

April 4, 2013

ERIE COUNTY BOARD OF ELECTIONS – Reorganization Meeting

Mr. Smith, Clerk of Elections, called to order a Reorganization Meeting of the Erie County Board of Elections at 5:00 p.m. in the Erie County Council Caucus Room.

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

Members Present:     Mr. Fatica  
                              Mr. Leone  
                              Mrs. Loll

Members Absent:     Dr. Foust

Also Present:         Douglas R. Smith, Clerk of Elections

Nominations for Chairman of the Election Board

Mr. Leone nominated Mr. Fatica for Chairman of the 2013 Election Board; Mrs. Loll seconded. Mr. Leone moved to close the nominations, and Mr. Fatica was elected as Chairman of the Election Board in a unanimous roll call vote.

Nominations for Vice Chairman of the Election Board

Mr. Fatica called for nominations for Vice Chairman. Mrs. Loll nominated Mr. Leone; Mr. Fatica seconded and it carried in a unanimous roll call vote.

April 4, 2013

### Minutes

Mr. Leone moved to approve the minutes of the December 4, 2013 Regular Meeting. Mrs. Loll seconded. Mr. Fatica wished to address an issue on page 3 of the December 4, 2012 minutes concerning voting machines having a mix up with candidate names. It states in the minutes that this issue will be investigated and he inquired as to whether this had been investigated. Mr. Smith replied that he had not heard back from Attorney DiNicola or Attorney McNair on this matter. Given the outcome of the election, he indicated that their concern did not continue. Mr. Fatica then addressed the top paragraph of the next page discussing vote flipping and Mr. Smith's explanation for how that occurred. Mr. Fatica noted that it does not seem that anyone pursued this issue. Mr. Smith explained that there are reports of this type at every election and there has never been a confirmed case of vote flipping on these machines. It has always been a calibration issue or the experience related by the voter that could not be duplicated. Mr. Fatica then pointed out an issue on the following page with respect to making voting sites ADA compliant which was brought up by Mr. Cleaver at the previous meeting. He asked how this issue will be resolved. Mr. Smith recalled that Mr. Cleaver's concern was with regard to individuals with walkers and canes waiting in line for long periods of time. Mr. Cleaver thought it would be sensible to move these people to the front of the line to use the ADA machine. Mr. Smith agreed that was a good idea. Mr. Fatica suggested that Mrs. Hughes address this issue when she holds her classes. Mr. Cleaver recommended placing a sign over one of the machines indicating a handicapped area only. Mr. Fatica does not agree with limiting the use of one of the machines as a handicapped only machine. He suggested placing seats for these individuals where they can wait their turn in line. Mr. Cleaver noted that at JoAnna Connell School there are nine machines and he has never seen more than 3 people at the machines. They use all nine machines but they don't have the personnel to process the voters more quickly.

Mr. Leone pointed out that this discussion is based on the last election – a Presidential Election which only happens every four years. Normally, only 20% to 30% of voters go to the polls and there are no lines. He agrees every four years there is a problem with large numbers of people coming out to vote as in the last election, and the election four years prior to that. As far as ADA is concerned, those individuals using those machines don't want to be singled out, and that is why this issue cannot be addressed. He agrees with placing chairs in the polling places for this situation when it occurs every four years. Mr. Fatica suggested that common sense prevail and the courtesy be extended to an individual that may have difficulty standing in line. He feels this issue should be brought to the attention of the voters. Mr. Cleaver expressed his agreement with Mr. Leone.

April 4, 2013

Mrs. Drayer wished to address the statement made by Mr. Cleaver that not all machines are being utilized at JoAnna Connell School. She stated that more machine operators are needed if that is the case. Mr. Cleaver stated that he has seen this situation during the Presidential Election. There is one worker with a long line, and a lady with a cane standing outside. The workers asked Mr. Cleaver how to handle this particular situation. Mr. Cleaver told the workers to have this lady come inside and sit down. Mr. Cleaver then observed the situation with the machines. Mrs. Drayer explained that if all machines are being used and there is a line, that is acceptable; however, if there is a line and there are empty machines, that is not acceptable. Mr. Cleaver responded that is the case in this situation and asked who is responsible. Mrs. Drayer replied that the responsibility is hers, Mrs. Hughes and the office to have extra machines and extra workers during the Presidential Election.

Mr. Fatica believes part of the problem is getting the voters registered and to the machines to vote. There are plenty of machines available. The crowds were so big, the workers couldn't register them fast enough. Mrs. Drayer suggested in a Presidential year more poll books could be provided, but it will still take a line of people to find what book to sign, and solving the signing in process is difficult. Mr. Cleaver believes part of the problem at Joanna Connell School is that there is only one individual taking the voter's card and escorting them to the voting machine while other workers are simply talking amongst themselves.

Mr. Leone believes these problems could be solved by the use of absentee ballots and stated that he has been trying through the County Governance Committee to get the state to agree to a no-fault absentee ballot. In other words, a voter does not have to have a reason to vote absentee. Many times people won't vote because they do not like to lie on an absentee ballot regarding the reason for using an absentee ballot.

### Minutes

Mr. Fatica called for a vote on the approval of the minutes for the December 4, 2012 Regular Meeting and it carried in a unanimous roll call vote.

### Change in Polling Place of Greene Township 1 & 2 from Kuhl Hose No. 3 & 2 to Greene Township Municipal Building, 9333 Tate Road

Mr. Smith explained that the Greene Township Supervisors approached him to relocate Greene 1 & 2 polling places from Kuhl Hose Fire House to the Greene Township Municipal Building which has more room, parking and handicap

April 4, 2013

accessibility. The supervisors have already talked with residents in the area. Mr. Smith believes this is a good move and will be an improvement for the voters. Given the support of the supervisors, Mr. Smith recommends this change.

Mr. Fatica inquired about notices being sent and Mr. Smith replied they will be sent out immediately.

Change in Polling Place for Erie 4-6 and 4-7 from Strong Vincent High School to St. Andrew's Chapel Building, 1116 West 7<sup>th</sup> Street

Mr. Smith again noted the change from Strong Vincent High School to St. Andrew's will be an improvement. There has been a great deal of dissatisfaction with the facilities at Strong Vincent. There were some ADA issues at the last election. This new location is very accessible and provides parking.

Discussion concerning moving Erie 5-11

Mr. Smith noted that he spoke with a several parties who indicated that Glenwood School would not be available for the election. The Erie Federal Credit Union has indicated that due to the current condition of the school, there may be some liability on their part at this location if they were to allow voting. Mr. Smith visited the Erie Zoo which has offered space in the corner of the Glenwood Ice Rink. There is parking and a handicapped entrance; however, the temperature today was about 45 degrees. He suggested that the county could provide heaters and there is an area where plastic could be placed to help hold heat. Mr. Smith acknowledged there will be a necessity for signage. He is concerned about the environment for the poll workers due to the heat issue.

Mr. Smith reported that Mr. Ganska from the Erie School District is looking at the back side of Central High School. The Election Board currently utilizes the front for a polling site, but there have been issues regarding parking.

Mr. Smith recommended waiting on this particular issue until he has had an opportunity to tour this sight. He understands time is of the essence due to the statutory guidelines.

Mrs. Loll was apprehensive about the skating rink site. Mr. Leone expressed concern about the back side of Central High School, but acknowledged the far south end may provide a possibility. However, there would be three districts voting at this location. Mr. Fatica wondered about parking problems as a result of three districts in this facility. Mr. Smith noted that the City of Erie normally closes schools on Election Day.

April 4, 2013

Mr. Fatica inquired about the room at the zoo to the right when first entering the property. Mr. Smith acknowledged that was his first choice, but the zoo entertains many schools during the month of May and this area is specially prepared for that use.

The zoo offered that room for the General Election and the ice rink for the May Primary; however, Mr. Smith felt that making this change would not be a good idea. Mrs. Loll stated again she does not care for the ice rink, and suggested the YMCA. Mr. Fatica stated there is no room at the YMCA. Mr. Leone noted that a permanent place needs to be found for this particular district and complaints will be made if the site is not acceptable.

Mr. Leone moved to approve the polling place changes in Greene Township 1 and 2 from Kuhl Hose No. 3 & 2 to the Greene Township Municipal Building at 9333 Tate Road and Erie 4-6 and 4-7 from Strong Vincent High School to St. Andrew's Chapel Building at 1116 West 7<sup>th</sup> Street. Mrs. Loll seconded.

Mr. Cleaver pointed out an area to the north of the Tops Supermarket on West 38<sup>th</sup> and Liberty Streets that may be vacant and usable. Mrs. Loll suggested there may even be an empty storefront in the Liberty Plaza. Mr. Fatica agreed with Mr. Leone that a permanent site needs to be found.

Mr. Fatica called for a vote on the polling place changes and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 3:55 p.m.

Ann M. Bruno, Council Secretary

\*\*\*\*\*