



BOARD OF ELECTIONS MEETING

May 28, 2020

2:30 PM

Courthouse

2nd Floor, Commissioners Hearing Room

Carlisle, PA

Minutes

Present: Commissioner Eichelberger, Commissioner Foschi, Commissioner DiFilippo; Stacy M. Snyder, Deputy Chief Clerk; Jennifer Crum, Administrative Specialist; Theresa Kissinger, Administrative Technician; Bethany Salzarulo, Bureau of Elections; Samantha Krepps, Communications; Andrew Barbin; Lou Capozzi.

WebEx Call-In: Jennifer Hipp, Assistant Solicitor; Keith Brenneman, Solicitor; Mark Adams, IMTO; Theresa Myers, Bobby Gregory, Debbie Keys, Gezelle Wapner, Kingsley Blasco, Sam Hubert, Tom Hilbert, Jo Bitzer, Andrew Ritter, Buck Swisher, Donna Ricupero, Patrick Basem, Kathleen Keadan, Liz Riley, Laszlo Pasztor, Charles Wilson, Phillip Phalvo, Maurice Reaves, Bob Zambuto, Jerry Tippo, Elizabeth Packert, Colleen Lynn.

Call to Order: Commissioner Eichelberger called the meeting to order.

Roll Call: Commissioner Eichelberger, Foschi, and DiFilippo were present.

Public Comment: Mr. Barbin mentioned that during the Governor's briefing a day or two prior that Governor Wolf stated that the State was not going to weigh in on wearing masks or distancing on Election Day, that there is no State restriction or guidance. He stated that the Counties need to decide. Mr. Barbin understands that the County is recommending the public wear masks and social distance on Election Day at the Polls and will not be turned away from voting and he suggested that the County advertise the information to the public. Staff stated that the County did add the information to Social Media and a Press Release was sent out.

Approval of Meeting minutes of April 23, 2020 and May 5, 2020: Commissioner Foschi made a motion to approve the minutes. Commissioner DiFilippo seconded the motion and the motion carried.

Approval of the Pool of Poll Workers (see attached): Commissioner DiFilippo made a motion to approve the pool of poll workers. Commissioner Foschi seconded the motion and the motion carried.

County employee volunteers to supplement the rover staff: Bethany mentioned that additional County staff will be assisting on Election Day and are attending classes for Election training.

Security plans for Election Day: There will be security at the Election building and Sheriff's Deputies will be on the road to assist at polling places if necessary.

Final numbers of mail-ins and absentees:

Registration: 178,406 registered voters:

- 88,027 Republican
- 61,602 Democrats
- 28,777 of others

Staff mailed out a total of 37,307 mail-in absentee ballots:

- 22,157 Democrats
- 15,150 Republican

Canvassing the mail-in and absentee ballots: The canvassing will begin on Wednesday, June 3rd at 9:00 a.m.

May 26, 2020 Andrew W. Barbin, Esq. letter: (see attached letter for the record) Mr. Barbin provided paper copies of documents that were previously emailed to the Commissioners. A question was asked if the documents have changed since they were emailed to the Board. Mr. Barbin discussed Election precinct matters, such as slate cards, having a cell phone, political buttons, hats, t-shirts, and the 10 foot rule. Complaints have been made to poll watchers and workers regarding voters having political materials and being told to discard it before they could vote. He referenced court cases and mentioned the election code does not give clear guidance. He stated that he agrees with Asst. Solicitor Hipp's understanding and impact of the U.S. Supreme Court case of MN Voters Alliance v. Mansky.

A survey was conducted from the Elections Office to Pennsylvania Counties regarding if they allow visible materials in polling places. The results were shared.

Discussion ensued regarding the timeline challenge of addressing and resolving the issue brought before the Board, prior to the primary election on June 2, 2020.

Solicitor Lou Capozzi addressed the Board regarding the issue of bring slate cards into polling places. He met with the election director to discuss the issue and attended other Board of Election meetings. Discussion ensued regarding the Judges and Inspectors of Election addressing slate cards at different precincts and the manual guidelines taught to the Judges. Bethany re-stated the section in the training manual regarding slate cards.

Public Comment:

Patrick Basem – Thanked all election staff and the Board of Commissioners.

Elizabeth Packert – n/a

Kathleen Keadan – She is a Judge at a Hampden precinct and took the election training. They follow guidance as trained.

Liz Riley – Thanked everyone for all the work done for election day. Policy says they can take slate card, just not have it visible. She supports the election director.

Laszlo Pasztor – Nothing to add.

Charles Wilson – Nothing to add.

Tom Hilbert – n/a

Jerry Tippos – Thanked everyone.

Phillip Phalvo – This has been an issue since 2012. At the Upper Allen precinct #8 with regards to the 10 ft. rule in a place of business needs reconsidered.

Maurice Reaves – Nothing further to add.

Colleen Lynn – n/a

Theresa Myers – Thanked the elections director. She looks at the attorney general's website to see voter's rights and should pertain to all voters in PA; however, Cumberland County uses their own discretion regarding which rights pertain to Cumberland County.

Jo Bitzer – Nothing to add.

Buck Swisher – Nothing to add.

Donna Ricupero – n/a

Bobby Gregory – If guidelines are true, then there are many Judges of Election that are not following the rules.

Debbie Keys – Drive for consistency; work on that.

Gezelle Wapner – Question – Will polling places be moved back in the Fall? Answer – Depends on the pandemic. Question – How long will the homeless be at the Stuart Center? Answer – That is unknown and a decision of the Governor.

Kingsley Blasco – n/a

Sam Hubert – Thanked the election director and lawyers present for the discussion.

Bob Zambuto – Thanked everyone.

Andrew Ritter – Thanked everyone. He mentioned that voter intimidation is against the law and that heightened tension was not a sufficient reason to interfere with people's rights of expression, such as palm card or t-shirts. This was good to hear from Commissioners. He also made the point that the Commissioners should be obligated to follow the guidance that Attorney General provided as law.

Request for Executive Session: Commissioner Eichelberger requested to go into Executive Session at 4:30 p.m.

Report of Executive Session: Commissioner Eichelberger reported there was an executive session held on May 27, 2020 @ 10:30 a.m. Re Potential Litigation.

Other Business: None

Adjourn: There being no further business to come before the Board, the meeting adjourned.

Respectfully Submitted,

Jennifer Crum
Administrative Specialist