

Sylvia Engel – President

Daniel Frankel – Secretary &
Commissioner of Registration

Donald Katz – Commissioner

Beatrice Moskowitz –
Commissioner



Thomas Lynch – Administrator

Valerie Henry – Deputy Administrator

Linda Palughi – Chief Clerk

BOARD OF ELECTIONS
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MINUTES

BOARD OF ELECTIONS COMMISSIONER REVIEW HEARING JULY 23, 2020

The Commissioner Review Hearing of the Middlesex County Board of Elections was called to order by Chairman Engel at 4:00 p.m. Flag salute followed.

Maria Tani called the roll as follows:

Chairman Engel (present)

Commissioner Katz (present)

Commissioner Frankel (present)

Commissioner Moskowitz (present)

In attendance were:

Staff:

Thomas Lynch, Administrator

Linda Palughi, Chief Clerk

Sharonda Rice-Mc Farlane, Deputy Chief Clerk

Maria Tani, Administrative Assistant

Guests:

Per sign-in sheet

Chairman Engel announced that the purpose of this meeting is to review and vote on Provisional Ballots and Mail-in Ballots from the Primary Election that the staff recommended be rejected.

Three provisional bags out of eleven were returned empty for the following towns: Old Bridge, Piscataway and Unlabeled. Administrator Lynch demonstrated the three empty bags to the public.

Administrator Lynch proceeded to review the remainder of the bags as follows:

Dunellen – These bags did not have a red or a blue seal. The bags did not have prongs from the red seal; they did have prongs from the blue seal. Total 219.

Edison – These bags had a red seal but no blue seal. The bags had the prongs for the blue seal. Cheryl Russomanno, Edison Municipal Clerk is willing to certify that the bags had the blue seal when they were returned from the polling location and loaded into the police car and transported to the Board of Elections. Total 375.

Perth Amboy – Both bags had the red seal affixed to them. They were missing the blue seal. The bags had the blue prongs. The Municipal Clerk did not observe if the blue seals were on the bags when the bags were loaded into the police car. There were two bags. Total 97 (1st bag); Total 129 (2nd bag).

Sayreville – The bags had prongs from the red and blue seals. The Municipal Clerk observed that when the bags were being loaded into the police car, they had a blue seal, however she was not sure if the bags had a red seal. Administrator Lynch stated that the loading deck and the floor in the back room were checked and no seals were found. Total 301.

Mr. Singh inquired if these bags were used before. Administrator Lynch stated that these bags were purchased only for this election. Mr. Singh Inquired if there are serial numbers on the bags. Administrator Lynch stated no. However, the seals have serial numbers on them.

South Brunswick – The bags had the red seal and blue prongs. The Municipal Clerk observed that when the bags were being loaded from the polling location to the police car, they had the red and blue seals affixed to them. Mr. Singh inquired which police department is Administrator Lynch referring to. Administrator Lynch stated the South Brunswick Police Department. Total 234.

Woodbridge – The bags did not have a red or blue seal. They had both red and blue prongs. The Municipal Clerk did not observe the loading of the bags into the police car. There were two bags. Total 82 (1st bag); Total 103 (2nd bag).

Comm. Katz stated that he is disappointed with the manufacture of the blue seals. It appears the blue seals could pop off very easily. The red seals seemed to be firmer. He stated that in the past, the Board has always rejected unsealed bags due to lack of chain of custody. This is a different type of election and a different type of seal. No one had experience with these new bags. Comm. Katz stated that he could possibly accept the ballots from these bags for this election only, without making it a precedent. Chairman Engel and Comm. Moskowitz agreed with Comm. Katz's comments. Comm. Frankel inquired how many bags came back with no red seal. Administrator Lynch stated that out of the eight bags, four of the bags had red seals upon return: Perth Amboy, South Brunswick, Edison and New Brunswick. Comm. Frankel inquired when the bags were returned to the office which staff members accepted the bags. Administrator Lynch stated that Deputy Administrator Valerie Henry and Andrew Tanchyk accepted the bags. According to Ms. Henry's statement she observed only one bag returned without a seal, which was the Dunellen bag. According to Mr. Tanchyk's statement he observed seven bags returned without a red seal, however he was not keeping track.

Mr. Singh stated that in other counties, the people that voted by provisional ballot were asked to sign a book. Therefore, there is a record of everyone who voted by provisional ballot. Ms. Palughi stated that in Middlesex County a person that votes by provisional ballot is not required to sign the poll book. A voter is required to sign the poll book only if they vote by machine.

Motion was made by Chairman Engel to accept all the provisional ballots from the burgundy ballot bags that were examined. Motion was seconded by Comm. Moskowitz. Comm. Katz stated that he would like to make an amendment to the motion as follows, that this not be deemed a precedent for any other election. Comm. Frankel stated that if the Board is forced to do this again, it automatically sets precedence. Comm. Katz stated that if this happens again, the Board will have to have discuss again. In the future, if these bags are used again, a different blue seal should be used. Chairman Engel requested that the County Clerk be invited to the next meeting so this can be discussed further. The Board proceeded to vote on the original motion, which did not include Comm. Katz's amendment to the motion, as follows: Chairman Engel, Comm. Frankel and Comm. Moskowitz voted yes; Comm. Katz voted no. Voice vote 3-1.

Comm. Moskowitz left the meeting at 4:55 p.m. She returned to the meeting at 6:25 p.m.

The Board proceeded to review and vote on the mail-in ballots as follows:

Democrat, Republican and Unaffiliated
(mixed categories)

- No ballot enclosed, no ID provided, voted both parties, no ballot enclosed, party change too late – rejected
- Certification not signed. Cure letters were sent out – rejected, pending return of letter from voter
- Signature is printed – rejected, pending return of letter from voter
- Signature does not match – rejected, pending return of letter from voter; 9 accepted
- Marked ballot – rejected; 5 accepted
- Ballot is a photocopy – rejected
- Voted both ballots – rejected
- Voted wrong party - rejected

Public Comments

Mr. Singh thanked everyone for all their hard work.

The meeting was adjourned at 6:50 p.m.