moved to moved 1 to the no date category 2nd Alyssa Fusaro

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,

Denise Williams yes, unanimous

Denise Williams moved to reject that ballot 2nd Alyssa Fusaro

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,

Denise Williams yes, unanimous

Jim Mangan moved to accept 1 ballot with corrected year 2nd Alyssa Fusaro

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,

Denise Williams yes, unanimous

Denise Williams moved to reject 1 ballot with a bad affirmation and move it into that category

2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,

Denise Williams yes, unanimous

Jim Magan moved to accept 9 ballots that allow for the possibility of European/military style dating 2nd Audrey Serniak

Walter Griffith-we are on dangerous grounds, a wrong date is a wrong date

Tom Shubilla-ok due to voter intent

Audrey Serniak yes, Alyssa Fusaro no, Jim Mangan yes, Dan Schramm no,

Denise Williams yes, 3 yes, 2 no, motion passes

Jim Mangan moved to reject and segregate the 83 ballots with wrong date (10 moving forward)

2nd Audrey Serniak

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,

Denise Williams no, 4 yes, 1 no, motion passes

Seal Issues Outer Envelope-5

Paula Radick-Board's discretion

Alyssa Fusaro moved to accept 3 ballots that appear to be ripped by machine 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,

Denise Williams yes, unanimous

Denise Williams moved to accept 2 ballots that appear to have been opened and resealed

2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro no, Jim Mangan yes,

Denise Williams yes, 4 yes, 1 no, motion carries (5 accepted)

Inner (Secrecy) Envelopes

No Secrecy Envelope (Naked Ballot)-73

Paula Radick-reject

Alyssa Fusaro move to reject the 73 without a secrecy envelope 2nd Jim Mangan

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,

Denise Williams yes, unanimous

ID Mark-17

Jim Mangan moved to move 1 from ID mark to wrong date 2nd Alyssa Fusaro

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,

Denise Williams yes, unanimous

Alyssa Fusaro moved to accept 3 with no ID mark 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,  
Denise Williams yes, unanimous

Audrey Serniak moved to reject 13 with ID marks 2nd Dan Schramm

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,  
Denise Williams yes, unanimous

Not Fully Sealed-0

Ballots with ID Marks-7

Board discussion resulted in not recognizing possible initials as ID marks

Alyssa Fusaro moved to reject one with full signature 2nd Jim Mangan

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,  
Denise Williams yes, unanimous

Jim Mangan moved to accept the remaining 6 ballots for scanning 2nd Dan Schramm

Walter Griffith-initials are ID marks under law

Tom Shubilla-disagrees because you can't ID voter from initials

Alyssa Fusaro no, Jim Mangan yes, Dan Schramm yes, Dan Schramm yes,  
Denise Williams yes, 4 yes, 1 no, motion carries

Mail-in Damaged-0

Anything Else?-Agilis rejected but ok-30

Alyssa Fusaro moved to allow 30 ballots to move forward 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,  
Denise Williams yes, unanimous

Break 3:13-3:38 PM

PROVISIONALS-151

No Outer Envelope-3

Paula Radick-a signature and voter information is required; do not count

Discussion-JoEs will be contacted; cards are being attached to the rejected Provisionals  
with the

reason they are rejected

Alyssa Fusaro moved to reject 3 without the outer envelope 2nd Jim Mangan



Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,  
Denise Williams yes, unanimous

Voter Received Mail in and Voted at the Poll-4

2 did not surrender the mailin ballot and are moved to that category

Alyssa Fusaro moved to reject the 2 that voterd provisionally and the mail in was received

2nd Jim Mangan

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,  
Denise Williams yes, unanimous

Mailin Not Voted or Surrendered-84

Paula Radick-OK to accept

Alyssa Fusaro moved to reject 1 ballot where the mailin was received 2nd Audrey Sernia

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,  
Denise Williams yes, unanimous

Denise Williams moved to accept for processing the 83 provisionals where mailins were not surrendered 2nd Dan Schramm

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,  
Denise Williams yes, unanimous

4:09 PM Denise Williams moved to recess 2nd Jim Mangan, unanimous

May 22, 2023

9:04 AM- All present

Executive Session-9:04-9:19 AM to discuss potential litigation or complaint

Undeliverable Ballots-168

Ballots; 2 confirmed deceased; 15 with incomplete addresses for the recipient; 1 found to be a

valid

Audrey Serniak moved to process the 1 ballot 2nd Alyssa Fusaro

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,  
Denise Williams yes, unanimous

#### Outer Envelope Issues-4

Poll Worker Signatures-Paula Radick-advised that the law states 2 signatures needed but there is room for Board discretion and the Board has allowed one pollworker signature in the past

Board discussion included that the law must be followed or changed and not the voter's fault if JoE or Minority Inspector did not sign

Denise Williams moved the 4 ballots with no pollworker signature be accepted 2nd Jim Mangan

Audrey Serniak no, Alyssa Fusaro no, Jim Mangan yes, Dan Schramm no,

Denise Williams yes, 2 yes, 3 no, motion fails

#### No Voter Signature in Affirmation Section-4

Paula Radick-need a signature but courts have ruled both with and without signatures, Board has accepted without signatures in the past in the past

Jim Mangan moved to accept the 2nd Denise Williams

Alyssa Fusaro no, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,

Denise Williams yes, 4 yes, 1 no, motion carries

Denise Williams moved to accept 2 with no voter date but dated by JoE 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro no,

Denise Williams yes, 4 yes, 1 no, motion carries

Alyssa Fusaro asked how we knew that voter was not cring their ballot which should be done at the Bureau on election day?

Denise Williams moved to accept 73 ballots were the voter did not vote their mailin but voted provisionally at the poll 2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,

Denise Williams yes, unanimous

Alyssa Fusaro-going forward would like to compare provisionals with the cure lists

Alyssa Fusaro moved to reject 2 with signed inner envelopes 2nd Jim Mangan

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,

Denise Williams yes, unanimous

Alyssa Fusaro moved to reject 1 naked ballot 2nd Jim Mangan

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,  
Denise Williams yes, unanimous

10:53 AM Walter Griffith in for Republicans; Break until 11:21 AM

Voter Mail in Canceled in SURE System; Voted Provisionally-0

Voted Wrong Precinct-9

Paul Radick-accept for common races

Denise Williams moved to accept 9 ballots to be transposed for the common races

2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,  
Denise Williams yes, unanimous

Voter Not In Poll Book; No Change of Address-0

Voter Not Located in Poll Book But Was in Sure-12

1 was third party member; 1 with no poll worker signature

Alyssa Fusaro moved to accept 11 ballots where voters were not found in poll book

2nd Audrey Serniak

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,  
Denise Williams yes, unanimous

Alyssa Fusaro moved to reject 1 with no poll worker signature 2nd Dan Schramm

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan no, Dan Schramm yes

Denise Williams no, 3 yes, 2 no, motion carries

Not Registered-7

Paula Radick-reject

6 not registered, 1 canceled

Alyssa Fusaro moves to reject 7 ballots where voter was not registered 2nd Jim Mangan

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,  
Denise Williams yes, unanimous

Voter Registered Out of County-0

Voter Required But Unable to Show ID-0

Voter Eligibility Challenged-0

Special Court Order Regarding Voter Status-0

Special Court Order Regarding Extended Hours-0

Voter Requested to Vote Provisionally-0

Voter Claimed Different Party Registration-0

Other-Non-Affiliated or Third Party Voters-28

Alyssa Fusaro moved to reject the 28 ballots where voters were registered third party or independent 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Denise Williams yes, unanimous

Alyssa Fusaro moved to have her and Dan Schramm contact these voters to see if they needed to change their registration 2nd Dan Schramm

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Denise Williams no, 4 yes, 1 no, motion carries

Walter Griffith objected to the Board's contacting these voters because it is not the job of the Board to solicit change of registration; looks like swaying a voter registration; Bureau should do it

Alyssa Fusaro disagreed because it is the Board of Elections and Registration

Bipartisan team, Alyssa Fusaro and Dan Schramm; Chair wants to see a script; voter has to ask for form first

Lunch-12:15-1:13 PM

Other Machine Problems-13

Denise Williams-errors not fatal

Alyssa Fusaro moved to approve 13 without poll book signatures 2nd Jim Mangan

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes

Denise Williams yes, unanimous

Others

1 wrong precinct added to 9

Denise Williams moved to approved voters in wrong precinct to be transposed 2nd Jim Mangan

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,  
Denise Williams yes, unanimous

Denise Williams moved to revise prior 2nd Alyssa Fusaro

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,  
Denise Williams yes, unanimous

7 additional provisional cast as regular ballots from Ross Township

Denise Williams moved to accept the 7 additional Ross Township provisional used in  
place of regular ballots to be transposed 2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,  
Denise Williams yes, unanimous

Break 2:00-2:15 PM

Transposing and reviewing the transposed ballots continues

Paula Radick-regarding the write in in the one race on one of the out of precinct ballots  
transposing should be done only for the common races

Jim Mangan moved to reject the particular race with the write in candidates in the wrong  
school district 2nd Dan Schramm

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,  
Denise Williams yes, unanimous

Adjourn to continue at 9 AM tomorrow (transposing, military, ID not verified, public  
comment; write in set up)

Alyssa Fusaro moved to adjourn 2nd Jim Mangan, unanimous

4:04 PM

May 23, 2023

9:00 AM resuming; Audrey Serniak , Alyssa Fusaro, Jim Mangan, Dan Schramm,  
Denise Williams present

Emergency bins are still being checked, 4 ballots found; Walter Griffith in for the  
Republicans 9:30 AM

ID Not Verified-0

Military-one more day to arrive

Military/Overseas-2

Alyssa Fusaro moved to accept 2 military ballots 2nd Jim Mangan

Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes,  
Denise Williams yes, unanimous

No more ballots found in the scanners; scanning in remaining ballots

Public Comments

Walter Griffith, Trucksville-First the attention to detail is fabulous; time consuming, tedious and intense; Bureau too; people should be aware of the process, they should come and watch; concerned with the curing process, scanning takes place a week in advance, party reps should receive a daily list, there's not enough time on election day to do this

Bureau advised that this is an automatic process prior to election day; voter receives an email

Paula Radick-prior to election day this would be considered pre-canvassing which is not allowed; prior to election can only contact the voter, on election day can give to party chairs; list of rejected ballots can be obtained through a right to know request

Linda Joseph, Wilkes Barre-came to observe the work we do; commend us all

Bob Caruso-room is too small with a presidential election coming up; there are incidental mistakes by the voters and every effort should be made to investigate

Jim Mangan-educate, don't know what else we can do; there are ongoing issues

Denise Williams-undeliverable ballots; there were 18 with incomplete addresses; asks Bureau to investigate

Adjourn to continue on into the write in, overvote and ambiguous marks part of the meeting

Alyssa Fusaro moved to adjourn 2nd Dan Schramm, unanimous 10: AM

10:38 AM 3 more provisionals located

Alyssa Fusaro moved to reject the 2 provisional ballots without outer envelopes 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,  
Denise Williams yes, unanimous

Alyssa Fusaro moved to reject the 1 marked provisional ballot 2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes,  
Denise Williams yes, unanimous

Denise Williams-unofficial results due for state wide races; total Democratic and Republican votes

11:13 AM-began determining scattered races

Lunch-12:35-

1:30 PM continued determining scattered categories

Since we use optical scanner, write in votes need to have the bubble filled in to be valid; don't need to review undervotes

Alyssa Fusaro moved to reject any write in votes that come up without the bubble filled in

2nd Dan Schramm

Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Dan Schramm yes,

Denise Williams yes, unanimous

3:45 PM-signed unofficial results

4:50 PM-stopped for the day

May 24, 2023

9:00 AM-all Board members present

Denise Williams questioned Paula Radick about the Wyoming Valley West school board race; machine ballots for the 3 effected ards were done; the mail in ballots need to be processed

Paula Radick advised this needs to be tabled for now

No more military/overseas ballots came in

School Board Race-Paula Radick advised 10 votes were needed to get on the ballot; no issue on the Democratic side; on the Republican side 17 people didn't get to vote in the school board race; there are no active write in campaigns;no voter complaints, no party complaints; Office of Law opinion is that this was a harmless error on the part of the poll workers; bring in party chairs for a discussion and give them the information and see what they say; it is up to the party to challenge; very slim chance of effecting the outcome; candidate can go to court to cumulate

Alyssa Fusaro-17 people didn't get to vote

Paula Radick-slim chance of effecting the outcome and that's how the courts will probably rule; also need to factor in the costs which the county will have to pay an costs of a revote; no fraud indicated; 23 Democrats and 17 Republicans didn't get to vote in that race

Lunch- 12:35-1:20 PM

4:50 PM-stopped for the day

May 25, 2023

9:00 AM-Jim Mangan, Alyssa Fusaro, Denise Williams, Audrey Serniak present; Dan Schramm in 10:03 AM

Continuing the processing of mail ins

Executive Session to discuss pending litigation 9:50-10:03 AM

Break 10:03-10:23 AM

Lunch 12:05-12:50 PM

1:56 PM-Party Chairs Kathy Bozinski, Democrat and PJ Pecora, Republican present for a discussion of the Wyoming Valley West Third District school board race; where 40 voters did not receive the correct ballot; Larksville Ward 3 is a split district; ballots were coded 3 and 3-03; the 3-03 ballots were not given out

Paula Radick advised the Board not to answer any questions regarding the write in bubble issue which is in litigation; there is a Democrat on the ballot so no issue; there isn't a Republican on the ballot so the write ins will determine the candidate

Alyssa Fuasaro-17 people didn't get to vote and that is what she struggles with

Denise Williams-this has been publicized and there have been no complaints

Paula Radick-no complaints from the voters; harmless error on the part of the poll worker; it can be an open race in November or a write in candidate can cumulate; Board decided to follow the statute so that if a candidate wants to cumulate votes they can follow the court procedure; Office of Law advises not to petition the court for a special election

Kathy Bozinski-17 voters out there

PJ Pecora-theoretically could be a tie bu it is close; still 17 out there

Denise Williams-accept what is or request the court

Paula Radick-candidates have 5 days from certification to petition to cumulate; county would have to pay for a special election; also can disenfranchise people who have voted

Dan Schramm-small number of voters

Denise Williams-concern is people didn't get a chance to vote

Audrey Serniak-have to consider the entire county, the confusion and cost; candidate can easily cumulate; this is the remedy



Kathy Bozinski-candidate can cumulate there are 18 versions at this time; no court challenge at this time but will want the totals

Denise Williams moved to go on with the canvassing and not petition the court to act on the Larksville 3rd Wyoming Valley West school board race 2nd Jim Mangan

Alyssa Fusaro no, Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes

Denise Williams yes, 4 yes, 1 no, motion carries

Break 2:42-3:00 PM

5:02 PM stopped for the day

May 26, 2023

9:10 all Board members present; mail in ballot review continues

Lunch 12:01-12:50 PM

Executive Session to discuss litigation 3:40-3:48 PM

3:50 PM stopped for the day

May 30, 2023

9:12 AM all Board members present

Will work 9:15 AM-5:00 PM today

11:30 AM court hearing, Denise Williams will attend

Set date for certification on June 5, 2023; time depends on availability of the council room

2% audit-Audrey Serniak contends that the Bureau should do it; Board consensus is Board should oversee and help if necessary

10:45 AM- Denise Williams to the courthouse

Lunch 12:00-1:00 PM

All Board members present; review of ballots continues

4:45 PM stopped

May 31, 2023

9:05 AM all Board members present

10:45 AM Denise Williams to courthouse

Lunch 12:00-12:50 PM Jim Mangan out

Executive Session 12:54- 3:06 PM to discuss litigation

4:45 PM stopped

June 1, 2023

9:00AM Dan Schramm, Audrey Serniak, Denise Williams in; Alyssa Fusaro in 9:20 AM

12:00 PM finished ballots

Lunch 12:00-1:00 PM

Brown Court Order completed 2:25 PM

2:30 PM stopped

June 2, 2023

11:00 AM Dan Schramm, Audrey Serniak, Denise Williams, Alyssa Fusaro present

George Court Order completed 11:33 AM; results to be uploaded to website

Lunch until 1:20 PM all Board members present

2% audit conducted by the Board and Bureau employees; 4:00 PM Jim Mangan out

Board discussed the fact that the bags were not sealed and the report totals were time stamped this morning; decided to use the scanner tapes from Election Night as the report totals

4:45 PM stopped

June 5, 2023

9:00 AM all Board members present

2% audit continues

10:30 AM 2% audit completed

11:15 AM Denise Williams advised 2% audit passes

11:20 AM Tie Breakers-6 (Berwick School District results reported to Columbia County to be added to their results) conducted by Eryn Harvey and Beth McBride

Ashley Boro Council 4 years Rep-ballot position-2nd Lisa Wildes, 3rd Frank Sorokach

Duryea Boro Tax Collector Dem-to appear on the ballot-between Anissa Akulonis and Ann arie Mullin-Ann Marie Mullin will be on the ballot

Harveys Lake Council 4 years Rep-candidate on the ballot-David Sebolka will be on the ballot unless Alexia Wells cumulates

Nuangola Boro Council 2 years Rep-ballot position-2nd Jeff Beck 3rd Joe Delia

West Hazleton Boro Council Dem-ballot position- 2nd Fermin Diaz 3rd Maria Rodriguez

Wilkes Barre Twp Council Rep-ballot posiion- 1st Mary Waskevich 2nd Kati Krutski  
Arnone

Reconciliation

Denise Williams-numbers don't match up

Eryn Harvey-we don't have the poll book numbers because they go to ES&S for  
processing and are not back yet

Audrey Serniak-those numbers were not always back in time; we usually rely on the  
voter lists

Most issues were resolved by checking against the poll book tapes and the scanner  
tapes or finding errors on the spread sheet

Wilkes Barre Ward 3 and Wilkes Barre Ward 15 remained

Wilkes Barre 3 had 126 on the voter list, 84 ballots scanned and no poll book tape

Wilkes Barre 15 had 225 on the voter list , 176 scanned and no poll book tape

12:40 PM-recess to go to the courthouse to begin the certification meeting

1:40 PM-resumed reconciliation

Sent Bureau employees to check the machines again; no ballots were found

Eryn Harvey reviewed the voter list names and determined that mail in voters named  
had been added to the voter lists; JoEs will be advised not to do that and to run the poll  
book tapes at poll closing

Public Comments-none

Motion to adjourn made by Alyssa Fusaro 2nd Dan Schramm, unanimous

Adjourned 2:55 PM

ELECTION DAY NOTES

MAY 16, 2023

7:35 AM Dan Schramm, Audrey Serniak, Denise Williams present

7:50 AM Jim Mangan present

8:04 AM Started; 15 processors, 2 machine opener operators, 2 scanner operators; drop  
box 7568,

mail 7089, total 14657

9:15 AM Alyssa Fusaro present

9:45 AM Dan Schramm out

9:50 AM Alyssa Fusaro and Denise Williams to the Bureau for curing  
12:13 PM Dan Schramm present  
1:45 PM Denise Williams back from curing  
2:20 PM Alyssa Fusaro present  
2:50 PM Jim Mangan, Audrey Serniak, Denise Williams to the Bureau for curing  
3:35 PM Jim Mangan, Audrey Serniak, Denise Williams back from curing; Alyssa usaro out  
4:20 PM Alyssa Fusaro present  
5:30 PM Audrey Serniak out  
7:30 PM Finished processing ballots  
7:55PM All Board members present  
9:20 PM Drop box and final mail ballots completed; Dan Schramm out; remaining members to the Bureau; waiting for the 4 cards left in the scanners  
12:40 PM Done

LUZERNE COUNTY BOARD OF ELECTIONS AND REGISTRATION  
SPECIAL MEETING FOR ADJUDICATION OF THE MAY 2023 PRIMARY  
ELECTION

JUNE 9, 2023 at 1: P.M.

Council Meeting Room, Luzerne County Courthouse

200 N. River Street Wilkes-Barre, PA 18701

CALL TO ORDER 1:05 PM

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

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

APPROVAL OF AGENDA

Motion made by Alyssa Fusaro 2nd Dan Schramm. unanimous

PUBLIC COMMENTS (3 minutes)

Mark Rabo, Hazleton-would like to address the Board, Bureau and solicitor; Title 25 requires that the number of voters, issued ballots, spoiled ballots and returned need to be announced and posted; any differences need to be reconciled and published; post election process needs to be in compliance with the law; left hand didn't know what the right hand was doing; lessons learned that better collaboration between the Board, Bureau and Office of Law is needed; suggests Department of State needs to be involved

CERTIFICATION

Denise Williams announced that adjudication of write ins and ambiguous marks and the 2% audit are complete; came in at 9AM to complete the audit and do the reconciliation; still have unfinished business; recess to resume at 4 PM

1:11 PM returned to Penn Place

4:00 PM resume

Jim Mangan-appreciated the attention by people here and throughout the lengthy and time consuming process especially people not with the Board and Bureau who came to

see what is involved; shows the painstaking process; appreciates the due diligence of the Board and the trust of the public; doing our best for the public

Alyssa Fusaro moved to certify the 2023 primary election 2nd Jim Mangan

Jim Mangan yes, Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes,

Denise Williams yes; unanimous

PUBLIC COMMENTS (3 minutes)

Linda Joseph, Wilkes Barre-Thank you all for 8-9 days and hours of work, done responsibly, most diligent and serious adjudication, bipartisan, things checked and rechecked; truly impressed Board receives no compensation; hope proposed amendment changing the Board doesn't happen

Sam Sanguedolce-here as a citizen; update the status of the investigation into the general election's paper shortage; complete for some time but with the county solicitor decided not to release because of the closeness of the election and the pending change in management; will be meeting with the manager, then department heads and Council and then release the written report

MOTION TO ADJOURN

Alyssa Fusaro 2nd Dan Schramm, unanimous

NEXT MEETING

ADJOURNED 4:07 PM

Transaction	Date	Expenditure	Amount	Vendor	G/L	Act 88 Classification	Notes
1	10/10/22	Agilis Mail Ballot Sorting System	\$371,565.00	Runbeck Election Services	147.30.412 0.599.46	Category 2	
2	10/12/22	Temporary Workers	\$622.72	Elwood Staffing Solutions	147.30.412 0.590.31	Category 9	Reimbursed General Fund
3	10/17/22	Poll Worker Trainer	\$2,370.00	Logan Buglio	147.30.412 0.590.31	Category 6	Reimbursed General Fund
4	12/30/22	Poll Worker Trainer	\$25.00	Butler Twp	147.30.412 0.590.31	Category 7	Reimbursed General Fund
5	10/21/22	Temporary Workers	\$1,556.80	Elwood Staffing Solutions	147.30.412 0.590.31	Category 9	Reimbursed General Fund
6	11/2/22	Temporary Workers	\$2,401.92	Elwood Staffing Solutions	147.30.412 0.590.31	Category 8	Reimbursed General Fund
7	11/9/22	Temporary Workers	\$2,390.80	Elwood Staffing Solutions	147.30.412 0.590.31	Category 8	Reimbursed General Fund
8	11/16/22	Temporary Workers	\$1,579.04	Elwood Staffing Solutions	147.30.412 0.590.31	Category 3	Reimbursed General Fund
9	11/22/22	Temporary Workers	\$2,087.22	Elwood Staffing Solutions	147.30.412 0.590.31	Category 3	Reimbursed General Fund
10	11/23/22	Election Day Workers	\$9,900.00	Election Day Workers	147.30.412 0.590.31	Category 1	Reimbursed General Fund
11	11/30/22	Temporary Workers	\$1,456.72	Elwood Staffing Solutions	147.30.412 0.590.31	Category 3	Reimbursed General Fund
12	12/7/22	Temporary Workers	\$2,145.05	Elwood Staffing Solutions	147.30.412 0.590.31	Category 3	Reimbursed General Fund
13	12/15/22	Temporary Workers	\$2,357.44	Elwood Staffing Solutions	147.30.412 0.590.31	Category 4	
14	12/15/22	Poll Worker Training Space for General Election	\$400.00	Gather Community Space	147.30.421 0.590.31	Category 6	
15	12/21/22	Temporary Workers	\$1,412.24	Elwood Staffing Solutions	147.30.412 0.590.31	Category 4	
16	10/27/22	Temporary Workers	\$2,112.80	Elwood Staffing Solutions	147.30.412 0.590.31	Category 9 - (\$887.82) Category 4 - (\$1224.98)	Reimbursed General Fund
17	1/1/23	Election Day Support	\$139,000.00	Dominion Voting Systems Inc.	147.30.412 0.550.15	Category 8	

18	1/24/23	Temporary Employees	\$1,224.98	Elwood Staffing Service	147.30.412 0.590.31	Category 4	
19	1/31/23	Security System for Hazleton Drop Box	\$1,200.00	Vector Security	147.30.412 0.550.15	Category 2	
20	4/19/23	Temporary Employees	\$1,423.36	Elwood Staffing Service	147.30.412 0.550.15	Category 8	
21	4/25/23	Security System for Wright Manor Drop Box	\$1,500.00	Vector Security	147.30.412 0.550.15	Category 2	
22	4/26/23	Temporary Employees	\$1,590.16	Elwood Staffing Service	147.30.412 0.550.15	Category 8	
23	5/4/23	Furniture for conference room	\$13,021.25	Phillips Supply Co.	147.30.412 0.550.15	Category 6	
24	5/10/23	Temporary Employees	\$1,668.00	Elwood Staffing Service	147.30.412 0.550.15	Category 8	
25	5/15/23	Pollworker training pay for Logan Buglio	\$7,069.20	Logan Buglio	147.30.412 0.550.15	Category 6	
26	5/15/23	Printing of ballots	\$149,980.86	NPC Inc	147.30.412 0.550.15	Category 5	
27	5/17/23	Temporary Employees	\$1,089.76	Elwood Staffing Service	147.30.412 0.550.15	Category 8	
28	5/25/23	Temporary Employees	\$822.88	Elwood Staffing Service	147.30.412 0.550.15	Category 3	
29	5/31/23	Temporary Employees	\$834.00	Elwood Staffing Service	147.30.412 0.550.15	Category 3	
30	6/7/23	Temporary Employees	\$834.00	Elwood Staffing Service	147.30.412 0.550.15	Category 3	
31	6/9/23	Moving of Voter Equipment	\$33,254.43	Matheson Transfer Co.	147.30.412 0.550.15	Category 8	
32	5/31/23	Corrugated Voting Booths	\$5,097.16	Miller Consultations and Elections Inc.	147.30.412 0.550.15	Category 8	
33	5/31/23	Corrugated Voting Booths	\$2,568.75	Inclusion Solutions Inc.	147.30.412 0.550.15	Category 8	
34	5/31/23	Corrugated Voting Booths	\$14,698.24	Inclusion Solutions Inc.	147.30.412 0.550.15	Category 8	
35	5/16/23	Poll Worker Payments	\$203,831.45	Misc. Poll Workers	147.30.412 0.550.15	Category 7	
36	6/9/23	Election Day Temporary Employees	\$6,270.00	Misc. Election Day Workers	147.30.412 0.550.15	Category 1	
37	4/1/23	Misc. Security Purchases via Credit Card	\$2,797.29	Amazon, Best Buy	147.30.412 0.550.15	Category 8	



38	6/28/23	Reimbursement Other Departments	\$16,517.42	Luzerne County	147.30.412 0.550.15	Category 7	
39	6/28/23	Agilis Parts	\$ 2,488.74	Runbeck Election Services	147.30.412 0.550.15	Category 2	
40	6/28/23	Poll Worker Training Materials	\$2,622.50	Minuteman Press	147.30.412 0.550.15	Category 6	
41	6/14/23	Poll Worker Training Parking	\$1,518.00	Gus Genetti Penn Ave Reality, LTC	147.30.412 0.550.15	Category 6	
42	3/23/23	Primary Polling Place Supplies	\$10,583.00	William Penn Printing	147.30.412 0.550.15	Category 6	
43	10/5/22	General Polling Place Supplies	\$ 10,081.00	William Penn Printing	147.30.412 0.550.15	Category 6	
44	6/30/23	Locks for Warehouse Security	\$ 1,209.30	Torbik Safe and Lock Inc	147.30.412 0.550.15	Category 8	
45	5/4/23	Poll Worker Training Materials	\$ 1,169.00	Minuteman Press	147.30.412 0.550.15	Category 6	
46	6/30/23	Election Day Temporary Employees	\$ 940.00	Misc. Election Day Workers	147.30.412 0.550.15	Category 1	
47	6/30/23	Controllers Office Reimbursement Staff	\$ 1,551.51	Misc. Election Day Workers	147.30.412 0.550.15	Category 1	
			\$1,042,838.99				

Submitted on \_\_\_\_\_

Councilmember Gregory S. Wolovich, Jr.

No 2023- \_\_\_\_\_

**ORDINANCE**

AN ORDINANCE OF THE COUNTY OF LUZERNE COUNTY COUNCIL PLACING A QUESTION ON THE NOVEMBER 7, 2023 GENERAL ELECTION BALLOT TO AMEND ARTICLE VIII SECTION 8:04 OF THE LUZERNE COUNTY HOME RULE CHARTER.

**WHEREAS**, Luzerne County is a Third Class County in the Commonwealth of Pennsylvania governed by a Home Rule Charter that became effective January 2012; and

**WHEREAS**, the County Council of the County of Luzerne wishes to place before the residents of Luzerne County a Home Rule Charter amendment question on the ballot for the November 7, 2023 General Election; and

**WHEREAS**, the Luzerne County Home Rule Charter at Article VIII, Section 8:04, presently outlines the appointment and members of the Board of Elections and states the following;

- A. *The Board of Elections shall be replaced by a reconstituted Board of Elections and Registration that shall exercise all powers and duties now or hereafter conferred on it by this Charter, the Administrative Code, or other County ordinance or resolution, and, to the extent they are not inconsistent with this Charter, those powers and duties now or hereafter conferred by applicable law on boards of elections in counties of Luzerne County's classification functioning without a home rule charter or, in the absence of such laws, by state law applicable to boards of elections in counties having populations closest to that of Luzerne County.*
- B. *The reconstituted Board of Elections and Registration shall consist of five registered voters, four of whom shall be appointed by resolution of County Council adopted by an affirmative vote of at least a majority of its current members. For those initially appointed under the terms of this Charter, one member each from the two political parties receiving the highest and second highest number of votes cast in Luzerne County for the office of Governor of Pennsylvania in the most recent general election for that office shall be appointed to serve for terms of two years, and one member each from these political parties shall be appointed to serve for terms of four years. Thereafter, except as may otherwise be provided for in this Charter or applicable law, all terms shall be four years. At the time of their appointment, each member of the Board of Elections and Registration appointed by County Council shall have been a member of the same*

*political party continuously for at least five years and shall remain a member of that party during his/her term of office.*

- C. Within the first 30 days of the year following its initial election, County Council shall appoint the four members of the Board of Elections and Registration it is empowered to appoint. Within 30 days after their appointment, these members shall appoint the fifth member by an affirmative vote of at least a majority of their current members. The person appointed shall serve a term of four years and shall serve as the board's chair.*
- D. If County Council fails to make the initial appointments within the first 30 days of the year following its initial election, or if the four members initially appointed fail to fill the fifth position within 30 days after their appointment, any resident of Luzerne County may petition the Court of Common Pleas to make the appointment(s). In such a case, the Court by majority vote of its members shall make the appointment(s) within 30 days after receiving such petition.*
- E. At the expiration of a term of office of any member subject to appointment by County Council or when any of these positions is declared vacant by County Council pursuant to Section 11.06 of this Charter, County Council, at a regular or special meeting held within 60 days after the expiration of the term or the declaration of the vacancy, shall make the appointment or fill the vacancy by resolution adopted by an affirmative vote of at least a majority of its current members. The person appointed shall be a member of the same political party as the person he/she is to succeed, unless that party is no longer one of the parties that received the highest or second highest number of votes cast in Luzerne County for the office of Governor of Pennsylvania in the most recent general election for that office. In such a case, the person appointed shall be a member of the party that replaced it as one of the two parties receiving the highest number of votes cast in Luzerne County for the office of Governor in the most recent general election for that office. In either case, the person appointed shall have been a member of that party continuously for at least five years prior to the date of appointment. At the expiration of the term of office of the member subject to appointment by the Board of Elections and Registration or when a vacancy in this position is declared by County Council pursuant to Section 11.06 of this Charter, the remaining members of the board shall make the appointment or fill the vacancy within 60 days after the expiration of the term or the declaration of the vacancy by an affirmative vote of at least a majority of its current members.*
- F. If County Council or the members of the Board of Elections and Registration fail to make any appointment or fill any vacancy within the time allotted, any resident of Luzerne County may petition the Court of Common Pleas to fill the position. In such a case, the Court by majority vote of its members shall fill the position within 30 days after receiving such petition.*
- G. If any member of the Board of Elections and Registration files a petition for nomination or election or becomes a candidate for any elective public office, his/her position shall become vacant, and the vacancy shall be filled in a manner prescribed elsewhere in this Article.*

- H. *At the time of his/her appointment, throughout his/her term of office, and for a period of at least four years prior to appointment, no member of the Board of Elections and Registration shall be or have been an elective County official, County employee, member or employee of any other County authority, board, or commission, hold or have held any elective public office or public employment, be or have been employed or compensated by any individual or business serving as a contractor to the County or any County authority, board, or commission, serve or have served as a paid consultant for the County or any County authority, board, or commission, or serve or have served as an officer in a political party. Further, for a period of one year after leaving office, no member of the Board of Elections and Registration shall serve as a County employee, be appointed to or serve as an employee of any County authority, board, or commission except as may specifically be provided for in this Charter, be employed or compensated by any individual or business that served as a contractor to the County or any County authority, board, or commission during the time he/she served as a member of the Board of Elections and Registration, or serve as a paid consultant for the County or any County authority, board, or commission.*
- I. *Any three members of the Board of Elections and Registration shall constitute a quorum and shall have the power to perform the functions of the Board of Elections and Registration. and*

**WHEREAS**, Pennsylvania Consolidated Statutes Title 25 Act of 1937 of the General Assembly, Article III County Board of Elections Section 301 (b) states:

(b) In each county of the Commonwealth, the county board of elections shall consist of the county commissioners of such county ex officio, or any officials or board who are performing or may perform the duties of the county commissioners, who shall serve without additional compensation as such. Except in counties of the first class, in counties which have adopted home rule charters or optional plans the board of elections shall consist of the members of the county body which performs legislative functions unless the county charter or optional plan provides for the appointment of the board of elections. In either case, there shall be minority representation on the board. The county body which performs legislative functions shall in the case where the board does not contain minority representation appoint such representation from a list submitted by the county chairman of the minority party; and

**WHEREAS**, the Luzerne County Council for the County of Luzerne wishes to amend the Luzerne County Home Rule Charter at Article VIII, Section 8:04, to change the membership of the reconstituted Luzerne County Board of Elections and Registration from (5) five registered voters to (5) five registered voters, all appointed by at least a majority of members of the Luzerne County Council.

**NOW, THEREFORE**, be it enacted and ordained by the Luzerne County Council and enacted by the authority of the same as follows:

1. The Luzerne County Council hereby directs that the following question be placed on the ballot for the November 7, 2023 General Election:

**SHOULD THE LUZERNE COUNTY HOME RULE CHARTER BE AMENDED AT ARTICLE**

**VIII, SECTION 8:04 changing the appointment and membership of the Board of Elections and Registration to (5) five members, all appointed by at least a majority of members of the Luzerne County Council to read as follows:**

- J. *The Board of Elections shall be replaced by a reconstituted Board of Elections and Registration that shall exercise all powers and duties now or hereafter conferred on it by this Charter, the Administrative Code, or other County ordinance or resolution, and, to the extent they are not inconsistent with this Charter, those powers and duties now or thereafter conferred by applicable law on boards of elections in counties of Luzerne County's classification functioning without a home rule charter or, in the absence of such laws, by state law applicable to boards of elections in counties having populations closest to that of Luzerne County.*
  
- K. *The reconstituted Board of Elections and Registration shall consist of (5) five registered voters, all of which shall be appointed by Resolution adopted by County Council by an affirmative vote of at least a majority of its current members. For those initially appointed under the terms of this amendment of the Charter, one member each from the two political parties receiving the highest and second highest number of votes cast in Luzerne County for the office of Governor of Pennsylvania in the most recent general election for that office shall be appointed to serve for terms of two years, and one member each from these political parties shall be appointed to serve for terms of four years and one member from any registration shall be appointed to serve for a term of two years. Thereafter, except as may otherwise be provided for in this Charter or applicable law, all terms shall be four years with the exception of the fifth member who will be appointed every two years. At the time of their appointment, each member of the Board of Elections and Registration appointed by County Council shall have been a member of the same registration continuously for at least three years or since they have been registered, and shall remain a member of that registration during their term of office.*
  
- L. *Within the first 30 days of the year following the amendment of the Charter, County Council shall appoint the (5) five members of the Board of Elections and Registration.*
  
- M. *On the first Monday of February, in every year following the election of County Council members, the Board of Elections shall reorganize and choose the Chairperson, Vice Chairperson and such other officers as desired from among its members, these officers shall serve at the pleasure of the Board of Elections and Registration.*
  
- N. *If County Council fails to make the initial appointments within the first 30 days of the year following the amendment of the Charter, any resident of Luzerne County may petition the Court of Common Pleas to make the appointment(s). In such a case, the Court by majority vote of its members shall make the appointment(s) within 30 days after receiving such petition.*

- O. *At the expiration of a term of office of any member subject to appointment by County Council or when any of these positions is declared vacant by County Council pursuant to Section 11.06 of this Charter, County Council, at a regular or special meeting held within 60 days after the expiration of the term or the declaration of the vacancy, shall make the appointment or fill the vacancy by resolution adopted by an affirmative vote of at least a majority of its current members. The person appointed shall be a member of the same registration as the person they are to succeed. At the expiration of the term of office of any member of the Board of Elections and Registration or when a vacancy in this position is declared by County Council pursuant to Section 11.06 of this Charter, the Luzerne County Council shall make the appointment or fill the vacancy within 60 days after the expiration of the term or the declaration of the vacancy by an affirmative vote of at least a majority of its current members.*
- P. *If County Council fail to fill any vacancy within the time allotted, any resident of Luzerne County may petition the Court of Common Pleas to fill the position. In such a case, the Court by majority vote of its members shall fill the position within 30 days after receiving such petition.*
- Q. *At the time of appointment, throughout their term of office, and for a period of at least two years prior to appointment, no member of the Board of Elections and Registration shall be or have been an elective County official, County employee (with the exception of being a paid election worker prior to appointment), member or employee of any other County authority, board, or commission, hold or have held any elective public office or public employment, be or have been employed or compensated by any individual or business serving as a contractor the County or any County authority, board, or commission, serve or have served as a paid consultant for the County or any County authority, board, or commission, or serve or have served as an officer in a political party. Further, for a period of one year after leaving office, no member of the Board of Elections and Registration shall serve as a County employee, be appointed to or serve as an employee of any County authority, board, or commission except as may specifically be provided for in this Charter, be employed or compensated by any individual or business that served as a contractor to the County or any County authority, board, or commission during the time served as a member of the Board of Elections and Registration, or serve as a paid consultant for the County or any County authority, board, or commission.*
- R. *Any (3) three members of the Board of Elections and Registration shall constitute a quorum and shall have the power to perform the functions of the Board of Elections and Registration.*

2. Pursuant to 53 Pa C.S.A. 2943 (a) of the Home Rule Charter and Optional Plans Law,

County Council Clerk is directed to file a certified copy of this ordinance with the Luzerne County Board of Elections in anticipation of the November 7, 2023 General Election not later than \_\_\_\_\_ and;

3. Pursuant to 53 Pa C.S.A. 2952 of the Home Rule and Optional Plans Law, the Clerk to County Council is hereby directed give at least 30 days' notice of the ordinance proposing the amendment to the Home Rule Charter. A Notice of the Election of the Question of Amending the Home Rule Charter shall be posted in each polling place on the day of election and the Clerk to County Council shall publish a Notice in at least one newspaper of general circulation in Luzerne County once a week for three consecutive weeks during the period of 30 days prior to the November 7, 2023 General Election. and;
4. The County Solicitor, County Manager and the Clerk to Luzerne County Council are authorized and directed to take all actions necessary in order to carry out the directives set forth in items 1 through 3 above in this ordinance. and;
5. This ordinance shall take effect fifteen (15) days from the date of proper execution by the Chairperson of Luzerne County Council.

Enacted and Ordained at a meeting of Luzerne County Council held on the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

LUZERNE COUNTY COUNCIL

**Voted as Follows:**

**YEA:    Nays:**

Bienias        \_\_\_\_\_        \_\_\_\_\_

Lescavage     \_\_\_    \_\_\_  
Lombardo       \_\_\_    \_\_\_  
McDermott   \_\_\_    \_\_\_  
McGinley     \_\_\_    \_\_\_  
Mitchell     \_\_\_    \_\_\_  
Perry        \_\_\_    \_\_\_  
Radle        \_\_\_    \_\_\_  
Thornton     \_\_\_    \_\_\_  
Urban    \_\_\_    \_\_\_  
Wolovich    \_\_\_    \_\_\_

County Council Chairperson  
\_\_\_\_\_

**Date:**

**Attest:**  
**County Council Clerk**  
\_\_\_\_\_

**County Council Vice-Chair:**  
\_\_\_\_\_

**Date:**

**Luzerne County Manager** \_\_\_\_\_

**Date:**

**Approve** \_\_\_ **Reconsider** \_\_\_



ORDINANCE NO. \_\_\_\_\_ of 2016

**AN ORDINANCE OF THE LUZERNE COUNTY COUNCIL PLACING A QUESTION ON THE  
NOVEMBER 2016 GENERAL ELECTION BALLOT TO AMEND SECTION 8.04.B. and 8.04.E.  
OF THE LUZERNE COUNTY HOME RULE CHARTER**

**WHEREAS**, Luzerne County is a Third Class County in the Commonwealth of Pennsylvania governed by a Home Rule Charter that became effective January 2012; and

**WHEREAS**, the County Council of the County of Luzerne wishes to place before the residents of Luzerne County a Home Rule Charter amendment question on the ballot for the November 8, 2016 General Election; and

**WHEREAS**, the Luzerne County Home Rule Charter at section 8.04.B. and 8.04.E. presently requires the composition of the Luzerne County Board of Elections include two members from each of the two political parties receiving the highest and second highest number of votes cast in Luzerne County for the office of Governor of Pennsylvania in the most recent general election for that office prior to the time the Board member is appointed; and

**WHEREAS**, the County Council for the County of Luzerne wishes to amend the Luzerne County Home Rule Charter at sections 8.04.B and 8.04.E. to delete the requirement of the Luzerne County Board of Elections including two members from each of the two political parties receiving the highest and second highest number of votes cast in Luzerne County for the office of Governor of Pennsylvania in the most recent general election for that office prior to the time the Board member is appointed and instead requiring Board of Elections members to be of different political parties; and

**NOW THEREFORE**, be it Ordained and enacted by the County Council of the County of Luzerne and it is hereby Ordained and enacted by the authority of the same as follows:

1. The County Council of the County of Luzerne hereby directs that the following question be placed on the ballot for the November 8, 2016 General Election:

Should the Luzerne County Home Rule Charter be amended at Section 8.04.B. and 8.04.E. as follows?:

Delete the provision at 8.04.B. requiring the Luzerne County Board of Elections include members from each of the two political parties receiving the highest and second highest number of votes cast in Luzerne County for the office of Governor of Pennsylvania in the most recent general election for that office.

Delete the provision at 8.04.E. requiring newly appointed members of the Luzerne County Board of Elections to be a member of a political party that was one of the two parties receiving the highest number of votes cast in Luzerne County for the office of Governor in the most recent general election for that office.

Replace provision at 8.04.E.: “Newly appointed members of the Luzerne County Board of Elections may be a member of any political party that is recognized by Luzerne County based on the number of votes cast in Luzerne County for the office of Governor in the most recent general election for that office. The composition of the Board cannot contain more than three (3) members from the same political party and minority representation on the Board of Elections is required.”

2. Pursuant to 53 Pa.C.S.A. §2943(a) of the Home Rule Charter and Optional Plans Law, County Council Clerk is directed to file a certified copy of this Ordinance with the Luzerne County Board of Elections in anticipation of the November 8, 2016 General Election not later than Tuesday August 9, 2016.
3. Pursuant to 53 Pa. C.S.A. ' 2952 of the Home Rule Charter and Optional Plans Law, the Clerk to Luzerne County Council is hereby directed to give at least 30 days notice of the Ordinance proposing the Amendment to the Home Rule Charter. A Notice of the Election of the question of Amending the Home Rule Charter shall be posted in each polling place on the day of election and Clerk to Council shall publish a Notice in at least one newspaper of general circulation in Luzerne County once a week for three consecutive weeks during the period of 30 days prior to the November 8, 2016 General Election.

4. The County Solicitor, County Manager and Clerk to Luzerne County Council are authorized and directed to take all actions necessary in order to carry out the directives set forth in Items 1 through 3 above in this Ordinance.
  
5. This Ordinance shall take effect fifteen (15) days from the date of proper execution by the Chair and Vice-Chair of Luzerne County Council and Clerk to Council.

ENACTED AND ORDAINED at a meeting of the Luzerne County Council held on the \_\_\_\_ day of \_\_\_\_\_ 2016.

ROLL CALL VOTE:

AYES:

NAYS:

LUZERNE COUNTY COUNCIL

ATTEST:

By: \_\_\_\_\_  
Linda McClosky Houck, Chair

\_\_\_\_\_  
Sharon Lawrence  
Clerk to Council

By: \_\_\_\_\_  
Timothy McGinley, Vice-Chair

