

# MINUTES

## MEETING OF THE ALLEGHENY COUNTY BOARD OF ELECTIONS

MONDAY, JUNE 7, 2021, 3:00 P.M., PUBLIC MEETING-VIRTUAL MEETING VIA MICROSOFT  
TEAMS, PITTSBURGH, PENNSYLVANIA.

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**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 present.

**II. PUBLIC COMMENT**

Public comment was both virtual and in person and all submissions shall be made part of these Minutes.

- a. Julie Zavon requests a better system with improvements and more transparency;
- b. Louis R. Valente, Chair, Quaker Valley Republican Committee, commented on warehouse transparency, indicating that authorized representatives could not see ballot adjudication;
- c. Erika Hedin, from Pittsburgh 10<sup>th</sup> Ward 18 District, made comments about polling locations, write-ins posted at polling places and the Judge of Elections urging write-ins for Constable and Judge of Election candidates. Ms. Hedin inquired with the Judge of Elections on this practice and was met with a comment “Do you want my job?” Ms. Hedin had additional comments about write-ins and inquired when will write-in totals be made public;
- d. Bob Howard of Marshall Township remarked that help was needed regarding mail-ins and absentee ballots in that prior to Act 77 absentee ballots were available, opened and counted at the polling places and asked whether or not there was a document for the warehouse mail-in absentee ballot tabulation process;
- e. Mr. Howard was the last of the in-person public commentators. Mr. Opsitnick read emails that were submitted as public comment, attached hereto, addressed some of those comments along with Mr. Voyer.

### **III. APPROVAL OF MINUTES OF MAY 4, 2021, MEETING**

Moved by Member DeMarco. Seconded by Member Hallam and Chair Fitzgerald simultaneously. Approved 3-0.

### **IV. MUNICIPAL PRIMARY CERTIFICATION**

Member DeMarco requested that Mr. Harhut give an explanation regarding mail-in ballots. Mr. Harhut indicated that 1,738 ballots could not be counted as 879 ballots were late, 523 ballots were naked, and 336 ballots were lacking a signature and/or date.

Member Hallam inquired whether or not a voter knows if their ballot is not counted. Mr. Harhut responded that there was no notification process. Mr. Harhut and Mr. Tyskiewicz indicated that this is a very difficult task as few voter telephone numbers are available. Mr. Harhut further indicated that approximately 600 defective mail-in ballots (mail-in including absentee) were mailed back to the voter with an instruction letter and 300-400 of those were remedied and returned.

Mr. Voye and Mr. Harhut indicated that the Pennsylvania voter services website for online voting is available to check to see if a person applied online. Member Hallam then commented as to the problem with missing and illegible signatures.

Mr. Voye commented on the May Primary Election, stating that this is the largest election of the four election cycle with over 6,000 election contests and various referendum questions. Mr. Voye also added that the turnout was 29%, specifically 268,918 votes cast. Democratic votes cast, 179,185. Republican votes cast, 76,360. No party votes cast, 13,373. Mr. Voye continued regarding the Primary Election indicating that about 40 polls opened late.

Member DeMarco moved that the Primary results be certified. Seconded by Member Hallam.

Approved, 3-0.

### **V. NEW BUSINESS**

Member DeMarco remarked on chain of custody and an issue brought to his attention by Nicholas Federline, a minority inspector in Pittsburgh Ward 19 District 37, alleging 110 missing Democratic ballots, 210 missing Republican ballots, and 25 missing independent ballots. Member DeMarco also indicated that he was informed that Ward 19 District 30 and 27, all three districts voting in the same location, St. Pious in Brookline, has similar problems. Member DeMarco inquired how could something like this happen and requested an explanation. Mr. Voye indicated that ballots are batched in groups of 50 and a mail merge error generated some incorrect numbers. There was no actual error and Mr. Voye pledged that this will be corrected in the future.

Member Hallam commented that general public members from previous meetings were to receive responses to their inquires and comments but no responses were received. Member Hallam also indicated that, even when Board of Elections meetings are entirely live, that the emailed comment procedure to the Board of Elections should continue. Mr. Opsitnick indicated that he and Mr. Voye will respond to not yet responded to public comment.

Member Hallam inquired as to live streaming Board of Elections meetings. Chair Fitzgerald indicated that we would try to coordinate that. Member Hallam requested more Board of Elections meetings. Chair Fitzgerald indicated that there will be a September and October Meeting. Member Hallam inquired about 2022 meetings. Chair Fitzgerald indicated that will be determined.

Member DeMarco noted that a rash of local Election Board members called off the weekend before the election and inquired whether or not that was an organized action. Chair Fitzgerald wondered if that was related to COVID. Mr. Harhut stated that a possible explanation could be that the higher COVID pay from 2020 was reduced for 2021 and beyond. Mr. Voye indicated that he did not believe it was a concerted effort to quit local Boards of Election to the last minute but there were about 30 Judges of Elections that cancelled at the last minute. Member DeMarco inquired whether or not Elections would drop these people. Mr. Voye indicated that as most of those people were appointed and not elected, that is a possibility and further indicated that Elections will contact the people who showed up for duty first.

## **VI. ADJOURNMENT**

There being no further items, meeting was adjourned by unanimous vote at 10:42 AM.