

Primary Election Day Report

September 14, 2010

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Southern New York (A)

Rockland

Ulster

Dutchess

Columbia

By: Phil Jorczak & Tarry Breads

Rockland County

Location Visited: Rockland County Board of Elections
11 New Hempstead Road
New City, NY

Introduction

Commissioners Ann Marie Kelly and Joan Silvestri reported that activities were progressing positively at the majority of poll sites in the county. Although the telephones were quite busy at the Board itself, preliminary indications at the start of the day seemed to be positive overall in Rockland County. Typical primary day issues seemed to constitute the majority of the initial trouble calls received. Commissioner Silvestri explained that the Board had run spots on cable, in an effort to educate the public prior to the Primary. The Board also distributed brochures entitled, *"Introducing the New ES&S intellect DS200 Optical Scanner,"* which outlined the steps for receiving, marking, inserting into the scanner, reviewing the screen, and successfully casting the ballot, along with tips for how to correctly mark the ballot.

Machine Technicians were scheduled to be "mobile" throughout the county for the entire day, to lend expertise and assistance wherever needed. The Commissioners identified their biggest concerns for the day as the activities related to opening and closing of the polls.

A sample brochure and a single-page voter handout were provided to us.

Location Visited: St. Augustine's Elementary School
114 S. Main St.
New City, NY

Overview:

Turn-out at this site was considered light at the start of the day. Inspectors were calmly attending to voters and the various steps in the process. Upon entering the site, visitors encountered a 4' sign entitled, *"Marking your ballot,"* to help familiarize voters with the process. An instructional video which ran continuously was also set up to assist voters in becoming more comfortable and knowledgeable concerning the new machines and how to use them. We noted that there was good signage overall, and the poll site was easily navigable. There were no lines of voters at the time of this visit and they were easily accommodated.

Inspector and Voter Feedback:

Inspectors indicated that they had voided 2 ballots early that morning, primarily due to confusion over the ballot layout regarding write-in candidates. When queried concerning incorporating the new forms into the existing process, Commissioner Silvestri spoke up and noted that the Rockland County Board had modified most of the forms from SBOE to more closely fit their local needs; Inspectors stated that the forms were “easy to use” and expressed no negativity or confusion in this regard.

Highlights

- Inspectors arrived at 5:15 AM to open the polls.
- Poll site opened on time.
- Time required for system boot-up, open poll tasks, logging security tag data, and completing the new forms was approximately 30 minutes.
- Election Inspectors felt that they were provided with sufficient training in the use of the new system and forms.

Location Visited: Street School Community Center
31 Zukor Rd.
New City, NY 10956

Overview:

Generally, Inspectors expressed positive comments concerning the various aspects of Election Day activities thus far. As a group, they seemed to feel that there were no real issues or problems which had arisen. Inspectors said that the new process and machines were “more efficient.” They noted only one spoiled ballot. Comments included, “It’s a piece of cake so far” and “Everybody seems happy, and is leaving with a smile.” However, some complaints were received regarding privacy, and how different the booths are from the curtained lever machines, expressing concern that the booths did not offer enough privacy. There were no lines of waiting voters, although a few people did enter the site while we were there and they were easily accommodated.

Inspector and Voter Feedback:

Election Inspectors arrived at 5:30 AM, and the poll site opened on time. The first vote was not cast until 6:20 AM. Machine Technicians performed most of the preparatory work, while Inspectors organized and distributed supplies and placed signs. There were no lines of waiting voters, and turn-out at the start of the day remained light. Poll Workers expressed some frustration with the tear strip on the ballot, as it was quite narrow, and was not perforated

sufficiently to enable a clean tear. One Election Inspector suggested that additional training on the proper technique for inserting the ballot into the scanner would be useful, as voters seemed to experience varying results with this step. Another Election Inspector was not clear on where a particular security seal was located on the AutoMARK. Commissioner Silvestri assisted in locating the seal.

Highlights

- Time required for system boot-up, open poll tasks, logging security tag data, and completing the new forms was about 30 minutes.
- Election Inspectors felt they had been provided with sufficient training in the use of the new system and forms, with the minor exception noted above.
- Election Inspectors thought the font was too small on the new forms. They would like to see more space for information to be entered.
- Some voters over-voted and requested a new ballot.

Location Visited: Rockland County Fire Training Center
35 Firemen's Memorial Drive
Pomona, NY

Overview:

Feedback was largely positive at this poll site. Voters, and voting activity thus far, were described by Inspectors as "Calm," "It's going smoothly" "It's faster" "Things are quiet – no problems" "Doing great" "Traffic is slow." Election Inspectors arrived at 5:30 AM to open the polls. Initially, there was a problem in that scanners were not delivered until 6:00 AM, thus delaying the opening of the poll site. As Commissioner Silvestri later explained, the scanners were locked in a closet at the poll site, and Inspectors did not have access to open it. Calls were made by the Commissioner, and ultimately, the closet was unlocked. The poll site opened at 7:00 AM. Voters had to vote by emergency ballot as equipment was booting up and being readied for use. During our visit, a few voters came in, but there were no lines, as they progressed fluidly through the process.

Inspector and Voter Feedback:

One issue which was raised related to the flyer that was being distributed to show voters how to vote using the new system. Entitled "Casting Your Vote! Optical Scan Voting with the ES&S intElect DS200", the one-page document described marking, scanning, and casting a ballot, and included information concerning voting for a write-in candidate. Inspectors felt that the layout

of the section for write-in voting was unclear, if not outright confusing, to voters. When we arrived, they had already made the decision to stop distributing this document, and were instead providing instructions to each voter individually as they arrived. Inspectors stated that “People are misreading” where to mark the ballot due to the layout of the write-in slot and the information provided in the flyer. Another issue raised was the difficulty with tearing the ballot from the booklet, and it was suggested that insufficient perforation was a problem. One ballot had been voided due to this problem by the time that we arrived.

Highlights

- Time required for system boot-up, open poll tasks, logging security tag data, and completing the new forms was approximately 25 minutes.
- Inspectors stated that they were provided with sufficient training in the use of the new system and forms, although more training would have been helpful since it is still new to them.
- Some voters commented that the ovals on the ballot were too small and too light.
- No magnifying screens were available at this poll site.

Location Visited: Rockland County Board of Elections Voting System Warehouse
100 Rt. 59
Airmont, NY 10901

Summary

Commissioner Silvestri escorted us to their voting system warehouse. Security there included card scan entry (which records all card swipes) with security cameras monitored (onsite) by County Board staff. Access to the warehouse is limited to the two Commissioners, their Deputies, and two Machine Technicians. A storage room with double locks had been set aside for ballots. Voting machines had already been deployed for the election, and the warehouse was nearly empty. The Commissioner discussed their planning for electrical outlets, which maximized access to a power source for testing the machines and minimized trip hazards, etc. A “command central” room was created, where staff monitors security cameras, fields calls, and manages various organizing activities. Appropriate work space was identified for the upcoming recanvass and audit functions, and it was obvious from our discussion with Commissioner Silvestri that the Board had devoted significant thought and planning to these upcoming tasks.

Ulster County

Location Visited: Ulster County Board of Elections
284 Wall Street
Kingston, NY

Introduction

As Commissioners Thomas Turco and Kathleen Carey-Mihm were out visiting poll sites when we initially arrived at the Board, we spent a significant amount of time talking with Deputy Commissioner Jay Mahler, as well as 4 of the Machine Technicians. They stated that all poll sites had opened on time this morning. “Minor” boot-up issues were noted, which the Machine Technicians attributed to impatience, rather than actual machine malfunction. Apparently, Inspectors were not holding in the power button long enough for the system to power up.

At two of the poll sites all of the security seals had been mistakenly removed from the systems during set-up, and the Commissioners were on-site there to re-educate Machine Technicians in this regard. The technicians mention a continuing problem of the platen on the thermal printers becoming unseated during transport from storage which was therefore causing the paper jams. Generally, problems thus far were identified as “minor, minor issues” that were reflective of typical Election Day challenges, irrespective of new systems, forms, or processes. Machine Technicians stated that of the difficulties which arose, there were more “people problems” than machine issues.

Commissioner Carey-Mihm identified the “big issue” of the day as the difficulty in reading the font on the ballot. Additionally, Deputy Commissioner Mahler noted that 2 ballots had been spoiled due to excess ink from marking the ballot which the machine then smeared when the ballot was inserted for scanning. She also noted that there had been some confusion about removing and replacing security seals in some locations.

To help prepare voters for Election Day, the County Board had developed and distributed a brochure, entitled “Ulster’s County’s New Voting System – Easy as 1 2 3.” The brochure described and illustrated the steps voters would need to follow to properly cast their vote.

We inquired about whether or not the Board had heard from Election Inspectors or other Poll Workers about difficulties tearing the ballot from the ballot booklet. Deputy Commissioner Mahler stated that the most effective technique for removing the ballot from the booklet had been emphasized in Poll Worker training, and thus it was their expectation that there would be few problems in this regard. Election Inspectors had suggested that additional training, focusing on opening the polls, might be valuable.

A sample brochure and specially designed privacy sleeve were provided to us.

Location Visited: Ulster-Greene ARC
471 Albany Avenue
Kingston, NY

Overview:

Commissioner Turco and Deputy Commissioner Mahler escorted us to this poll site. As we arrived, Commissioner Turco noticed that some security seals were missing from the voting machine. He questioned the Election Inspectors and found that one of the Machine Technicians had arrived earlier that morning and removed the seals without explanation. The Commissioner and Deputy had the Election Inspectors review the procedures for re-sealing the machine and complete the tasks accordingly.

Inspector and Voter Feedback:

Election Inspectors arrived at 11:15 AM and the polls opened on time. The Election Inspectors indicated that they were provided with sufficient training in the use of the new system and forms, although more training would have been useful.

Highlights

- Time required for system boot-up, open poll tasks, logging security tag data, and completing the new forms was approximately 40 minutes.
- Some voters thought the ovals on the ballot were too small and light.
- A few people commented that there should have been information about the new voting system in the local paper. A demonstration of the new voting procedure on local television stations would have been helpful too.

Location Visited: Mid-Town Neighborhood Center
467 Broadway
Kingston, NY

Overview:

Voter turn-out was light at this polling place, as had been reported at other sites visited this day. Election Inspectors reported that the site had opened a few minutes late, due to difficulties with printing the machine tape, although solutions were promptly found. Only a couple of voters came in while we visited the site.

Inspector, Poll Worker, & Voter Feedback:

Issues raised by voters primarily had to do with the faintness and small size of the print of the oval on the ballot. Generally, the Election Inspectors saw little to no problems during the day, and their assessment included the comment that the new process was "... quick and easy." Poll Workers acknowledged that they did experience some slight resistance to change from voters who verbalized their preference for lever machines. However, the Poll Workers seemed to absorb this feedback with calmness and understanding, commenting to us about the difficulties of change.

Highlights

- Time required for system boot-up, open poll tasks, logging security tag data, and completing the new forms was approximately 35 minutes.
- Election Inspectors and Poll Workers arrived at 10:45 AM.
- Some voters commented that the ovals on the ballot were too small and light.

Dutchess

Conducted by: Phil Jorczak and Tarry Breads

Location Visited: Dutchess County Board of Elections
47 Cannon St.
Poughkeepsie, NY

Introduction

We met with Commissioners Fran Knapp and David Gamache. They reported that “overall” things were going really well thus far. Commissioner Gamache elaborated by saying that everything “...has gone better than you could reasonably expect given the resources.” This Board has experienced a 1/3 cut of their training budget by the legislature, resulting in the loss of four full time employees. Commissioner Gamache also noted that the county is geographically wide, with sometimes broadly dispersed poll sites, a factor that becomes important on Election Day, when additional support is required at various locations.

The most significant issue, in the view of the Commissioners, was the smudging and bleeding through caused by the pens used to mark ballots. This resulted in extraneous marks, creating a problem when voters cast their ballot. When this trend emerged, Poll Workers were advised by the County Board to switch to different pens. Also noted were issues with memory card failure at boot-up. This was addressed by Dominion technical staff going to the site (with county board personnel), to replace the memory cards. One scanner was “making a noise”, and had to be swapped out. The Commissioners were also aware of some instances of voter privacy concerns being raised in a few locations.

Commissioner Knapp expressed particular frustration with Poll Sites located at firehouses. She explained that this is historically an issue in their area, and one which they have worked consistently to address over time, to no avail. Steps taken in this regard have included the fostering of poll site agreements and writing of letters.

To prepare voters for the new systems, the Dutchess County Board developed and distributed a brochure entitled, “How to Vote Using Optical Scan Voting Machines.” Topics addressed in the brochure include signing in and receiving the ballot; marking the ballot; scanning the ballot; as well as an overview of optical scan voting, and the Help America Vote Act. A sample copy was provided. Additionally, the Board’s website contains an educational video introducing the new voting system. It can be found using this link: <http://www.dutchesselections.com/#demo> .

The Commissioners referred us to specific poll sites for visits; details follow.

Location Visited: Poughkeepsie Town Hall
1 Overocker Rd.
Poughkeepsie, NY

Overview:

At the time of our visit to this location, turn-out was reported as light, with a total of only 94 voters in the site so far. This poll site opened approximately 10 minutes late, which Poll Workers attributed to organizing issues, such as the need for more clear markings on supply bags. Security seals were reported as being “in the right places.” The difficulty with marking pens arose at this site, as it had with some others. Inspectors experienced no problems with the method for removing ballots from the booklet. Generally, the feedback indicated that everything was “...working fine” with a few minor exceptions.

Inspector, Poll Worker, & Voter Feedback:

Inspectors and Poll Workers stated that they felt the training provided on the new system and new forms was sufficient. They did note some challenges in inserting ballots into the scanner, and an inconsistency in that the direction for doing so successfully seemed to vary. Voter feedback which was less positive centered on what they considered to be typical Election Day types of issues, such as being unable to locate a voter in the poll book. We noted that there were visual displays inside the privacy booths, in the form of pictures and instructions for using the new systems, marking a ballot correctly, etc.

At this site, the Poll Workers were especially keen to share suggestions for improvements. They recommended using ergonomic pens, to make it easier for elderly and disabled voters to grip. Also suggested was the provision of additional magnifying sheets, for those with visual impairments to use. In turn, we encouraged Poll Workers and Election Inspectors to share their ideas with the County Board, who is responsible for purchasing supplies for poll sites. Only a few voters arrived during our visit.

Highlights

- Time required for system boot-up, open poll tasks, logging security tag data, and completing the new forms was approximately 30 minutes.
- Election Inspectors and Poll Workers arrived at 11:25 AM.

Location Visited: Hyde Park Town Hall
4383 Route 9
Hyde Park, NY

Overview:

We were fortunate to encounter an Inspector Coordinator at this site who had contact with all of the polling sites and could offer broad feedback on comments and his assessment of the day's activities, which he categorized as "Smooth so far." Additionally, we spoke at some length with Election Inspectors, who collectively indicated that activities were progressing well. Voter feedback to Poll Workers was described as minimal, and one Poll Worker said that it's "...a pretty good day today." Several voters came in while we were at this site, but there were no lines and they progressed smoothly through the process.

Inspector, Poll Worker, & Voter Feedback:

One voting machine glitch was noted, and resulted in the need for new chips to be installed. Voting at this site could not take place until after 2:00 PM, and emergency ballots were used in the interim. A technician was dispatched to the site. One security seal was missing at start-up, and the County Board was contacted for instructions. Difficulties caused by extraneous marks from the over-bleed on the pens were also noted in this county. One Poll Worker remarked that the scanner was "temperamental" in that ballots had to be inserted more than once, at times, before they went through. Voter feedback was described as "minimal" and no real negatives were reported. Gray areas on the ballot and a "busy" visual field were a concern for the elderly and some other voters. The Inspector Coordinator (former graphic designer) felt that the party emblems on the ballot created a bit of confusion and clutter, complicating voter understanding of the individual races. He noted that senior citizens appeared to be well able to utilize the new system, and based on what he had seen today, he did not expect it to be a problem for this demographic. One Inspector commented that the poll-worker manual supplied by the CBOE was fantastic and provided a step-by-step guide that was easy to follow.

Highlights

- Time required for system boot-up, open poll tasks, logging security tag data, and completing the new forms was approximately 35 minutes.
- Inspectors arrived at 11:30 AM.
- Election Inspectors indicated that they need more than one-half hour for the set-up of machines before the opening of the polls.

Columbia

Location Visited: Columbia County Board of Elections
Columbia County Office Building
401 State Street
Hudson, NY

Introduction

Both Commissioners were extremely busy as the close of polls neared, with Commissioner Virginia Martin providing oversight at the Board, and Commissioner Jason Nastke at poll sites. Deputy Commissioner Hilary Hillman, however, was able to take a few moments to talk with us concerning the day's events. She stated that "Absolutely everything" started on time in the county. Turnout had been "very light." Incoming calls from poll sites primarily related to implementing the new procedures. Feedback from Poll Workers and voters indicated that the type font was too small; lines separating races/contests were too light and needed better delineation; and the print on the oval was too faint. Inspectors were experiencing some issues tearing ballots out of the booklet, and believed that the perforation needed to be deeper in order to alleviate this problem in the future. This Board also created a video to help educate the public. Entitled, "*Sequoia/Dominion ImageCast Voting Machine Video*" it is available on their website: <http://www.vote-ny.com/english/machine-sequoia.php>

Location Visited: Columbia County Office Building
401 State Street
Hudson, NY

Overview:

This site was useful for observation of closing polls activities, since it is co-located with the Board at the County Office Building. This arrangement permitted us to visit the Board, go to the polling place just before the close of polls, see the close of polls tasks undertaken, and then to return to the Board to witness some of their activities at poll closing. There were just a few voters coming in to this site before the polls closed.

Inspector, Poll Worker, & Voter Feedback:

As was the case throughout the day, the feedback from this site was also positive. Poll Workers stated that "People were enthusiastic" about using the new voting system. They did note,

however, that the ballot bags were too heavy, and this posed a new challenge for them. They also mentioned that voter turnout had been light, with only 44 voters having been to the polls by the time we arrived there in the evening. We noticed that a large poster with voting instructions was affixed inside of each privacy booth. Election Inspectors were relaxed and friendly, eager to assist voters. At polls closing, there was a small amount of confusion concerning next steps. However, after a brief pause, one of the Poll Workers suggested consulting the Poll Worker Training Manual which the Board had recently developed. This provided the information that they needed, and the required next steps followed promptly thereafter, with the group working together cohesively as a team to produce results tapes; organize official documents (such as the security seal/tag report and chain of custody form), memory cards, and ballots, for return to the Board, and then powering down the system and packing up the materials and supplies.

Highlights

- Time required for system boot-up, open poll tasks, logging security tag data, and completing the new forms was approximately 55 minutes.
- Election Inspectors and Poll Workers arrived at 11 AM and the polls opened on time.

Southern New York (B)

Nassau

Suffolk

Westchester

By: John Ferri

This report details the account of visits to three counties, Nassau, Suffolk, and Westchester on Primary Day September 14, 2010. The report is detailed by county and includes information with regards to County Board processes and poll sites alike. The sub-sections of each County reported on are as follows:

- CBOE Pre-election activities
- CBOE Storage facilities
- Poll sites
- Inspectors and election day workers

In addition to the above, the last county visited (Nassau) includes an account of centralized accumulation of the vote tally as witnessed by myself after the close of polls.

Additional documents have been collected for this report and include: candidates and party representative schedules, canvass forms, poll site layout info and ballot instructions.

Westchester County

CBOE

I arrived at the county board at 5:30 am on September 14 where I had a brief meeting with both deputies (Jeannie Palazola and Nancy Meehan). We discussed issues encountered with board staff and technicians getting ready for the election, public schedules and the overall feedback by candidates and representatives.

No major issues were reported with regards to pre-election testing by the deputies, of course it is important to note that I did not have the opportunity to speak to any of the technicians. I did however get to speak with Peter Palmieri of the staff a few weeks earlier with regards to test deck markup who did not report anything negative at that time.

I did collect candidate schedules and a canvass form used by the board. One particular issue reported by the board is that the printout of results (machine tape) does not include row/column designations 1a, 1b, 1c etc. making end of night canvassing of votes cumbersome.

The board did not log any comments by candidates nor party representatives.

I did not get the opportunity to visit the warehouse storage facility therefore cannot comment on the storage or security at the facility.

I was provided with directions to two poll-sites near the board with accompanying floor plans (see attached)

Poll Site 1

Thomas Slater Center, Community Room 2, Fisher Court, White Plains

Polling place ED #38

I arrived at the Slater center at 5:50 am, the doors were locked and poll-workers were outside waiting for building to be unlocked. The building was not open until 6:10 am at which time the poll-workers in a very nonchalant fashion attempted to setup the site. It was quite obvious that there was a lack of training as they tried to figure out how to setup the poll site. The floor-plan was of no value to them and a privacy booth was thought to be a flat panel TV. The whole experience seemed to be a first run for them. I did provide some assistance with the setup of the privacy booth. The site did not open until 7am

The use of the seals tracking forms was non-evident, as the seal information was captured on a note pad.

Space appeared to be quite adequate and well lit - more than ample for one election district (#38). There were no voters present at the time of my visit, to offer any comments.

Poll Site 2

The Presbyterian Church - 39N Broadway, White Plains (church house).

EDs served: 23 & 30

My visit to the second site in Westchester County was quite a different experience. The first thing observed was the signage for the sight, which was excellent. The poll site serves two election districts. The floor-plan was followed consistently. Site offered ample lighting, space and traffic flow. Poll workers arrived between 5 and 5:30 am allowing for a timely opening.

The security tag information was captured on a notepad, as in the first site. Official seal form usage was not observed.

There were no lines or waiting at the privacy booths or scanners. Minimal assistance was asked of the inspectors by voters. This center serves a large contingent of seniors from a housing center next door. Poll-workers were very pleasant and generally accommodating.

Comments for the voting experience were generally favorable from the voters polled. The scanner "was very easy to use," commented one voter.

Suffolk County

CBOE:

I arrived at the Suffolk County Board of Elections at 10 am where I was greeted by Anita Katz, Tom Knobel and Vijay Kumar. I was escorted after attaining a security badge to the warehouse (one of four on site) where I asked for copies of letters that had gone out to candidates and party representatives. I was also provided a copy of a canvass report. I had an in-depth conversation later with Vijay regarding the issues encountered in setting up the election. (see below). There were no comments logged by candidates or party representatives.

The facility itself is very large and accommodating with lots of lighting (both natural and fluorescent). Space allows for setup of machines and for associated tasks to be performed in an un-inhibited manner. Several police officers were at the site at the time of my visit. Badge usage and sign in ledgers were also used.

All audit and re-canvass work is done at the warehouse.

Issues encountered in pre-election as reported by Vijay Kumar, include:

- Concerns with the number of ballot styles system can handle (apparently county has met this threshold).
- Random failures outside scope of pre-election testing: ibuttons and ibutton readers, battery failures.
- Issue with test deck methodology, opening and closing polls several times, the daunting amount of work and the small time frame in which to complete it.
- EMS tape not producing row/column designations 1a, 1b, 1c makes canvassing results difficult.

At the close of my visit, the Board provided me with maps and driving directions to two nearby poll sites.

Poll Site 1

Yaphank Firehouse - 31 Main Street, Yaphank NY

2 EDs served

Poll site coordinator reports no issues with opening of polls - opening was on time. The inspectors appear to be well versed in their specific duties and were very accommodating.

Seal forms were properly used at this site with no issues.

Systems booted up on time with no issues.

Voter reception and comfort level high as reported by poll site coordinator although turnout was quite low. At noontime, 40 voters total showed up, split between the two precincts.

The site had plenty of space, light and parking. This poll site had more than enough privacy booths (about 1 dozen).

The voters required minimal assistance, and when assistance was required it was for proper marking procedure.

Poll Site2

Longwood Middle School - 198 Longwood Road, Middle Island, NY

4 EDS served

Poll site coordinator Erna Rowe reports no issues with poll site opening although she found paperwork a bit daunting. Coordinator very satisfied with the level of training received. Proper seal forms usage was observed.

The machines booted up without a hitch.

The general reception by the voters was positive.

The site is a small gymnasium with adequate space although lighting left a bit to be desired. Parking allowed for more than adequate space although signage to poll location was a bit confusing.

50 voters had voted at the location as of 1:30 pm split among the four precincts

This site like the other poll location I visited had more than an adequate number of privacy booths (approximately 12).

Assistance required by the voters was minimal, if any. There was a voter at the site at the time of my visit, who indicated they had a favorable experience with the process.

Nassau County

CBOE:

I arrived at the Nassau County Board of Elections at approximately 3:30 PM where I met with Deputy Commissioner Carol Busketta. We had a discussion regarding the procedure for reading in results centrally - specifically how, when and where it would happen. She stated that all results would be read into the central accumulation software from the election management system located in the warehouse. The warehouse for the board is located in the old CBOE building located behind their current office location (County Government Center). The facility itself is made up of several large bays with loading docks servicing each bay. The bays themselves are caged, providing for physical security. An inner office provides a dust-free location for the EMS computers and peripheral devices.

All election-related activity occurs in this location, such as audits, re-canvass etc.

From the warehouse facility I made my way to a poll location in the County Government Center.

Poll Site

County Government Center located at 240 Old Country Road, Mineola, NY

As I approached the site the first thing I observed was that seals were missing on the ballot box doors on the scanners at this location.

Poll-workers report a timely opening with minimal issues encountered.

Inspectors report a coordination of efforts (working as a team) setting up helped facilitate poll opening in an expedient fashion. Security tag seal reports were proper and of the type recommended by SBOE.

Poll location is in a large vestibule area in the base of the County Office Building, offering a large, well lit and unencumbered space.

Poll-workers were very knowledgeable in the use of systems and offered that training was proper and complete.

Like the other poll locations visited, turnout was very low. Voters' responses were generally favorable with minimal assistance required from inspectors.

There was one spoiled ballot while I was there and one over-voted ballot which the voter insisted be cast as-is. Otherwise, voters did not report any issues with either marking or casting ballots.

Privacy booths were adequate at this location.

Election Night Reporting

Nassau County Board of Elections conducted central accumulation of vote results via the poll-stick media being read into the Election Management System (EMS) reporting module. Results were read in on election night, as media was delivered to the Board, and I had the privilege to witness the tally. Poll-stick media and tapes were transported in small, sealed security pouches. The local police department was charged with transporting media bags back to election central (warehouse). At 10 pm, the first bags started to return. Police cruisers would pull up behind loading dock area, a police officer would then walk the media to a table where a BOE staff person would check it in. The security pouches would then pass into a secure, caged area. The bags were then unsealed and stripped of their contents (poll media, tapes etc.). The process happened in assembly line fashion: media was placed in a small container which, when full, would be walked over to the read station in an adjacent room where the EMS is housed. Poll bags were placed in plastic storage bins. Ballots were not returned on election night due to cost (overtime for police).

Over the course of the next hour or so, poll-bags started coming in at greater frequency, and an additional table with Board staff was set up to handle the extra load. The entire process worked in a fluid and efficient manner. As media was read in, empty containers would be returned to the receipt area to be refilled with more poll-sticks. This activity continued until all media was read in. I did not witness the entire event as it did go late into the night.

Summary

In closing, it should be noted that my visits were devoid of any real Election Day machine issues or failures. I did not witness or hear of any; however training issues were prevalent at the first poll-site visited in Westchester County. Space, traffic flow and voter privacy concerns seemed to be alleviated, which I would attribute to lessons learned from reports produced after the

2009 Pilot Project, as the three counties I visited did not participate in the pilot project. Most sites were sufficient with regard to space, and most were well lit and offered good privacy. All sites offered privacy sleeves to voters. BMD terminals were in plain view and accessible, with all voter assistive devices available.

Comment

County Boards of Elections should make certain that inspectors and poll workers are clear on their missions and that training is both comprehensive and comprehended by their poll workers.

Northern New York

Clinton

Essex

Warren

Washington

By: Kevin Doyle

These Primary Day visits were to poll sites in the Northeast part of the state to observe the September 14th elections in 4 counties: **Clinton, Essex, Warren and Washington**. These counties did not participate in the 2009 Pilot Program therefore these counties were using the optical machines for the first time. Voters were working through a lot of new issues. For the vast majority of voters, the reactions were positive. Again and again I was told “that was easy!” There were very few reports of negative comments concerning the voting experiences. Observations and suggestions are described below.

Clinton County

Plattsburg – City Hall

11:00

Set-up:

Medium-sized room. Limited space for 3 long inspector tables, 8 free-standing privacy booths and a BMD/Scanner.

Some poll workers arrived before 11 o'clock. Just the same, it was close to 11:30 before the group started the process of getting the voting machine activated. The poll site manager made sure all 9 poll workers were gathered around the voting machine for each step of set up so they would be familiar with the process for the General election.

Privacy:

Some difficulty in situating privacy booths around room to avoid traffic flow near or behind booths or close to Scanner.

Issues:

Old building with 2-prong electrical outlets (the BMD/Scanner has a 3 pronged plug). A poll worker was able to find an adapter, but there was only one place in the room that was near enough to an outlet and still be practical for the traffic flow... a corner spot. They used an extension cord connected to the power source on the BMD side. They had to arrange an entry and exit path for wheelchairs that would not cross the cord.

About 3 minutes before poll site was to open, inspectors discovered that the machine had a ballot count of 27 votes (probably test ballots). They phoned the County Board and were told

that they would have to use “paper ballots” for the rest of the day. Voters were issued regular ballots upon which they marked their choices and deposited the ballot into the emergency slot in the front of the BMD/Scanner machine. These ballots were hand counted when the polls closed.

Notes:

Several dozen people were there to vote precisely at noon.

Clinton County

Plattsburg – Margaret St

12:30

Set-up:

Medium-sized room. Plenty of space for 2 inspector tables, 4 free-standing privacy booths and one BMD/Scanner.

Inspectors arrived at 11:00, and the site opened on time.

Privacy:

Inspectors situated all the privacy booths in the room to avoid traffic flow behind the free-standing booths or close to the voting machine. Well planned for privacy.

Issues:

BMD – question about which way to face the scanner side (not to disenfranchise the disabled voter). Inspectors checked with the Clinton County BOE and the scanner was pointed in the right direction.

Scanner screen showed this message: “AVS not connected”. Disabled voters would not be able to use the BMD. It turned out to be a faulty connection of the AVS cable. The cable was reconnected later in the day, so the BMD was available for use.

No waiting for scanner.

Clinton County

Town of Plattsburg – Banker Street

1:45

Set-up:

Small-sized room. Enough space for 2 inspector tables, 2 privacy booths and one BMD/Scanner.

Inspectors arrived at 11:00. Site opened on time at 12:00.

Privacy:

Inspectors placed their privacy booths in such a way as to have good separation between the individual booths. Additionally, booths were placed with backs near a wall. They were able to avoid traffic flow behind booths or near the voting machine. Well situated for privacy.

Issues:

Running smoothly

Notes:

Some voters expressed satisfaction with ease of using the new voting machines. “No negative comments”.

30+ voters had been in this site at the time of my visit.

Clinton County

Town of Peru – St Augustine Church

2:15

Set-up:

Large church hall. Plenty of space for inspector tables, privacy booths and voting machines.

Inspectors arrived at 11:00. Voting opened on time at 12:00.

Privacy:

Easily able to avoid traffic flow behind privacy booths and near voting machines

Issues:

One machine showed 14 votes already cast (test ballots in machine). CBOE helped them zero out the election and open the machine for voting. A poll worker stamped "Void" on test ballots recovered inside the machine before zeroing out the machine and opening it for voting. They were able to use the machine within the first 10 minutes.

Notes:

- 1) "Ovals hard to fill in for the older voters"
- 2) "Lines on ballot between the contests were hard to distinguish. At least one voter mistakenly voted in the wrong contest (discovered when his ballot showed over-vote). Inspectors recommended to their Election Board that a bold line appear between contests.

Essex County

Elizabethtown – Town Hall

3:00

Set-up:

Very small space. Barely enough room for one table, one BMD/Scanner and a cylinder shaped privacy booth.

Inspectors arrived at 11:00. Opened polling place for voting on time (12:00).

Privacy:

Considering the limiting space issues, this polling place provided fairly good privacy solutions. The privacy booth was a 6 ft standing cylinder divided by walls into 90 degree voting spaces each with a pie-shaped writing table, a chair and a curtain. The BMD/Scanner was potentially in the traffic flow, but the poll workers were coping by managing the timing of voters using the machine.

Issues:

The privacy booth tables were somewhat low for older voters (especially those with walkers or canes).

Ballot ovals were small and hard to fill in for older voters

Contest division lines not bold and resulted in several over-votes.

Ballots hard to read – said they needed some sort of magnifier (several voters made use of one of the poll worker’s reading glasses to be able to make out the candidate’s names).

Difficulties in getting the ballots out of the privacy sleeves and into the scanner.

Distance marker was distributed to the poll site on a wood stake. Poll workers were not able to pound it into the ground and had to lean it against a telephone pole.

Notes:

Few negative comments... many positive comments such as “that was easy”.

Essex County

Westport – Town Offices

3:30

Set-up:

Medium-sized room. Enough space 2 inspector tables, 1 free-standing cylinder privacy booth and one BMD/Scanner.

Inspectors arrived at 11:30. Opened polling place for voting almost on time at 12:03.

Privacy:

Easily able to avoid traffic flow around privacy booth and near the voting machine.

The poll worker who was monitoring the scanner made a point of preemptively educating each voter about how to use the scanner before allowing them to cast their vote.

Issues:

One voter experienced buzzer sound in the scanner while trying to cast their ballot. Machine monitor figured out that the “Cast” button needed to be pressed.

Privacy booth table was too low for some of the voters. Those with walkers had an especially difficult time.

Notes:

Voters were pleased with the voting machine. Comments such as “Oh that was easy” were prevalent.

Poll workers made a point of complementing their own training.

Sheriff was picking up media after close of polls and was going to bring it to the County Board of Elections.

70 voters by the time of my visit.

Warren County

Chestertown – Town Meeting Hall

4:30

Set-up:

Large-sized room, but not quite enough space for 4 inspector tables, several folding voting tables with 3-part privacy screens (3 to a table), several free-standing privacy booths, 3 Scanners and one BMD/Scanner.

Inspectors arrived between 11:00 and 11:30. Opened polling place for voting on time at 12:00.

Privacy:

3-fold privacy booths were placed 3 to a table, all facing the same way. Difficult to maintain the sense of privacy with voters sitting so close together and passing behind each other to sit down.

The Scanner monitor called my attention to how close his machine was to the traffic path making it a privacy issue.

Issues:

Free-standing privacy booth was wrong height for older voters using walkers

Inspectors discovered that one voting machine had a ballot count of 1 when machine was turned on. A county BOE worker was able to close the poll on that machine, zero out the count and open a new election with a starting count of 0.

Scanners did **not** accept ballots facing in all directions. Voters/Inspectors were only able to get the scanners to accept ballots facing in one direction. Advised the poll worker to make this known in the election log book so that the County BOE could review the particular ballot and determine why this irregularity was happening. NYSBOE has had other cases of this happening and in each case it was traceable to the ballot; the size of pointing image, irregular timing marks or instructions on the back side of the ballot without a proposition or marking space.

Sign-in tables were "too crowded".

Voting machines rejected some ballots for extraneous printed marks. One set of ballots had a smudge printed on every page of the ballot book.

Many ballots were kicking back in the scanners. After reinserting, however, the ballots were accepted.

One piece of the privacy sleeve got lodged in a scanner causing a jam.

In checking the seals of one machine in the start-up process, one of the seal #s did not match the paperwork. The poll worker said they made a note of this in the election log book.

Poll workers mentioned that many voters were unfamiliar with how to mark the ballot oval, and used check marks, dots and marks outside the lines.

Notes:

Some poll workers made a point of mentioning that generally speaking, the voters were having a good experience with the voting process, despite issues noted above.

Warren County

Queensbury – Firehouse 1

8:00

Set-up:

The assembly room was very large with ten districts at this site. Many voter sign-in tables (one for each ED district), many voting tables with 3-fold privacy screens, and at least a dozen scanners (one machine for each district).

Privacy:

There were many tables with privacy screens making it very easy to vote without anyone needing to walk behind voters. Also there were many voting machines along the wall, out of traffic and well separated.

The only privacy issue I heard about was of a voter who cast their ballot and walked away from the machine not realizing that their ballot had been rejected and returned by the machine. The poll worker immediately followed them to their car to inform them about their ballot, only to have another voter start yelling at them for the lack of privacy. The poll worker entered this episode into the election log.

Issues:

Small signs were placed on each voting machine to direct voters to the proper machine for their voting district, but these signs were hard to read. There were several incidents of voters entering ballots into the wrong machines and having them rejected (correctly).

Some ballots were rejected for extraneous marks but were immediately accepted when entered a second time.

Several poll workers commented on the difficulty of reading the ballot. Need to make a magnifying glass available at future election.

Ovals hard to mark for a number of voters.

Notes:

Poll workers commented on how good their training was. They especially commented on how useful it was to have the training right before the election.

Washington County

Fort Edward – Town Hall

8:45 I was there for poll closing and media pickup.

Set-up:

Voting took place in a small court room; one BMD/scanner, one free-standing quad privacy booth, one 3-fold privacy booth and one table for sign in. 4 poll workers.

Poll workers arrived about 11:00

Privacy:

Privacy booth and voting machine were isolated enough to prevent voters and inspectors from walking behind those marking or scanning ballots.

Issues:

The font size was too small for a number of voters.

Darker dividing lines between contests would have been helpful.

A voter complained about his privacy being impeached when a poll worker asked “which party” at the sign in table (to check the registration book).

Notes:

Voters who expressed opinions did like the voting machine.

4 spoiled ballots – over-votes.

Media picked up by police office @ 10:15pm.

Approximately 70 voters in this site for the whole day.

Overall Observations:

There were at least 4 sites with machines not ready when polls were to be opened, because the machines had not been closed out prior to the election. Ballot counts were showing on some of the machines when they were turned on.

Privacy: Some poll sites allowed traffic behind voters marking ballots or near the voting machines while a voter is casting a ballot. Most had figured ways to position machines that prevented anyone from passing behind a voter.

Seating at some privacy booths was too low for some of older voters (especially when they were using walkers).

Many sites mentioned voter comments concerning the ballots being hard to read.

There were many comments regarding voters being unclear as to how to correctly mark the ballot.

Older voters seemed quite relieved that voting turned out to be so much easier than they expected.

Recommendations:

Consider having poll workers arrive at least an hour before polls open instead of 30 minutes (as in some counties)

Redesign ballots to establish bold lines between contests. Many sites complained of over-votes and voter difficulty in distinguishing the boundaries of certain contests.

There are inexpensive plastic magnifying strips that some of the pilot counties used last year to help voters read small print. This might help solve the “small print” issue.

Folding 3-part privacy screens (that sit on folding tables) should not be placed side by side unless the middle screen is facing the opposite direction.

Western New York

Cattaraugus

Allegany

Wyoming

Livingston

By: Sean Nealon

Cattaraugus County

- **Yorkshire Fire Hall, 12211 Church St., Yorkshire, NY 14173 (Open Polls, 12:00 Noon)**

Estimate of number of voters (at the time of visit, 11:00am): 10

Estimate (from poll workers) for setup time for machine/s: 30 minutes

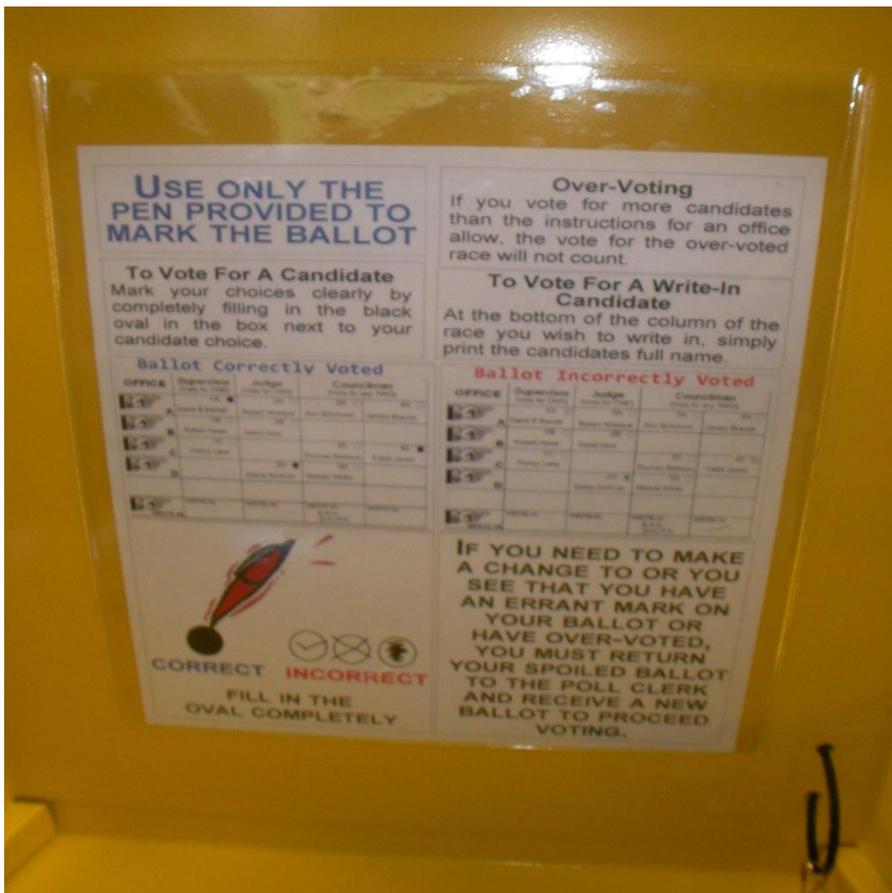
Voter comments: "Straight forward", "Mail, and directions at poll site very helpful".

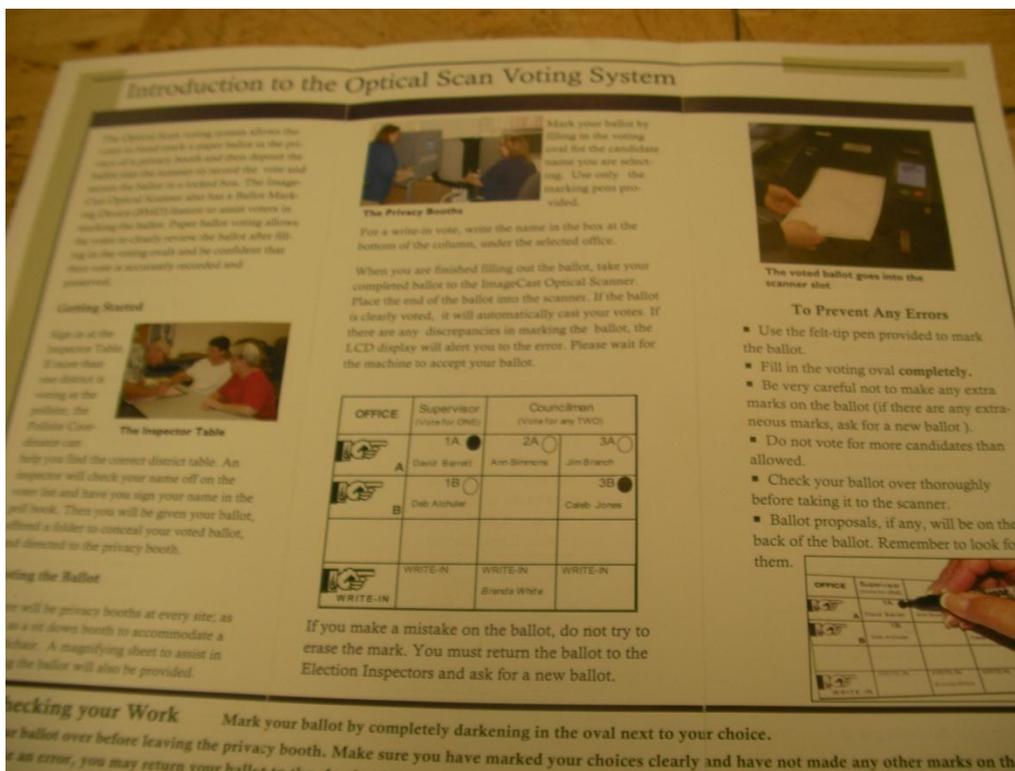
Issues mentioned: None.











- **Farmersville Fire Station, 980 Elton Rd (Co. Hwy 21), Farmersville Station, NY 14060**

Estimate of number of voters (at the time of visit, 1:00pm): 6

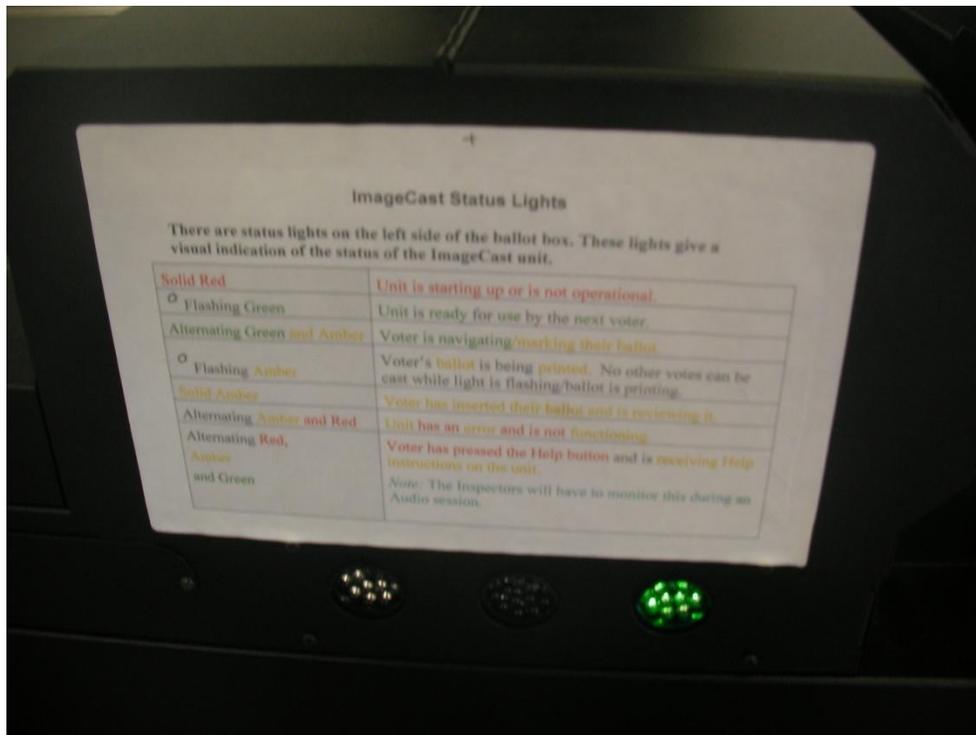
Estimate (from poll workers) for setup time for machine/s: 15 minutes

Voter comments: "No problem", "Easier than thought".

Issues mentioned: None.









- **Bethany Lutheran Church, 6 Leo Moss Dr, Olean, NY 14760**

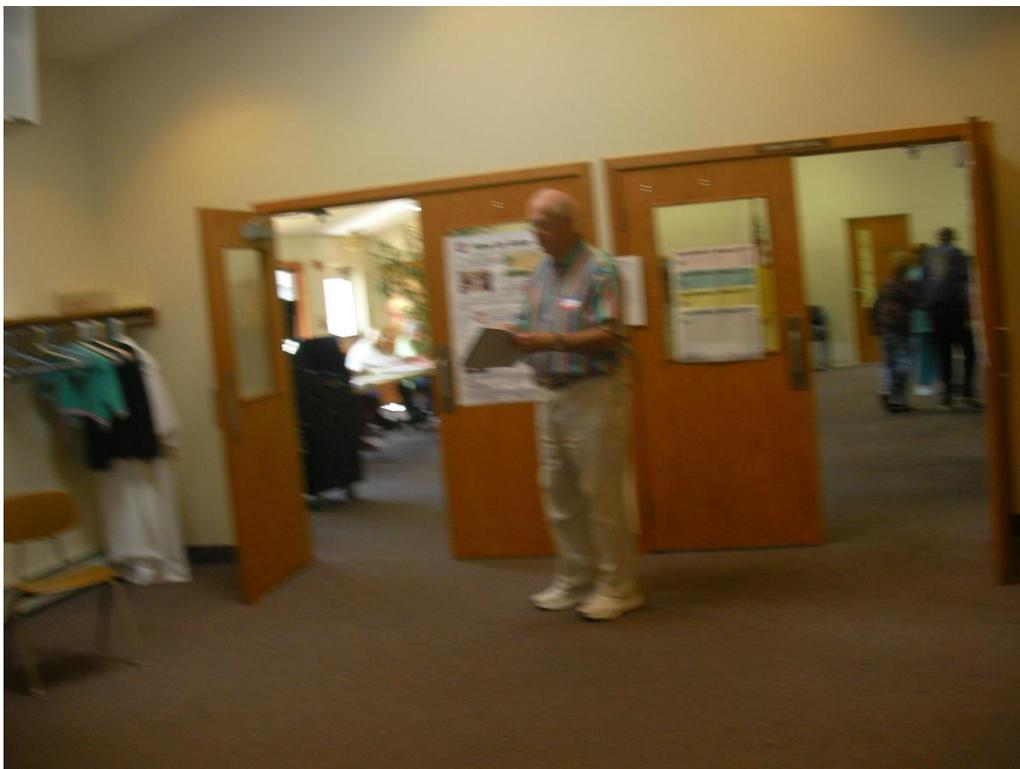
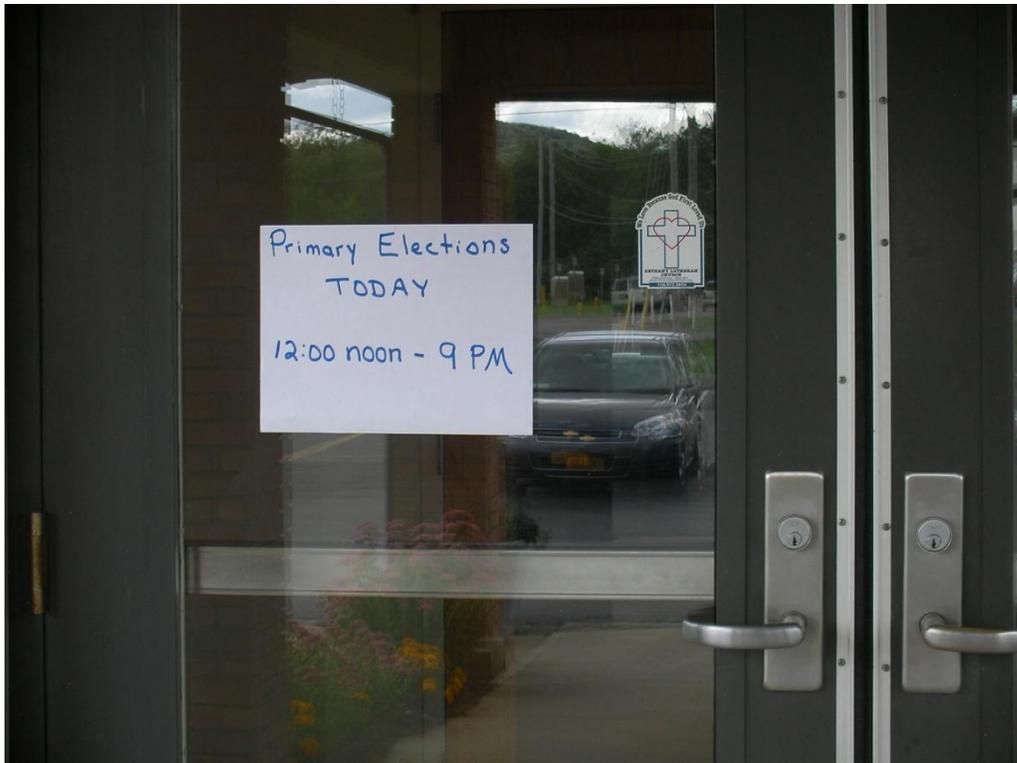
Estimate of number of voters (at the time of visit, 2:04pm): 275

Estimate (from poll workers) for setup time for machine/s: 35 minutes

Voter comments: “Nice – 15 seconds”, “No issues/complaints”, older voter - “Not as bad as I thought it was going to be”.

Issues mentioned: Commissioner – “Hard to get younger qualified people to work polls (lobbying for Tuesdays off for teachers/schools)”.









Allegany County

- Cuba Grange 799, E. Main St, Cuba, NY 14727

Estimate of number of voters (at the time of visit, 4:30pm): 300

Estimate (from poll workers) for setup time for machine/s: 30 minutes

Voter comments: "No issues", "Very easy".

Issues mentioned: Minor paper jam in feeding ballot when there, but cleared by poll worker quickly.







- **Town Hall (Horn Room), 1 Schuyler St, Belmont, NY 14813**

Estimate of number of voters (at the time of visit, 5:30pm): 285

Estimate (from poll workers) for setup time for machine/s: 40 minutes

Voter comments: “Not too bad”, Inspector - “Working fine”.

Issues mentioned: CBOE storage and working space (see visit assessment).





Wyoming County

- **Gainesville Fire Hall, 2 East St, Gainesville, NY 14066**

Estimate of number of voters (at the time of visit, 7:15pm): 164

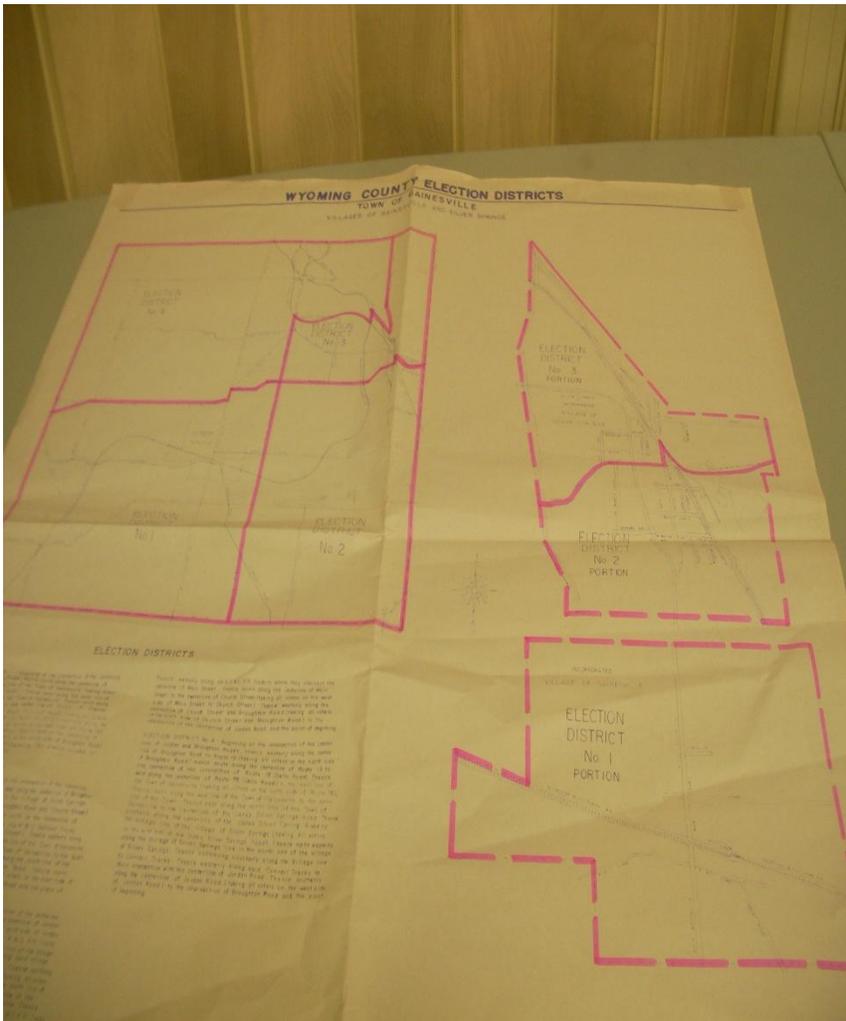
Estimate (from poll workers) for setup time for machine/s: 20 minutes

Voter comments: "This was easy", "Smoother than expected".

Issues mentioned: CBOE storage and working space (see visit assessment).







- Highway Department, 300 Allen St, Warsaw, NY 14569

Estimate of number of voters (at the time of visit, 7:55pm): 448

Estimate (from poll workers) for setup time for machine/s: 20 minutes

Voter comments: "A little easier", "Didn't mind it at all".

Issues mentioned: Ballot ovals (light print, hard to mark), Privacy booth – tabletop (felt she had lack of privacy).







Livingston County

- **St. Mary's Catholic Church (Annex), 4 Avon Rd, Geneseo, NY 14454**
(Close Polls, 9pm. Tallying and Reporting 9 to 10pm +)

Estimate of number of voters (at the time of visit, 7:55pm): 108

Estimate (from poll workers) for setup time for machine/s: 40 minutes

Voter comments: Poll worker - "Prefer old machines", "A lot of paper being waste for the entire voting process and the machines are too high tech".

Issues mentioned: Ballot feed/read error (only read the ballot in certain orientations)
Work around – Voters fed the ballot until correct orientation found and accepted by voting machine (minor issue).

Note: Called CBOE on 9/23/10 to check on possible cause – CBOE believed it to be a pen issue with the manufacturer (had issues in other parts of county), and have switched to another manufacturer.



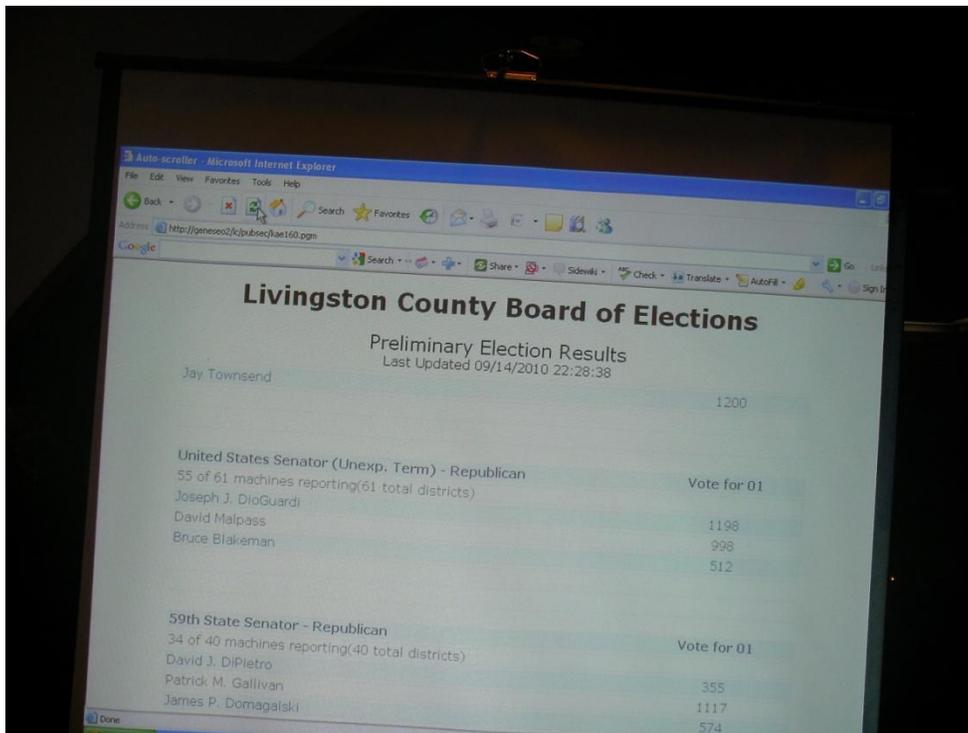


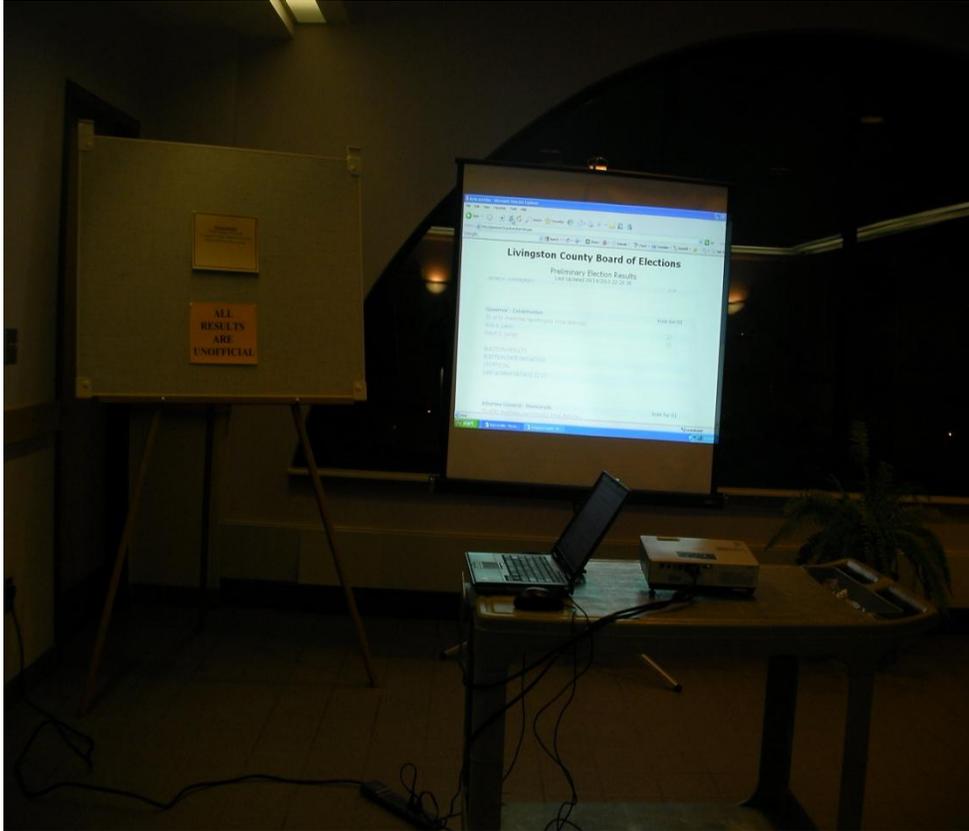




**Visit to Livingston County Board of Elections
6 Court St, Room 104, near St. Mary's Church Poll Site
Election Night Reporting, 10:30pm +**







Note: These above pictures were of an election night reporting public viewing computer display setup. This very nice viewing area was setup in the main entrance area on the 2nd floor of the Livingston County Government Center. The Livingston County Board of Elections offices are on the 1st floor.

Summary for all Poll Places Visited on Primary Day 2010

The comments by voters and poll workers were overwhelmingly positive. The only minor contrary feedback I received happened to be in the last poll site visited (near SUNY Geneseo). A student relayed comments (to the poll worker) about the large amounts of paper used throughout this new voting process (and questioned if it was really that 'high tech').

All the voters I witnessed had little to no trouble in using the new voting machines (the whole voting process time took about 5 to 10 minutes – between the getting/reviewing of instructions, marking the ballot, and the feeding/casting of the ballot (no BMD machines were observed being used). Voter turn-out was observed to be light to moderate at the time of the poll site visits, and the setup/startup times for each of these various sites ranged from 15 to 40 minutes (all completed with no conveyed issues).

The layout of each poll site seemed to flow well with no real issues (except for the one privacy issue/comment previously mentioned). As also mentioned, there were some minor issues with supplies (pens, ballots, etc.) – light printing of the ballot ovals, and poor quality of the manufacturing of some vendors pens, but the counties adjusted and worked through all issues.

In each of the counties, instructions, sample ballots, and/or poll site information (in actual privacy screens, or all around the poll site) were well placed, and were observed to be very helpful to the voters. A Cattaraugus County voter mentioned receiving instructions before the election and actually brought this sheet with her. Poll workers and other board officials (in all the counties visited) were observed to be extremely helpful to the voters in explaining these posted new voting instructions, and/or assisting the voters as needed. In Olean (Cattaraugus County), they actually had a specific greeter for the voters (in addition to the standard number of poll workers). I didn't observe this at any other poll site (looked to be a good idea). It helped put the voter at ease in using the new voting machines. Any initial questions the voter had were answered here before they entered the actual room with the voting machines. Overall, the voters were observed to be satisfied with the new voting machines (possibly even pleasantly surprised, as they mentioned hearing some of the voting stories beforehand), and looked to have a good voting experience (as evidenced by the majority of positive comments).

**Visit to Allegany County Board of Elections
(6 Schuyler St., across from Town Hall polling site)**



Front entrance to the Allegany County Board of Elections



This is the tiny office space (closet sized) for the CBOE EMS setup.



This interior view of same office space/closet at the CBOE EMS setup.

Note: This office space/closet at the CBOE (as shown in these above last two pictures) appears to be insufficient space for proper working conditions for the use of the Election Management Software (EMS) in ballot design, development or election reporting of votes.

(3)



Close up picture of entrance to access voting machine equipment rooms.

(4)



Interior picture of voting equipment rooms.

(5)



Interior picture of voting equipment rooms.

(6)



Interior picture of voting equipment room. This also shows single key/non-unique access to the voting equipment areas.

(7)



Interior pictures of voting equipment room.

(8)



(9)



Interior pictures of voting equipment room

(10)



(11)



Old dispatcher room for the old jail which is next to the voting equipment rooms.

(12)



Old jail area which is next to the voting equipment rooms.

(13)



Interior picture of voting equipment room (machines deployed for Primary).

(14)



(15)



**Interior picture of voting equipment room.
This picture shows evidence of contaminant that needs to addressed**

(16)



(17)



Interior picture of voting equipment room (machines deployed for Primary).

(18)



Interior picture of hallway leading up to the voting equipment rooms.

Assessment of Allegany County Voting Systems Storage Area

I visited this facility on 09/14/10 (about 6:00pm). I was escorted by Cass Lorow and Elaine Herdman, the Board of Election Commissioners for Allegany County. The pictures in this section numbered 1 – 18, were taken during this visit. Although the machines were deployed for the Primary 2010 election at the time, several comments were still conveyed to NYSBOE by the commissioners on the very tight working and storage space capacity (here and at their CBOE), as well as this sub-par location for the deployment, testing, and/or maintenance of the county's voting machine systems.

As with other county sites, enough static space (physical square footage of storage) is one issue (this space already appears to be insufficient for their 37 machines), but actual working space (in addition to this static space), as well as environmental conditions (ventilation/air circulation, light, heating, cooling, humidity, mold/dust, etc.) are also important issues that have to be addressed properly (this area is also under construction). Having additional active/open space to do testing and maintenance is estimated to be basically non-existent to extremely limited in the current space without this proper space to work. The successful completing of required election tasks could be at risk. As for environmental working conditions, picture # 16, shows evidence of possible mold (and should be tested for it). If not mold, the circulation system is likely expelling large amounts of dust and dirt, which should be prevented. These conditions are not healthy for the people working in the space. The operation, testing, or storage of the machines in such a space is also unacceptable and may void warranties. Access to the machines (in and out of this storage area), and the process for deployment were described as difficult at best (besides the traversing through the construction area). Limited elevator access also makes this process much harder than it should be (it was conveyed that 2 separate elevator systems are used, with one requiring access/permission from another department).

Security of this overall facility space itself is probably not a concern, as it directly adjoins the old jail within the county court house. What is at issue once one enters the building is access to each of the many interior storage rooms the Board is forced to use. For as long as the Board is using this space, the lack of unique access restricted solely to county board staff, is an issue/concern. As a dedicated voting machine storage area for the county, every external door access into this space should have a master lock, or key pad for primary use/controlled by the county board of elections. All other access should be cleared/agreed upon, escorted and/or granted access by the county board of elections to maintain security and chain of custody of these machines. This issue of unrestricted security access inherently could induce a confidence/competency risk for the county's successful completion of required tasks for elections.

It is recommended that Allegany County try to address all these issues (at this current facility), to the best of their ability, and/or address these issues with a new, dedicated and more accommodating voting system storage facility.