

LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATIONS SPECIAL MEETING MINUTES
LUZERNE COUNTY COURTHOUSE COUNCIL ROOM
SEPTEMBER 7, 2023

CALL TO ORDER 6:01 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

EXECUTIVE SESSION

August 31, 2023 10:00-10:50 AM discussed litigation on ballot question

August 31, 2023 6:00-6:42 PM discussed litigation on ballot question

September 5, 2023 11:40-11:59 AM discussed litigation on ballot question, no deliberations took place

APPROVAL OF AGENDA

Alyssa Fusaro 2nd Jim Mangan, unanimous PUBLIC COMMENTS (3 minutes)

Allen Henninger, Dallas Township-opposed to ballot question; fatally flawed; County Council should not be voting on all five members; hides the fatal flaw; removing section on members running for office; requires that 2 be from largest party and 2 from next larger party; member leaving must be replaced by same party allowing majority party on Council too perpetually control the Board

Walter Griffith-agrees with Allen Henninger, not properly drafted with fatal errors; process to fill Board seats cannot be done in time for mandated February 1st Board organization meeting; procedure requires posting and membership list prior to naming the fifth member; works against establishing election integrity; leaves little time before a possible April primary; question needs to be in proper order, vote no on framing the question

Lisa Napersky, Fairview Township-opposes because not in proper order; all changes will not appear on the ballot; not ideal to dismantle the Board before elections; urges not to certify; deflecting blame for mismanagement of the Bureau onto the Board; Presidential election will depend on an inexperienced Board

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Diane Dreier, Dallas -many reasons that this is bad for all citizens of Luzerne County regardless of party; blatant attempt to control the Board; process should not be rushed; will the electorate be able to understand 8 or so questions in the 30 seconds required to

read the 75 word question? Will people take the time to read the posted explanation?
don't approve or do separate the questions

Andrea Glod, Wilkes Barre-not in proper order; Council will appoint all five members;
form of disenfranchisement if changes not separate questions; no remedy for Board
members running for office while sitting; DA investigation found part of the paper
problem was due to lack of institutional knowledge

Claudia Glennan, Salem Township-thanks for weathering the complaints; charter
amendment reflects a vendetta of some Council members; allows the majority in Council
to control the Board; entire Board would be dismissed and institutional knowledge lost
during a Presidential election year; not proper order; first question draft inadequate,
second confusing; voters can't decide what they don't know or have not been told;
democracy must not be subverted, vote no

Katrina Gerada, Kingston-question is manipulative and sneaky; read multiple times and
still doesn't fully understand it; several questions under one, not proper order; take it off
the ballot

Mark Rabo, Kingston-speaking to the question's constitutionality: it subverts the state
constitution since a Board can't be dissolved without cause, it is a recall and illegal;
format requires questions be addressed separately; follow the established blueprint in
all other counties and address questions separately

Carin Pieta, Wilkes Barre, Ward 8-upset about this; Charter put in place in 2012 for this
reason-not to monkey with the Board of Elections; doesn't understand why the Board
has to be changed immediately

Jay Notartomaso, West Wyoming, email-has been following the Board for two years;
Board diverse in political opinions but is now in agreement on the question testifies to
the correctness of position; question creates a lack of institutional knowledge; too long,
confusing, misleading; not in proper order; in violation of PA election code; Council is
obsessed with meddling in elections instead of doing their jobs

Brian Dugas, Wyoming, email-amendment designed to take power from the Board and
give it to Council; this will introduce partisanship and impact the election process;
Council should be protecting process

Michael and Deborah Balash, Franklin Township, email-opposed to amendment

Carole Shearer, Butler Township-reject the question; as Judge Lesa Gelb said,
"Democracy cannot be rushed." days away from finalizing ballot and no clarity on
question; not understandable to average voter; right to understand what is being voted
on and to make an informed decision; removing language forbidding members to run for

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office not properly addressed; amendment priority of Council but not a priority for people
of Luzerne County

Alisha Hoffman-Mirilovich, Fairview Township, Director Action Together NEPA, email-vote not to certify; vacates the Board prior to presidential election; reduce institutional knowledge; some Board members having more experience than Bureau leadership in overseeing elections; lowest paid election staff in country; address funding to solve recent problems; Board is being scapegoated; organization is concerned with possible voter disenfranchisement and the way these issues are being rushed; focus on needs and priorities of citizens

K Strickland, Kingston Township, email-opposes; allows Council to appoint all five members; removes all members in presidential election year causing exodus of institutional memory; reduces term of fifth member another loss of memory; multiple questions framed as one; confusing; needed to be discussed first in multiple public forums

Anita Davis, Plains, email-opposes the change in how the members are selected; grieves that one party is attempting to control elections; wants to live in a democracy not one controlled by one party; don't allow sorting machine to throw out mail in ballots; make sure there is paper

AGENDA ITEM

Denise Williams-needs to be in proper order; the Board has the authority to certify amendments that are in proper order; always work thoroughly, meticulously and methodically when tasked with something and doing the same here; Judge Gelb said that this is significant to everyone and should not be rushed; has done due

diligence and there are many issues and fatal flaws-change in structure, rule of single subject violated, members running for office, problems with wording for exclusion of election workers and change in time for registration requirement; Charter amendments can't effect the conduct of elections; reject

Alyssa Fusaro-difficult task; put aside personal and party considerations; easier to just give up on this; endured many attacks while serving on the Board; committed to serve lawfully; no doubt question is flawed; need to just look at the legality of the referendum; attempt at a backdoor recall of the Board which is illegal; a structural change requires a government study commission; a structural change is a major shift in management hierarchy and power; election law states can't run while on the Board; don't have to go into questions because it is illegal; reject

Dan Schramm-noticed a lot of the same things; so long, so confusing; couldn't figure out what was to be accomplished except get rid of us but personal agendas don't matter; too many things in it to correct; one thing he noticed to get on the Board all you have to do is register to vote; couldn't find anything good; needs time to rework in a democratic way

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Audrey Serniak-won't repeat much of what has been said; took time; listened to counsel, opposing counsel, the judge, the citizens; looked at the code and the law; not taking this

lightly and want to be fair; trying to separate things out to fix it but can't put language in that was removed; can't see how to move this forward

Jim Mangan-appreciates the input from the public; can't be moved by opinions; can't be partisan; worked with Board members and we do not work in a partisan manner; looked at the revised question submitted by the Office of Law and liked it initially; listened to Judge Gelb; not certifying means kicking the can down the road doesn't like that; Bureau; mail in voters do not get the posting; can separate or reject; reject

Alyssa Fusaro moved to reject the proposed county Council amendment ballot question
2nd Jim Mangan

Dan Schramm yes, Audrey Serniak yes, Alyssa Fusaro yes, Jim Mangan yes, Denise Williams yes; motion carries unanimously
PUBLIC COMMENTS (3 minutes)

Mark Rabo, Hazleton-applauds brave and stalwart decision; question subverts state constitution, charter and sets a dangerous precedent; negatively effects all authorities, boards and commissions by deterring people from participating; also obliterates one reason for charter which was to get rid of cronyism, nepotism and rewards for favors; question contradicts charter recommendation #7 Board made the right decision; process should be followed; Board almost denied independent legal council; Board needs own council; applauds Board; hopes Council will do the right thing and have a government study commission

Carin Gatera-thank you for rejecting; what happens next?

Denise Williams-we have just rejected it; all we can do at this time; don't know what will happen

Anita Davis-thank you for voting it down; it was biased; agrees with Mr. Schramm-what was it's purpose? How would it benefit voters; loves the country and loves living in a democracy; God save America

MOTION TO ADJOURN

Dan Schramm 2nd Alyssa Fusaro, unanimous ADJOURNED 7:05 PM