

CITY OF CRANSTON
BOARD OF CANVASSERS
Regular Meeting of July 30, 2020 – APPROVED MINUTES

The Cranston Board of Canvassers met on July 30, 2020, in a meeting advertised in accordance with the Rhode Island Open Meetings Act on July 28, 2020. The meeting was called to order by the Chairperson, Randall Jackvony, at 4:05 p.m. It was held virtually via electronic means on Zoom, conducted in accordance with the Governor's Executive Order 20-46 in response to the COVID-19 Coronavirus Pandemic.

MEMBERS PRESENT: Randall Jackvony, Gary Vierra, Alice Petrone (For Mr. Joslyn)

MEMBERS ABSENT: Fred Joslyn

NON-MEMBERS PRESENT: Nicholas Lima (Registrar / Director of Elections), David Igliozzi (Assistant City Solicitor), Dolores DiMeo Carroll (Board Alternate), Steven Frias (Chair, Charter Review Commission)

The chair declared a quorum present.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE AGENDA
- III. APPROVAL OF MINUTES – 5-12-2020, 6-2-2020, 6-3-2020, 7-9-2020, 7-15-2020
- IV. PUBLIC COMMENT
- V. CHAIRPERSON'S ANNOUNCEMENTS – RANDALL JACKVONY
- VI. NEW BUSINESS
 - A. THE BOARD MAY HEAR FROM BOB RAPOZA, EXECUTIVE DIRECTOR OF THE RHODE ISLAND BOARD OF ELECTIONS, AND DISCUSS AND TAKE ACTION REGARDING COVID-19-RELATED ELECTION PLANNING, POLLING PLACE SET-UP AND LOGISTICS, AND POLL WORKER RECRUITMENT
 - B. THE BOARD MAY DISCUSS AND TAKE ACTION TO CERTIFY THE FINAL FORM OF TEN LOCAL REFERENDA TO BE PLACED ON THE NOV. 3, 2020 GENERAL ELECTION BALLOT, INCLUDING SIX LOCAL BOND QUESTIONS AND FOUR AMENDMENTS TO THE CRANSTON HOME RULE CHARTER:
 1. LOCAL BOND QUESTIONS
 1. SCHOOLS AND SCHOOL FACILITIES – \$147,000,000 BONDS AND NOTES
 2. FIRE AND PUBLIC SAFETY EQUIPMENT – \$2,000,000 BONDS AND NOTES
 3. PUBLIC BUILDINGS – \$1,000,000 BONDS AND NOTES
 4. PLAYGROUNDS AND ATHLETIC FIELDS – \$2,000,000 BONDS AND NOTES
 5. STREETS, SIDEWALKS, AND BRIDGES – \$10,000,000 BONDS AND NOTES

6. RENEWABLE ENERGY IMPROVEMENTS – \$5,000,000 BONDS AND NOTES
2. CRANSTON HOME RULE CHARTER QUESTIONS
 1. WARD REDISTRICTING
 2. MAYOR'S LINE ITEM VETO
 3. RAINY DAY FUND (UNDESIGNATED FUND BALANCE)
 4. PROPERTY TAX LEVY CAP
- C. THE BOARD MAY DISCUSS AND FORMALLY APPROVE THE EMERGENCY SELECTION OF THE CRANSTON CENTRAL PUBLIC LIBRARY AS A POLLING PLACE TO REPLACE ST. DAVID'S ON-THE-HILL EPISCOPAL CHURCH (PRECINCT 0720) FOR THE SEPT. 8, 2020 STATEWIDE PRIMARY AND NOV. 3, 2020 GENERAL ELECTION
- D. THE BOARD MAY DISCUSS AND CHOOSE TO TAKE A FORMAL POSITION ON A PROPOSAL TO REMOVE THE TWO WITNESS OR NOTARY REQUIREMENT FROM MAIL BALLOTS IN THE 2020 ELECTIONS
- E. THE BOARD MAY DISCUSS AND CHOOSE TO TAKE A FORMAL POSITION REGARDING THE CENTRALIZATION OF MAIL BALLOT APPLICATION PROCESSING BY THE RHODE ISLAND NATIONAL GUARD, AS PROPOSED BY THE RHODE ISLAND SECRETARY OF STATE
- VII. UPDATES AND REMARKS
 - A. REGISTRAR / DIRECTOR OF ELECTIONS – NICHOLAS LIMA
- VIII. COMMENTS OF BOARD MEMBERS
- IX. ADJOURNMENT

APPROVAL OF THE AGENDA

Mr. Lima said Mr. Joslyn is away this week. Mr. Jackvony asked for a motion to approve the agenda.

MOTION: By Ms. Petrone and seconded by Mr. Vierra to approve the agenda as posted.

PASSED ROLL CALL VOTE – 3-0 – Mr. Jackvony, Mr. Vierra, and Ms. Petrone voting Aye.

APPROVAL OF MINUTES

Mr. Jackvony asked for a motion to approve the minutes from the meeting of May 12, 2020. Mr. Lima said he is behind on completing the remainder due to the current workload in the office and will catch up and get draft minutes to the Board for the remaining meetings as soon as possible.

MOTION: By Mr. Jackvony and seconded by Ms. Petrone to approve the meeting minutes of 5-12-2020.

PASSED ROLL CALL VOTE – 3-0 – Mr. Jackvony, Mr. Vierra, and Ms. Petrone voting Aye.

PUBLIC COMMENT

There were several members of the public present, however no one wished to speak.

CHAIRPERSON'S ANNOUNCEMENTS

CHAIRPERSON – Randy Jackvony

Mr. Jackvony said that Mr. Lima has been keeping the Board very well informed on the rapidly changing situation involving conduct of the primary and general elections.

NEW BUSINESS

A. THE BOARD MAY HEAR FROM BOB RAPOZA, EXECUTIVE DIRECTOR OF THE RHODE ISLAND BOARD OF ELECTIONS, AND DISCUSS AND TAKE ACTION REGARDING COVID-19-RELATED ELECTION PLANNING, POLLING PLACE SET-UP AND LOGISTICS, AND POLL WORKER RECRUITMENT

Mr. Jackvony said we were scheduled to hear from Bob Rapoza, Executive Director of the Board of Elections, however Mr. Rapoza had a last-minute schedule conflict and informed the Board he would not be able to attend. Mr. Jackvony said a letter was sent by us to a number of state officials, including Mr. Rapoza and the state Board of Elections, regarding the Board of Canvassers' concerns of our ability to safely conduct the 2020 elections. In particular, Mr. Jackvony said the letter related to our operational capabilities to recruit adequate poll workers given the challenges the pandemic was providing us. A significant percentage of the existing poll worker force has declined to work or is unavailable for the upcoming September primary.

Mr. Jackvony said that after Mr. Lima asked the state for help, the Board of Elections reached out to all state workers to ask for volunteers to help the cities and towns fill the poll worker ranks. Mr. Jackvony said so far, there has been a positive response to that effort. Mr. Jackvony asked where we are specifically on recruitment, as we are only one month away from the primary.

Mr. Lima said that as of yesterday, we are short 100 positions for the primary, which is one third of the total poll workers needed. He said the Board of Elections has still not provided minimum staffing recommendations, so absent that guidance, we are planning on 300 poll workers to operate Cranston's 30 polling locations on Sept. 8. Mr. Lima said about a week ago, we were short 145 positions, so we are making progress. He said the state email from the BOE was extremely helpful.

Mr. Lima said communications were also sent out by the School Dept., Senior Center, Cranston Public Library, and local party committees, candidates, and elected officials asking for volunteers to contact the Board of Canvassers to serve as poll workers, due to the unprecedented shortage. He said the first training classes are coming up on Aug. 26, and we need to get the remaining 100 positions filled before then, ideally. Mr. Jackvony asked if the School Dept. would be sending out additional messages, and Mr. Lima said they would be willing to if we requested it. Mr. Lima added a next step would be reaching out to community organizations, local businesses, and other groups

seeking poll workers. Mr. Jackvony said that he has a student at Cranston Public Schools and took note of the announcements he received about poll workers. He said it's great experience for high school students, and not all may realize that they would receive a stipend for working.

Mr. Lima said he spoke with the School Dept. today, as Sept. 22 is National Voter Registration Day, and by law the Board must conduct voter registration drives annually at the high schools. Because of the full shutdown this spring, that was not possible then, however Mr. Lima is working with the School Dept. to coordinate an electronic voter registration drive via messaging from the schools on Sept. 22, using the state's online voter registration portal. He said additional poll worker recruitment messaging could be tied into that effort. The Board members agreed that would be a good idea.

Mr. Vierra asked if any of the 100 positions could be cut if we fail to recruit the needed workers in time, and how that would affect our operations. Mr. Lima said the BOE is late in getting recommendations to us, but they are delaying in part because, at this point, given the pandemic and the varying degrees of competition in primaries in various cities and towns, projected turnout – which drives the anticipated number of poll workers needed – is extremely difficult to estimate. Mr. Lima said he looked back to 1996, and when mayoral races are on the primary ballot in Cranston, turnout can be in the 20-25% range. But with COVID-19, and an upcoming statewide postcard mailing from the Secretary of State to all registered voters, among numerous other factors, the variables in play put us in a challenging position.

He said the only recourse is to play it safe, and estimate a high turnout, and prepare for it accordingly as best we can with the resources we have. If we fall short on recruitment, we may get lucky with turnout falling below the high projections, meaning polling locations will be adequately staffed even if short a few positions. But at this point, we really don't have a choice but to plan and prepare for the worst.

Mr. Jackvony asked the members of the public in the audience on the Zoom call to help spread the word on poll worker recruitment.

Mr. Jackvony said that, about 30 minutes before the meeting, we received word that the city has received responses and bids for a vendor to construct the 150 custom-built plexiglass screens that will be needed to protect voters and poll workers for the primary and general elections. Mr. Jackvony said the bid amounts came in with a wide range, with some bids being three times as high as others. He asked Mr. Lima when the contract would be awarded.

Mr. Lima said the Board of Contract and Purchase will meet on Aug. 5 to review the bids and award the contract to a vendor. That vendor will then have just over three weeks to design, construct, and deliver the 150 screens to the city, so that they can be received in time to set up for the primary. A further complication is that, because of Labor Day, we must set up many of the polling locations on the Friday before, and some on Labor Day itself, meaning, at the latest, the city needs to take possession of the screens no later than Wednesday, Sept. 2. That is an extremely difficult timeline, and it was made clear when we went out to bid that the vendor would be required to meet it, despite any material or labor shortages that currently exist.

Mr. Petrone asked if the Board chooses or recommends a vendor, and Mr. Lima said that's a city purchasing function. Mr. Jackvony said they will likely choose the lowest price among the qualified bidders. He said bids ranged from the \$35,000 range to as high as \$91,000. Mr. Vierra said his bank ordered over 100 screens for 21 branches, and that the low-end bids seemed reasonable, but the high end numbers seem way over what they should be. Mr. Vierra said Plexiglass shortages could be an obstacle.

Mr. Vierra asked if BOCAP will make a decision on Aug. 5, as if this is delayed, whoever does get the contract will be facing an impossible timeline. Mr. Lima said he made Mark Marchesi, the city's Purchasing Agent, fully aware of what's at stake and that this needs to proceed as quickly as possible, and Mr. Marchesi agreed and his helping diligently.

Mr. Lima said poll workers are constantly asking the office what sort of protection will be provided, and that the plexiglass screens are an instrumental part in that, and that several poll workers have stated they will refuse to work if not provided screens. Mr. Lima said that Maria Madonna is making thousands of phone calls to current, former, and new potential poll workers in an effort to make up ground on our staffing shortfall, and we will continue to work late nights and weekends until we reach our targets.

Mr. Lima said one of his biggest concerns right now is the logistics of setting up for the primary. He said on Tuesday, he is having a meeting with Mayor Fung, Director of Administration Dan Parrillo, and the directors of Public Works, Parks and Recreation, Highway Department, Building Maintenance, and other department heads specifically to discuss the logistics and manpower needs for setting up the 30 polls over Labor Day weekend, with the added burden of now also setting up over 150 screens, extra folding tables and chairs, cones, signage, and other pandemic-related measures.

He said we will try to get the schools and other city buildings done on Friday, and will work with the private facilities to access them and set them up on Labor Day so they can be ready to go for Tuesday morning. Mr. Lima said our office will also need to be open and staffed on Labor Day for voters and candidates with business with us, including emergency voting, meaning additional personnel will be needed to staff City Hall. Mr. Lima said he has security concerns about setting up on Friday and leaving locations set up for the full holiday weekend, however we've been left with no choice, as there aren't enough available personnel to set up all 30 locations simultaneously on Labor Day. He added that the overtime cost would also be astronomical.

Mr. Lima said that we will likely have three or four set-up crews on the Friday, each with a half-dozen or so assigned locations and six to seven personnel apiece. In total, we will need about two dozen people on the set-up crews and a dozen trucks and vehicles, all of which need to be well-coordinated and timed to arrive at the locations while staff is available to greet them. He said two of the set-up crews will be setting up schools exclusively, and will have school supervisors with them who have keys to all of the buildings. A staff member or Board member from the Board of Canvassers will have to be with each crew to set up interior signage and provide the crew instruction on Board of Elections-directed social distancing set-ups. Mr. Lima will be with the non-school set-up crew, as those are the more complex locations to access and set up.

Mr. Lima said he would be putting up the exterior polling place, directional, and ADA parking signage at all 30 locations on Labor Day itself, once polling place set-ups are complete, because Friday is too soon to set up that type of signage. He said chalk lines will still need to be put down by Parks and Recreation and Highway at all 30 locations on Labor Day.

Mr. Vierra said we are starting to again see delays in the shipping of personal protective equipment, masks, sanitizer, and cleaning supplies. Mr. Lima said the city has also had difficulty in acquiring supplies from any vendor, and that the Board of Elections has informed us they will be providing supplies, gloves, bleach, hand sanitizer, face shields, and other cleaning materials directly to the polling places directly from the Emergency Management Agency's strategic stockpile.

B. THE BOARD MAY DISCUSS AND TAKE ACTION TO CERTIFY THE FINAL FORM OF TEN LOCAL REFERENDA TO BE PLACED ON THE NOV. 3, 2020 GENERAL ELECTION BALLOT, INCLUDING SIX LOCAL BOND QUESTIONS AND FOUR AMENDMENTS TO THE CRANSTON HOME RULE CHARTER:

Mr. Jackvony said we should take this in two sets of votes, one for the local bond questions and one for the charter questions. He said Mr. Lima had provided the Board members copies of the questions as approved by the City Council via email, and that they've been formatted and corrected for ballot placement.

Mr. Lima said that, unfortunately, because of the number of questions we will have a multiple page ballot in November, which will add logistical complications and significantly increase the amount of time voters need in the voting booth. It will also reduce capacity at voting machines and increase que times. We will have to prepare November polling places and staffing accordingly in preparation for this.

Mr. Lima said that because of the length of the single state question we are aware of, the Providence Plantations question, which takes up nearly a full column on the ballot, we don't have enough room to work with to prevent the local questions from going over on to a second page.

1. LOCAL BOND QUESTIONS

Mr. Vierra said that our responsibility was just to certify the questions, not make any substantial changes beyond a grammatical or formatting change for ballot placement, and that the questions look good as-is.

Mr. Lima said the question headers and legislative authorization language are the only things really within our control, and in this case Mr. Lima already worked with bond counsel to craft those specifically to ensure we meet any necessary legal requirements and that they could be well-vetted by several sets of legal eyes in advance of this meeting.

Mr. Lima said the bond questions are in the exact form as passed by the General Assembly, just over a week ago, which was cutting it close to the state deadline.

MOTION: By Mr. Vierra and seconded by Ms. Petrone to certify the Local Bond Question language as presented to the Board of Canvassers, and to appear on the Nov. 3, 2020 ballot in the following order:

1. SCHOOLS AND SCHOOL FACILITIES – \$147,000,000 BONDS AND NOTES
2. FIRE AND PUBLIC SAFETY EQUIPMENT – \$2,000,000 BONDS AND NOTES
3. PUBLIC BUILDINGS – \$1,000,000 BONDS AND NOTES
4. PLAYGROUNDS AND ATHLETIC FIELDS – \$2,000,000 BONDS AND NOTES
5. STREETS, SIDEWALKS, AND BRIDGES – \$10,000,000 BONDS AND NOTES
6. RENEWABLE ENERGY IMPROVEMENTS – \$5,000,000 BONDS AND NOTES

PASSED ROLL CALL VOTE – 3-0 – Mr. Jackvony, Mr. Vierra, and Ms. Petrone voting Aye.

2. CRANSTON HOME RULE CHARTER QUESTIONS

Mr. Jackvony said that Steven Frias, chairperson of the Cranston Charter Review Commission, was present on the call if there were any questions.

Mr. Vierra had a question on the wording of the Property Tax Cap Levy question. Mr. Frias clarified the meaning to be that if the city would like to increase property taxes higher than 3%, and up to 4%, a majority vote would be needed from the City Council. He said different voting conditions apply to increases above 4%.

Mr. Lima said that these are in substantially similar form as passed by the City Council, however the Council did not include the phrasing of the charter changes in the form of a question for ballot placement. Mr. Lima said he worked with Mr. Frias and the City Solicitor's Office to write the explanations, headers, and interrogatives.

MOTION: By Mr. Vierra and seconded by Mr. Jackvony to certify the Local Charter Question language as presented to the Board of Canvassers, and to appear on the Nov. 3, 2020 ballot in the following order:

1. WARD REDISTRICTING
2. MAYOR'S LINE ITEM VETO
3. RAINY DAY FUND (UNDESIGNATED FUND BALANCE)
4. PROPERTY TAX LEVY CAP

PASSED ROLL CALL VOTE – 3-0 – Mr. Jackvony, Mr. Vierra, and Ms. Petrone voting Aye.

Mr. Jackvony and the Board members thanked Mr. Frias for the Charter Commission's work and for taking time to appear before the Board of Canvassers today.

C. THE BOARD MAY DISCUSS AND FORMALLY APPROVE THE EMERGENCY SELECTION OF THE CRANSTON CENTRAL PUBLIC LIBRARY AS A POLLING PLACE TO REPLACE ST. DAVID'S ON-THE-HILL EPISCOPAL CHURCH (PRECINCT 0720) FOR THE SEPT. 8, 2020 STATEWIDE PRIMARY AND NOV. 3, 2020 GENERAL ELECTION

Mr. Jackvony said that St. David's on-the-Hill Episcopal Church recently contacted Mr. Lima and told him unambiguously that they would not permit the use of their facility as a polling place for either September or November due to concerns over COVID-19. Mr. Lima found the Cranston Central Public Library, 140 Sockanosset Cross Rd., as an alternate voting site for Precinct 0720.

Mr. Jackvony asked if this is a permanent change. Mr. Lima said it is permanent, but due to redistricting in 2022, it has the effect of only applying to this year, provided the Census Bureau itself gets numbers to the states in time, as the 2020 Census has been substantially delayed by the pandemic. Mr. Lima said the church's administrators contacted him and told him that their board voted to no longer serve as a polling place as, due to the pandemic, they did want the public coming into the building for voting.

MOTION: By Mr. Jackvony and seconded by Ms. Petrone to approve Cranston Central Public Library as the new polling location for Precinct 0720.
PASSED ROLL CALL VOTE – 3-0 – Mr. Jackvony, Mr. Vierra, and Ms. Petrone voting Aye.

D. THE BOARD MAY DISCUSS AND CHOOSE TO TAKE A FORMAL POSITION ON A PROPOSAL TO REMOVE THE TWO WITNESS OR NOTARY REQUIREMENT FROM MAIL BALLOTS IN THE 2020 ELECTIONS

Mr. Lima said the plan, as proposed by state election officials, is to follow the same procedure that was followed by executive order for the June 2 Presidential Preference Primary. He said that personally identifying information was added to the oath envelope in lieu of the two witness or notary requirement for that election, under an executive order from the Governor.

Mr. Lima said so far, Gov. Raimondo has chosen not to act to implement that order again for the upcoming elections, and with mail ballots ready to be sent out soon for the September primary, several good government groups initiated legal action in federal court to ensure the procedures applicable to June 2 stayed in place for the fall elections. Mr. Lima said the federal court ruled in favor, and signed a consent agreement with the Secretary of State and Board of Elections to remove the witness or notary requirement.

That said, Mr. Lima said there's been talk of an appeal of that, which could go as far as the Supreme Court of the United States. Mr. Lima said that regardless of what happens, it's something that needs to be decided on very quickly, and the failure of action on behalf of the Governor or General Assembly on this issue has put elections officials in an extremely precarious position. The printing of mail ballot certification envelopes is contingent on what the requirements are to be printed on them, and given federal and state mail ballot deadlines, this needs to be decided within days or else it will compromise the entire conduct of the September primary.

Mr. Lima said this issue mostly deals with the counting and tabulation of ballots by the Board of Elections at the tail-end of the process, but ultimately, this would include Cranston residents voting Cranston ballots, and many voters call our office asking for instructions on how to procedurally vote by mail, so we do have an interest in this, although no operational control over it.

Mr. Lima said that, even in normal circumstances, such as in 2018, the office receives a high volume of phone calls from voters who have difficulty finding two witnesses or a notary for their mail ballots, including the elderly, disabled, or shut-ins. Given the pandemic and the number of people isolating, quarantining, or hospitalized, Mr. Lima said the volume of those calls will skyrocket, and we don't have a remedy for those people in the event the existing state law on witnesses and notaries remains in effect, disenfranchising those voters en masse.

Mr. Lima said that, if the law does not change, a separate state law would require the Board of Canvassers to appoint bipartisan pairs to go directly into the homes of people who may be infected with COVID-19 or isolating, in order to witness their mail ballots, a rarely used law that we are operational incapable of complying with at the present time given our numerous other staffing, budget, and logistical challenges, not to mention the health consequences of exposing those appointees directly to COVID-19. Mr. Lima said the failure of state leaders to act on this issue has put local boards into an impossible position, if the courts do not side with the good government groups on this matter.

Mr. Jackvony said in his entire time on the Board of Canvassers, he could only think of one or two examples where a bipartisan pair was actually sent out by the office to assist a mail ballot voter, and to do so now at the scale that would be required would be logistically infeasible and dangerous, making the law impossible to comply with. He asked Mr. Lima if a letter to Gov. Raimondo from the Board would help.

Mr. Lima said that numerous groups have reached out to the Governor and General Assembly on this over the last two months, and it's his understanding that they are choosing not to act and instead let this play out in the courts. He suggested voting to take a position in favor of removing the requirements and applying the same procedures used on June 2 would at least authorize him, as Registrar, the flexibility to lobby state officials as needed on this to express our practical safety and logistical concerns.

Ms. Petrone asked if a letter would be effective, and Mr. Lima said that's typically useful for legislation, however in this case the matter isn't being considered legislatively. Mr. Jackvony said Alabama is the only other state in the country with mail ballot witness and notary requirements as strict as Rhode Island's, which causes undue hardship for voters in this pandemic. He said he supports removing the requirement.

MOTION: By Mr. Jackvony and seconded by Ms. Petrone for the Board of Canvassers to take a formal position as being in favor of removing the two witness or notary mail ballot certification requirement for the remainder of the 2020 election year.

PASSED ROLL CALL VOTE – 3-0 – Mr. Jackvony, Mr. Vierra, and Ms. Petrone voting Aye.

E. THE BOARD MAY DISCUSS AND CHOOSE TO TAKE A FORMAL POSITION REGARDING THE CENTRALIZATION OF MAIL BALLOT APPLICATION PROCESSING BY THE RHODE ISLAND NATIONAL GUARD, AS PROPOSED BY THE RHODE ISLAND SECRETARY OF STATE

Mr. Jackvony said that Mr. Lima shared a letter via email that was sent to the Board and others, from Secretary of State Nellie Gorbea, that outlined key items that Mr. Jackvony said are worthy of the Board's support.

Mr. Jackvony said the letter expresses the Secretary's response and shared concerns over poll worker recruitment, and what actions her office is preparing to take to help local boards of canvassers successfully conduct the upcoming elections in the pandemic. This includes enhanced election security, assistance from the Dept. of Labor and Training on poll worker recruitment, and other ideas. The letter said that the Director of the Dept. of Labor and Training has provided assurances that working as a poll worker will not negatively impact unemployment benefits.

The letter also details the anticipated unprecedented demand for mail ballot voting this election cycle, with so many people unable to leave their homes. Secretary Gorbea said this demand will strain existing personnel and resources. In response, she said that she and her staff have been working closely with Col. Gloria Berlanga of the Rhode Island National Guard to develop a comprehensive plan to include active Guard members providing logistical support for the clerical processing of mail ballot applications for the November election.

Secretary Gorbea said the use of National Guard personnel to assist local boards of canvassers will ensure we can be successful in processing the increased volume of mail ballots while simultaneously dealing with other challenges we face around logistics, set-ups, poll worker recruitment, and emergency voting.

The Secretary, via correspondence, agreed with the idea previously suggested by Mr. Lima that, if the state is to expect a high volume of mail ballot applications, that they be processed efficiently at a centralized location with the assistance of state and National Guard personnel. The letter copied the Board of Elections, Director Scott Jensen of the RI Dept. of Labor and Training, Adjutant General Christopher Callahan of the Rhode Island National Guard, and the Rhode Island Town and City Clerks Association.

Mr. Jackvony said the military involvement in the election will be isolated from any decision-making – such as whether or not to reject a mail ballot application – which will still be work done exclusively by the Cranston Board of Canvassers. He said that the National Guard's involvement will be limited to logistical support, which in this case and given the circumstances he is comfortable with.

Mr. Lima said this letter is in direct response to requests he and the Board have been making since June 11 to the Secretary of State and Board of Elections for help and assistance in conducting mail ballot operations for the fall elections, specifically, the centralization of mail ballot processing if another statewide mailing is done, which the Secretary of State fully intends to do.

Mr. Lima said the National Guard is trustworthy, readily available, and has significant resources of technology and security at its disposal to provide us with the logistical support we need to be successful and ensure mail ballot applications are processed timely. He said the Guard would be processing the opening and sorting of envelopes for the bulk of mail ballot applications, although some would still be coming directly to the Board of Canvassers, and ultimately, we would be making decisions on all of them using the Central Voter Registration System's new technology.

He said for our office, that help is imperative so that we can focus as much of our time as possible on the emergency voting process, poll worker recruitment and training, polling place set-up, supply, and logistics, and the other duties the Board has.

Ms. Petrone said we should also follow-up on Secretary Gorbea's finding that poll workers won't have their unemployment benefits affected, which will be helpful in terms of recruitment of the many individuals currently out of work due to the pandemic.

Mr. Vierra asked if the National Guard would be providing signature matches, and Mr. Lima said that work would still be exclusive to our office. Mr. Lima also said that any rejections, potential rejections, or other discrepancies on mail ballot applications would be transmitted directly to our office for further review and contacting those voters, so the Guard won't be in a position in which they are approving or rejecting ballot applications.

Mr. Vierra wanted assurance that the Guard wouldn't be put into positions where they are reviewing signature matches, and Mr. Lima clarified that those would still be local Board of Canvassers functions, and that local election officials will be invited to participate in the trainings with the Guard to ensure the process and workflow is fully understood. Their duties will be essentially confined to opening and sorting by cities and towns, and scanning applications to local boards of canvassers for review.

Mr. Vierra asked if Mr. Lima thinks more races will be contested because of the number of mail ballots being used compared to previous years, which take longer to count on and after election night. Mr. Lima said that will be highly determined by how fast the Board of Elections can tabulate results. In particular, for the primary, the deadline for submitting recount requests is very close to the primary date itself, because overseas mail ballots must be printed and ready for the November election within two weeks. That means that candidates who feel their primary is close may need to file recount requests with the BOE before all mail ballot and provisional ballot results are even known, just to comply with that narrow timeline.

Mr. Lima said that because of that tight window, he would expect an increased number of recount requests, as we will likely not know on election night or even the day after the election who won many of the close races. To play it safe, he would expect some campaigns in close races to file recount requests to cover their bases.

Mr. Vierra said there's a real potential for the Cranston mayoral races in both the Republican and Democratic parties to end up close on election night, possibly necessitating a city-wide recount, because there are many well-known candidates running in those races and they appear to be highly competitive.

Mr. Lima said the Board's role in recounts is typically limited to just transporting the ballots to the state Board of Elections and observing the process take place. However, given the accelerated timeline for the primary and federal deadlines, it's possible that if there are a large number of recounts, the BOE may choose to more directly involve local board members and staff in order to meet the timeframe we collectively have to work with before moving on to November.

Mr. Vierra said that given current events with the increase in coronavirus cases, and the Governor pulling back on previous reopening decisions and adding new restrictions on social gatherings, his best guess is that mail ballot volume will increase drastically as COVID-19 cases spike again in the weeks ahead and into the fall.

Mr. Lima agreed that all signs point to an overwhelming number of mail ballots to be processed for the September and November elections. He expects numbers to shatter records set by the June 2 Presidential Preference Primary, and the Board members agreed. Discussion ensued.

MOTION: By Mr. Jackvony and seconded by Ms. Petrone to formally endorse and support Secretary of State Nellie Gorbea's proposal to centralize mail ballot application processing with assistance from the Rhode Island National Guard for the 2020 elections only.

PASSED ROLL CALL VOTE – 3-0 – Mr. Jackvony, Mr. Vierra, and Ms. Petrone voting Aye.

UPDATES AND REMARKS

REGISTRAR / DIRECTOR OF ELECTIONS – Nicholas Lima

Mr. Lima said the emergency voting process will be very different this year, as for the first time we will have a DS-200 voting machine in our office, along with a back-up DS-200, in addition to several PollPads, or e-pollbooks. Mr. Lima said that voters who are uncomfortable going to the polls on election day because of the pandemic, but also don't want to vote by mail, will have a third option to vote an emergency ballot at Cranston City Hall.

He said we plan to staff up in the days ahead of emergency voting, depending on volume. As we have with mail ballot processing, it is likely that we will pull staff from multiple other departments to provide assistance. Another possibility, which will be less disruptive to the other departments in City Hall, will be to hire poll workers and temporary employees to help staff the emergency voting operation. This will all depend on the volume we see leading up to the primary and how heavily voters decide to utilize this new voting option.

One issue we do have is Labor Day, which, as a federal holiday, we would not normally be open for. State law provides for any election deadlines to fall on a holiday to instead fall on the next business day, which in this case is the day of the primary itself, which creates some unprecedented and difficult-to-manage conflicts in election law. Because of this, technically, emergency voting will continue onto the day of the primary itself until 4 p.m., which has never happened before.

Because Labor Day is the day before the election, and the previous business day is Friday, to ensure voters, campaigns, and candidates have access to the services in our office, Mr. Lima said he discussed with the staff opening for business hours on Labor Day for the full day. He said the city administration is supportive, and we will have staff present from 6 a.m. to 10 p.m., so we can stay as late as we need to in preparation for the primary. We will be open to the public normal hours, from 8:30 a.m. to 4:30 p.m., on Labor Day, and hopefully, that will minimize the number of emergency voters that come in on Tuesday, when we will simultaneously be managing the 30 polling locations, the limited ballot precinct, and our election day operations center in the Canvassing Department office. Mr. Lima also asked the Board of Elections to ensure they have technical support on stand-by on Labor Day and during the emergency period.

Mr. Lima said, by his count, about 10,000 voters have received mail ballot applications directly from mayoral and Council candidates for the September primary so far. Ms. Petrone said the Bucci mayoral campaign put the wrong return address on their envelopes, and Mr. Lima said he contacted their campaign directly about that matter and asked them to correct it. He said no one checked with our office before sending these applications out, although doing so would be a courtesy and is in no way required.

COMMENTS OF BOARD MEMBERS

Mr. Vierra asked if there would be secure drop boxes for mail ballots. Mr. Lima said the Board of Elections is using federal funds to permanently install exterior drop boxes at all 39 city and town halls. The city administration wants ours placed at the front main entrance. The drop boxes will remain state property as they cost thousands of dollars, and are sturdy and lockable. The state said they may not arrive in time for the primary. Mr. Vierra asked if drop boxes would be available at the polls, as on June 2, and Mr. Lima said it was his hope the BOE would consider doing so again, as voters expect it.

ADJOURNMENT

MOTION: By Mr. Vierra and seconded by Ms. Petrone to adjourn.
PASSED UNANIMOUSLY – VOICE VOTE

The meeting was adjourned at 4:51 p.m.

Respectfully Submitted,

Nicholas J. Lima
Registrar / Director of Elections
Cranston Board of Canvassers

APPROVED by the Cranston Board of Canvassers: March 22, 2023