



ADMINISTRATIVE SERVICES COMMITTEE - BOARD OF ELECTIONS

Tuesday, October 3, 2023

10:30 a.m.

AGENDA

APPROVAL OF SEPTEMBER MINUTES

FINANCIAL

- YTD Budget Report attached

OLD BUSINESS

- See August minutes
- Election Inspector assignment letters for Early Voting and Election Day (165)
- Military/UOCAVA absentees sent September 22nd
- Absentee Ballots Permanent and Civilian mailed September 29th (683)
- BOE Facebook page launched Sept. 28th, with new VoteTioga Logo
- Cease and Desist Order to NY Citizens' Audit by Office of Attorney General

NEW BUSINESS

- Research on how to pay and train election inspectors continues – new legislation
- AED training and Narcan training for staff
- Upcoming visits to Elderwood facility for absentee ballots
- Early Voting begins October 28th through November 5th
- Polling site change as Richford Town Hall has moved – notice postcards to voters

PERSONNEL

- Resignation of Jean Flynn, Election Worker PT 9/11/2023, Backfill request filed
- Retirement Commissioner Layman 12/2/2023
- Kelly Johnson Commissioner 12/3/2023
- Deputy to begin 12/6/2023

RESOLUTION

J35 – Amend Resolution No. 246-23 and Resolution No. 247-23 Regarding Extension of Grant Terms

ADJOURNMENT



ADMINISTRATIVE SERVICES COMMITTEE - BOARD OF ELECTIONS
Tuesday, September 5, 2023
10:30 a.m.
MINUTES

ATTENDEES

Legislators D. Mullen, W.J. Brown, R. Ciotoli, and W. Standing; Commissioners V. L. Layman and J. Wahls
Guests: Peter DeWind (County Attorney), Cathy Haskell (Legislative Clerk), Martha Sauerbrey (Legislative Chair)

APPROVAL OF JUNE AND AUGUST MINUTES

Motion by Legislator Brown, second by Legislator Ciotoli, all in favor, carried.

FINANCIAL

Year-to-date Budget Report was presented. No discussion.

OLD BUSINESS

See June, August minutes and July report.

Election Inspector Training was completed in August, with a total of 177 trained. Commissioner Wahls and Deputy Commissioner Johnson attended NYS Election Commissioners' Association Summer Training Conference in Niagara Falls August 15-18th.

NEW BUSINESS

A joint meeting was held on August 23, among the County Attorney, Board of Elections, Personnel, and Treasurer, to plan out how to pay and train election inspectors beginning in 2024, in order to comply with IRS regulations and mandatory training requirements.

Election Inspector assignments for the 2023 general election are in progress, and letters are expected to be mailed out by the end of September.

Logic and accuracy testing of voting machines to be used in the general election scheduled for September 13th.

Military/UOCAVA ballots will be sent by September 22nd.

Rolling canvass of absentee ballots received begins as early as September 28th when absentee ballots are checked by a bipartisan team and prepared for scanning.

Commissioner Layman will be retiring on December 1st. Succession planning and training is under way for Deputy Johnson to step into the commissioner role.

Board of Elections Facebook page expected to launch this month and will be maintained by the deputy commissioners.

A press release by the NYS Board of Elections on individuals impersonating county election officials in New York State was presented. It was noted that such impersonation is a crime.

RESOLUTIONS / PROCLAMATIONS - none

Meeting adjourned.



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2023 09

ACCOUNTS FOR: A General Fund	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A1450 Elections							
A1450 412910 Election Fees	-3,000	0	-3,000	-5,380.57	.00	2,380.57	179.4%
A1450 439060 State Aid-Election	0	-22,351	-22,351	.00	.00	-22,350.92	.0%*
A1450 510010 Full Time	190,158	0	190,158	135,375.10	.00	54,782.90	71.2%
A1450 510020 Part Time/Temporar	129,138	-5,000	124,138	51,021.44	.00	73,116.56	41.1%
A1450 510030 Overtime Pay Only	0	5,000	5,000	2,186.73	.00	2,813.27	43.7%
A1450 520090 Computer	2,000	0	2,000	16.27	406.60	1,577.13	21.1%
A1450 520130 Equipment (Not Car	5,000	0	5,000	2,271.73	.00	2,728.27	45.4%
A1450 530551 Maintenance in Lie	27,223	0	27,223	22,239.00	.00	4,984.00	81.7%
A1450 540010 Advertising	2,000	0	2,000	157.43	.00	1,842.57	7.9%
A1450 540143 Election Inspector	85,000	0	85,000	2,804.00	.00	82,196.00	3.3%
A1450 540143 EV Election Inspect	15,000	0	15,000	4,140.00	.00	10,860.00	27.6%
A1450 540320 Leased/Service Equ	5,500	0	5,500	1,307.77	.00	4,192.23	23.8%
A1450 540390 Mileage Expense	900	0	900	215.45	.00	684.55	23.9%
A1450 540420 Office Supplies	3,000	0	3,000	497.52	.00	2,502.48	16.6%
A1450 540480 Postage	18,000	0	18,000	8,441.66	.00	9,558.34	46.9%
A1450 540485 Printing/Paper	1,500	0	1,500	216.38	.00	1,283.62	14.4%
A1450 540490 Election Expense	40,500	22,148	62,648	8,828.22	.00	53,820.16	14.1%
A1450 540550 Rent	3,000	0	3,000	.00	.00	3,000.00	.0%
A1450 540560 Repairs	0	203	203	202.54	.00	.00	100.0%
A1450 540620 Software Expense	63,700	0	63,700	51,865.00	.00	11,835.00	81.4%
A1450 540733 Training/All Other	8,700	0	8,700	5,525.29	.00	3,174.71	63.5%
A1450 581088 State Retirement F	20,662	0	20,662	27,366.64	.00	-6,704.44	132.4%*
A1450 583088 Social Security Fr	17,882	0	17,882	14,126.34	.00	3,755.82	79.0%
A1450 584088 Workers Compensati	7,347	0	7,347	7,982.11	.00	-635.41	108.6%*
A1450 585088 Unemployment Insur	0	3,066	3,066	3,066.00	.00	.00	100.0%
A1450 585588 Disability Insuran	271	0	271	200.97	.00	70.47	74.0%
A1450 586088 Health Insurance F	75,034	0	75,034	67,654.88	.00	7,379.00	90.2%
A1450 588988 Eap Fringe	88	0	88	99.43	.00	-11.63	113.2%*
TOTAL Elections	718,603	3,066	721,669	412,427.33	406.60	308,835.25	57.2%
TOTAL General Fund	718,603	3,066	721,669	412,427.33	406.60	308,835.25	57.2%
TOTAL REVENUES	-3,000	-22,351	-25,351	-5,380.57	.00	-19,970.35	
TOTAL EXPENSES	721,603	25,417	747,020	417,807.90	406.60	328,805.60	



Tioga County
YEAR-TO-DATE BUDGET REPORT

FOR 2023 09

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
GRAND TOTAL	718,603	3,066	721,669	412,427.33	406.60	308,835.25	57.2%
** END OF REPORT - Generated by wahls, James **							



New logo for Tioga County Board of Elections



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

September 21, 2023

VIA Email and USPS

Marly Hornik
NY Citizens Audit Civic Fund, Inc.
227 S Plank Rd.
Newburgh, NY 12550-2570
info@auditny.com
marly@auditny.com

CEASE AND DESIST NOTIFICATION AND DOCUMENT REQUEST

Dear Ms. Hornik:

The New York State Office of the Attorney General (OAG) has reviewed reports alleging that volunteers from the NY Citizens Audit Civic Fund have confronted voters across the state at their homes, falsely claimed to be Board of Elections officials, and falsely accused voters of committing felony voter fraud. These allegations, if true, could constitute unlawful voter deception under New York state law and unlawful voter intimidation under both state and federal law. You are hereby instructed to cease and desist any ongoing or contemplated voter deception and intimidation efforts, including instructing or otherwise causing volunteers to falsely represent themselves as government officials or falsely accuse voters of voter fraud. Voter deception and intimidation have no place in New York, and the OAG will use every tool at its disposal to protect New York voters.

Voters across the state have reported that individuals have visited them at their homes and accused them of criminal voter fraud. Their reaction has ranged from outrage to worry that their voting activity has somehow broken the law. OAG has seen no evidence that any of the complainants committed voter fraud or any other crime. Voters reported that many of the canvassers misidentified themselves as government employees, and some even reported being shown false badges or other identification. The OAG has seen evidence that the canvassers carried form documents prepared by the NY Citizens Audit and has reviewed evidence that your organization does in fact deploy volunteers to canvass door to door.

The New York Voting Rights Act (NYVRA) prohibits “deceptive...communication” that would impede a voter from voting or registering to vote. N.Y. Elec. Law § 17-212(1)(b)(ii). The NYVRA, section 18(b) of the federal Voting Rights Act, and section 2 of the federal Ku Klux

Klan Act, each separately prohibit voter intimidation through threats—including false accusations that voting activity could lead to criminal consequences. The OAG is authorized to enforce those laws and seek remedies against those who violate them. N.Y. Elec. Law § 17-212(2). In addition, there may be criminal liability for individuals impersonating a public official. *See* N.Y. Penal Law § 190.25(3).

The OAG is committed to promoting free and fair elections in the State of New York, including by protecting New York voters from false allegations that they have committed voter fraud. You are therefore instructed to immediately cease and desist from any further voter intimidation in New York State and to inform your volunteers that they may not impersonate government officials or harass and intimidate voters. You are further directed to comply fully with the NYVRA and federal law.

Within the next **five business days**, please contact the undersigned to confirm your compliance. Your failure to comply with this directive may result in further action by this office.

Additionally, the OAG requests that, by **October 2, 2023**, you provide the undersigned with the following documents:

- Communications since September 20, 2022, between NY Citizens Audit or any of its representatives and volunteers or paid workers engaged in door-to-door canvassing, including emails and text messages;
- Documents sufficient to show any instructions or training NY Citizens Audit or its representatives have given since September 20, 2022, to volunteers or paid workers engaged in door-to-door canvassing;
- Documents sufficient to show any instructions or training NY Citizens Audit or its representatives have given since September 20, 2022, to any person regarding the verification of voter registration information; and
- Communications with any third parties since September 20, 2022, concerning NY Citizens Audit's door-to-door canvassing operation, including emails and text messages.

Sincerely,

Lindsay McKenzie

Section Chief, Voting Rights

Rick Sawyer

Section Chief, Hate Crimes and Bias Prevention

Civil Rights Bureau

New York State Office of the Attorney General

lindsay.mckenzie@ag.ny.gov

richard.sawyer@ag.ny.gov

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -23 AMEND RESOLUTION NO. 246-23 AND
RESOLUTION NO. 247-23 REGARDING
EXTENSION OF GRANT TERMS
BOARD OF ELECTIONS

WHEREAS: The Tioga County Legislature adopted Resolution No. 246-23 and Resolution No. 247-23 on June 13, 2023, authorizing the appropriation and receipt of additional funds from the NYS Absentee Ballot Pre-Paid Postage Grant and NYS Technology Innovation and Election Resource (TIER) Grant, respectively; and

WHEREAS: The grant term end date of the Absentee Pre-Paid Postage Grant was indicated as 12/31/2023, and that of the TIER Grant was indicated as 01/28/2024; and

WHEREAS: The grant contracts were subsequently revised by the NYS Board of Elections at the direction of the NYS Office of General Services, resulting in an amended term end date of 03/31/2024 for each grant; therefore be it

RESOLVED: That the term end dates listed in Resolutions 246-23 and 247-23 are amended to 03/31/2024; and be it further

RESOLVED: That any available funds remaining of these grants on 12/31/2023 will be carried forward into 2024.