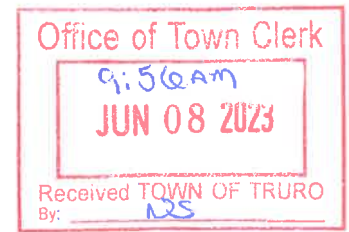# TOWN OF TRURO
BOARD OF REGISTRARS (BoR)
MINUTES for MAY 22, 2023

DATE OF RECOUNT: Monday, May 22, 2023
TIME OF RECOUNT: 9:00am Blocking and BoR Arrive, 10:00 am Recount Begins
LOCATION OF RECOUNT: 7 Standish Way, Truro, MA 02666 (Truro Community Center, Multi-Purpose Room)

Present: Town Clerk: Kaci Fullerton Police; Police Officers: Anthony Camilo, Angela Vongsavath; Recount Workers: Ann Quirk (Barnstable Town Clerk), Terri Bunce (Dennis Town Clerk), Mary Maslowski (Yarmouth Town Clerk), Colette Williams (Brewster Town Clerk), Jennifer Congel (Wellfleet Town Clerk), Julie Smith (Chatham Town Clerk), Deb Kaye (Mashpee Town Clerk), Martha Dilts (Wellfleet Town Clerk's office), Emily Mitchell (Harwich Town Clerk), Erin Ellis (Orleans Assistant Town Clerk); Board of Registrars: Elizabeth Sturdy, Michael Kaelberer, Noelle Scoullar; Blockers/Counters: Caitlin Gelatt, Molly Stevens, Nicole Tudor; KP-Law: Lauren Goldberg, Nate Goldberg; Others: Proponent - Raphael Richter, Petitioner - Michael Forgione and Eric Parker

Observers started arriving at 8:30 am. The Town Clerk, Kaci Fullerton, and police officers arrived at 8:50 am transporting sealed election materials. The following Recount Workers entered the room at 8:50 am: Terri Bunce (Minute Taker), Mary Maslowski, Colette Williams, Jennifer Congel, Julie Smith, Deb Kaye, Martha Dilts, Emily Mitchell, and Erin Ellis. The Board of Registrars consists of Elizabeth Sturdy, Michael Kaelberer, and Noelle Scoullar. Caitlin Gelatt, Nicole Tudor, and Molly Stevens served as Runners. KP-Law representatives Lauren Goldberg and Nate Goldberg arrived at 9:18 am. Other individuals present included Proponent Raphael Richter, Petitioner Michael Forgione, and Eric Parker. The Master Tally Clerk, Ann Quirk (Barnstable Town Clerk), arrived at 9:30 am.

The first batch of ballots was distributed to each of the four Tally/Reader tables at 9:45 am. At 9:52 am, additional observers entered the observing area, bringing the total number of observers to approximately 40. At 9:54 am, Kaci Fullerton asked all Recount Workers to stand and be sworn in.

At 9:55 am, Lauren Goldberg from KP-Law provided instructions for the recount
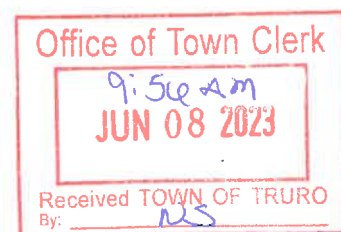
process. Ballots were blocked in groups of 50, with Readers, writers, and runners available at each table. Workers were advised not to hover over the ballots to ensure clear visibility for observers. Observers were allowed to raise objections by raising their hand. The readers and recorders were instructed to provide a 3-second pause between each ballot for an appropriate pace. Readers were instructed not to turn the ballots over until they saw the writer mark their tally sheet. The block/graph method was to be used, with the numbers across the top representing vote counts, not ballot numbers. In case the count deviated from 50, the tally sheet would be voided, and the process would start over.

After completing a block, the readers and talliers were required to sign the tally sheet. In case of disagreements or objections, the runner would collect the information regarding the block number and the nature of the vote. The primary focus was to determine the intent of the voter. Question 2 on the ballot pertained to the recount. Once the recount was completed, observers could examine the election materials. All water was to be placed under the tables.
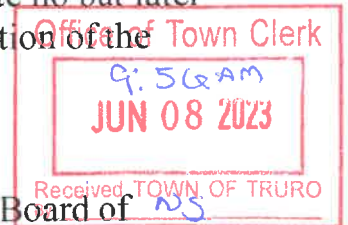
At 10:08 am, an observer inquired about whether the ballots had a timestamp. It was clarified that there was a black mark on each ballot indicating that it had gone through the tabulator. At 10:09 am, the first set of blocked ballots was delivered to each table, and observers were allowed into the recount area. Each of the four recount tables had three to four observers.

The following timestamps and progress were recorded during the recount:
- 10:19 am: Two observers switched places at table 4.
- 10:19 am: Table 4, block 1, completed their block.
- 10:22 am: Table 2, block 3, completed their block.
- 10:23 am: Table 1, block 4, completed their block.
- 10:25 am: Table 3, block 2, completed their block.
- 10:29 am: An observer at table 2 noted that the writing was too light.
- 10:30 am: Table 2, agent confirmed the procedure.
- 10:33 am: Observer change at table 3.
- 10:36 am: Table 3, block 5, completed their block.
- 10:37 am: Observer change at table 2.
- 10:37 am: Table 1, block 8, completed their block.
- 10:38 am: Observer change at table 1.
- 10:41 am: Table 4, block 6, completed their block.
- 10:43 am: Table 1, agent had a question for Lauren.
- 10:45 am: Table 3, block 7, completed their block.
- 10:47 am: Table 2, block 11, identified as a yes vote. The ballot was brought

to the Board of Registrars for discussion. The ballot had an "x" in the yes box, and the "no" box was shaded in, with an additional shaded box to the right. The petitioner and second petitioner believed it should be a no vote, while the proponent referred to the guidelines and believed the intent was a yes vote. The Board of Registrars motioned for a yes vote, considering the two crossed-out boxes indicating the voter's initial intent to vote no but later expressing a yes vote. The petitioner requested further segregation of the ballot.

- 10:49 am: Table 1, block 9, completed their block.
- 10:55 am: Table 2, block 10, completed their block.
- 10:58 am: A provisional ballot was opened and brought to the Board of Registrars. The Town Clerk noted that there were three provisional ballots: one was not accepted due to the voter not being on the voter list, another was not accepted as the voter had reregistered in another town, and the third was accepted and counted despite the initial omission from the list due to human error. The petitioner requested to see the paperwork, including the affirmation and provisional ballot envelopes, as well as the voter lists. The Board of Registrars voted to confirm the Town Clerk's action on Question 2 based on the information provided by the provisional ballot envelopes.
- 11:01 am: Absentee ballots were discussed. Two absentee ballots were rejected as they were received after the 8:00 pm deadline on Election Day, with a postmark of 5/11/23. The petitioner questioned the voter intent on these ballots. Atty. Goldberg stated Massachusetts General Laws Chapter 54, Section 93 does not allow for counting such ballots if received after the deadline.
- 11:16 am: The Board of Registrars voted to mark the two absentee ballots as rejected and confirmed the Town Clerk's action.
- 11:18 am: The petitioner requested to see the voter list, specifically pages 78-85, to check if the provisional voter was checked off. The voter was not checked off on the regular list as they are on a different list.
- 11:25 am: The petitioner withdrew their request to segregate the challenged ballot.
- 11:26 am: The Board of Registrars signed the provisional envelope.
- 11:27 am: The Town Clerk explained the provisional ballot process concerning the RMS (Statewide search) and the Town Clerk's decision to accept or reject the ballot.
- 11:30 am: Both the petitioners and the proponent expressed gratitude to everyone involved.
- 11:41 am: The Board of Registrars voted to approve the recount results. The results for Question 2 were as follows: yes - 293, no - 290, blanks - 7.

- A motion to dissolve the recount was made by Lauren Goldberg from KP-Law and seconded by Noelle Scoullar. The motion was approved unanimously.

These minutes were respectfully submitted by Terri Bunce, Dennis Town Clerk, and Nate Goldberg of KP Law.