

**BERKS COUNTY BOARD OF ELECTIONS
MEETING MINUTES
May 29, 2025 – 11:00 A.M.**

Michael S. Rivera, Chair
Christian Y. Leinbach, Vice Chair
Dante Santoni, Jr., Commissioner
Anne Norton, Chief Clerk
Christine M. Sadler, County Solicitor
Cody L. Kauffman, First Assistant County Solicitor

CALL TO ORDER: 11:00 a.m.

APPROVAL OF THE MINUTES

The Board approved the minutes from the May 8, 2025, Election Board meeting as presented.

PUBLIC COMMENT ON AGENDA ITEMS

None

Agenda Items

1. Receipt of the unofficial computation and canvassing of votes cast at the May 20, 2025 Municipal Primary and commencement of the five (5) day period of public inspection

On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the Board accepted the unofficial canvass for the 2025 Municipal Primary and announced the 5-day review period will begin at 8 a.m. on Friday, May 30, 2025, and end at 5 p.m. on Thursday, June 5, 2025, and authorized the Board's execution of the Preliminary Certification of Computation of Election Results to the Department of State.

2. Unofficial Returns Reporting Form

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board authorized the execution of the Unofficial Returns Reporting Form for the 2025 Municipal Primary to the Department of State.

3. Discussion of the following campaign/election complaints for decision as to whether to refer the matters to the District Attorney's Office for further investigation.

- a. First Assistant County Solicitor, Cody Kauffman, explained that a complaint was filed regarding an Alsace Township supervisor candidate's campaign signage which did not contain a disclaimer. Both the Election Services office and Mr. Kauffman contacted the candidate on several occasions; however, the candidate did not follow through with correcting the campaign signs. Mr. Kauffman recommended the Board refer the complaint to the District Attorney's office for further investigation. On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board referred the Alsace Township supervisor candidate campaign signage complaint to the District Attorney's.

- b. Assistant County Solicitor, Alexa Antanavage, explained that a complaint had been submitted to the Election Services office regarding a Washington Township supervisor candidate campaign mailer which did not contain a disclaimer. Ms. Antanavage explained that the candidate mailed letters and postcards to registered voters of Washington Township. Ms. Antanavage reached out to the candidate and indicated he was cooperative. The candidate posted a disclaimer to his Facebook page indicating the mailings were paid for jointly by his political committee and himself. Due to the cooperation of the candidate and corrective action taken, Ms. Antanavage recommended not referring the complaint to the District Attorney's office. On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the Board did not approve referring the Washington Township supervisor candidate campaign mailer complaint to the District Attorney's office.
- c. Mr. Kauffman stated that a complaint was filed regarding two Brecknock Township supervisor candidates' campaign signage, campaign finance, and campaign materials which lacked a disclaimer. Mr. Kauffman reached out to both candidates and each agreed to take remedial action to rectify the violation. Subsequently, a second complaint was filed against the same candidates for flyers disseminated without a disclaimer. Mr. Kauffman recommended referring the complaint to the District Attorney for further investigation. On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board approved referring the Brecknock Township supervisor candidates' signage, campaign finance, and campaign materials complaints to the District Attorney for further investigation.
- d. Mr. Kauffman provided some background on the Robesonia Borough open letter regarding Borough Council and mayoral candidates complaint submitted to the Election Services office. Mr. Kauffman stated that a letter was mailed by a resident of Robesonia Borough to residents of the borough regarding candidates listed on the Robesonia Borough 2025 primary ballot. Mr. Kauffman stated the only potential violation would be to the 120 hour rule since the mailing was sent on May 14, within the 120 hour silent period prior the election. Mr. Kauffman explained that the 120 hour rule only applies to candidates, political committees, or parties acting on behalf of a candidate, but not to private citizens who do not fall into those categories, therefore he recommended not forwarding the complaint to the District Attorney. On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the Board did not refer the Robesonia open letter complaint to the District Attorney.
- e. County Solicitor, Christine Sadler, stated that a complaint was filed by a Berks County Court of Common Pleas candidate regarding a mass text message sent the day before the election. The text message did not contain a disclaimer as to who paid for the ads. Since it is unclear whether this situation falls under the 120 hour rule and it requires further investigation, Ms. Sadler recommended referring the complaint to the District Attorney, who would then refer it to the Attorney General's office. On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the Board approved forwarding the Berks County Court of Common Pleas candidate advertisement complaint to the District Attorney for further referral.

Election Director's Report

Director of Elections, Anne Norton, reported that the Municipal Primary results are posted on the Election Services website. Ms. Norton stated that the 2% audit will be held next Wednesday, June 4. Further details will be posted to the Election Services website. The Election Services office will know shortly whether Berks County will be selected to participate in the risk-limiting audit (RLA). Ms. Norton stated the Election Services staff is currently working on reviewing over 14,000 write-ins.

General Comments from the Board regarding current election-related issues

Commissioner Santoni thanked Anne Norton and the Election Services Team for their work. Commissioner Santoni noted that 21% turnout is not good and urged voters to get out and vote. He further noted that in a local election, one vote can make a difference.

Commissioner Rivera stated that there will be a Special Election Board meeting on June 6 at noon.

Public Comment

Christina Worley, Cumru Township, spoke about several precinct changes that occurred prior to the Municipal Primary election. Ms. Worley expressed several concerns regarding the changes, such as PennDOT construction and signage at the polls.

Jeffrey Wolfe, Brecknock Township, spoke about incorrect practices at the polls noticed by poll watchers on election day. Mr. Wolfe recommends increasing Judge of Election pay.

Lazaro Castellon, Shillington Borough, spoke regarding discrepancies on the voting machine on election day. Mr. Castellon stated that not all candidates were listed and that this is not the first time this has happened.

Adjournment: 11:47 a.m.

Respectfully Submitted,



Anne Norton, Chief Clerk