

**BERKS COUNTY BOARD OF ELECTIONS
MEETING MINUTES
August 29, 2024 – 11:00 A.M.**

Michael S. Rivera, Chair
Christian Y. Leinbach, Vice Chair
Dante Santoni, Jr., Commissioner
Anne Norton, Chief Clerk
Christine M. Sadler, County Solicitor – not present
Cody L. Kauffman, First Assistant County Solicitor
Jeff Bukowski, Special Counsel to the Board of Elections

CALL TO ORDER: 11:00 A.M.

APPROVAL OF THE MINUTES

The Board approved the minutes for the August 22, 2024, Election Board meeting as presented.

PUBLIC COMMENT ON AGENDA ITEMS

None.

Agenda Items

1. Zimmerman V. Department of State, et. al. Update

Special Counsel to the Board of Elections Jeff Bukowski gave an update on the Zimmerman V. Department of State, et. al. litigation, which revolves around where absentee ballots are returned and canvassed. Rep. Zimmerman is seeking to have absentee ballots returned and canvassed in each election district instead of at a central location. Mr. Bukowski informed the Board that the Commonwealth Court ruled in favor of the Department of State and other respondents, finding that the existing case law allowed for central canvassing of absentee ballots.

Mr. Bukowski said that the petitioners have until Sept. 3 to file an appeal. If they do, briefings would then be due Sept. 9. He was hopeful that, if the ruling is appealed, a decision could be made quickly. Mr. Kauffman added that with the current ruling, the County does not need to make any changes to its current procedures.

Commissioner Rivera said one of his main concerns with returning the ballots to each precinct would be maintaining a secure chain of custody of the absentee ballots.

2. Update on Pending Challenges to Candidate Nominations

First Assistant County Solicitor Cody Kauffman gave the Board an update on the remaining challenges to candidate nominations. Since that last meeting, he said the We The People Party requested a dismissal of their nomination papers, so those candidates have been removed from the ballot.

Mr. Kauffman said the challenge to the Constitution Party's candidates was dismissed, but the appeal window remains open. An appeal was filed related to the ruling removing the Socialism & Liberation candidates. Mr. Kauffman said he hopes these matters will be resolved as quickly as possible.

3. Laureldale 2 Polling Location

Ms. Norton confirmed that the polling location for Laureldale 2 will remain at the Laureldale Athletic Association and that the necessary paperwork has been signed. She said she also notified Laureldale Borough officials that the location will not be changing.

4. Poll Worker Training and Poll Worker Pay

Ms. Norton reminded the Board that all poll workers receive \$200 for working Election Day and are paid to attend their respective trainings. She said Election Services is asking to staff an additional Election Clerk at some of the larger precincts since a high turnout is expected. There will be more virtual training classes and there will be classes held at South Campus.

On the motion of Commissioner Santoni, seconded by Commissioner Rivera, the Board approved the poll worker training schedule and compensation rates for the November 5, 2024, General Election.

5. Permanent Polling Place Change for the 2024 General Election

On the motion of Commissioner Santoni, seconded by Commissioner Rivera, the Board approved the following permanent polling place change for the 2024 General Election.

City of Reading – Ward 6, Precinct 1

From: Neversink Fire Company
15-23 N 3rd St
Reading, PA 19601

To: Centro Hispano
Casa De La Amistad
Senior Center
25 N 2nd Street
Reading, PA 19601

Election Director's Report

Ms. Norton shared that the Election Services staff has processed roughly 25,000 ballot applications for the 2024 General Election, which includes voters who applied for permanent mail-in ballots during the Primary.

Since the last Election Board meeting, she said the staff processed about 2,300 applications. About 400 of those applications were declined as duplicates, meaning the voter already has an existing application. Ms. Norton said the office is seeing a lot of duplicate applications being submitted.

She estimated that there are about 4,500 applications to be processed and said the staff should be able to catch up in a few weeks.

General Comments from the Board regarding current election-related issues

Commissioner Santoni thanked Jeff Bukowski for all of his great work. He commended the Commonwealth Court for its decision to allow for central canvassing of absentee ballots and said he hopes the PA Supreme Court supports it.

Commissioner Rivera reminded the parties that Logic and Accuracy testing will hopefully take place in late September, but that the timing will depend on any court decisions related to candidates. He reminded voters of the Oct. 21 deadline to register to vote and the Oct. 29 deadline to apply for a ballot. He encouraged voters to apply for a ballot now, instead of waiting until the deadline.

Commissioner Rivera also warned against phishing and texting scams related to elections and encouraged voters to not just click on links from unknown sources. He said voters can always check on their status at www.vote.pa.gov or call the Election Services office.

He also reminded voters to be kind and patient and be mindful of the Election Services staff.

Public Comment

Lazaro Castellon, Shillington Borough, said he still has concerns that there are cracks in the election system. He asked what steps are taken to update voter rolls, verify illegal citizens and test machines. He said he doesn't expect perfection, but expects honesty and transparency.

Jeffrey Wolfe, Brecknock Township, spoke about concerns related to non citizens and deceased voters voting. He said there are tools available to identify these issues and asked the Board to share how such voters are prohibited from voting.

Roxann Curran, Reading, asked what processes the County uses to validate that someone is legal to vote. She said she is concerned about non citizens voting.

Commissioner Santonio said he agrees that all legal votes should be counted and that it is the Board's job to make sure that the election is safe and secure. He said there is no evidence of non citizens voting in Berks. He said that when the election has concluded, everyone needs to agree that the winner takes office and the loser admits defeat.

ADJOURNMENT 11:45 a.m.

Respectfully Submitted,


Anne Norton, Chief Clerk