

LUZERNE COUNTY

BOARD OF ELECTIONS AND REGISTRATION MEETING

**DATE:** Wednesday, February 24, 2021  
4:30 p.m.

**PLACE:** Meeting conducted via  
ZOOM Webinar

BOARD MEMBERS PRESENT:

**Joyce Dombroski-Gebhardt** - Secretary

**Keith Gould**

**Audrey Serniak**

**APPEARANCES:**

**Romilda Crocamo, Esq.**

Chief County Solicitor

**Paula Radick, Esq.**

Assistant County Solicitor

**Michael Butera, Esq.**

Board of Elections Solicitor

Also Present:

**Andrea Hill**, Interim Director

Bureau of Elections

**David Parsnik**, Division Head

Administrative Services

**Jerrod Gutowski**, IT Department

1 MS. DOMBROSKI-GEBHARDT: According to the  
2 rules of order, as the secretary of the Board of  
3 Elections, can I have a motion to be named as the  
4 Chair Pro Tem to conduct the meeting due to the  
5 vacancy of chair and vice-chair positions on the  
6 board.

7 MR. GOULD: Yeah, I'll move on that.

8 MS. CROCAMO: I'd like to make a statement  
9 about that. We did some research, and, first of  
10 all, none of the codes or the charter identifies an  
11 office of chairman pro tem, number one.

12 Number two, the charter is clear that existing  
13 members cannot be the chair of the election board.  
14 And a chair pro tem is a chair. I had a very  
15 brilliant law professor who would say if it walks  
16 like a duck and quacks like a duck, it's a duck.  
17 So a chair is a chair is a chair.

18 It is the opinion of the Office of Law that  
19 what the election board should do is elect a vice-  
20 chair who will be able to conduct the meetings  
21 until a chair is selected.

22 MS. DOMBROSKI-GEBHARDT: With all due respect,  
23 Romilda, the county council is responsible for  
24 appointing a vice-chair. That's my understanding.

25 MS. CROCAMO: No, that's an incorrect

1 understanding. What county council does is appoint  
2 four members, and the four members choose and  
3 appoint who the secretary is, who the vice-chair  
4 is, and who the chairman is.

5 MR. GOULD: Okay. So I'll make a motion to  
6 appoint Joyce vice-chair.

7 MS. CROCAMO: You'll be able to conduct the  
8 meetings; I just don't want any repercussions.

9 MR. GOULD: Okay.

10 MS. DOMBROSKI-GEBHARDT: And so this would be  
11 temporary; correct, Romilda, until we have a  
12 chairman of the board?

13 MS. CROCAMO: No. Actually, this board is a  
14 quorum, and they could elect you as vice-chair, as  
15 well.

16 MR. GOULD: Well, we can change that if you  
17 don't want to keep that position.

18 MS. CROCAMO: Right.

19 MR. GOULD: Yeah.

20 MS. SERNIAK: As long as we could...

21 MS. DOMBROSKI-GEBHARDT: I'm sorry, Audrey,  
22 what did you say?

23 MS. SERNIAK: Once the position is filled, we  
24 can reorganize everything, you know.

25 MR. GOULD: So we do have a second on that. I

1 guess we just need to vote.

2 MS. CROCAMO: Correct.

3 MR. GOULD: Okay. I vote yes.

4 MS. DOMBROSKI-GEBHARDT: And Audrey?

5 MS. SERNIAK: I vote yes.

6 MS. DOMBROSKI-GEBHARDT: Okay.

7 MR. GOULD: Okay. So Joyce is vice-chair.

8 MS. DOMBROSKI-GEBHARDT: Okay. Well, please

9 rise for the *Pledge of Allegiance*.

10 (*The Pledge of Allegiance* is recited.)

11 MS. DOMBROSKI-GEBHARDT: Please be seated.

12 Roll call.

13 (Roll call taken. Members Gould, Serniak and  
14 Vice-Chair Dombroski-Gebhardt were present.)

15 MS. DOMBROSKI-GEBHARDT: We have a quorum.

16 Next. Are there any additions or deletions to  
17 the agenda, please? Audrey? Keith?

18 MR. GOULD: No.

19 MS. DOMBROSKI-GEBHARDT: How about you Audrey?

20 MS. SERNIAK: No.

21 MS. DOMBROSKI-GEBHARDT: Okay. And so we move  
22 on to -- can I have a motion to accept the agenda?

23 MR. GOULD: I'll move.

24 MS. DOMBROSKI-GEBHARDT: Okay, Keith.

25 Do I have a second?

1 MS. SERNIAK: I'll second.

2 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.

3 The agenda is adopted.

4 We're now moving into public comments.

5 Jerrod, if you could bring on the first  
6 caller, please.

7 DENISE WILLIAMS: Hello. My name is Denise  
8 Williams. Can you hear me?

9 MS. DOMBROSKI-GEBHARDT: Yes, we can here you.

10 MS. WILLIAMS: Thank you. I have a couple of  
11 concerns. My first concern is with the meeting  
12 minutes. I did send an email, and I know that you  
13 did get back to me, but I have seen that there has  
14 not been any change to the minutes that have been  
15 posted that I have a concern about. And they're  
16 the minutes from January 20th.

17 In comparing the minutes to the recording of  
18 that meeting, those minutes are not accurately an  
19 account of what was said. There are many...

20 MS. DOMBROSKI-GEBHARDT: Excuse me. I'm  
21 sorry, Denise. They -- the minutes are online.

22 MS. WILLIAMS: Can I finish, and then you can  
23 reply, please. There are many discrepancies...

24 MS. DOMBROSKI-GEBHARDT: Okay.

25 MS. WILLIAMS: There are many discrepancies.

1 For instance, the minutes state that I discussed  
2 election code, and I did not do that at all in that  
3 meeting. I actually did that at a different  
4 meeting.

5 I am given a title after my name, which I did  
6 not state, and it is not accurate. I was not  
7 speaking on behalf of an organization; and if I  
8 was, I would have stated that. Labeling me as  
9 having spoken on behalf of an organization,  
10 especially after labeling that organization a  
11 partisan organization, which it is not -- that's  
12 the opinion of the secretary -- jeopardizes me and  
13 my volunteer work with that organization.

14 I have written and asked that the minutes be  
15 amended, the reference taken out. And going  
16 forward, that the minutes more accurately reflect  
17 the facts of the meeting.

18 Secondly, I have a concern about the  
19 resignations of the chair and of Peter Ouellette,  
20 both Democrats, from the board. Especially after  
21 reading Peter's resignation letter and his stated  
22 reason for resigning because of increased  
23 partisanship within and without the board.

24 I have listened to many of the past meetings  
25 recordings since the November 2020 election, and

1 they repeated partisan allegations of fraud that  
2 turned into wrath and blame placed on the Board of  
3 Elections by Councilmen Urban, Griffith and Haas.  
4 Even going so far as trying to amend the charter to  
5 get council members on this charter-mandated  
6 citizen board.

7 As for Peter's concern of internal  
8 partisanship, that is a shame, too. The two  
9 Republican members' refusal to certify the election  
10 was purely partisan and the pandering to the Trump  
11 base. Board members need to remind themselves to  
12 follow facts and law, not public pressure or  
13 partisanship.

14 And lastly, my concern about how meetings are  
15 run and who gets to speak during them. This needs  
16 to be reigned in.

17 Public comment is a one-time comment, is it  
18 not? And when public comment is over, isn't it  
19 over? Public citizens should not be speaking  
20 within a meeting that they are not members of the  
21 board. This has been happening. I listened to it  
22 in the recordings. Mark Rabo is not a member of  
23 the Board of Elections. It really is unbelievable.

24 And Walter Griffith is not the sixth member of  
25 your board either. It does appear this way,

1 though. Per the charter, he may speak at a meeting  
2 as a member of the public. It is not written into  
3 the charter that his being a council person gives  
4 him special member of the public privileges, does  
5 it?

6 Walter Griffith, the other council members,  
7 need to let the citizens group do their work. And  
8 repeated interjections into the meetings is an  
9 abuse of power and obvious attempts to determine  
10 the direction and activities of this board. How  
11 has it been allowed to go on for this long?

12 Thank you.

13 MS. DOMBROSKI-GEBHARDT: Thank you.

14 Romilda, if I may, the minutes that were  
15 amended and approved to be amended for January 20th  
16 are, in fact, online.

17 MS. CROCAMO: Okay. I just went on as  
18 Ms. Williams was speaking, and I'm on the Board of  
19 Elections and Registration Agenda Center. And this  
20 is what I see; I see that the February 24th, 2021,  
21 posted February 19th, 2021, 2 :07 p.m., Luzerne  
22 County Board of Elections Agenda, 2/24/2021. Under  
23 minutes, I don't see anything there.

24 Now, it may be in a different place, so just  
25 bear with me. The next thing under that I see is

1 February 3rd, 2021. And those minutes that are  
2 posted are titled *Draft For Approval*, Luzerne  
3 County Board of Elections, Wednesday, February 3rd,  
4 2021.

5 So if there's a different page where these  
6 minutes are posted, somebody needs to let me know.  
7 Otherwise, I don't see the minutes for February  
8 24th. And the February 3rd minutes are still  
9 labeled *Draft*. And if they were approved, which I  
10 believe they were, that posting needs to be  
11 amended.

12 MS. WILLIAMS: It is from the January 20th  
13 meeting.

14 MS. CROCAMO: Oh, the January 20th, okay.  
15 Hold on; just let me open that one up. I thought  
16 you mentioned the last meeting.

17 That also says *Draft For Approval*. So we're  
18 going to approve two minutes this meeting --  
19 January 20th and February 3rd; is that correct?

20 MS. DOMBROSKI-GEBHARDT: Well, it would be the  
21 February 3rd meeting. But the January 20th  
22 minutes, Andrea Hill so kindly posted with the OIT.  
23 Okay, IT; Andrea Hill had them post them with the  
24 -- you know, Ms. Williams' so-called title is  
25 removed. And that was voted on, as I recall -- my

10

1 fellow board members can maybe, you know, let me  
2 know if I'm correct. But we did approve those  
3 minutes amended to remove the words after  
4 Ms. Williams' name in those minutes, January 20th,  
5 2021. And they are, in fact, online.  
6 If I'm mistaken, because I'm not looking  
7 again, but before I arrived here in the Bureau of  
8 Elections, I did look and the words are removed.  
9 MS. CROCAMO: Okay. But it's still labeled  
10 *Draft*. Somebody needs to correct that because...  
11 MS. DOMBROSKI-GEBHARDT: Understood, okay.  
12 MS. CROCAMO: All right. I'm reading through  
13 it now. And as long as there was an amendment and  
14 that information was removed, and the amendment was  
15 passed by the board, I believe that would answer  
16 Ms. Williams' initial question. But she needs to  
17 read what's posted. I can't speak for her, if  
18 that's acceptable for her.  
19 MS. WILLIAMS: I see it now. I just signed  
20 on, and it has been corrected.  
21 MS. CROCAMO: Okay. All right. Then we  
22 resolved that.  
23 MS. DOMBROSKI-GEBHARDT: Okay. All right.  
24 And thank you, Romilda.  
25 MS. CROCAMO: Okay. Thank you.

11

1 MS. DOMBROSKI-GEBHARDT: Next caller, please.  
2 Next caller, Jerrod, please.  
3 MR. GUTOWSKI: Everyone has the option to  
4 unmute; I can't unmute anybody. So they are good  
5 to go on their side. I believe it's \*6 on mobile,  
6 the same as Teams.  
7 MR. GRIFFITH: So, Joyce, this is Walter.  
8 MS. DOMBROSKI-GEBHARDT: Okay. Go ahead,  
9 please.  
10 MR. GRIFFITH: Is this agenda that was posted,  
11 there's a section here that says, *Members of County*  
12 *Council Comments*. Should I wait till we get to  
13 that section of the agenda?  
14 MS. DOMBROSKI-GEBHARDT: Actually, this is a  
15 new agenda, as everyone can see. And so my fellow  
16 board members and I -- if I'm incorrect, Keith and  
17 Audrey, then you please tell me -- we are now  
18 offering time, you know, again, for, you know,  
19 county council people to, you know, speak a second  
20 time in our meetings.  
21 MR. GRIFFITH: So there's public comment now,  
22 and then there's council comment later in the  
23 meeting, if you're following this agenda?  
24 MS. DOMBROSKI-GEBHARDT: Yes, that's correct.  
25 MR. GOULD: Yeah, correct.

12

1 MR. GRIFFITH: Okay. Okay. All right. Well,  
2 I mean, on public comment, I just want to address  
3 Ms. Williams' comments about amending the charter  
4 to make it a partisan deal. If Ms. Williams  
5 remembers correctly, when we did the charter  
6 amendment which, you know, that's something that  
7 county council is supposed to do when we feel  
8 there's problems with the charter. Every member of  
9 council has the opportunity to make any kind of  
10 ordinance to change anything that they wish needs  
11 to be changed. It's still a democracy.  
12 Members of the board or members of the council  
13 still get to vote. It's not a Walter says, as  
14 Ms. Williams is alluding to. It is a council says.  
15 I bring the ordinance; if it's voted up, then  
16 that's fine. If it's voted down, then that's the  
17 wishes of council.  
18 I have a right, as a council member to  
19 represent the people of this county and do what I  
20 have to do. So that's why I brought that  
21 ordinance.  
22 And if Ms. Williams remembers correctly, when  
23 I brought that ordinance, the original ordinance  
24 was a 7-member board, and it was going to allow for  
25 three members of council and four members of the

13

1 Board of Elections of regular citizenry; two  
2 Republicans and two Democrats.  
3 That motion didn't work very well because  
4 there's obviously comments from Ms. Williams about  
5 her issue with it being partisan. So I amended it  
6 to make it five. Or no; I amended it to change it  
7 from three council members to two council members  
8 and a manager. That failed because of the partisan  
9 issue.  
10 So what I did was I made a final offer to try  
11 and make this as compatible to Ms. Williams'  
12 concerns. And they're valid concerns, not a  
13 question about it. I understand her concerns, and  
14 I certainly want to be as fair as I can possibly  
15 be. So I amended it one more time to put the  
16 county manager on there and allow the members of  
17 the board to stay as instructed in the charter, and  
18 that failed by members of council.  
19 So apparently, council doesn't want it to be a  
20 partisan board or nonpartisan even. Because I  
21 changed the original ordinance to make it a  
22 nonpartisan board by putting the manager on that  
23 board, and that failed by council. So I don't know  
24 what else I could do to try and change the charter  
25 to try and make the board work better. That is

1 actually my intention, is to make the board a  
2 better board that's, you know, got more knowledge  
3 from people who are able to be able to do meetings  
4 and do the things that we do. It's very helpful.

5 So I'm not trying to do anything partisan  
6 here. I think the issue here is trying to make  
7 this government better. It's all about good  
8 government for me. And if Ms. Williams feels it's  
9 otherwise, then I can't -- I mean, I can't address  
10 that. But that's my -- my agenda is good  
11 government. It's not about partisan; it's not  
12 about Republican or Democrat. And, you know,  
13 that's basically my answer to the concerns.

14 As far as talking during the meetings, I mean,  
15 we're entitled to talk if the chair of the meeting  
16 allows us to speak. Whether we're citizens --  
17 Ms. Williams has the same option. If she wants to  
18 jump in during the meeting, and the chair says,  
19 that's fine, you can go ahead and speak, she can do  
20 that.

21 So I just don't see why we're -- I mean, if  
22 it's about good government, let's just make it  
23 about good government and stop with the politics  
24 because it's really not about politics. This  
25 charter was drafted for good government, and that's

1 what we all should strive for, not worry about  
2 who's a Democrat and who's a Republican and what's  
3 our agendas. Because I don't have an agenda; I  
4 don't have a political agenda. And if she feels  
5 that way, then there's not much I can say about  
6 that.

7 Thank you very much for your time.

8 MS. DOMBROSKI-GEBHARDT: Thank you, Walter.  
9 Next caller, please.

10 Jerrod, is it \*6 to unmute?

11 MR. GUTOWSKI: For phone, yes. And then on  
12 the ZOOM app, if they want to speak, they have the  
13 option to unmute themselves at this time.

14 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.  
15 Next caller.

16 ALYSSA: Yes, my name is Alyssa (phonetic  
17 spelling). I'm just here for election integrity,  
18 and that is -- I actually live in Luzerne County,  
19 and that's the reason I am in the meeting. And I  
20 have nothing to say at this time.

21 MS. DOMBROSKI-GEBHARDT: Okay. Thank you,  
22 Alyssa.

23 Next caller.

24 The secretary: Joyce, it's Steve Urban. I'll  
25 save my comments for the next section.

1 MS. DOMBROSKI-GEBHARDT: Okay, Mr. Urban.  
2 Next caller.

3 Jerrod, I'm not sure if they heard.

4 MR. GUTOWSKI: Yeah, so ZOOM client, just in  
5 case anyone is not missing it, you can unmute from  
6 there; \*6 from phone. And I opened the chat, as  
7 well, if you're having issues. And there's also  
8 Q and A.

9 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.  
10 Next caller. Next caller, please. Next  
11 caller.

12 Claudia, I see your message. Thank you.

13 Next caller. Can I have the next caller.

14 I'm not sure Jerrod, if they're unmuting, or  
15 what's happening here.

16 Next caller, please.

17 MR. GOULD: I don't think you have anybody  
18 else who wants to speak, Joyce.

19 MS. DOMBROSKI-GEBHARDT: Okay. All right.  
20 Then this ends our public comment section. And now  
21 we're going to move into -- I would like to have a  
22 motion to approve the draft of the February 3rd,  
23 2021 meeting minutes, please.

24 MR. GOULD: I'll move.

25 MS. CROCAMO: Okay, Keith. And a second.

1 MS. SERNIAC: I'll second that.

2 MS. DOMBROSKI-GEBHARDT: Thank you, Audrey.  
3 All right.

4 MR. GOULD: You should take a vote, Joyce.

5 MS. DOMBROSKI-GEBHARDT: Yes.

6 MR. GOULD: All vote aye.

7 MS. DOMBROSKI-GEBHARDT: Okay. All in favor  
8 to approve the draft of the February 3rd meeting  
9 minutes say aye.

10 MR. GOULD: Aye.

11 MS. SERNIAC: Aye.

12 MS. DOMBROSKI-GEBHARDT: Thank you. Okay.

13 Now, going into the Intra-Governmental  
14 Cooperation section. That being that we all need  
15 to work together as business partners. And so the  
16 board and I have incorporated a section, as you  
17 could see on the new agenda.

18 First, I would ask for the solicitor's report,  
19 please.

20 MR. BUTERA: Okay. This is Mike Butera. Can  
21 you hear me?

22 MS. DOMBROSKI-GEBHARDT: Yeah. Hi, Mike.  
23 Yes.

24 MR. BUTERA: The only thing that's happened  
25 since the last meeting, obviously, is that Peter

1 has resigned. And now we have a vacancy -- well,  
2 we elected a new chair tonight, so there's no  
3 vacancy for the chair. But we do have a vacancy  
4 for the second democratic spot. That has to be  
5 filled by council. And we still have the vacancy  
6 for the chair.

7 And that's really all that's happened from a  
8 legal standpoint since the last meeting.

9 MS. DOMBROSKI-GEBHARDT: Could you be more  
10 specific. You're saying that there's a vote been  
11 taken, you're saying, for the chair of the board?  
12 Or...

13 MR. BUTERA: No, no, no. There will be  
14 eventually.

15 MS. DOMBROSKI-GEBHARDT: Right, okay.

16 MR. BUTERA: Once it's advertised and the  
17 applicants are accepted -- the applications are  
18 accepted and the interviews are conducted, then the  
19 board will vote on the new chair.

20 MS. DOMBROSKI-GEBHARDT: I just wanted you to  
21 have that on record, okay. Anything else?

22 MR. BUTERA: That's it.

23 MS. DOMBROSKI-GEBHARDT: Okay. Thank you,  
24 Mike.

25 MR. BUTERA: You're welcome.

1 MS. DOMBROSKI-GEBHARDT: County Manager Pedri,  
2 are you on the meeting?

3 (No response.)

4 MS. DOMBROSKI-GEBHARDT: I think not. So  
5 we'll move on to the Bureau of Elections Report  
6 with Andrea Hill.

7 MS. HILL: Hi everyone.

8 Okay. Number one, the bureau has prepared the  
9 proclamation of the available elected offices for  
10 the May primary. We expect to put that on our  
11 website and to advertise it in the newspaper next  
12 week, once it's reviewed by the Office of Law.

13 The last date to file the petitions for our  
14 candidates is March 9th.

15 The bureau is working on a training schedule  
16 for poll workers, and we are verifying polling  
17 locations for the upcoming primary. We're going to  
18 start reaching out to our current poll workers to  
19 be certain that they're going to return for the  
20 primary.

21 The mail-in and absentees that were mailed  
22 out, the over 55,000, are starting to come in. We  
23 received about 15,000 of them to date. And right  
24 now, we have a second shift starting of county  
25 workers that are helping us in the evenings to

1 enter those applications and will continue to do so  
2 until we are current.

3 And that's all we have.

4 MS. DOMBROSKI-GEBHARDT: Okay. Thank you,  
5 Andrea.

6 Next we have Administrative Services Division  
7 Head, David Parsnik's report, please.

8 MR. PARSNIK: I have no report, Joyce. Andrea  
9 did it.

10 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.

11 And so we now welcome comments from our  
12 Luzerne County Council members at this time.

13 First caller.

14 MR. URBAN: This is Steve Urban. I'll jump in  
15 here real quick. And I do kind of like the new  
16 format and believe that we should all be good  
17 business partners between administration, the  
18 county council and the Board of Elections.

19 I wanted to address Ms. Williams directly.  
20 You know, I hear these comments about being  
21 partisan and whatnot. And not appreciative of it  
22 at all.

23 Quite honestly, the work of county council and  
24 what I do is on behalf of everybody that is one of  
25 me constituents in Luzerne County, which is all

1 residents of Luzerne County.

2 The charter is a document that is only one of  
3 many documents that we are guided in principle and  
4 in sort of law in the Commonwealth of Pennsylvania  
5 and Luzerne County.

6 First and foremost, you know, if you're going  
7 to look at a hierarchy structure, the documents  
8 that I swore upon, number one, I took the oath of  
9 office basically to protect the Constitution of the  
10 United States and also the Pennsylvania  
11 Constitution, and all the laws, the federal laws  
12 and state laws, you know. And then the charter is  
13 underneath all of that.

14 And I think, you know, to Mr. Griffith's  
15 point, there are some contentious points in the  
16 charter that are in direct conflict with state  
17 statute, probably even state constitution. And  
18 when I read the section out of our constitution,  
19 Article VII, Elections, Subsection 6, Elections and  
20 Registration Laws. And I highlighted the section.

21 It says: *All laws regulating the holding of*  
22 *elections by the citizens or for the registration*  
23 *of electors shall be uniform throughout the state,*  
24 which basically translates into the election code  
25 as being the end-all be-all document. There is no

1 asterisk that says, with the exception of Luzerne  
2 County because we're on a charter form of  
3 government.

4 Title 53, Municipalities Generally speaking.  
5 Subpart E, Home Rule and Optional Plan of  
6 Government. Section 2962, Limitation on municipal  
7 powers. Section (a) Powers granted by statute.

8 *With respect to the following subjects, the*  
9 *home rule charter shall not give any power or*  
10 *authority to the municipality contrary to, or in*  
11 *limitation or enlargement of, powers granted by*  
12 *statutes which are applicable to a class or classes*  
13 *of municipalities.*

14 For all intents and purposes, Luzerne County  
15 is a third-class county. And (a)(5) says: *The*  
16 *registration of electors and the conduct of the*  
17 *elections.*

18 So basically, that references pretty much the  
19 election code once again.

20 Under 2962(c), which is Prohibited powers: *A*  
21 *municipality, which is Luzerne County, shall not*  
22 *exercise powers contrary to, or in limitation or*  
23 *enlargement of, powers granted by statutes which*  
24 *are applicable in every part of this Commonwealth,*  
25 meaning the entire Commonwealth of Pennsylvania.

1 Then 2962(e) Statutes of general application.  
2 It says: *Statutes that are uniform and applicable*  
3 *in every part of this Commonwealth shall remain in*  
4 *effect and shall not be changed or modified by this*  
5 *subpart. Statutes shall supersede any municipal*  
6 *ordinance or resolution on the same subject.*

7 In reality, county council couldn't create any  
8 ordinances or resolutions toward the Pennsylvania  
9 Election Code, at least in my opinion.

10 And then when you look at Title 25, Chapter  
11 14; Title 25 of Pennsylvania Statutes is Elections.  
12 Chapter 14 is the Election Code. Article III -  
13 County Boards of Elections. County boards of  
14 elections; membership.

15 *There shall be a county Board of Elections in*  
16 *and for each county of this Commonwealth, which*  
17 *shall have jurisdiction over the conduct of*  
18 *primaries and elections in such county, in*  
19 *accordance with the provisions of this act.*

20 That simply states every county in the  
21 Commonwealth has a Board of Elections.

22 Now, (b) says: *In each county of the*  
23 *Commonwealth, the county Board of Elections shall*  
24 *consist of the county commissioners of such county*  
25 *ex officio, or any officials or board who are*

1 *performing or may perform the duties of the county*  
2 *commissioners, who shall serve without additional*  
3 *compensation as such. Except in counties of the*  
4 *first class, which really is Philadelphia, in*  
5 *counties which have adopted home rule charters or*  
6 *optional plans, the Board of Elections shall*  
7 *consist of the members of the county body which*  
8 *performs legislative functions unless the county*  
9 *charter or optional plan provides for the*  
10 *appointment of the Board of Elections. In either*  
11 *case, there shall be minority representation on the*  
12 *board. The county body which performs legislative*  
13 *functions shall, in the case where the board does*  
14 *not contain minority representation, appoint such*  
15 *representation from a list submitted by the county*  
16 *chairman of the minority party.*

17 If you look at that, that section basically  
18 states in typical terms under county code, the  
19 commissioners are all on the Board of Elections.  
20 They wear many hats in a regular county  
21 environment. They are the executive branch, the  
22 legislative branch, the salary board, the Board of  
23 Elections. It's a very cohesive structure compared  
24 to -- and offers more continuity than in our case  
25 of Luzerne County.

1 When that charter was drafted, it split those  
2 duties into executive, legislative and then Board  
3 of Elections; each distinctly having their own  
4 separation of powers as conferred on them by the  
5 legislative body of this Commonwealth and signed  
6 by, you know, a governor in the past.

7 It says in 2641(c), it says: *Whenever a*  
8 *member of the board of county commissioners is a*  
9 *candidate for nomination or election to any public*  
10 *office, the President Judge of the Court of Common*  
11 *Pleas shall appoint a judge or an elector of the*  
12 *county to serve in his stead.*

13 *Whenever there appears on the ballot a*  
14 *question relating to adoption of a home rule*  
15 *charter for the county or amendments to an existing*  
16 *county home rule charter, the President Judge of*  
17 *the Court of Common Pleas shall appoint judges or*  
18 *electors of the county to serve in the stead of the*  
19 *county commissioners. Appointees who are not*  
20 *currently elected officeholders shall receive*  
21 *compensation for such service, as determined by the*  
22 *salary board, plus mileage as specified by the*  
23 *county for expenses incurred when performing*  
24 *election board business.*

25 That simply states when -- you know, we don't

1 have the county commissioner form of structure, so  
2 that really doesn't pertain to us at this point in  
3 time. It's pretty much a citizen board.

4 But I say this because, you know, Section  
5 2642, Powers and duties of county boards.

6 *The county boards of elections, within their*  
7 *respective counties, shall exercise, in the manner*  
8 *provided by this act, all powers granted to them by*  
9 *this act, and shall perform all the duties imposed*  
10 *upon them by this act, which shall include the*  
11 *following...*

12 And I'm really looking at certain sections  
13 that are really relevant to you guys as the Board  
14 of Elections, that you can appoint your own  
15 employees, voting machine custodians and machine  
16 inspectors. That's under (c) -- or (d); I'm sorry.  
17 It's that section.

18 You can issue certificates of appointments to  
19 watchers. So basically, you give out watchers  
20 certificates.

21 You can investigate election fraud,  
22 irregularities. That's under (i).

23 You can actually appoint a chief clerk. Where  
24 I think, quite honestly, county council stepped on  
25 your powers and put that chief clerk position in

1 the admin code. We created an umbilical cord in  
2 between the Board of Elections and the executive  
3 branch of government pretty much not -- it's  
4 contrary to the actual election code itself.

5 Quite honestly, you know, the charter gets  
6 into some other semantics, you know, where you have  
7 to -- just think about this. You have to be a  
8 person that is in your political party for a  
9 certain amount of time. And quite honestly, that  
10 is not -- you know, 8.04B, at the end of it, it  
11 says: *At the time of their appointment, each*  
12 *member of the Board of Elections and Registration*  
13 *appointed by County Council shall have been a*  
14 *member of the same political party continuously for*  
15 *at least five years and shall remain a member of*  
16 *that party during his/her term of office.*

17 First of all, you can't force somebody to be a  
18 party member. Secondly, that states that someone  
19 that turns 18, 19, 20, 21, 22 could never serve on  
20 the Board of Elections because they'd have to be a  
21 member of their political party for at least five  
22 years. Inherently by their age, you're saying that  
23 no one could serve -- it's age discriminatory that  
24 they can't serve until they're about the age of 23  
25 as long as they remain in their political party of

1 their choice.

2 So you, basically, discriminated against an  
3 entire block of people based on age. And that, to  
4 me, is a violation of their civil rights. And  
5 that's something that needs to be looked at and  
6 addressed by, you know, county council.

7 Yes, county council does pick the four members  
8 of the board. And in turn, they can pick their  
9 chair, provided there's a quorum. And quite  
10 honestly, when you look at the chairman process,  
11 there is no process on record that I know of. You  
12 know, even though you may have advertised in the  
13 newspaper in the past, but I don't think there's  
14 anything set in stone via voice vote by the  
15 majority of any Board of Elections in the past that  
16 you're going to adopt that particular process.  
17 Even so, even if you did adopt the process, you  
18 could simply change it by a simple majority.

19 So, you know, with that being said, there are  
20 flaws in the charter that I know Mr. Griffith has  
21 tried to change. I think, you know, I've asked the  
22 questions, too, during the election inquiry  
23 committee about some opining on what I've said and  
24 what I just read. But I wanted to go on record  
25 reading the actual constitution, the actual state

1 law verbatim.

2 And then, you know, certain things in the  
3 charter don't align with state law. And we're  
4 going to get into that issue very shortly with the  
5 DA's race. And parts of the same law are going to  
6 be utilized in some respect in sort of the same  
7 manner.

8 You know, should the DA resign? County  
9 council and the charter cannot appoint the next DA  
10 as stated in the charter. That is left up to The  
11 Court of Common Pleas, as per state law. So  
12 there's a defect in the charter already, you know.  
13 There was caselaw in Lackawanna County 20 years  
14 ago, and it was adjudicated down in Common Court.  
15 And it pretty much told the commissioners there  
16 that they can't pick the next DA. It goes to the  
17 Court of Common Pleas within the county.

18 So with that being said, you know, the charter  
19 is a living, breathing document. I don't believe  
20 the county charter was actually vetted properly  
21 when it was actually put through. People voted on  
22 it, but it was never vetted by the CED for  
23 legality's sake to bump it up to state statute.

24 I mean, we're ten years into this charter, and  
25 it needs to be adjusted. It needs to be fixed.



1 And, you know, that's what causes the conflict, I  
2 think, at council meetings. It's not that we don't  
3 want to work together, but there's actually  
4 opposition -- you know, I mean, there are  
5 provisions in the charter that are actually in  
6 direct conflict with state law. And state law  
7 happens to supersede, in my opinion, the charter.

8 And nobody is willing to take that battle on  
9 because you rather live with a defective document  
10 than to fix the problem so we don't have conflict,  
11 so that we are in alignment with state law.

12 And, you know, I do implore that the county  
13 start working on that. You know, my colleagues on  
14 council, you know, we need to fix those  
15 deficiencies and put it out to the vote of the  
16 people to change the wording; else, you know,  
17 somebody could potentially litigate the issue in  
18 Commonwealth Court and have certain provisions  
19 stricken through a due process initiative.

20 And that's all I have to say. Thank you.

21 MS. DOMBROSKI-GEBHARDT: Thank you, Mr. Urban.

22 Next caller.

23 MR. GRIFFITH: Yeah, Joyce. It's Walter  
24 Griffith.

25 MS. DOMBROSKI-GEBHARDT: Yes, Walter.

1 MR. GRIFFITH: First of all, I want to just  
2 publicly thank Andrea Hill for stepping up and  
3 doing the job that she's doing at the bureau of  
4 elections in a challenging time for sure.  
5 Certainly without a director and without a deputy  
6 director, it's certainly an awful lot of  
7 responsibility for somebody who's been in that  
8 office for quite a few years that she could step  
9 into that position and have the double duty for  
10 director and deputy director, as well as deal with  
11 the issue that we have no chairman of the Board of  
12 Elections, and we have no vice-chair -- well, now  
13 we do have a vice-chair. But before today, we did  
14 not.

15 So I have to just publicly say that I  
16 appreciate the fact that Andrea Hill stepped up to  
17 do the work and is doing a commendable job. I  
18 picked up a packet for myself for county  
19 controller, and the office is running well.

20 Are they going to have a hiccup or an issue  
21 along the way, I'm sure they will. But quite  
22 honestly, I was treated respectfully when I went  
23 in. You know, any time I called there, somebody  
24 answered the phone promptly, and it's been a very  
25 courteous phone call.

1 So I wanted to just put that out publicly as a  
2 member who's attended these board meetings, as a  
3 citizen as well as a council member, and talking  
4 about the issues, that it's just nice when you have  
5 somebody who steps up and gets it done. And  
6 hopefully, somewhere along the line, the manager  
7 will appoint another director who's equally  
8 qualified to do the job as well as Andrea has  
9 stepped in to do. And that's my comment on that.

10 My second comment to the board is, and  
11 Mr. Urban just touched on it just briefly. But I  
12 think one of your biggest issues that this board is  
13 having, this challenge of not being able to have a  
14 chairperson on your board.

15 I would task this board, as member of council,  
16 I would task this board to sit down and draft a  
17 clause of all the things on better procedure of how  
18 you appoint a chairman of the board because the  
19 charter, it clearly does not address that. All it  
20 does is say you guys can pick your chairman. And  
21 that's true, you do.

22 But I think since you're not going to live  
23 forever, you need to take proactive steps to make  
24 sure that you put policy and provision in place.  
25 And that came up in the election inquiry committee

1 about having a binder about lessons learned and  
2 things of that nature.  
3 This is lesson learned. This is not the first  
4 time this board has been without a chairman. We  
5 need to learn from these lessons and figure out if  
6 we're going to have a problem along the way when  
7 chairmans step aside for whatever reason, whether  
8 they have other commitments to whether they run for  
9 office and they have to step aside.

10 So you're going to have this issue along the  
11 way. So I would behoove this body right now to  
12 give that task to somebody on this board to come  
13 back to the board and state, this is how we're  
14 going to handle appointments to the board for the  
15 chairmanship. And just put that information down  
16 on paper, make a vote -- get it down, solidify it  
17 and make it a policy so that when anything happens  
18 in the future, somebody could look at a document  
19 and go, okay, this is how we do that.

20 Because that's the problem we ran into just  
21 recently was, you know, this is the way we did it  
22 before, so this is the way we're going to do it  
23 again. And the way we did it before was wrong. So  
24 there was nothing written down.

25 So now we go ahead. We can take it if we do

1 it wrong (brief audio interruption) in the sense  
 2 that we intentionally do it wrong, but it's just  
 3 not -- it's not a policy of the board; it's a  
 4 policy of one person who feels that that's the best  
 5 way to do it. And for all intents and purposes,  
 6 the vice-chairman who's on this board, I don't  
 7 think he was doing anything nefarious. I think he  
 8 was just trying to fill the position of the  
 9 chairman. And that there's nothing wrong with  
 10 that, but because he's doing it on his own, it  
 11 appears nefarious. And those are the kind of  
 12 things that we need to look at and address as we  
 13 move forward with this board.

14 You know, we need to have a policy. The  
 15 chairman -- you know, the chairmanship, it goes  
 16 through the same process that the manager does for  
 17 their hiring process, where all the names are  
 18 redacted, and the board doesn't get the people's  
 19 names. It's totally ranked by HR, human resources.

20 I think human resources is the place to send  
 21 applications so that they can act as a  
 22 clearinghouse for everything in the county. So let  
 23 them look at the applications. Let them redact the  
 24 names of everybody who's applying for the position  
 25 of chair. And then take the criteria that this

1 board has come up with and tell HR what you're  
 2 looking for in a chairman and let her or him in HR  
 3 pick the person who's best qualified and send that  
 4 information to you so you guys can interview those  
 5 three applicants. That would be a process that  
 6 would be better suited than saying, well, you know  
 7 what, we're just going to get applications in. And  
 8 I think the applications were just recently sent,  
 9 which should be all -- I hate to say they should be  
 10 all tossed out, but, clearly, everybody knows who's  
 11 applied for the chairmanship at this point in the  
 12 bureau of elections.

13 So I think, you know, it's just -- it doesn't  
 14 work well for transparency. So I would say that  
 15 you need to sit down and pass a policy and  
 16 procedure for appointing members of your board.  
 17 And that's within your purview of the board, to run  
 18 your meetings and appoint your staff and do the  
 19 things that you need to do. So if somebody would  
 20 put that on the task of probably top priorities,  
 21 that would probably be one of them.

22 And the second top priority would be campaign  
 23 finance reports of which we've been complaining  
 24 about for years. And we've always been told, well,  
 25 we're understaffed, and we don't have help. And

1 now you have help; it still doesn't get done.  
 2 The board needs to just pass a motion and a  
 3 second that the campaign finance reports will be  
 4 online by this day. And make it reasonable; I  
 5 mean, don't say tomorrow. But give the staff a  
 6 chance to get them done and just put a deadline  
 7 down and make people accountable to the deadline.

8 And then it will get done, and it will be  
 9 done. And so people who run for office like myself  
 10 or any other candidate who wants to see that  
 11 information won't have to come in and tie up the  
 12 staff to get campaign finance reports sent to the  
 13 office. They could do it all online.

14 So, I mean, those are kind of the things that  
 15 are concerning to me as a council member. When I  
 16 look out and I say, well, how could we make the  
 17 county a better place and our boards and  
 18 commissions work more efficiently. I think those  
 19 are two of the things for this board to address  
 20 sooner rather than later. And I understand we have  
 21 other issues. You know, we got an upcoming  
 22 primary, and you're understaffed. And Andrea is  
 23 working by herself without a director, a deputy  
 24 director. And all of these things are certainly  
 25 you know, of concern.

1 So I would say just, you know, put those  
 2 things on the agenda and put it on your frontal  
 3 lobe of your thought process and say, these are  
 4 important things that we're going to address, and  
 5 we're going to address them by motion and vote of  
 6 the board. And move along, put it on the side.  
 7 And then it's done with; you don't have to address  
 8 it again.

9 And the last thing I will finish with is this:  
 10 Please have someone clean up the web page. As this  
 11 phone caller just stated, she can't even find the  
 12 minutes. And I can't find the minutes. And other  
 13 people can't find information, can't find where we  
 14 log in to get to the meeting.

15 A lot of stuff is going on, on that web page.  
 16 It needs to be cleaned up. And I think that it  
 17 should be somebody on the board's task to sit down,  
 18 look at your web page. Write it down, the things  
 19 that are not supposed to be there or should be  
 20 there or the place where it should be. And sit  
 21 down with somebody from IT as a board member.

22 You know, make a committee of one if you have  
 23 to and say, you're responsible for the web page.  
 24 Go out and take a look at it and see what's there,  
 25 what's not there. Get in touch with Mauro from the

1 IT department and sit down and have a conversation  
2 and say, let's take this off.

3 That should not be the bureau of elections  
4 job; that should be a board job. The bureau has  
5 more than enough work to do. And I think that  
6 those three items are paramount to making people  
7 feel very comfortable about how the Board of  
8 Elections functions and how things are done.

9 So I appreciate the opportunity to speak once  
10 again. And hopefully, you guys can take my  
11 comments as constructive and put them in a place  
12 where you can reference them later and move this  
13 board forward.

14 Thanks, Joyce. I appreciate it very much.  
15 And congratulations on your appointment to  
16 vice-chair. Hopefully, you'll enjoy your term as  
17 vice-chairman. Thank you.

18 MS. DOMBROSKI-GEBHARDT: Walter, one more  
19 thing. The campaign financing is online.

20 MR. GRIFFITH: Did they get them up?

21 MS. DOMBROSKI-GEBHARDT: Yes, IT did.

22 MR. GRIFFITH: Wonderful.

23 MS. DOMBROSKI-GEBHARDT: Yes.

24 MR. GRIFFITH: Wonderful. I didn't see it on  
25 the -- when I was looking at the link, I did see

1 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.  
2 Okay. Thank you.

3 And Keith, do you have any report? Keith, do  
4 you have anything to say with the Board of  
5 Elections report?

6 MR. GOULD: Sorry about that. No, I didn't  
7 unmute. No, I'm good.

8 MS. DOMBROSKI-GEBHARDT: Okay. The only thing  
9 I'd like to report is that, and this is my opinion,  
10 that the direction of the Board of Elections needs  
11 to move forward. And, actually, I would say  
12 quickly since the primary election is coming up.

13 So, again, you know, do we, on the board, want  
14 to go down the road, you know, dark road? Or do we  
15 want election integrity? And so we have to keep  
16 that in mind as we move forward towards the primary  
17 election.

18 Anyone else have any comments? Audrey or  
19 Keith?

20 MR. GOULD: No. I'm onboard with you. I  
21 think integrity is the word that we need.

22 MS. DOMBROSKI-GEBHARDT: Okay. All right.  
23 Thank you.

24 MS. SERNIK: Audrey. I agree. Audrey here.  
25 Yeah, I agree; we have integrity. But we have had

1 the tab that said campaign finance. I did not open  
2 it. But thank you for that. I will take a look at  
3 that. And I appreciate IT getting that done, as  
4 well as Andrea doing it. Thank you.

5 MS. DOMBROSKI-GEBHARDT: Okay. Thank you,  
6 Mr. Griffith.

7 Are there any other county council members on  
8 the line?

9 (No response.)

10 MR. GUTOWSKI: I'm only seeing Walter and  
11 Urban on my list here, so it looks like that is it,  
12 from what I'm seeing.

13 MS. DOMBROSKI-GEBHARDT: I saw your message,  
14 Jerrod, on the screen, but I thought maybe someone  
15 jumped in since. Okay. Thank you.

16 And now we're going to move into the Board of  
17 Elections and Registration comments.

18 First I will ask my fellow board member,  
19 Audrey, do you have anything to report?

20 MS. SERNIK: No. I will say, though, I had  
21 some real reservations about giving the county  
22 commissioners their own special section. I thought  
23 I'd let it go and see how it worked. I still have  
24 those reservations, but I will maybe address those  
25 on the next meeting.

1 integrity. We had an excellent 2020 general  
2 election. It was transparent. Everybody could  
3 come in and watch the process. Very few people  
4 did. There were very few problems considering the  
5 turmoil. And we've got to carry that going forward  
6 into the primary and into the next general  
7 elections. Thank you.

8 MS. DOMBROSKI-GEBHARDT: Thank you, Audrey and  
9 Keith.

10 Moving forward to old business. Do either of  
11 you have any old business to address?

12 MS. SERNIK: No.

13 MR. GOULD: I think at this point, no. We're  
14 pretty caught up for right now.

15 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.

16 Now we're going to the next agenda item, New  
17 Business.

18 Resume In-Person Meetings starting in March  
19 2021. And so I would like to hear from both of  
20 you, how you feel about that, before I, you know,  
21 say anything.

22 MR. GOULD: Yeah, my thoughts on that are we  
23 should be back and in person. If we were able to  
24 do the adjudication with as many people that were  
25 there, we're more than able to do an in-person

1 meeting.

2 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.

3 Audrey?

4 MS. SERNIAK: At this time, I think no. The

5 county still is having everything -- there's a big

6 notice on the county website that all meetings are

7 supposed to be online until further notice.

8 I haven't been able to get my vaccination

9 appointment set yet. I'm hoping that things will

10 clear up in the state, and I'll be able to schedule

11 one. But I would really rather not have an

12 in-person meeting until everything is official that

13 we can do that.

14 Part of me, too, is where we would have this

15 meeting. I don't know how many people are

16 accommodated in council chambers in the courthouse.

17 I think it's 25. And we've had some -- you know,

18 this might actually cut down on citizen

19 participation if we go offline too soon. That's

20 all I have.

21 MS. DOMBROSKI-GEBHARDT: Keith, do you have

22 anything to add to that?

23 MR. GOULD: No. But I'd like to move or make

24 a motion that we resume in-person meetings.

25 MS. DOMBROSKI-GEBHARDT: Second? I second

1 that. Motion carries, and we will move forward to

2 a large room that will be fine for social

3 distancing and for the public to attend. And, you

4 know, that's where we're at with this right now.

5 There will be further details coming up. We'll all

6 talk about that.

7 So now we're moving to No. 2. Appointing the

8 Board of Elections Chief Clerk and Define Duties.

9 Now...

10 MR. GOULD: Joyce, I don't mean to interrupt.

11 But just a point of order with the roll call on the

12 -- you know, with the last vote taken because you

13 forgot to ask for a vote. Because if there's any

14 opposed, that needs to go on record, as well.

15 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.

16 Roll call on starting the in-person meetings

17 in March of 2021.

18 Keith?

19 MR. GOULD: Yes.

20 MS. DOMBROSKI-GEBHARDT: Audrey?

21 MS. SERNIAK: No.

22 MS. DOMBROSKI-GEBHARDT: Okay. And I say yes.

23 No. 2 on the agenda, Appointing the Board of

24 Elections Chief Clerk and Define Duties.

25 MR. GOULD: I think we should table this one

1 for right now and do some more research into it.

2 That's my thoughts.

3 MS. DOMBROSKI-GEBHARDT: Okay. How do you

4 feel, Audrey?

5 MS. SERNIAK: Yeah, I think it should be

6 tabled for now.

7 MS. DOMBROSKI-GEBHARDT: Okay. Shall I tell

8 you both what my thoughts were?

9 MR. GOULD: Absolutely.

10 MS. DOMBROSKI-GEBHARDT: Well, I actually want

11 to see David Parsnik continue on as the chief clerk

12 to the Board of Elections. He's been doing a

13 wonderful job in my opinion.

14 And so can I have a roll call on tabling this,

15 Keith.

16 MR. GOULD: Yeah, I think we should table it.

17 MS. DOMBROSKI-GEBHARDT: Okay. Audrey?

18 MS. SERNIAK: Yes, table it for now, yes.

19 MS. DOMBROSKI-GEBHARDT: Okay. And all right,

20 yes. Thank you.

21 And Agenda Item No. 3 under New Business,

22 Appointing the Chairman of the Board of Elections

23 and Registration.

24 And so, at this time, I would like a motion to

25 open up the nominations for chair of the Board of

1 Elections.

2 MR. GOULD: Yeah, I'll make that motion.

3 MS. DOMBROSKI-GEBHARDT: Okay. Second?

4 I second.

5 Roll call, Keith.

6 MR. GOULD: Yes.

7 MS. DOMBROSKI-GEBHARDT: Audrey?

8 MS. SERNIAK: No.

9 MS. DOMBROSKI-GEBHARDT: And I say yes. And

10 at this time, I would like to nominate Steven J.

11 Urban for the new Board of Elections chairman.

12 Can I have a second?

13 MR. GOULD: Yeah, I'll second that.

14 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.

15 Any other nominations on the floor for

16 chairman?

17 (No response.)

18 MS. DOMBROSKI-GEBHARDT: Can I have a motion

19 to close the nominations for chair?

20 MS. SERNIAK: Who else has applied for the

21 position?

22 MS. DOMBROSKI-GEBHARDT: At this point in

23 time --

24 MS. SERNIAK: Who else has applied for chair?

25 MS. DOMBROSKI-GEBHARDT: Well, at this point

1 in time, referring to Title 25, we, as a board, are  
2 able to -- and it's to proceed forward without, you  
3 know, the applications, to, you know, to look at  
4 applications. And that's where we're at.

5 So can I have a motion to close the  
6 nominations for chairman of the board?

7 MS. CROCAMO: I'm curious. Which Steve Urban  
8 are you...

9 MS. DOMBROSKI-GEBHARDT: Steven J. Urban, I  
10 said.

11 MS. CROCAMO: You mean the individual who's on  
12 council?

13 MS. DOMBROSKI-GEBHARDT: Yes.

14 MS. CROCAMO: That's prohibited.

15 MS. DOMBROSKI-GEBHARDT: Actually, we had  
16 checked into this, and it is absolutely allowed. I  
17 appreciate your opinion, but...

18 MS. CROCAMO: Well, then read what the  
19 requirement is from the charter.

20 MR. GOULD: In reference to a chairman,  
21 there's nothing.

22 MS. DOMBROSKI-GEBHARDT: No, there's nothing  
23 at all in the charter regarding this at all.

24 MR. GOULD: Other than we appoint our  
25 chairman. It doesn't have any parameters on it.

1 MS. DOMBROSKI-GEBHARDT: I refer you to Title  
2 25, Section 2641.

3 And so I would like to continue with a motion  
4 to close nominations for chairman of the board.

5 MR. GOULD: I'll move.

6 MS. DOMBROSKI-GEBHARDT: Can I have a second?

7 MS. CROCAMO: That's not applicable. That's  
8 not applicable to this position. It doesn't  
9 refer...

10 MS. SERNIAC: Audrey here. I would like to  
11 know when this whole process changed.

12 MS. DOMBROSKI-GEBHARDT: And so I have done a  
13 lot of research over the last several days. And,  
14 you know, there is nothing in the charter  
15 prohibiting us from moving forward at this time.  
16 And so...

17 MS. CROCAMO: I didn't say that. I didn't say  
18 that. What I said is there's a specific term in  
19 the charter that Councilman Urban can't serve as  
20 chairman of the election board and be a council  
21 member.

22 MS. DOMBROSKI-GEBHARDT: With all due respect,  
23 I disagree with you. It is written. It is  
24 documented that that is doable. And so...

25 MS. CROCAMO: You're in error. You're making

1 MS. DOMBROSKI-GEBHARDT: Correct.

2 MS. SERNIAC: Audrey here. Now, prior to  
3 this, we had taken -- advertised for the chair. We  
4 have taken applications for the chair. We have  
5 interviewed for the chair. And then we have voted  
6 on the chair. When did this all of a sudden  
7 change? Because nobody talked to me about it.

8 MS. CROCAMO: Here's what's in the charter.  
9 In accordance with the Luzerne County Home Rule  
10 Charter:

11 *At the time of his/her appointment, throughout*  
12 *his/her term of office, and for a period of at*  
13 *least four years prior to appointment, no member of*  
14 *the Board of Elections and Registration shall be or*  
15 *have been an elective County official, County*  
16 *employee, member or employee of any other County*  
17 *authority, board or commission, hold or have held*  
18 *any elective public office or public employment, be*  
19 *or have been employed or compensated by any*  
20 *individual or business serving as a contractor to*  
21 *the County or any County authority, board or*  
22 *commission, serve or have served as a paid*  
23 *consultant for the County or any County authority,*  
24 *board or commission, or serve or have served as an*  
25 *officer in a political party.*

1 an incorrect decision.

2 MS. DOMBROSKI-GEBHARDT: I would still like to  
3 move forward with a vote.

4 Roll call. All in favor of Steven J. Urban as  
5 the chairman of the Board of Elections of Luzerne  
6 County, signify by saying aye.

7 Keith?

8 MR. GOULD: Aye.

9 MS. DOMBROSKI-GEBHARDT: Audrey?

10 MS. SERNIAC: No.

11 MS. DOMBROSKI-GEBHARDT: And I say aye.

12 At this point, my thought is that if no one  
13 likes this decision right now, this could be taken  
14 down to Harrisburg to the Commonwealth of  
15 Pennsylvania Court.

16 And so congratulations, Steven J. Urban. You  
17 are the new chairman of the Board of Elections of  
18 Luzerne County, and welcome.

19 MR. URBAN: Thank you. So basically, I just  
20 want to say, you know, this is one of those issues  
21 that needs to be adjudicated, I think, in a court  
22 of law. It needs to be tried, and it needs to be  
23 sorted out.

24 Obviously, it is seemingly maybe a little bit  
25 unorthodox. However, in the spirit of state

1 statute, state statute trumps the charter, and  
 2 you're basically going to have to move forward and  
 3 proceed as a county however -- whichever way the  
 4 county decides to proceed with this, they can  
 5 proceed with it. It is a legal vote, in my  
 6 opinion. There was a motion and a second and roll  
 7 call by the Board of Elections.

8 Like I stated, you know, the Pennsylvania  
 9 Constitution is very clear that election law must  
 10 be uniform and consistent across the Commonwealth.  
 11 There's a current caselaw that's on the books. I'm  
 12 not an attorney, but I do read the law.

13 As a member of council, I'm a legislative body  
 14 member, number one. Everybody has opinion. And I  
 15 think moving forward, it has to be adjudicated in  
 16 the proper forum, and that should be down in the  
 17 Pennsylvania Commonwealth Court in Harrisburg. And  
 18 that issue should be then put to bed.

19 With that being said, I'd like to make a  
 20 motion to adjourn this meeting.

21 MS. DOMBROSKI-GEBHARDT: We do have another  
 22 item, Chairman Urban.

23 MR. URBAN: I'm sorry. Okay, let me look at  
 24 the agenda.

25 Okay. Discussion of the SURE system access.

1 access, your own user ID and password to look at  
 2 all the necessary reports and answer your own  
 3 questions in any instance.

4 I'm sure there is training involved, and that  
 5 training is usually offered by the Department of  
 6 State.

7 MS. DOMBROSKI-GEBHARDT: Yes. The bureau has  
 8 enough to do, and it's time that the board, you  
 9 know, helps them, has our own access to the SURE  
 10 system. And it will alleviate the workload that is  
 11 on them. So that's my feeling about this.

12 Do you have anything to say, Keith and Audrey?

13 MR. GOULD: I think speaking on that point, I  
 14 think in the bureau office, there should be a  
 15 dedicated area for board members to go in and  
 16 access a computer. For any time a board member  
 17 stops in, he should be able to access the SURE  
 18 system, and there should be a dedicated cubicle or  
 19 desk with a laptop somewhere for the board to go in  
 20 and work. That's just something I think would play  
 21 off of me having access to the SURE system.

22 MS. DOMBROSKI-GEBHARDT: So you're saying, you  
 23 know, our own office that two of us at a time could  
 24 go into the bureau if we need to go on that  
 25 computer system. And that's basically what you're

1 MS. DOMBROSKI-GEBHARDT: Yes.

2 MR. URBAN: As the Board of Elections, you  
 3 guys, and, actually, public officials have the  
 4 ability to have SURE system access based on an  
 5 application that I forwarded over to everybody last  
 6 week.

7 You know, the Board of Elections and  
 8 Registration does -- you have the ability to look  
 9 at registrations. You have the ability to have  
 10 SURE system access based on the state documents  
 11 that were forwarded over to you. And you can have  
 12 the appropriate level of access to look at the  
 13 system.

14 Jonathan Marks had sent me that information.  
 15 And I think, you know, it would be something that  
 16 every board member should have and look into.

17 Legally, that's well within your right. You  
 18 are the Board of Elections and Registration, and  
 19 that part allows, you know, just by law, allows you  
 20 SURE system access.

21 If you have any questions, you could probably  
 22 reach out to the Department of State, and they can  
 23 get you the appropriate level of access. And then  
 24 you won't have to really bother the Bureau of  
 25 Elections, you know. You could have your own

1 saying, right?

2 MR. GOULD: Absolutely.

3 MS. DOMBROSKI-GEBHARDT: Okay.

4 Audrey, do you have anything to add to that  
 5 SURE access discussion?

6 MS. SERNIAK: No, nothing.

7 MS. DOMBROSKI-GEBHARDT: Okay. Thank you.

8 MR. BUTERA: Joyce, excuse me. It's Mike  
 9 Butera. Can I say something?

10 MS. DOMBROSKI-GEBHARDT: Go ahead, Mr. Butera.

11 MR. BUTERA: You've named Steve Urban as the  
 12 chairman of your board; he should be conducting the  
 13 meeting now.

14 MS. DOMBROSKI-GEBHARDT: Yes, he is.

15 MR. URBAN: I -- pretty much, they do have the  
 16 floor, so that's fine. There is open discussion at  
 17 this point in time regarding SURE system access,  
 18 Mike.

19 MR. BUTERA: Okay.

20 MR. URBAN: Okay. I mean, if anybody has any  
 21 comments, you know, this is not a board where we're  
 22 going to act like a gestapo in a sense.

23 You know, people on the board are free to  
 24 discuss the type of access that they wish to prefer  
 25 to have. It is well within their right to have the

1 SURE system access. And if they would like to have  
2 an office space, I think we should look into it  
3 with Manager Pedri to ensure that he provides the  
4 space and the computer necessary for the board to  
5 start engaging in whatever they feel necessary to  
6 do their job.

7 You know, we need to equip the board so they  
8 can do a good functional job of being the Board of  
9 Elections and Registration.

10 MS. DOMBROSKI-GEBHARDT: Chairman Urban, did  
11 you want to ask for adjournment?

12 MR. URBAN: Do you have any other additional  
13 comments, Keith?

14 MR. GOULD: No, I think I'm good. But I think  
15 that office is an important thing.

16 MR. URBAN: Absolutely.

17 MR. GOULD: So, I guess, somebody should  
18 contact Mr. Pedri and make those arrangements.

19 MR. URBAN: Okay. Then, you know, all of you  
20 probably have Jonathan Marks' email. There are  
21 specific levels of access as the Board of Elections  
22 and Registration that you are able to have.

23 You want to be careful with what you want  
24 granted to yourself because you don't want to  
25 change records and destroy them in any sense. So

1 adjourn?

2 MR. GOULD: I'll move.

3 MR. URBAN: Keith moves. Is there a second?

4 MS. DOMBROSKI-GEBHARDT: I second.

5 MS. SERNIAK: I'll second.

6 MR. URBAN: Okay. All those in favor signify  
7 by saying aye.

8 MR. GOULD: Aye.

9 MS. SERNIAK: Aye.

10 MS. DOMBROSKI-GEBHARDT: Aye.

11 MR. URBAN: Hearing none opposed, the motion  
12 carries. Meeting adjourned.

13 Thank you everybody.

14 MR. GOULD: Thank you. Good night.

15 MR. URBAN: Good night.

16 MS. DOMBROSKI-GEBHARDT: Good night.

17 (Meeting adjourned approximately 5:45 p.m.)

1 if you want to just commit to a read-only access at  
2 this point, then that might be better to utilize  
3 than read and write access.

4 But quite honestly, I think, you know, the  
5 laws of the state need to be looked at. The laws  
6 of Luzerne County kind of need to be looked at.  
7 The contradiction in law needs to be clarified in  
8 probably a court action.

9 And moving forward, we hope to get some  
10 clarity on this. This isn't, like I said, to be  
11 combative. It's actually to move this county  
12 forward in a positive light.

13 Quite honestly, there are different  
14 interpretations of the law. And once again, it's  
15 my opinion that the charter cannot supersede state  
16 law, state statute; nor can it supersede the  
17 constitution.

18 So, you know, knowing that, you know,  
19 everybody is afforded due process. And I think,  
20 you know, due process can move forward however the  
21 county wishes to look at this issue.

22 With that being said, are there any other  
23 comments from the board?

24 MR. GOULD: No, I think I'm good.

25 MR. URBAN: Okay. Can we have a motion to

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C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing is an accurate representation, as transcribed by me from an audio file to the best of my ability, of the Luzerne County Board of Elections and Registration meeting of February 24, 2021, conducted via ZOOM Webinar Video Conference.

**DATE: March 1, 2021**

**/s/ Angela C. Sallemi  
Angela C. Sallemi, RMR, CRR**

**ORIGINAL**