

M I N U T E S

MEETING OF THE ALLEGHENY COUNTY BOARD OF ELECTIONS

THURSDAY, SEPTEMBER 17, 2020, 2:00 P.M., PUBLIC MEETING-VIRTUAL MEETING VIA
MICROSOFT TEAMS, PITTSBURGH, PENNSYLVANIA.

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

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

I. CALL TO ORDER – The meeting of the Allegheny County Board of Elections commenced at 2:00 PM. Meeting called to order by Mr. Opsitnick.

II. PUBLIC COMMENT

As this meeting was virtual, public comment consisted of approximately 80 timely submitted emails, all of which will be attached to these minutes. Additionally, a few late received emails will be attached.

Mr. Opsitnick categorized the public comment emails as follows:

- a. Approximately 64 emails were in favor of the proposed resolution regarding Elections branch offices. One email was opposed to the proposed email regarding Elections branch offices;
- b. 6 emails express concerns regarding handling the tabulation of ballots;
- c. Approximately 10 emails raised other, miscellaneous concerns;
- d. There were 2 emails requests to speak at this meeting. As that could not occur, those requests will be attached to and incorporated into the Minutes.

III. NOVEMBER 3, 2020 GENERAL ELECTION PREPARATIONS

Mr. Tyskiewicz indicated that 271,680 mail in/absentee applications have been processed online. There is a high level of duplication in these mail in requests. As the online application backlog has been handled, the paper requests will be processed more quickly and the paper requests were being processed generally on the same day that they were received.

Mr. Tyskiewicz indicated that the ballot certification had been received by the Department of State and that Elections will publicly advise when ballot mailing commencing. This should be in about one week.

Mr. Voye confirmed that the County will use its traditional 1,323 polling places. Elections is currently short 38 locations and they are looking for solutions. There will be at least one ballot scanner at each voting district.

Mr. Voye indicated that, as to poll workers, about 6,600 are needed. Elections has about 3,500 and he is confident that Elections will reach its goal. Poll worker training classes are scheduled and being conducted. There will 174 two-hour classes. Class size is limited to 24 local Board members and one instructor. These classes began on September 4th.

Mr. Voye indicated that the voter rolls have increased by approximately 12,000. Allegheny County currently has approximately 912,000 registered voters. The voter rolls at the June 2nd Primary were about 899,000.

Member Hallam inquired about the application backlog and whether she could attend poll worker training. Mr. Tyskiewicz indicated that Member Hallam could attend poll worker training. He will provide the schedule.

Mr. Voye indicated that Elections is still preparing its election officer manual. When it is completed he will forward it to Member Hallam. Member Hallam inquired as to people who previously expressed interest in serving on a local Board of Election but received no response. Mr. Voye indicated that Elections will contact every individual who inquired by mid-October.

Member Hallam inquired as to when the polling place locations will be finalized. Mr. Voye said hopefully about two weeks before the election. Member Hallam asked if postcards will go to all voters indicating their polling place. Mr. Voye replied in the affirmative.

Member DeMarco requested a polling place list of "open" polling places and further discussed majority and minority representation, asking what assurances were there that there would be minority representation at local polling places. Mr. Voye said he can furnish a list of polling places and can furnish a list of expected poll workers including their party affiliation. Amie Downs, County Communications, indicated that a polling place list is on the County website.

Mr. Harhut described the mail in ballot process. This work being performed in the County's 80,000 foot warehouse. Mail in/absentee ballots were addressed to be delivered at the warehouse by the United States Postal Service, whose California Avenue center is adjacent to the warehouse.

Mr. Harhut mentioned the Bluecrest machine to sort and open mail in/absentee ballots. Also, there will be at least 25 SURE terminals at the warehouse to process ballot applications. A 30 camera security system, a fenced enclosure for ballots, and 24/7 in-person security.

Mr. Harhut indicated that the prec canvass should be able to handle approximately 100,000 ballots per hour and that County has added two additional high speed (Model 850) scanners. Chair Fitzgerald indicated that the 100,000 per hour scanning figure is about double the estimate for the June 2nd Primary.

IV. APPROVAL OF MINUTES OF JUNE 22, 2020 MEETING

Motion to approve by Member DeMarco. Seconded by Member Hallam. Approved 3-0.

V. ELECTION OFFICER PAY

Chair Fitzgerald suggested that the \$200 per poll worker, including constables, be retained for the November 3rd General Election. Before consideration Member DeMarco asked if the source of funds was the federal CARES Act. Chair Fitzgerald acknowledged that funding source. Member Hallam moved. Member DeMarco seconded. Motion passed 3-0, noting that it applied only to the November 3, 2020 Election.

VI. RESOLUTION REGARDING ELECTIONS BRANCH OFFICES

Solicitor Szefi indicated that a Supreme Court decision authorizes additional Elections branch offices. Chair Fitzgerald asked Mr. Voye to describe the process used when accepting a mail ballot envelope. Mr. Voye indicated that voters will be asked whether or not its their ballot and whether or not the signature on the declaration envelope is theirs.

Member Hallam moved. Chair Fitzgerald seconded. Vote not yet taken as Mr. DeMarco asked Mr. Voye if Elections could ensure that branch offices would not permit multiple voting in person as well. Mr. Voye indicated that the Department of State has made changes in the poll book where there will be a section for mail in and absentee applications and returned ballots. This will be a supplement to the existing poll book. Member Hallam asked whether or not poll books are editable and whether votes can be cast at multiple locations. Mr. Voye explained that there are real time system updates so that a single person cannot vote multiple times at the branch offices.

Chair Fitzgerald indicated that multiple voting would be a crime. Mr. Opsitnick indicated that it would be a felony.

Member Hallam asked if one could void their mail in ballot and vote at their polling place. Mr. Voye indicated in the affirmative. Member Hallam asked whether a person could register to vote and then vote at a branch location. Mr. Voye indicated no. Member Hallam inquired as to newly registered voters, more specifically when they are able to vote. Mr. Voye said as soon as their voter card is received.

Member Hallam asked Mr. Voye about security of drop boxes. Mr. Voye indicated that County is not using drop boxes but when the ballot boxes at branch offices are full they will be swapped out with an empty ballot box. The full ballot box, locked, will be secured. Member DeMarco indicated that "drop boxes" will be used only during the hours when a branch office is open.

VII. VOTE TAKE ON ABOVE DESCRIBED RESOLUTION

Resolution passed 3-0.

VIII. NEW BUSINESS

Member DeMarco discussed the recent Pennsylvania Supreme Court decision and expressed concerns that the Supreme Court extended, by three days, accepting mail in/absentee ballots, provided they were postmarked by November 3rd. Member DeMarco indicated that this holding was an outrage. Member DeMarco also requested a Resolution

to the Governor's office to require a postmark. Solicitor Szefi indicated that the Supreme Court decision is the final word. The opinion has not been fully reviewed as it was just published. Solicitor Szefi did mention that the Supreme Court, in a footnote, mentioned that a non-postmarked ballot would be presumed to be timely mailed. Chair Fitzgerald indicated that if a voter does not vote by Election Day, that voter should not be allowed to vote and indicated that he might be in favor of Member DeMarco's proposed Resolution.

Member DeMarco expressed concerns about election security and asked whether or not each public comment, by email, would receive a response. Mr. Opsitnick, Chair Fitzgerald, and Member DeMarco indicated that the County would respond to each such inquiry.

Member Hallam inquired as to whether or not the final training manual would be posted online and when ballots are printed, whether or not voters would be able to vote "over the counter" at the Elections Division. Member Hallam also mentioned a September 11th Department of State directive regarding handwriting examination. Solicitor Szefi confirmed the Department of State directive and indicated that Allegheny County would contact other Counties as to application of this directive, further indicating that parameters must be set.

Member Hallam recalls a past practice regarding declining a ballot. Mr. Voye indicated that a bar code scan can notify a voter for the November 3rd election.

Member Hallam inquired as to who can challenge signature on mail in/absentee applications and ballots. Mr. Opsitnick indicated that current regulations and law minimize signature challenges.

Member Hallam requested whether ballot set asides can be remediated. Mr. Voye indicated that, under some circumstances, there would be an email from the SURE system or a letter generated from Elections, if time permits.

Member Hallam inquired as to what happens if a poll worker cannot attend the training sessions. Mr. Voye indicated that a poll worker could attend training online but that person would not get paid.

Member Hallam inquired regarding the third-party mailing company the County used in the primary. Would this be the same company used for the November election. Mr. Voye indicated in the affirmative that Midwest Direct would be used again to extract files.

Member Hallam inquired regarding a grant funding source for the November election. Mr. Voye indicated that if Member Hallam would forward the grant information to Elections, Elections would examine that information and take action.

Member Hallam asked if the Board of Elections would be interested in applying for said grant. Chair Fitzgerald indicated it depends on who the funding group is and what conditions apply. Member DeMarco agrees. Member Hallam indicated she would send the grant funding information around the October 1 deadline. Member DeMarco asked whether Member Hallam could obtain the details beforehand. Member Hallam agreed.

IX. ADJOURNMENT –Meeting adjourned at 3:03 PM.