

# MINUTES

## MEETING OF THE ALLEGHENY COUNTY BOARD OF ELECTIONS

MONDAY, November 22, 2021, 1:00 P.M., PUBLIC MEETING-CONFERENCE ROOM 1 OF THE ALLEGHENY COUNTY COURTHOUSE, PITTSBURGH, PENNSYLVANIA.

---

---

**BOARD MEMBERS:** HONORABLE RICH FITZGERALD, CHAIR-present  
HONORABLE BETHANY HALLAM, MEMBER-present  
HONORABLE SAM DEMARCO, MEMBER-present

**IN ATTENDANCE:** JERRY TYSKIEWICZ – DIRECTOR, DEPT. OF ADMINISTRATIVE SERVICES  
JESSICA GAROFOLO-DEPUTY DIRECTOR, DEPT. OF ADMINISTRATIVE SERVICES  
DAVID VOYE – MANAGER, DIVISION OF ELECTIONS  
CHET HARHUT-DEPUTY MANAGER, DIVISION OF ELECTIONS  
ALLAN J. OPSITNICK - ASST. COUNTY SOLICITOR, LAW DEPT.

**I. CALL TO ORDER** – The meeting of the Allegheny County Board of Elections commenced at 10:00 AM. Meeting called to order by Chair Fitzgerald. Roll was called by Assistant Solicitor Opsitnick. All Board Members present. Additional County personnel in attendance, as listed above.

**II. PUBLIC COMMENT**-The following public comments were made via email:

1. Robert Howard, Marshall Township. This email was summarized by Mr. Opsitnick, though Mr. Howard was present at the meeting. Mr. Howard raised questions about certain flash drives from polling places not being returned on Election Night and the Return Board process, as audits are conducted.

Mr. Voyer explained the process as to both of Mr. Howard's concerns. Member DeMarco commented on the Return Board function.

2. Veronica M. Edwards. Comment about issues at the Sheraden Senior Center in the Jasmine Nyree Homes. Ms. Edwards reported voter confusion at these locations.

3. Monica Cellio. Reported that she received a spoiled ballot from the recent election. Ms. Cellio indicated that her ballot was printed with her name and barcode on it instead of on a separate return envelope.

Ms. Cellio reports that she attempted to turn her mail-in ballot into her local Election Board to permit voting in person. The local Election Board was not able to do this because Ms. Cellio did not return her entire mail-in ballot packet. As a result, Ms. Cellio voted by provisional ballot.

Ms. Cellio raises quality control problems and concerns that the telephone number provided was not helpful.

4. William Towne submitted comments to the Board requesting the Board of Elections to take its oversight duties seriously and contending that the Elections Division has repeatedly lied to the Board of Elections and the public. Mr. Towne further stated the Elections Division is engaged in a coverup of its Constitutional violations and further mischaracterized his comments from a previous meeting. Mr. Towne requests that the Board not certify results of elections that are not yet fully determined such as local Election Board positions.

### **III. APPROVAL OF MINUTES OF OCTOBER 22, 2021, MEETING**

Approval moved by Member DeMarco. Seconded by Member Hallam. Minutes approved 3-0.

### **IV. DEPARTMENT OF STATE ORDERED COMMONWEALTH COURT ELECTION RECOUNT**

This statutory recount was explained by Mr. Voye. Mr. Voye provided details of the recount process. Approximately 75 people reported to the Elections Warehouse and were sworn and rescanned all ballots for the office of Commonwealth Court. Any and all overvotes were adjudicated by the Elections Division. The results were certified to the Department of State. The results were not changed.

Member Hallam indicated why vote totals had changed. Mr. Voye indicated there were adjudication of overvotes and some additional ballots were scanned. Mr. Opsitnick added that provisionals and military ballots were added in as well.

### **V. MUNICIPAL ELECTION CERTIFICATION**

Mr. Voye briefly explained this to the Board. Certification moved for approval by Member DeMarco, seconded by Member Hallam. Approved 3-0.

Mr. Voye then circulated the documents to be signed by the Board Members and described the split municipal and school districts and the necessity to certify precinct results to Washington and Westmoreland County for that reason.

### **VI. NEW BUSINESS**

Mr. DeMarco indicated that the state needs to change things for tabulation and appropriate tools, including funding. Mr. DeMarco also said that Allegheny County does a great job. He received positive comments from other persons.

Chair Fitzgerald commented that it was great that the mail-in results were posted at approximately 8:05 PM on election night.

Mr. Tyskiewicz thanked Chair Fitzgerald and Mr. DeMarco, indicating that the County personnel involved in the elections process takes the matter very seriously.

Mr. DeMarco inquired how the Department of State does not know about ballots not counted on election night or the following day. Mr. Voye indicated that on November 17<sup>th</sup>, each county had to report the number of printed but uncounted ballots. This was done.

Mr. Harhut continued that the Department of State through the SURE System could make that determination.

Member Hallam indicated that we have an amazing group, referring to Elections personnel.

Mr. Voyer commented that there would likely be at least one special election in 2022 given Representative Gainey's election as Mayor of the City of Pittsburgh. The date of that election is up to the Pennsylvania General Assembly.

Chair Fitzgerald indicated that the May Primary may or may not occur, as scheduled, and advised all to stay tuned.

Member Hallam and Member DeMarco inquired whether or not the 2022 elections will be based on existing, that is old, districts for Congress, State Senate and State Representative.

Member Hallam inquired regarding provisionals in that they are to be posted within a week of the election.

Mr. Voyer indicated that all provisionals were reviewed, properly tabulated and the results posted by this time.

Chair Fitzgerald asked why there were so many mail-in ballots with the ballot return. Mr. Harhut indicated that the permanent file indicated mail-in vote however the voter did not intend to vote. Member DeMarco indicated that this is wasteful expenditure of funds. Chair Fitzgerald stated that this system can provide a false impression to candidates as to turnout.

Regarding turnout, Mr. Voyer indicated that turnout was 33.29% County-wide, for all voters.

## **VII. ADJOURNMENT**

There being no other business or comment, Chair Fitzgerald adjourned the meeting at 10:23 AM, by acclamation.