

CITY OF CRANSTON  
BOARD OF CANVASSERS  
Regular Meeting of December 5, 2023 – OFFICIAL MINUTES

The Cranston Board of Canvassers met on December 5, 2023, in a meeting advertised in accordance with the Rhode Island Open Meetings Act on December 1, 2023. The meeting was called to order by the Chairperson, James Donahue, at 5:35 p.m. It was held in the Canvassing Authority Office, Room 100 at Cranston City Hall.

MEMBERS PRESENT: James Donahue, Quilcia Moronta

MEMBERS ABSENT: None

NON-MEMBERS PRESENT: Nicholas Lima (Registrar / Director of Elections), Kirk McDonough (Board Alternate)

The Chair declared a quorum present.

AGENDA

- I. CALL TO ORDER (NO VOTES TAKEN)
- II. APPROVAL OF THE AGENDA (VOTES MAY BE TAKEN)
- III. APPROVAL OF MINUTES OF PRIOR MEETINGS – 10-10-2023 (VOTES MAY BE TAKEN)
- IV. PUBLIC ACKNOWLEDGEMENTS – CHAIRPERSON (NO VOTES TAKEN)
- V. PUBLIC COMMENT (VOTES MAY BE TAKEN)
- VI. NEW BUSINESS
  - A. THE BOARD MAY AUTHORIZE THE REGISTRAR TO FILE CHALLENGES AGAINST VOTERS BELIEVED TO BE REGISTERED AT NON-RESIDENTIAL COMMERCIAL PROPERTY ADDRESSES IN ACCORDANCE WITH R.I. GEN. LAWS § 17-9.1-28 ET SEQ. (VOTES MAY BE TAKEN)
  - B. THE BOARD MAY DISCUSS AND VOTE TO SUPPORT LEGISLATIVE CONCEPTS FOR INTRODUCTION IN THE 2024 SESSION OF THE GENERAL ASSEMBLY, INCLUDING 3-DAY MAIL BALLOT APPLICATION TRANSMITTAL, EXPANDED DROP BOX OPENING PERIODS, INCREASING THE VOTER PRECINCT CAP, AUTOMATIC DISAFFILIATION FOR UNAFFILIATED PRIMARY VOTERS, ELECTION OFFICIAL SECURITY, AUGUST PRIMARY DATE, DIGITIZING LEGAL ADS, AND ELECTION OFFICIAL SECURITY (VOTES MAY BE TAKEN)
  - C. THE BOARD MAY DISCUSS OPTIONS FOR THE CONDUCT OF A MAY OR JUNE SPECIAL REFERENDUM ELECTION AND MAY VOTE TO SUGGEST A PREFERRED DATE TO THE CITY COUNCIL FOR CONSIDERATION (VOTES MAY BE TAKEN)
  - D. THE BOARD MAY DISCUSS THE 2024 PRESIDENTIAL PREFERENCE PRIMARY SCHEDULE AND ELECTION CALENDAR (NO VOTES TAKEN)
- VII. UPDATES FROM THE REGISTRAR (ALL ITEMS FOR INFORMATIONAL

PURPOSES ONLY; NO VOTES TAKEN)

- A. UNITED STATES ELECTION ASSISTANCE COMMISSION LOCAL LEADERSHIP COUNCIL JANUARY ANNUAL MEETING AND TEXAS ASSOCIATION OF ELECTION ADMINISTRATORS CONFERENCE
- B. NCOA MAILING, POLL WORKER RECRUITMENT, POLLING PLACE SAVE THE DATES, AND STATUS OF USPS MAIL DELIVERY IN FISKEVILLE

VIII. EXECUTIVE SESSION

A. THE BOARD MAY VOTE TO ENTER EXECUTIVE SESSION IN ACCORDANCE WITH R.I. GEN. LAWS § 42-46-5 (A)(3) TO DISCUSS AND/OR VOTE ON TWO (2) MATTERS RELATED TO SECURITY (VOTES MAY BE TAKEN)

- 1. REVIEW AND POSSIBLE ADOPTION OF A CONTINUITY OF OPERATIONS PLAN (VOTES MAY BE TAKEN)
- 2. REPORT FROM THE REGISTRAR ON A RECENT NATIONAL SECURITY INCIDENT RELATED TO ELECTIONS (VOTES MAY BE TAKEN)

B. THE BOARD MAY VOTE TO CLOSE EXECUTIVE SESSION AND THE CHAIRPERSON MAY REPORT ON ANY VOTES TAKEN (VOTES MAY BE TAKEN)

C. THE BOARD MAY VOTE TO SEAL THE MINUTES OF THE EXECUTIVE SESSION (VOTES MAY BE TAKEN)

IX. ADJOURNMENT (VOTES MAY BE TAKEN)

APPROVAL OF THE AGENDA (VOTES MAY BE TAKEN)

MOTION: By Mr. McDonough and seconded by Ms. Moronta to approve the agenda as posted.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.

APPROVAL OF MINUTES OF PRIOR MEETINGS – 10-10-2023 (VOTES MAY BE TAKEN)

Mr. Donahue asked if there were any edits to the draft minutes, and the Board members had none.

MOTION: By Mr. McDonough and seconded by Ms. Moronta to approve the minutes of Oct. 10, 2023.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.  
PUBLIC ACKNOWLEDGEMENTS – CHAIRPERSON (NO VOTES TAKEN)

There were no public acknowledgements.

PUBLIC COMMENT (VOTES MAY BE TAKEN)

No one from the public appeared to speak.

### NEW BUSINESS

A. THE BOARD MAY AUTHORIZE THE REGISTRAR TO FILE CHALLENGES AGAINST VOTERS BELIEVED TO BE REGISTERED AT NON-RESIDENTIAL COMMERCIAL PROPERTY ADDRESSES IN ACCORDANCE WITH R.I. GEN. LAWS § 17-9.1-28 ET SEQ. (VOTES MAY BE TAKEN)

Mr. Lima explained the statutory challenge process that the Board has followed in the past when voters are discovered who the staff believes are registered to vote at a commercial property address that is likely not their residence. He asked the Board to authorize him in his official capacity as Registrar and a Rhode Island voter to challenge the seven voters who have been identified. Mr. Lima shared a list of the voters and the information the office has collected for each instance, which the Board reviewed and determined that there is ample probable cause to proceed.

Mr. Lima said that he will file formal challenges and send a return-receipt certified letter to the voters notifying them of the challenge and the date of the hearing. If they do not update their address or appear at the hearing, the Board can then vote to make the voters inactive under state law. They will then be cancelled after two federal election cycles, no earlier than after the 2026 elections, but by being inactive if they attempt to vote, they will have to affirm their address is correct.

MOTION: By Mr. McDonough and seconded by Ms. Moronta to authorize the Registrar to file challenges against the seven voters listed and to initiate a challenge hearing process.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.

B. THE BOARD MAY DISCUSS AND VOTE TO SUPPORT LEGISLATIVE CONCEPTS FOR INTRODUCTION IN THE 2024 SESSION OF THE GENERAL ASSEMBLY, INCLUDING 3-DAY MAIL BALLOT APPLICATION TRANSMITTAL, EXPANDED DROP BOX OPENING PERIODS, INCREASING THE VOTER PRECINCT CAP, AUTOMATIC DISAFFILIATION FOR UNAFFILIATED PRIMARY VOTERS, ELECTION OFFICIAL SECURITY, AUGUST PRIMARY DATE, DIGITIZING LEGAL ADS, AND ELECTION OFFICIAL SECURITY (VOTES MAY BE TAKEN)

Mr. Lima reviewed each of the legislative concepts and explained the Board last year voted to support nearly all of these bills. Mr. Lima said several of the bills passed the House, or also passed the Senate but in a slightly different version so were not enacted into law for technical reasons. Mr. Lima said the election official security bill is a new concept for this year.

The Board members stated they supported all of these concepts and that they were well-reasoned process changes to the law. Ms. Moronta said she hopes all of these bills pass this session.

Mr. Donahue suggested that the Board vote to support all of the bills as a block, since there is no objection to any of the bills from individual Board members.

MOTION: By Mr. McDonough and seconded by Ms. Moronta to take all of the concepts listed on the agenda as a block.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.

Mr. Donahue asked for a motion to conceptually support all of the legislative proposals Mr. Lima reviewed.

MOTION: By Mr. McDonough and seconded by Ms. Moronta to support conceptually for introduction and encourage passage in the 2024 session of the General Assembly all of the legislative proposals endorsed previously by the Board in 2023, as listed on the agenda, in addition to the election security bill concept, and authorize Mr. Lima to submit testimony and lobby on behalf of the Board to that effect.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.

#### C. THE BOARD MAY DISCUSS OPTIONS FOR THE CONDUCT OF A MAY OR JUNE SPECIAL REFERENDUM ELECTION AND MAY VOTE TO SUGGEST A PREFERRED DATE TO THE CITY COUNCIL FOR CONSIDERATION (VOTES MAY BE TAKEN)

Mr. Lima presented to draft calendars prepared by the Board of Elections for a possible school bond special referendum election on either May 7 or June 4, 2024. He said the June 7 calendar was preferable to allow for separation from the April 2 Presidential Preference Primary, to reduce overlap of voter registration, mail ballot, and other process deadlines, to reduce voter confusion over two city-wide elections being held in such close proximity, and to ensure the staff has enough time to recover and catch up on daily work and election preparation work. He said the May calendar would have early voting starting up only two weeks after the PPP.

The Board agreed with Mr. Lima's assessment. Discussion ensued. Mr. Lima said that unlike in a special election for a vacancy for local office, the authority to call for and set a date for a special election does not rest with the Board, but we can certainly recommend a date that is in line with best election practices for consideration.

Mr. McDonough noted his concerns with staffing four consecutive elections in an eight-month period, starting with the PPP. Ms. Moronta said she was also concerned about morale and the office staff being overworked. It is without precedent for the office to conduct four city-wide elections in such a short period of time, in the same calendar year. Mr. Lima agreed but unfortunately it is out of our control.

MOTION: By Mr. McDonough and seconded by Ms. Moronta to recommend for consideration by the City Council that the proposed school bond special referendum election be held using the June 4, 2024 calendar, and to direct the Registrar to forward this recommendation to the Council.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.

**D. THE BOARD MAY DISCUSS THE 2024 PRESIDENTIAL PREFERENCE PRIMARY SCHEDULE AND ELECTION CALENDAR (NO VOTES TAKEN)**

Mr. Lima reviewed the Secretary of State's 2024 Presidential Preference Primary election calendar with the Board, and reminded him of the important dates and various Board meeting dates that he previously distributed. He said the process starts this month with the presidential candidate declaration of intent period, with signatures in early January and early February for candidates and delegates, respectively.

Ms. Moronta noted she continues to be concerned about the ongoing vacancy on the Board, given the busy calendar ahead. Mr. McDonough noted that it may be difficult to have a quorum for some key deadlines unless we have a full Board. Mr. Lima said the third seat on the Board has not been vacant for over 15 months, and he continues to send memos to the administration reminding them of the need for the Mayor to send nominees to the Council for confirmation as soon as possible. Mr. Lima said he is hopeful action will be taken in the coming weeks, as it will be an added burden on the Board and staff to be short-handed with four elections coming up.

**UPDATES FROM THE REGISTRAR (ALL ITEMS FOR INFORMATIONAL PURPOSES ONLY; NO VOTES TO BE TAKEN)**

**A. UNITED STATES ELECTION ASSISTANCE COMMISSION LOCAL LEADERSHIP COUNCIL JANUARY ANNUAL MEETING AND TEXAS ASSOCIATION OF ELECTION ADMINISTRATORS CONFERENCE**

Mr. Lima said he has been invited to attend the annual conference of the Texas Association of Election Administrators to speak at a panel about the 2020 No Time To Fail documentary, which is being shown to the attendees. Lodging and transportation will be paid for by the Texas Association at no cost to the city. Staff from the RI SOS will also be attending and participating in the panel.

He will also be attending the 2024 annual meeting of the federal Election Assistance Commission's Local Leadership Council in early January. He represents RI election officials on the LLC along with the registrar from the Town of Portsmouth. There are two local election officials from all 50 states on the Council. Mr. Lima said his expenses and travel will be reimbursed by the EAC at no cost to the city. He will report back to the Board following his attendance at both meetings.

**B. NCOA MAILING, POLL WORKER RECRUITMENT, POLLING PLACE SAVE THE DATES, AND STATUS OF USPS MAIL DELIVERY IN FISKEVILLE**

Mr. Lima provided updates to the Board on the ongoing NCOA process, which is proceeding without issue. The SOS has absorbed expenses and processing tasks which were previously handled by local boards and the BOE, which is beneficial to the efficiency of completing the process locally.

He has begun calling polling locations, both city and privately-owned, in order to ensure they have all four 2024 election dates reserved on their calendars. He has sent correspondence to the School Dept., Cranston Public Libraries, Senior Center, Parks and Recreation, local social halls and churches normally used as polls, and the RI National Guard, and will be following up with a formal letter and agreements in mid-January.

Mr. Lima has been working to resolve election mail delivery issues in Fiskeville now for almost seven years. After failing to provide a satisfactory explanation as to why Fiskeville residents cannot receive normal mail delivery as the rest of the city does, Mr. Lima pressed USPS with a direct, formal, written request to change their practices. After a rejection, Mr. Lima appealed to USPS headquarters in Washington, which was likewise rejected. Mr. Lima then contact U.S. Sen. Jack Reed's office, which has continued to push the issue. So far, there are no updates, but Sen. Reed's staff have remained in contact and are continuing to pursue the matter on behalf of the city. Mr. Lima will keep the Board updated.

There were no questions from the Board.

### EXECUTIVE SESSION

Mr. Donahue said the next items are to be discussed in Executive Session for security reasons.

MOTION: By Mr. McDonough and seconded by Ms. Moronta to enter into executive session to discuss two matters related to security in accordance with R.I. Gen. Laws § 42-46-5 (A)(3), specifically adoption of a continuity of operations plan and a security matter related to elections.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.

The Board convened in Executive Session at 6:40 p.m. No members of the public were present.

The Board reconvened in Public Session at 6:49 p.m. Mr. Donahue asked for a motion to exit Executive Session.

MOTION: By Mr. McDonough and seconded by Ms. Moronta to reconvene in Public Session.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.

Mr. Donahue asked for a motion to seal the minutes.

MOTION: By Mr. McDonough and seconded by Ms. Moronta to seal the minutes of the 12-5-2023 Executive Session.

PASSED ROLL CALL VOTE – 2-0 – Mr. Donahue and Ms. Moronta voting aye.

Mr. Donahue reported that one vote was taken in Executive Session, to adopt the Board of Canvassers Continuity of Operations Plan. The motion was made by Mr. McDonough and seconded by Ms. Moronta, and passed unanimously by a vote of 2-0, with Mr. Donahue and Ms. Moronta voting aye.

ADJOURNMENT (VOTES MAY BE TAKEN)

MOTION: By Mr. McDonough and seconded by Ms. Moronta to adjourn.

PASSED UNANIMOUSLY – VOICE VOTE

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

Respectfully Submitted,

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

APPROVED by the Cranston Board of Canvassers: January 17, 2024