

# MINUTES

## MEETING OF THE ALLEGHENY COUNTY BOARD OF ELECTIONS

MONDAY, NOVEMBER 26, 2018, 10:00 A.M., IN CONFERENCE ROOM #1, FIRST FLOOR  
COURTHOUSE, PITTSBURGH, PENNSYLVANIA 15219.

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**BOARD MEMBERS:** HONORABLE JOHN P. DEFAZIO, CHAIR-present  
HONORABLE RICH FITZGERALD, MEMBER-present  
HONORABLE SAM DEMARCO, MEMBER-present

**IN ATTENDANCE:** JERRY TYSKIEWICZ – DIRECTOR, DEPT. OF ADMINISTRATIVE  
SERVICES  
DAVID VOYE – 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 DeFazio.
- II. **PUBLIC COMMENT**-None
- III. **APPROVAL OF MINUTES**-Minutes of the October 23, 2018 meeting were approved. Moved by Mr. DeMarco. Seconded by Mr. Fitzgerald. Approved 3-0.
- IV. **CERTIFICATION OF ELECTION RESULTS, NOVEMBER 6, 2018 GENERAL ELECTION**  
Moved by Mr. Fitzgerald. Seconded by Mr. DeMarco. Approved 3-0.

All necessary documents signed by board members.

Mr. Voyer's comments as follows:

- a. Almost 58% voter turnout. The only other recent similar election with a higher turnout was 1994 with 63% turnout although the total number of registrations was not as high as it was in 2018;
- b. 1,482 provisional ballots admitted. 158 counted in full. 619 counted in part. 705 rejected. 446 provisionals rejected because voter was not registered. 134 rejected because voters were registered in a different County.

V. **NEW BUSINESS**

Mr. Tyskiewicz indicated that there will be a special election in the 37<sup>th</sup> senatorial district as current Senator Reschenthaler was elected to Congress. The timing of that election is up to the State, primarily the lieutenant governor. 214 election districts in Allegheny County would be involved.

Mr. Opsitnick commented on the recent ACLU lawsuit in Commonwealth Court attempting to invalidate provisions of the Pennsylvania Election Code admitting absentee ballot applications to be submitted by the Tuesday before the election and requiring voted absentee ballots to be received by the Friday before the Election. While Allegheny County is not directly involved, the outcome of this litigation will affect Allegheny County.

Mr. Opsitnick indicated a notice received by the solicitor for the Pennsylvania Constables Association quoting a section of the Pennsylvania Constables Law requiring election day constables to be paid the same as local Election Board inspectors and clerks. Currently election day constables are paid \$10 less. Mr. Opsitnick requested the Board to approve this election constable pay increase, as it is required by law. Moved by Mr. Fitzgerald. Seconded by Mr. DeMarco. Approved 3-0.

Mr. DeMarco commented on certain questions with absentee voters who reportedly registered through drives at college campuses but received no absentee ballot. Mr. DeMarco has provided this information to Mr. Voye. Mr. Voye will follow up and report.

Mr. DeMarco indicated that there were complaints that certain voters in the North Hills attempted to vote by provisional ballot but were denied. This is legally impermissible. Mr. DeMarco was requested to provide specifics to Mr. Voye for follow up. Mr. DeFazio indicated he received a few complaints about local election board members electioneering in the polling place. Mr. Opsitnick requested that he furnish details for investigation and follow up.

**VI. ADJOURNMENT** – Mr. Fitzgerald moved for adjournment. Seconded by Mr. DeMarco. Passed 3-0. Meeting adjourned at 10:19 AM.