

MINUTES

Erie County Council

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ELECTION BOARD MINUTES 4-25-22

Call to Order

The meeting was called to order at 8:13am.

Roll Call

Members Present: Chairwoman Rennie, Vice-Chairman Scutella, Charlie Bayle, Brian Shank, Ellen Schauerman, and Jim Winarski
Andre Horton is abstaining from the vote because he is on the ballot as the Democratic Committeeman for Ward 1-District 6.
Also Present: Julie Slomski, Tonia Fernandez, Tom Talarico, Esq., Nicole Inan, and Megan Moore

Hearing of the Public

Kathleen Higgins, Greg Hayes campaign: Ms. Higgins stated she discovered after asking Michelle Previte, that the list of Republicans given was incomplete. There were only 16 thousand Republicans out of 64 thousand people in the fourth district. She stated that there was a discrepancy. Ms. Fernandez stated she could assist Ms. Higgins after the meeting, she may be referring to a possible 'super voter' list.

Action for Consideration by the Board

Chairwoman Rennie prefaced that this would be "Erie County Election Board Resolution No. 5, 2022 "Repeal of Resolution No 4, 2022 and Certification of New Ballot for the 2022 General Primary Election". She shared that an email from the Department of State had been sent with what was thought to be the final ballot. There was another email sent with an updated version that was not seen, and therefore a new ballot must be certified. The order of the candidates has been corrected on this new ballot for the Representative in the General Assembly 4th Legislative District-Republican.

County Clerk, Julie Slomski, recited the ballot to the public. She thanked Mr. Jason Monn for bringing it to the Office's attention. She stated they worked with the Department of State and Dominion to make sure everything was adjusted correctly. She also stated that the Logic and Accuracy test would be that week.

Election Supervisor, Tonia Fernandez, stated she felt the oversight of the ballot order was due to the late petition filing period. She apologized on behalf of the office.

Chairwoman Rennie agreed with Ms. Fernandez to the circumstances, but didn't feel an apology was necessary.

Brian Shank questioned if there was any way to recoup the money from the State

for this oopsie that cost 50K dollars.

Solicitor Talarico stated legally there was nothing to be done by the State. He stated that the Board of Elections should negotiate with Gohrs Printing on the creation and mailing of the ballots, and the State may contribute to it. He stated they could look at the Errors and Omissions insurance which may cover an error.

Chairwoman Rennie stated she believed that the Errors and Omissions insurance was being looked at for coverage.

Charlie Bayle questioned how the Elections Office confirmed with the State that they received the final ballot.

Ms. Fernandez answered; at the end of the petition filing period, a list of candidates is created and from that list a lottery is drawn for positions. The office was then sent another list, which was used for the ballot without realizing the State had changed the list again.

Mr. Bayle questioned whether it is confirmed that the official final ballot has been received.

Ms. Fernandez stated there was no response to State.

Mr. Bayle stated there should be something in place between them to confirm.

Ms. Slomski replied that she had talked to Deputy Secretary Jonathan Marks at the Department of State. She stated they had requested that she be added to the email list and had not been. She also stated she asked that the ballot emails be titled as revision or final. She also voiced her appreciation for the help the State has given during this time.

Mr. Bayle stated that she answered his question, and that there needs to be checks and balances in place, so the State says Erie has been checked off and has received the final ballot.

Chairwoman Rennie also assured everyone that the State, Dominion, and the representatives across the County have been working diligently on this, and it has been an intense process. She agreed it had been a perfect storm with redistricting, petitions, and that the process was rushed, but it says something that we were not the only county where this happened. Everyone is aware that we need checks and double checks and are in agreement we will go through this process very carefully in the future.

*Members of the public spoke out of turn.

The order was reestablished by Chairwoman Rennie and Solicitor Talarico.

Ms. Slomski stated she wanted to address Mr. Shank's question of cost, and there were other monies set aside that could be used.

Chairwoman Rennie stated she wanted to have the vote, and a conversation about cost could be had afterwards.

Solicitor Talarico stated cost is not on the agenda; the state is not responsible,

Dominion has offered some help with a free reprint and in-house printing, and the insurance which has not yet been researched.

Chairwoman Rennie said there was information pertaining to the assistance from Dominion.

Ms. Slomski stated Dominion wouldn't be printing in-house, but using one of their vendors. They were eliminating a fee of \$8,350, and provided an option of Fort Orange Printing at 15 cents per ballot. Haines/Gohrs would continue with the mail in ballots.

Chairwoman Rennie stated the integrity of the election and the duty to the tax payer are both at hand. Using Fort Orange will be a savings for the tax payer, and takes nothing away from Haines/Gohrs.

A motion by Mrs. Schauerma, seconded by Mr. Shank, and carried 6-0 to repeal the former resolution and accept the new resolution.

**Amending Erie County
Election Board Resolution
Number 4, 2022 "Approval
of Ballot Layout and
Offices for 2022 Erie
County General Primary
Election"**

**Questions and Comments
from the Board**

Mrs. Schauerma asked if there was a contract with Gohrs/Haines that would be in breach.

Solicitor Talarico answered there was no contract, only an invoice, and they are still receiving the total of that invoice.

Chairwoman Rennie asked if anyone would motion to use Fort Orange.

Mrs. Schauerma stated she didn't have enough information.

Chairwoman Rennie said it was a generous offer, and saved the taxpayers a substantial amount of money.

There was no motion made, and printing would continue with Gohrs/Haines.

Solicitor Talarico asked if Gohrs/Haines was offering any discounts, as Dominion and Fort Orange Printing were offering.

Mr. Shank asked if Gohrs was on the line.

A representative from Gohrs said they were into overtime now, but he would find out if anything could be done.

Adjournment

Motion made to adjourn by Mr. Shank.