

Essex County Board of Elections

2021 Annual Report

**Presented to the
Essex County Board of Supervisors**

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Statutory Authority and Responsibilities of the Essex County Board of Elections

The Essex County Board of Elections (ECBOE) is a county board of elections organized pursuant to the laws of New York State. Under Section 3-200 of New York State Election Law, ECBOE has overall responsibility for administering the elections in the 42 election districts throughout Essex County. ECBOE's responsibilities include:

- Registering voters
- Maintaining voter registration records
- Conducting primary, general, and special elections as well as early voting for each election
- Providing support to villages, school districts and others as needed
- Canvassing and certifying election results
- Creating ballots
- Maintaining election machines
- Receiving designating and nominating petitions and other ballot access forms
- Ruling on objections to filed documents and
- Implementing statutory election reforms such as the federal Help America Vote Act and the New York State Election Reform and Modernization Act

This year continued to be one of change for county boards of elections around New York State. The New York State Legislature enacted numerous laws which impacted Election Law and the operation of elections at every level. This period of change is expected to continue into 2022. Throughout this report, changes that have been implemented will be noted.

The global Covid-19 pandemic continued to be a issue for county boards of elections. ECBOE continued to implement health and safety measures both at its office and at poll sites.

2021 Elections

ECBOE planned for two elections for 2021. New York's 2021 political calendar included a Local Primary on June 22, 2021 and the General Election on November 2, 2021. Each Election was preceded by nine days of early voting. Local and county races were the focus of the 2021 elections. Ten towns had primary races this year: Elizabethtown, Essex, Jay, Keene, Minerva, Moriah, Newcomb, North Hudson, Ticonderoga, and Willsboro.

Covid-19 changed New York's political calendar in 2021. The calendar is published by the New York Board of Elections and is the foundation for the electoral process in New York. The calendar establishes deadlines for voter registration, petitioning and caucus processes, early voting, primary and general

elections. During 2020, then Governor Andrew Cuomo issued executive orders related to the Covid-19 pandemic which impacted election activities across the State. ECBOE included a listing of those in the 2020 Annual Report. The Executive Orders were addressed in October 2021 with Governor Kathy Hochul's Executive Order 6 which identified past Executive Orders issued by several former governors that would continue. The election-related executive orders were not among those.

The circulation and filing period for the designating petitions was compressed and signature requirements were reduced out of concern that the normal designating petition process would increase the prevalence of Covid-19.

New York State instituted early voting periods prior to the 2019 General Election. ECBOE located its 2019 and 2020 early voting site at the Public Safety Building in Lewis. In 2021, the New York State Legislature approved, and the Governor signed a new law that required each Board of Elections to identify at least one early voting site located in the largest population municipality in the county. For Essex County, the largest population municipality is the Town of North Elba (Lake Placid) which is in the most western part of the county.

Because most of Essex County's is large in area, the ECBOE opted to include a second early voting site. Early voting in Essex County occurred at the Lake Placid Beach House at 31 Parkside Drive, Lake Placid and at the North Hudson Town Hall, 3024 US Rte. 9, North Hudson. Early voting was available to all registered voters for nine days prior to the June 22nd Primary (June 12-20) and the November 2nd General Election (October 23-October 31).

After additional grant money was provided by NYS for the purchase of electronic poll books, The Essex County Board of Elections participated in online product demonstrations conducted by vendors of e-poll books that have been certified by NYS for use in elections run by the County Boards of Elections (CBOEs) and decided to conduct a pilot program using 6 e-poll books free of charge for Early Voting for the Primary Election. Pleased with the ease of use of the e-poll books, the ECBOE performed a full roll-out in time for the November General Election. The inspectors were trained to operate the e-poll books at the Public Safety Building in Lewis.

ELECTION SCHEDULE:

- 2021 Local Primary – June 22, 2021 (6am-9pm)
- 2021 General Election – November 2, 2021 (6am-9pm)

EARLY VOTING SCHEDULE:

- 2021 Local Primary June 12 – June 20
- 2021 General Election October 23 – October 31

Date	Election	Election Day Machine	Early Voting Machine	Affidavit Ballots	Absentee Ballots	Total Voters Participating
06/22/21	Primary	1,533	7557	17	118137	1,743
11/02/21	General*	9,000	511	40	617	10,168

The 2021 election cycle was primarily a local election year. A listing of local elected positions included in the 2021 elections is available on the ECBOE web site. The link is included at the end of this report.

New York State Election Law established two petition periods for 2021. Due to the Covid-19 pandemic, the circulating period and number of signatures required for petitions was reduced in the interest of public health. Designating petitions began circulating on March 2 with a filing window of March 25. Independent petitions began circulating on April 13 with a filing window of May 18-25. A total of 114 designating petitions were filed with the Board of Elections.

Independent body petitions may be filed by candidates who do not seek a major party designation or by those seeking a second line on the ballot. For the 2021 election cycle, 81 Independent body petitions were filed.

While the designating and independent petitions are the vehicle for giving candidates access to the ballot in Essex County, New York State Election Law Section 6-108 allows for the use of a caucus to select candidates for local elections. In Essex County, a caucus is used by the Democratic committees in the Towns of Chesterfield and North Elba. In the 2021 election cycle, four caucus filings were received.

General Election (November 2)

The General Election was held on November 2nd. A total of 10,168 voters cast ballots county-wide during the General Election.

Included on the 2021 General Election ballot were five statewide propositions seeking to amend the State Constitution. A description of the five propositions is included in a link at the end of this report. These included:

- Proposition 1 to Amend the Apportionment and Redistricting Process
- Proposition 2 to Amend the Right to Clean Air, Clean Water and a Healthful Environment
- Proposition 3 to Amend Eliminating Ten-Day-Advance Voter Registration Requirement
- Proposition 4 to Amend No-Excuse Absentee Ballot Voting
- Proposition 5 to Amend Increasing the Monetary Jurisdiction of the New York City Civil Court

An additional local proposition was included on the ballot for voters in North Elba. That proposition sought to approve a local law relating to games of chance.

Special Elections

The Essex County Board of Elections conducted no special elections in 2021.

2022 Election Dates

The 2022 draft political calendar anticipates a primary election to be held on June 28th and a General Election on November 8th, 2022. A link to the draft political calendar is located at the end of this report.

ECBOE Staffing

The Essex County Board of Elections is staffed with equal numbers of Democratic and Republican staff members. Two part-time Commissioners lead the board, each is recommended by their political party and appointed by the County Board of Supervisors under Section 3-204 of New York State Election Law.

ECBOE Commissioners serve for two-year terms. Both Republican Commissioner Allison McGahay and Democratic Commissioner Sue Montgomery Corey were reappointed for 2021-2022.

Each Commissioner has a full time Deputy Commissioner. Deputy Commissioners are authorized to represent the Commissioner and act on matters before the Board of Elections in the Commissioner's absence. The Deputy Commissioner also provides most of the day-to-day administrative support to the Board of Elections. They are responsible for managing the voter registration and information systems. The Deputy Commissioners for 2021 were Republican Shona Doyle and Democrat Jennifer Fifield.

The Clerk/Technicians are responsible for the management and maintenance of the voting machines, software, and other equipment. They design ballots, schedule the delivery and pick-up of machines and equipment from the polling sites, test machines at regular intervals throughout the year, and provide support to elections in villages and school districts through agreements between those entities and the Board of Elections. The Clerk/Technicians for 2021 include Republican Krista Moran and Democrat Lori Swan.

ECBOE Budget

The Essex County Board of Elections is funded primarily through an allocation from the Essex County Board of Supervisors as part of the County's annual budget. The total approved budget for 2021 was \$666,961. This anticipated administering two elections (Local Primary and General). The fiscal year for ECBOE is January through December.

The Voters of Essex County

To be registered to voter, an individual must be at least 18 years old and a citizen of the United States. To be eligible to vote, one must be registered and have lived in the county, city, town or village at least 30 days prior to the election where they plan to vote.

Following legislative changes in, four political parties lost their ballot status meaning that they lost their ability to remain on the ballot as official parties in New York: the Independence Party, Green Party, SAM Party, and the Libertarian Party. In Essex County, the change impacted approximately 2,100 voters who were registered in one of those four parties. Per the directive of the NYSBOE, those voters were contacted by the SBOE about this change and offered the opportunity to select a new party or do nothing and be registered as a Blank (unaffiliated) voter.

In November of 2021, the total number of voters registered in Essex County was 25,089. Those enrolled in the four recognized political parties included: 7,543 Democrats, 10,494 Republicans, 256 Conservatives, 80 Working Families Party Members and 1,656 “Other” Party Members.

Some voters choose to remain unaffiliated from any party. The total number of unaffiliated or “blank” voters was 5,060 at the end of 2021.

Voters may register to vote at the Board of Elections office, at the Department of Motor Vehicles or other State Agency, or by completing a voter registration form available at local town halls, schools, post offices or online. In 2021, there were 1,248 new voter registrations in Essex County.

Voters have the option to change their party enrollment. Section 5-304 of Election Law requires that a voter’s change in enrollment take effect immediately if filed with the Board of Elections not later than February 14. Enrollment changes requested after February 14 and before seven days prior to or seven days after the June primary will take effect on the seventh day after the June primary.

Party Enrollment Choice	Number of New Voters
Republican	339
Democratic	423
Conservative	17
Working Families	8
Unaffiliated (Blank)	406
Other*	55
Total New Voters	1,248

**Other includes voters who selected their own party identification.*

Election Districts and Polling Places

Essex County includes 18 towns. Twenty polling sites serve the forty-two election districts. Seven towns have a single election district (Elizabethtown, Lewis, Minerva, Newcomb, North Hudson, St. Armand, Westport, and Wilmington). Six towns are served by two election districts (Essex, Jay, Keene, Schroom, and Willsboro). Crown Point and Chesterfield each have three election districts. Moriah has four election districts. Ticonderoga has six election districts and North Elba has seven.

ECBOE contracts with each polling site for the use of their space for Primary, Special and General Elections. Contracts are renewed annually. Each polling site must be handicapped accessible under the Americans with Disabilities Act.

Essex County was required to have at least one early voting site open at varied hours for nine days of early voting prior to the 2021 Primary and General Election. Each early voting site must have adequate space, accessibility, parking, and security. The 2021 Early Voting Sites were located at the Lake Placid Beach House located at 31 Parkside Drive, Lake Placid and the North Hudson Town Hall located at 3024 US Rt. 9, North Hudson. A total of ~~7557~~ voters participated in Early Voting for the 2021 Primary. A total of 511 voters participated in Early Voting prior to the General Election.

Election Staffing

New York State Election Law authorizes each County Board of Elections to appoint staffing for elections conducted in the County. Section 3-302 allows for the appointment of voting machine technicians and custodians. Section 3-304 allows for the appointment of election inspectors and poll clerks.

Election workers must include equal numbers of inspectors representing the two major parties (Republican and Democrat). The Board of Elections hires and trains elections inspectors prior to the elections.

In 2021, 121 inspectors were recruited and trained by the Essex County Board of Elections. Seven separate three-hour inspector training sessions were offered in preparation for the 2021 elections.

Over the last several years, recruiting, training, and maintaining election workers has grown increasingly difficult. Many of the long-time election workers are working shorter shifts, retiring or unable to work due to issues of health or other personal circumstance to continue with the Board of Elections.

New York State Election Law Section 3-400 authorizes the use of split shifts for election workers. Some of our inspectors have elected to split shifts with their fellow workers. Section 3-400 also authorizes the use of individuals who are seventeen years of age to serve as election inspectors or poll clerks if they are authorized by their school to participate and will be granted school credit for participating.

Voting Machines and Other Election Infrastructure and Equipment

The Essex County Board of Elections maintains 33 Dominion Image Cast voting machines. The machines were purchased in 2010 using federal Help America Vote Act (HAVA) dollars. At the time of purchase, the voting machines were covered by a 5-year warranty which covered hardware, firmware, and software. That warranty ended in 2013 and was extended for three more years. The County opted to continue with an extended warranty at the end of 2016. The extended warranty covers the hardware, software, and firmware with three annual payments (2017, 2018, 2019) of \$17,024 each year. In 2021, the machines were tested annually as required by the New York State Board of Elections. All machines deployed for elections are tested prior to each election.

As technology ages, keeping it in working order becomes a greater challenge. That is the case with the county's voting machines. ECBOE's election technicians have kept the ten-year old Image Cast machines working but ECBOE knows that planning for replacing this aging technology is important and has begun the process to plan for this major change.

In 2019, New York State authorized the use of electronic poll books for its primary and general elections. Essex County purchased 45 e-poll books in 2021 at a cost of \$65,070.00. ECBOE also purchased an annual activation fee for the forty-five poll pads at \$15 per poll pad, totaling 675.00 for the year. Essex County also paid \$4000.00 in training costs for the poll pad training. The cost of the poll books and related costs were covered by grant funding from the NYS Board of Elections.

Security and Emergency Preparedness

Among some of the basic steps that the Board of Elections takes to protect the privacy right of voters and the security of voted ballots and election machines and supplies include:

- When voters register or change their enrollment, the registration form is scanned, data entered by a staff member of one party and double checked by a staff member in the other party.
- Voting machines and ballots are stored in a facility outside the Board of Elections office which has a double combination lock – each party has half the combination code. It cannot be opened without a member of each party present.
- Absentee ballots, petitions, and voter registration cards are stored in a storage area with a double lock. Each party has a key. The door cannot be opened without a member of the other party present.

Having a good emergency plan in place is critical to ensuring the ability of voters to vote during emergency situations. Essex County Board of Election's Operational Contingency Plan was revised in 2019. Due to the numerous changes in New York State Election Law and ongoing concern about the security of elections, the Essex County Board of Elections did an update to this plan in 2020.

The ECBOE’s website and information technology system is managed by the Essex County IT Department. ECBOE provides content and data entry. The County is constantly updating its technology and security procedures. In addition, the State Board of Election provides guidance to local Boards of Election concerning procedural and cyber security issues. Both the County and the State Board of Elections made training on cyber security topics available to the Essex County Board of Elections in 2020 and County BOE staff participated in those opportunities.

The NYS Board of Elections provided ECBOE with technical assistance to create a Risk Remediation Plan to accompany a Cyber Security Grant that will allow ECBOE to work with a consultant and the County’s IT Department to strengthen the Board’s cyber security policies and infrastructure. Implementation of that plan will continue in 2022.

For More Information

Essex County Board of Elections: <https://www.co.essex.ny.us/wp/board-of-elections/>

ECBOE Election Results Archive:
<https://www.co.essex.ny.us/wp/board-of-elections/?target=election-archive>

New York State Board of Elections: <https://www.elections.ny.gov/>

Voter Registration Lookup: <https://voterlookup.elections.ny.gov/>

NYS 2021 Political Calendar:
<https://www.elections.ny.gov/NYSBOE/law/2021PoliticalCalendar.pdf>

NYS 2022 Political Calendar:
<https://www.elections.ny.gov/NYSBOE/law/2022PoliticalCalendar.pdf>

NYS 2021 Ballot Propositions:
<https://www.elections.ny.gov/2021BallotProposals.html>