

LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATIONS MEETING MINUTES
LUZERNE COUNTY COURTHOUSE COUNCIL ROOM
SEPTEMBER 13, 2023

CALL TO ORDER 6:01 PM

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

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

EXECUTIVE SESSION

September 9, 2023 7:10-7:15 PM concerning litigation, no deliberations took place

APPROVAL OF AGENDA

Alyssa Fusaro 2nd Jim Mangan, unanimous

PUBLIC COMMENTS (3 minutes)

Walter Griffith-work session should be considered for critical times in between the elections, for information and presentations and to streamline voting sessions; poll book research has been exhaustive giving a good handle on the poll books; important for the Board to have independent legal representation

Claudia Glennan, Salem Township-concurs with Mr. Griffith that the Board needs its own outside council; would be beneficial to the Board and county; happy with the vote on the proposed amendment to the Charter; supports secure locations for drop boxes

Mark Rabo, Hazleton-thanks the Controller, Management, Bureau and Board for the work on campaign finance reports especially on outside committee registrations which was a recommendation of the county election integrity committee; hope for recommendations regarding people dropping off multiple ballots that they need authorization form, maybe put information in campaign packets and a public notification; Board need independent council

Robin Kochin, Dallas Township-needs valid reason for installing a drop box at the annex that is so close to Penn Place; election integrity made harder by another drop box

MINUTES

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Jim Mangan moved to approve minutes for August 16, 2023 2nd Alyssa Fusaro, unanimous

AGENDA ITEMS

Campaign Finance Reports-Eryn Harvey-continuing to monitor the 2022 annual reports but may have to finish after the election; the failure to file list is complete; committees registered

Denise Williams noted that filings have a bearing on certification of election contests

Poll Books-Eryn Harvey-reported to Council at their work session that a pilot program with Knowink will be done during the 2023 general election; 30 polling places over a range of locations will test; the other locations will use paper poll books; a paper poll book will be provided at the test locations; half of the \$17,000 cost will be refunded if we purchase the Knowink poll books; also working with county recycling to dispose of old ES&S machines; the cost will be about \$1200 as there is a lot to remove; there will be separate training for the Knowink poll books

Additional Drop Box at West Side Annex-Jen Pecora advised through email that if a drop box is placed at the West Side Annex it would have to be ordered

Eryn Harvey-the box will cost \$2800 and has not been budgeted; the WSA is close to Penn Place and a box there would not be a good use of money or the sheriff's deputies time

Denise Williams-money for security can come from the EIG; money for another box can be put in the next budget; recommends additional box be ordered as a spare; the original goal was to have five boxes; the Pittston Library box was the second highest used in the county; county owned site suggested because people were encouraging municipalities to reject drop boxes; has the sheriff's department indicated this is a hardship

Eryn Harvey-drop boxes pull the deputies away from their other duties; will look into this

Alyssa Fusaro-security is her main concern; has never seen any footage from the boxes; there are issues that haven't been handled; county after county has removed drop boxes; not lawful; 10-15 local municipalities have moved against them; where is the WSA

Denise Williams-near the airport; northern most county owned location; county would install security (\$4000 which could come out of the EIG)

Jim Mangan-WSA is a busy hub for many county activities including a magistrate's office and a LCTA hub; next to an airport; not a good location because of congestion; parking would be an issue

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Denise Williams-had received reports from prior inspections; there was a flood and needed repairs; thinks magistrate's office is a plus; requests a preview of budget due in October; recommends purchasing a spare box

Alyssa Fusaro-warehouse security? Eryn Harvey reported that it had to be paused due to the timing of the EIG money but should be completed by the election

Bylaws-no further recommendations; Audrey Serniak will complete and send out to the Board and the Office of Law

Drop Box Investigations-investigations from 11/21, 5/22 and 11/22 are outstanding; DA had said they would be included in the next report; there has been no response to emails sent to the DA sent 7/23 and 8/23

Alyssa Fusaro-DA had conversation with DA said he was hesitant to release due to media or public response; this was over a year ago a year ago; doesn't know his reasons for not releasing; office is very busy; our responsibility to investigate but handed it over to the DA for a better investigation

Jim Mangan-increase in crime so detectives are overwhelmed; regarding the drop box surveillance we have never taken it upon ourselves to review; would like a bipartisan team to review the footage; haven't done our due diligence; would like to review footage from the beginning of drop box use

Denise Williams-had reviewed footage in 11/21 with Rick Nardone

Jim Mangan moved to create a bipartisan team under the supervision of the Board to review as much of the ballot drop box video as possible 2nd Denise Williams

Audrey Serniak no, Alyssa Fusaro yes, Jim Mangan yes, Denise Williams no; motion fails

Audrey Serniak-not completely against this but needs a more concrete proposal Denise Williams-will go on next agenda; will send one more email to the DA

Work Sessions-Alyssa Fusaro-we have grandiose discussions that last for hours and maybe we just need more information; not every time just as circumstances require like presentations; have to be careful with our emails that we don't use them for deliberations

Jim Mangan-in favor if prior to meetings; doesn't want to remove items from public comment; some things could be streamlined

Alyssa Fusaro-have a public comment section after the work session; it's input before a vote

Denise Williams-would have to be properly posted ahead of time; need for public comment; doubts it would shorten meetings

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Alyssa Fusaro transparency at risk; not fair to the public that we don't have time for enough deliberation; how many people believed that we are retaining permanent council instead of backdating council's retention for the current lawsuit

Denise Williams-the agenda is formed a week in advance so members know what will be discussed and can prepare; need based and needs to be arranged in advance

Alyssa Fusaro moved that we include work sessions from time to time with proper notification when necessary 2nd Jim Mangan

Alyssa Fusaro yes, Jim Mangan yes, Audrey Serniak yes, Denise Williams yes; 4 yes 1 absent,

motion passes

Motion to Approve the Office of Law's Retention of Attorney Joseph Cosgrove, from the Selingo Guagliardo Law Firm, to represent the Luzerne County Board of Elections & Registration in "Luzerne County vs. Luzerne County Board of Elections and Registration" by Alyssa Fusaro 2nd Jim Mangan

Jim Mangan yes, Audrey Serniak yes, Alyssa Fusaro yes, Denise Williams yes;, 4 yes 1 absent, motion passes

Eryn Harvey-the Bureau has instituted a student poll worker program; packets have been sent to the schools; Nanticoke has helped a lot; packets were distributed to the Board

PUBLIC COMMENTS (3 minutes)

Walter Griffith-Cosgrove approval; now realizes it was a retroactive vote; suggests sending a letter to the legislature or relevant committee asking them to clarify drop box status; needs to be legislation or their legality will always be in question; asks that any data, stored on the old poll books be scrubbed before disposing; need to streamline video viewing to reports of incidents

Denise Williams-only report incidents to the DA if they are credible; incidents are reviewed and forwarded by officials (Bureau, Board)

Mark Rabo-joint state government commission, bipartisan advisory board's report of 8/23/23 is on their website, agrees with Controller Griffith that a letter should be sent; perhaps the DA should forward the investigation to AG in Harrisburg; requests parking for Ward 2 in Hazleton be arranged for election day; thinks work sessions would be helpful to the Board

Ben Herring, Duryea-thanks Mr. Mangan for his motion to review drop box video; appalled that DA doesn't review video and that Board doesn't have an appetite for reviewing drop box video; has filed a right to know request for video and has had to appeal, waiting on a court ruling; no one reviews for incidents and are asking for another

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box in a busy location so that no one can see what's going on; will continue to request the footage

Joseph McCabe, Laflin-wants to know when the voter registration lists were last cleaned

Denise Williams-ongoing when reports from ERIC and department of health come in; major cleaning done during the summer for inactive voters

Robin Kochin, Dallas Township-shocked over what she's heard; commends Jim Mangan; if no one is reviewing the video who is looking at it because this is our guarantee of integrity; if nothing to hide why not doing everything possible to provide transparency; electronics cause problems but are convenient and not transparent; need to hand count the ballots like other countries; machines can be hacked; Germany can hand count and report preliminary reports the next morning; need to be concerned with transparency

MOTION TO ADJOURN

Alysa Fusaro 2nd Audrey Serniak, unanimous ADJOURNED 7:29 PM