

MINUTES

Erie County Council

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ELECTION BOARD MINUTES 3-1-22

Call to Order

Chairwoman Rennie called the meeting to order at 3:00pm.

Roll Call

Members Present: Chairwoman Rennie, Vice-Chairman Scutella, Charlie Bayle, Andre Horton, Ellen Schauerman, Brian Shank, and Jim Winarski (via phone).

Also Present: Nicole Inan, Tom Talarico, Esq., Tonia Fernandez, and Megan Moore

Hearing of the Public

Jim Wertz, City of Erie: Mr. Wertz stated in the announcement in the paper that the 17th House District was still listed, the State Democratic Committee would have 5, not 6, seats, and issued an annual request to cover the cost of return postage of the mail in ballots.

Freda Tepfer, Erie: Ms. Tepfer questioned the status of the 6-9 polling location, and if there was a plan for adequate notification. Ms. Inan stated there was no change in the polling location at that time.

David Chrzanowski, Gohrs/Haines Printing: Mr. Chrzanowski stated they would be able to provide the tracing data to track the ballots.

Comments from the Board

Chairwoman Rennie asked Ms. Inan and Ms. Fernandez if they had any comments to add before the Board members.

Ms. Fernandez stated that through conversations with other counties she had come to the conclusion that the county was being significantly overcharged for mailing services by the current vendor, Gohrs. She stated this may in part be due to the small size of the printing company, and not having the necessary equipment for the job. She stated this small size may also be why the County is being charged another fee, for labor. She presented an error made by the company that cost the County taxpayers \$25,000, and which the printing company was only willing to give a \$3,000 credit. She stated that in 2021 the cost of using Gohrs was \$294,000, and the General Primary Election in 2020 was \$190,000, and that is significant.

Chairwoman Rennie stated that the reason other quotes started being considered was due to Gohrs/Haines revealing that they may not have the necessary paper to

print the ballots. It was then realized, and eye opening, in view of what other companies could provide and the cost comparison. There was not a contract with Gohrs. The other companies were looked at in good faith, with good intentions.

Mr. Shank stated this is an important thing that we have to get right. We are responsible and we represent the folks of Erie County, and we're here to spend their dollars properly and efficiently, and to make sure we make our constituents happy at the same time. It's a tough balancing act. The taxpayers are ultimately responsible for us sitting here. I've heard a lot of things, I've seen some shenanigans, some half-truths overplayed this way. Everyone knows where I stand on this subject.

Mr. Scutella expressed that it is tough in the current situation to take business away from Erie County. He stated we try to help the taxpayer out by looking for the best deal, but he'd rather it stay here. He questioned if Gohrs adjusted their costs, and the representative stated they had submitted some competitive pricing in relation to the other printers. Mr. Scutella stated he was concerned that there was not a bid process for the type of money that was concerned.

Mrs. Rennie answered they were thrown into it by Act 77, mail-in and paper ballots, and the pandemic. Gohrs was certified, and had done other work for the county in the past. This was never intended to avoid a bid process, it was just circumstances of the pandemic. The market has now tightened up, and it's a time factor. It will go to a bid process in 2023.

She yielded back to Mr. Scutella, but he stated he had nothing more to say.

Mrs. Schauerman stated that she too had trouble taking jobs away from the people of Erie County, but she was not happy with the way this came to be. She said that as the widow of a businessman who placed bids, that if the results of the bids were known in an effort for someone else to rebid, that didn't sit well with her. It was an eye opener when seeing the cost differential between companies, and she is glad this happened for that reason. She said although she is not happy with the process of how things went, she does struggle with taking jobs out of Erie County.

Mr. Horton expressed his agreement with what had been said this far by other members, and that had been a staple of his legislative priority; to keep Erie dollars in Erie County to employ Erie people, when possible. However, he stated, another staple in his governing was fairness. He stated fairness and justice must always govern his actions. He stated the numbers were ridiculous. He contended that it was an embarrassment that there was an occurrence where a company was given others' bids, and then allowed to come back with a counter bid. He stated he is hard pressed to support that, regardless of whether it is an in-town company or not. He declared for the record, that he would not support this, as it looked as if the votes were going a certain way, and prayed this never happened again.

Mrs. Rennie disclosed that she, like the others, was torn. There were some discrepancies in the comparisons. She stated that over the past several years the county spent a lot of money on elections, close to half a million dollars per the

budget sheets. She couldn't substantiate all of the ways that things were charged to the County, although it may well be fine. She stated what was most troublesome was that the seeking of quotes was part of a normal process of fact-finding, and a competitor's quotes should never be shared; then collated and presented back in a summary sheet by the other vendor. She found it improper. She believed that, looking back, the County had been overcharged by the company. She stated the County now needed effective management of the budget, not propping up any one business. County businesses should be used, when and where they can, but it still has to be competitive, the right choice for taxpayers, and the right choice for effective service. She stated she would vote to obtain a different vendor for the 2022 election year.

Mr. Talarico, Esq. offered that the Council could vote to retain a vendor for the primary election only, and then open the bid process for the general election. Mrs. Rennie stated she thought it would put undue pressure on the Elections office, and asked Ms. Fernandez or Ms. Inan for an opinion. Ms. Fernandez stated the biggest issue at this point was retaining a company to ensure they had enough paper for the Erie County ballots for a year, due to the paper shortage.

Mr. Horton questioned if there was Election Night Software included in the quotes. Ms. Fernandez was not aware.

Mr. Shank stated they needed to fix this train wreck and put it back on track. The elections had a million broken parts, from the State all the way down to the County, and they should move forward and put the County election back on track. He said let's finish this one, and then start with a clean slate, and open up the bidding process properly. He stated they were all guilty of dragging their feet and having issues with this election cycle, and they needed to fix it. He stated they try not to cause more work, but they need to look at the sanctity of the process, of actual bids being put out where there were no bids put out, and some false information sent to this company, and some good information sent to that company. So we are going to make sure this is all square and handled evenly.

Mrs. Rennie stated she was not going to accept the insinuation that anything improper was done. She stated when they waived the purchasing code for Gohrs no one had a problem, but there were good reasons to be seeking other solutions. There has been nothing done by the Board or by the election staff that was in any way improper. However, the sharing of information was improper. It was unethical at the very least, and that was the main issue. She asked for a motion to vote on, one way or another.

Possible Consideration of

Mr. Shank made a motion to retain Gohrs Printing.

the Board

Mrs. Schauerman questioned if it was for a year's time.

Mr. Talarico, Esq. stated the implication was for a year, unless the motion stated something else.

Mr. Winarski seconded the motion.

Mr. Scutella questioned if this was it for the vote. Mrs. Rennie stated it would come to the Council agenda afterwards.

Mrs. Rennie asked if there were any motions to amend. It would be for the primary and general as it stands now.

The resolution passed 5-2.

Mr. Talarico questioned if there was an invoice from Gohrs for a contract. Mrs. Rennie stated there was not. Mr. Talarico stated this resolution appoints them, but the contract will have to be approved at the regular meeting by the Council.

**Resolution 3, 2022,
"Retention of a Printing
Company for Erie County
2022 Primary and General
Elections"**

Adjournment

Mrs. Rennie asked if there was anything else for the good of the order. A representative, Jeff Phillips, from Election IQ asked to address the Board. Mrs. Rennie consented. He stated his issue was with how Gohrs Printing received the pricing of Election IQ, and the claim maintained by the representative of Gohrs Printing, David Chrzanowski, that he received the information from Dominion.

He was 100% certain, as a previous customer relations manager of Dominion, that they had no knowledge of a company's pricing for printing ballots, and Gohrs made a false statement. He wanted to know how they, Gohrs, were presented Election IQ's pricing information.

Mrs. Rennie stated they'd all like to know how that happened.

Mr. Chrzanowski started to reply and Mr. Shank declared they weren't going to have a debate. They've given them a lot of leeway, and they should have said something during the meeting, not after it had been adjourned. Mr. Shank asked Mrs. Rennie if there was anything else.

Mrs. Rennie then adjourned the meeting at 3:34pm.