

CITY OF CRANSTON
BOARD OF CANVASSERS
Regular Meeting of January 21, 2020 – APPROVED MINUTES

The Cranston Board of Canvassers met on January 21, 2020, in a meeting advertised in accordance with the Rhode Island Open Meetings Act on January 16, 2020. The meeting was called to order by the Chairperson, Randall Jackvony, at 5:36 p.m. It was held in the Canvassing Department, Room 100 at Cranston City Hall.

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

MEMBERS ABSENT: Fred Joslyn

NON-MEMBERS PRESENT: Nicholas Lima (Registrar / Director of Elections), Dolores DiMeo Carroll (Alternate, Ex-Officio)

The chair declared a quorum present.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE AGENDA
- III. APPROVAL OF MINUTES – 8-7-2019
- IV. PUBLIC COMMENT
- V. CHAIRPERSON'S ANNOUNCEMENTS – RANDALL JACKVONY
- VI. NEW BUSINESS
 - A. THE BOARD MAY DISCUSS ELECTIONS LEGISLATION INTRODUCED OR PROPOSED IN THE 2020 SESSION OF THE GENERAL ASSEMBLY
 - B. THE BOARD MAY DISCUSS THE STATUS OF PRECINCT 0726, THE AMERICAN LEGION AUBURN POST 20 POLLING LOCATION, AND DISCUSS AND AUTHORIZE AN ALTERNATIVE IF IT SHOULD BECOME UNAVAILABLE
 - C. THE BOARD MAY DISCUSS AND APPROVE A PLAN FOR POLLING LOCATION PRECINCT CONSOLIDATIONS FOR THE APRIL 28, 2020 PRESIDENTIAL PREFERENCE PRIMARY
 - D. THE BOARD MAY DISCUSS AND RECEIVE CHALLENGES FILED FOR VOTERS REGISTERED AT COMMERCIAL PROPERTY, AND DECIDE TO SEND OUT NOTICES AND SET A FORMAL HEARING DATE
 - E. THE BOARD MAY DISCUSS IMPROVEMENTS MADE IN THE CYBERSECURITY OF ELECTIONS AND THE CANVASSING OFFICE
 - F. THE BOARD MAY DISCUSS POLLWORKER PAY FOR CLERKS AND MODERATORS, AND DECIDE WHETHER TO APPROVE A \$25 INCREASE REQUESTED BY THE REGISTRAR
 - G. THE BOARD MAY REVIEW AND DISCUSS THE APRIL 28, 2020 PRESIDENTIAL PREFERENCE PRIMARY CALENDAR
- VII. UPDATES AND REMARKS
 - A. REGISTRAR – NICHOLAS LIMA
- VIII. COMMENTS OF BOARD MEMBERS
- IX. ADJOURNMENT

APPROVAL OF THE AGENDA

Mr. Jackvony asked for a motion to approve the agenda.

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

PASSED ROLL CALL VOTE – 3-0

APPROVAL OF MINUTES

Mr. Jackvony asked for a motion to approve the minutes of Aug. 7, 2019.

MOTION: By Mr. Vierra and seconded by Ms. Petrone to approve the meeting minutes of 8-7-2019.

PASSED ROLL CALL VOTE – 3-0

PUBLIC COMMENT

There were no members of the public present who appeared to speak.

CHAIRPERSON'S ANNOUNCEMENTS

CHAIRPERSON – Randy Jackvony

Mr. Jackvony had no announcements.

NEW BUSINESS

A. THE BOARD MAY DISCUSS ELECTIONS LEGISLATION INTRODUCED OR PROPOSED IN THE 2020 SESSION OF THE GENERAL ASSEMBLY

Mr. Lima reported that, as of this afternoon, only one elections-related bill has been introduced in the General Assembly, involving redistricting effective in 2022. He said the bill has been introduced for several years running and has yet to come out of committee for a vote, but is worth monitoring as its passage would affect Cranston.

Mr. Lima informed the Board that the state Board of Elections discussed at a meeting he attended earlier today a wide variety of elections-related bills they intend to introduce this session. The most significant bill would change the way emergency voting works, particularly Category 4 mail ballots, and aid in allowing the use of PollPads and DS-200s in the process to increase efficiency and allow voters casting a ballot in person to directly put their ballot in the machine at the local board office, rather than the current convoluted process of putting the ballots in envelopes and transporting them to the state to be counted later – a process prone to error which allows minimal chance for the voter to correct deficiencies. Mr. Lima also expects the Secretary of State to again introduce early voting legislation, which the Board of Canvassers likewise supported last year.

The BOE's write-in tabulation and declaration bill, which the Board has strongly supported in the past, is likely to be reintroduced. It has passed the House in the last

two sessions, but died in the Senate. Other bills change the address of the BOE in state law from 50 Branch Ave in Providence to the new Cranston address, 2000 Plainfield Pike, and make various minor updates and modernizations to Title 17. In particular, one bill Mr. Lima suggested to the BOE would eliminate the requirement that the city pay a stenographer to be present for the Final Canvass meeting, which is typically only 3-4 minutes long, and instead allow an audio recording to suffice. Another bill beneficial to cities and towns would reduce the number of newspaper ads required to be run for elections, instead providing municipalities the option to post more notices digitally on websites and social media. Several ads are redundant or advertise routine tasks.

All of the bills are still under consideration by the BOE, and subject to a future state Board vote of endorsement before being introduced in this year's legislative session.

Mr. Lima said he's spoken with both the state Board and Department of State Elections Division and it appears that neither agency intends to put in a bill to correct the date of this (and future years') September primary so it does not occur the day after Labor Day. Each agency is on record in supporting the change. Mr. Lima said he expects the Rhode Island Town and City Clerks Association's Elections Committee to instead have a bill submitted on behalf of municipalities. He said that if the law does not change, it would be extremely problematic, costing the city \$10,000 to \$15,000 more in overtime and setup costs. He said he's also aware that several polling locations will not be able to accommodate setting up their facilities on a federal holiday, which is both a logistical and security concern. Equally concerning is that the mail ballot deadline may fall on election day itself, instead of the day before, which has not happened before, and would seriously compromise the election and the office's ability to somehow conduct both processes simultaneously.

Mr. Jackvony asked about what the law says about the mail ballot deadline. Mr. Lima said the law states the deadline shall be at 4 p.m. the day prior to the election, but a separate law states that any deadline falling on a holiday shall be instead on the next business day. This was not considered when the bill to change the primary date was quickly amended and passed in the final days of the session last year, as the two laws now directly conflict with one another and the primary date law, without any way to properly reconcile them.

B. THE BOARD MAY DISCUSS THE STATUS OF PRECINCT 0726, THE AMERICAN LEGION AUBURN POST 20 POLLING LOCATION, AND DISCUSS AND AUTHORIZE AN ALTERNATIVE IF IT SHOULD BECOME UNAVAILABLE

Mr. Lima presented a letter the Canvassing Department received indicating the American Legion Auburn Post 20 hall may be permanently closing, and that the Legion intends to sell their building. He said that is one of the most important polling locations in the city, with a central location in Ward 2 and close proximity to City Hall providing adequate parking and a capacity for a large number of voters. Mr. Lima has searched extensively for an alternate location in the area, and so far no alternate has been found. While there's time between now and September and November, without schools available for April, this is a high priority for the office to determine a back-up location in the event the Legion closes before April 28. Mr. Lima said he and the state Board of Elections inspected the Auburn Library, City Hall, and the Cranston Public Schools

Adult Learning Center, and none are suitable as a full-scale polling location. Ms. Petrone suggested looking at nearby churches, and Mr. Lima said that could work as long as the function room is large enough and ADA accessible. He said unfavorable alternatives include asking the School Department to allow the use of Cranston East's gym while school is in session, which would present serious logistical problems for the school and voters; and using the Cranston Senior Enrichment Center, which is located too far away from the center of population of the three precincts that it would be serving on April 28. As back-ups, Mr. Lima said both are options, but neither is practical.

Mr. Lima said he will report back to the Board when the Legion has a definitive position on their potential closing date, and continue searching for better options in the area.

C. THE BOARD MAY DISCUSS AND APPROVE A PLAN FOR POLLING LOCATION PRECINCT CONSOLIDATIONS FOR THE APRIL 28, 2020 PRESIDENTIAL PREFERENCE PRIMARY

Mr. Lima reviewed the full plan, ward by ward, for precinct consolidations for the April 28, 2020 Presidential Preference Primary. He said the plan is to double the number of precincts opened for the April 2016 primary, from six to twelve, utilizing two new locations and nearly every available non-school location in the city. Two polling places will be open in each ward.

Mr. Jackvony said lines should not be an issue at check-in as they were at some locations in 2016, due to the efficiency of the e-pollbooks.

Mr. Lima asked the Board to approve the precinct consolidation plan as presented. Mr. Jackvony said it was a sound plan, and made a motion to approve the plan with the information currently available, given the unknown status of the Legion post, with the Legion post tentatively included as part of the plan.

MOTION: By Mr. Jackvony and seconded by Ms. Petrone to approve the precinct consolidation plan with the information currently available to the Board.
PASSED ROLL CALL VOTE – 3-0

D. THE BOARD MAY DISCUSS AND RECEIVE CHALLENGES FILED FOR VOTERS REGISTERED AT COMMERCIAL PROPERTY, AND DECIDE TO SEND OUT NOTICES AND SET A FORMAL HEARING DATE

Mr. Lima said that, under the law, the Board needs to find probable cause in order to proceed with challenge hearings. Mr. Lima asked the Board to receive the challenges filed and find that the contents thereof constitute probable cause to proceed, at which time Mr. Lima can provide Mr. Jackvony with notices to sign to be sent out via return-receipt certified mail to the challenged voters indicating the hearing date on their challenges. Mr. Lima said the hearing should take place at least two weeks after the notices are mailed, and there will be a city solicitor and stenographer present.

Mr. Lima and the Board reviewed each of the seven filed challenges. He said six of them were identified on the original list the Department of State Elections Division sent to local boards to review in the summer of 2017. The seventh was discovered recently

registered at a commercial address adjacent to one of the other six. Mr. Lima explained the full history of the project and process to the Board, and said we are following the same procedure that was followed for similar challenge hearings in 2018.

He said the ultimate goal of this project is to force people who are illegally registered from commercial, non-residential addresses where they do not reside to instead register at their correct address, or, if they no longer reside in the state at all, to make them inactive and eventually cancelled as a result of the confirmation process resulting from the hearing, which will allow these specific addresses to be removed from the city's valid street range. That will prevent future voters, inadvertently or otherwise, from registering at commercial, non-residential addresses where they do not reside.

Mr. Jackvony said this process is the same that was followed before, and that this effort is about the integrity of the election and ensuring people are voting where they are supposed to be voting. He said the Board goes out of its way to provide access to every voter to the fullest extent possible, but the voting population of the city also needs to know that there is integrity in the process.

MOTION: By Mr. Jackvony and seconded by Mr. Vierra to receive the seven filed challenges as valid and find probable cause to move forward in the challenge process, and set a hearing date to be coordinated by the Registrar.

PASSED ROLL CALL VOTE – 3-0

E. THE BOARD MAY DISCUSS IMPROVEMENTS MADE IN THE CYBERSECURITY OF ELECTIONS AND THE CANVASSING OFFICE

Mr. Lima said Mr. Jackvony asked for this to be added to a future agenda at the last meeting. Mr. Lima said he didn't put it on the agenda for executive session because none of the changes the office has made to date have been confidential.

Mr. Jackvony asked about updates to software and hardware in the Canvassing Department made in advance of the forthcoming 2020 elections. Mr. Lima said that, after 2016, the Department of Homeland Security designated elections as national critical infrastructure, which opened up elections to receive more federal support and funding for security and cybersecurity. He said the result of that was the formation of the Elections Infrastructure / Multi-State Information Sharing and Analysis Center, or EI/MS-ISAC. Mr. Lima said the Secretary of State asked all cities and towns to become a member, so he joined the organization and has been receiving daily cybersecurity updates and reports since. He said the SOS has led the charge in developing cybersecurity at the state and local level, together with the BOE, and made \$100,000 in federal grant dollars available to local elections offices to improve technology and security. The remaining \$2.9 million in HAVA funds were allocated to a brand new voter registration system, new cyber threat monitoring sensors and cybersecurity equipment, and upgrading elections technology at the SOS and BOE.

The Cranston Canvassing Department applied for and received a grant from the SOS of over \$8,000, which was used to upgrade all of the core technology in the office. Six computer workstations were upgraded to new Windows 10 machines, and the office

replaced three 15-year-old high-speed scanners, owned by the state and that had firmware no longer supported by the manufacturer, with four brand new models. The scanners are used to process voter registrations on a daily basis, and the computers all have direct access to the new Central Voter Registration System.

The office no longer provides CDs of voter information or files on request, and will instead provide thumb drives at a lower cost. The Canvassing Department has instituted a policy to not accept or use any thumb drives that have been outside this office.

The new CVRS is continuing to roll-out on a tiered basis as it is further developed by Stonewall Solutions and the Department of State Elections Division. Mr. Lima said the SOS has been great at working with the office and other municipalities to tweak the system as it's developed, and make it more user friendly and secure than the old system, a staggered process which will continue throughout the year.

Mr. Lima said he's done all he can to secure the office, and he's also met with the administration and IT Department to encourage adding new layers of security and training for the entire city, particularly the rest of the network in City Hall. He said he and the administration recently met with representatives from both the Department of Homeland Security and the Rhode Island National Guard to advance that effort. Mr. Lima has also asked the administration to implement more rigorous cybersecurity awareness training for all city employees who have an email account or access to the network, which is likewise moving forward.

F. THE BOARD MAY DISCUSS POLLWORKER PAY FOR CLERKS AND MODERATORS, AND DECIDE WHETHER TO APPROVE A \$25 INCREASE REQUESTED BY THE REGISTRAR

Mr. Lima said there's added responsibility and time required of clerks and moderators, which range between two and four per polling place. In reviewing other cities and towns, including Providence, Mr. Lima found that Cranston's clerks and moderators are being paid less. He is concerned other towns could recruit Cranston's pollworkers, and wants them to be adequately compensated. Moderators, in particular, must report to the Canvassing Department as early as 5 a.m. on Election Day, then report to their location before 6 a.m. and remain until 9 p.m., then have the added responsibility of returning back to City Hall to drop off equipment that night. Clerks and moderators must also attend a longer training class, and have a greater technical understanding of the laws and regulations governing voting.

In order to recruit and retain experienced, qualified moderators and clerks to run the city's 30 polling locations, Mr. Lima would like to raise their pay from \$200 to \$225. Supervisors and greeters would remain at the current rate of \$175. Ms. Petrone said it shows appreciation to the moderators and clerks for the work they do.

The Board members felt it was an operational decision to raise pollworker pay. All of the members agreed with the proposal, but said a vote was not necessary and that Mr. Lima could enact the increase administratively himself. Mr. Lima said he would proceed with the proposal with the good will of the Board.

G. THE BOARD MAY REVIEW AND DISCUSS THE APRIL 28, 2020 PRESIDENTIAL PREFERENCE PRIMARY CALENDAR

Mr. Lima provided copies of the April Presidential Preference Primary elections calendar to the Board members and reviewed the full calendar with the Board. The Board members and Mr. Lima discussed when Board members may be out of town on work or vacation, and determined a schedule for individual members to come in the office regularly to sign off on nomination papers and mail ballot certification sheets and ensure there are always at least two Board members available to provide signatures as needed. Discussion ensued. Mr. Lima explained the presidential and delegate candidate declaration process, and nomination petition signature verification process.

UPDATES AND REMARKS

REGISTRAR – Nicholas Lima

Mr. Lima provided brief updates on changes at the Board of Elections, including the reelection of the chair and vice-chair, a new “I Voted” sticker design contest, and the BOE’s move to Cranston. He said the School Committee Ward 5 seat remains vacant pending appointment by the Committee. Mr. Lima is also monitoring the bond question and charter review processes, particularly for the length and design of the questions as they will appear on the ballot. He also updated the Board on staff changes in the office and DMV issues, and said save the date letters are being sent to polling locations.

COMMENTS OF BOARD MEMBERS

There were no comments from Board members.

ADJOURNMENT

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

The meeting was adjourned at 7:06 p.m.

Respectfully Submitted,

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

APPROVED by the Cranston Board of Canvassers: February 18, 2020