

**BERKS COUNTY BOARD OF ELECTIONS  
MEETING MINUTES  
May 1, 2025 – 11:00 A.M.**

**Michael S. Rivera, Chair**  
**Christian Y. Leinbach, Vice Chair – Joined virtually**  
**Dante Santoni, Jr., Commissioner**  
**Anne Norton, Chief Clerk**  
**Christine M. Sadler, County Solicitor - Not present**  
**Cody L. Kauffman, First Assistant County Solicitor**

**CALL TO ORDER:** 11:00 a.m.

**APPROVAL OF THE MINUTES**

The Board approved the minutes for the April 17, 2025, Election Board meeting as presented.

**PUBLIC COMMENT ON AGENDA ITEMS**

None

**Agenda Items**

**1. Undated/Incorrectly Dated Ballots**

Cody Kauffman, First Assistant County Solicitor, provided some background regarding the ongoing litigation concerning undated/incorrectly dated absentee and mail-in ballots. Regarding the Western District litigation, Judge Baxter's March 31 order found that the dating requirement for absentee and mail-in ballots is in violation of the US Constitution and placed an undue burden on voting. The Pennsylvania Attorney General filed a motion to intervene to seek a stay, pending the appeal of the court's order. Judge Baxter denied the Attorney General's motion to intervene.

At this time, Mr. Kauffman recommends that the Election Services office count undated and incorrectly dated absentee and mail-in ballots for the Municipal Primary with the caveat that these ballots should be segregated pending any changes in the law.

On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the Board of Elections approved counting undated and incorrectly dated absentee and mail-in ballots for the Municipal Primary provided that they remain segregated pending any change in the law.

Commissioner Leinbach encouraged voters to sign and date their ballots anyway, as the law may change.

Commissioner Rivera urged voters to cure their ballot if it was undated or incorrectly dated. He stated that the law may change course even after the Primary and prior to election certification.

Commissioner Santoni asked Mr. Kauffman if he thought the probability of obtaining a decision before the Primary was low. Mr. Kauffman responded that there are several

variables that the court would need to consider before issuing a decision. Mr. Kauffman added that the courts have been cognizant of the election deadlines in the past and the Pennsylvania Supreme Court will likely not issue a decision in the Baxter matter prior to certification.

## **2. Campaign Sign Complaint**

Cody Kauffman stated that an email was forwarded to the District Attorney's office last week from Tilden Township police regarding campaign signs posted in the township. The signs in question read "Vote no for Fred" but did not include a disclaimer that indicated who paid for the signs. Mr. Kauffman stated that, since the initial complaint was filed, the individual who placed the signs reached out to the Election Services office. The individual's information was then passed along to the DA. Although the complaint has already been submitted to the DA, Mr. Kauffman recommends that the Board of Election also refer the complaint to the DA as a formality.

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board approved referring the Tilden Township campaign sign complaint to the District Attorney's Office for further investigation.

## **3. Presidential Executive Order**

Cody Kauffman provided an update on the "Preserving and Protecting the Integrity of American Elections" executive order issued on March 25, 2025. Recently, Judge Kollar-Kotelly for the District of Columbia issued an order blocking sections 2(a) and 2(d) of the executive order. Section 2(a) of the executive order ordered the national mail voter registration form to be updated to require documentary proof of citizenship. Section 2(d) of the executive order would have required an assessment of citizenship prior to providing a Federal voter registration form to enrollees of public assistance programs.

## **Election Director's Report**

Election Services Director Anne Norton reminded voters of the upcoming deadlines. The deadline to register or make changes to registration for the 2025 Primary is Monday, May 5. The deadline for voters to apply for a mail-in or absentee ballot is Tuesday, May 13.

All three ballot drop boxes open on Monday, May 5. Drop box locations and times are on the Election Services website.

Nine polling place changes were made ahead of the Primary. Notices were mailed to all voters in precincts where the polling place changed. Voters who are not sure where to vote can use the "Find my Polling Place" button on the Election Services home page. This will take voters to the Department of State's website where voters can enter their home address and locate the new polling location. In addition to the 9 polling place changes, two precincts have a new voting area within their current polling location. In Reading 9-2, voters will still be voting at City Hall, but for the Primary they will vote on the first floor using the same entrance as in the past. In Washington 2, voters will continue voting at Morning Star Fellowship, but for this Primary, they will be voting in the rear of the building, the Bistro Area. Signage will be posted at both of these location to direct voters.

Logic and Accuracy (L&A) testing of the central scan and high speed tabulators will begin on Friday, May 9, at 9 a.m. at the SAM building. The electronic poll book L&A testing will begin

on Monday, May 12, at 9 a.m. at the South Campus. These are open to the parties and public. There is further information listed on the Election Services website. Anyone interested in attending should contact the Election Services office.

Ms. Norton also stated that the Election Services office is continuing to staff poll workers. Anyone interested in working can contact the Election Services office. The Election Services office tries to place poll workers in their home voting precinct or nearby. But, poll workers can be placed anywhere within the county.

Lastly, ballots are available in the Election Services office for voters interested in voting over the counter. This service is available 8 a.m. to 5 p.m.

**General Comments from the Board regarding current election-related issues**

None

**Public Comment**

Jeffrey Wolfe, Brecknock Township, spoke about the record of assisted voters. Mr. Wolfe stated that, by law, Judges of Election should not permit any breach of the privacy curtain without the voter's consent. Mr. Wolfe further stated that it is a violation of the election code to provide undue assistance or to attempt to influence a voter's vote.

Ms. Norton stated that assistance to vote is taken very seriously and covered thoroughly in each poll worker and interpreter training. All the forms required to record assistance and to allow voters to request assistance are provided in the election day supplies.

Commissioner Rivera asked about the number of returning poll workers versus new poll workers. Ms. Norton stated that she did not have totals but confirmed that Elections staff have placed a lot of new poll workers for this election.

**Adjournment:** 11:25 a.m.

Respectfully Submitted

  
Anne Norton, Chief Clerk