

June 2, 2014

ERIE COUNTY BOARD OF ELECTIONS – Regular Meeting

Mr. Fatica, Chairman of the Election Board, called to order a Regular Meeting of the Erie County Board of Elections at 12:00 p.m. in the Erie County Council Caucus Room.

Mr. Smith, Clerk of Elections, called the roll:

Members Present: Mr. Fatica, Chairman  
Mr. Leone, Vice Chairman  
Mr. Breneman  
Mr. DiMattio  
Dr. Foust (via telephone)  
Mr. Horton  
Mrs. Loll

Also Present: Douglas R. Smith, Clerk of Elections  
Kimberly DeLand, Supervisor

Hearing of the Public: None.

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Approval of Minutes:

Mr. Leone moved to approve the minutes from the May 5, 2014, Regular Meeting. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

Report on May, 2014 Primary Election:

Mr. Fatica noted the fact that Steve Brown was able to use a different internet format for the process of getting results out quickly. He stated that Ben Speggen from the Erie Reader was here on Election night and was able to stream results. Mr. Speggen was very impressed with what was going on and Mr. Fatica felt it was important to invite the media in to see how much work goes in to making it look like there is no work being done, even though there are hundreds of hours worked to keep the process as close to flawless as possible. Mr. Fatica thanked Mr. Smith, Ms. DeLand, and Mrs. Breter for making it look so easy.

Mr. Fatica also noted that in the sixth paragraph on the second page of Mr. Smith's report, Mr. Beeman conducted a write in campaign and was successful. He got 12 votes for the local Republican committee. Mr. Fatica stated that after discussion with Attorney Talarico, Mr. Beeman will not be certified as a winner in that election. Mrs. Loll asked whether there was a runner up that would be appointed, and Ms. DeLand stated she did not believe so. As a result, it would have to be an appointment by the Republican Chair.

Discussion then began regarding how the workers are being paid on Election night. People commented on that issue last month stating that the workers expect the money at that time, but there is concern with having that much cash on hand. Mr. Leone asked if there have been any problems in the past, and Mr. Smith stated that there haven't been any problems. Mr. Smith further commented that the worst problem was that they were \$10.00 short one year. Other than that, there was nothing of note. Mr. Smith did state that the money is under guard. Mr. Leone commented that the workers do not want to have to wait for their money or have to cash a check, and at the end of the day, they have worked hard and want the cash. Mr. Leone is not concerned with what the Controller says, as it is not her decision, it's up to the Election Board.

Mr. Horton agreed with Mr. Leone and he is not in favor of putting any obstacles in place that may hinder someone from wanting to do their civic duty.

Mr. Fatica stated that a lot of the Judges of Elections pay their workers out of their own pocket and then get reimbursed, and it seems to work.

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Mrs. Loll wanted to know, if it was decided that checks would be issued, are taxes taken out of it before the checks are handed out. Mr. Leone stated there would be no taxes taken out, but the worker would be obligated by law to claim that as income. Mrs. Loll then asked who was handing out the money, and Mr. Smith clarified that the Judge of Elections hands out the money to their team. There are employees in Tax Claim & Revenue or General Accounting who work that evening and hand out the money to the Judge of Elections.

Mr. Leone stated that some counties are planning on raising the salary on an hourly basis for the Judge of Elections and possibly even the workers. The problem with that is that it could make them eligible for overtime and the cost to the county could be an additional \$100,000 per year. Mr. Smith stated that he believed this piece of legislation is stuck in Committee at this time.

Mr. Leone commented that this is an issue that should be handled the way it has been handled. He has no problem with possibly giving the workers more money, but he does not want it to become legislation from the State indicating that the county has to do it, thus opening the possibility for issues of overtime and other problems that could come up as well.

Mr. Fatica then noted that there will be an employee from the Department of State visiting Erie County to be sure the County is in compliance. Mr. Fatica stated that he's never heard anyone say that needs are not being met.

Dr. Foust disagreed with what has been said thus far and felt that the firm cost of moving to checks should be investigated. He felt that in this day and age, paying in cash is just asking for trouble. He did not consider getting paid by check as an obstacle. The Judges of Election can continue to pay people out of their own pocket if they want to, it's a matter of the person signing over the check. He felt that the cost controls that can be put in place are reasonable for this day and age and when we do get to the point of deciding one way or another, he will vote in that favor.

Mr. Smith stated that the Administration came to him after the Controller's mention of the issue in the Revenue Office audit, and if the Administration wanted to pursue a no-cash policy, then he assumed there would have to be discussion on what to do. He further commented that there is a piece of software that would have to be purchased that would issue checks in bulk for workers in that scenario. He also added that there is really only one other county that handles cash at this time. He agreed that there hasn't been a problem, but it isn't unusual in this day and age, as Dr. Foust noted, for a problem to arise.

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Mr. Smith then acknowledged the work of his staff – Kimberly DeLand and Jim Czerpak both did a really fine job this year. They both are coming in to their positions very well and in spite of the lack of voter interest, in terms of procedure, software programming, and having the machines prepared, they did an excellent job and it was reflected on Election Day morning when the phones were relatively quiet in terms of major problems.

Ms. DeLand stated that there are a lot of new Judges of Elections and poll workers, and not everyone could make the classes that Mrs. Hughes was giving. Mrs. Hughes did have a lot of people calling her on that day for different questions. Mr. Horton did bring up the fact that some of the Judges of Election in his district are aging and ill and may not be able to continue in that role. He stated he would speak with Ms. DeLand and Mrs. Hughes regarding those individuals.

Mr. DiMattio asked if exploring the combining of precincts with low voter turnout has been discussed further. There was much discussion as to each Election Day, as poll numbers would change depending on what race was happening. Mr. DiMattio stated that there are numerous places in his district where they are not usually over 15% and he thought that combining those voting places could be considered.

Mr. Leone discussed a letter to the editor indicating that parking places should have been closer to the polls. He felt that combining voting places would make it difficult on voters as they would have to drive farther and may consider not voting as a result. Mr. Leone stated that in some foreign countries, people wait for hours and days just to vote, and in this country people are so complacent that they don't care about voting, which makes it difficult to decide what needs to be done to get a better voter turnout.

Mr. Leone then moved to certify the 2014 Primary Election. This was seconded by Mr. DiMattio.

Mrs. Loll asked if the results needed to be amended to remove one name. Mr. Smith stated that Mr. Beeman's name has already been removed via notification of the Solicitor.

The certification of the 2014 Primary Election carried in a unanimous roll call vote.

There being no further business, the meeting adjourned at 12:24 p.m.

Deneé M. Breter, Council Secretary