

2019-2020 PROCEDURE COMMITTEE
Preliminary Responses to LWVS Info Session Agenda on CNC Election
Monday, December 9, 2019, Updated as of January 31, 2020¹

1. Overview of How the Procedure Committee (PC) Functioned

- Explain how the PC chair and vice chair were selected, how the remaining members were chosen, whether and why several of the 10 CNC members from the class of 2019 failed to roll onto the PC, and what decisions were made about unfilled appointments or vacancies on the PC.

The 2018-2019 PC vice chair, Eric Cheng, succeeded to the position of PC 2019-2020 chair as provided in the Non-Partisan Resolution, as amended on November 13, 2018 (NPR). Sarit Kessel Fuchs, who had been serving as a non-voting member of the CNC at the time, was elected 2018-2019 PC vice chair by CNC voting members at their final meeting in January 2019. The remaining eleven members of the 2019-2020 PC were appointed by the 2018-2019 PC chair, Madelaine Eppenstein, from among civic volunteers in Scarsdale as provided in the NPR, who were later ratified by the newly graduated CNC members of the PC as their first order of business. There were four members from the CNC graduating class who did not roll over: As provided by the NPR, two members of the CNC graduating class, Marc Greenwald and Ryan Spicer, were elected by their CNC peers as chair and vice chair respectively of the next CNC. Unexpectedly, another graduating CNC member moved out of town, and another member ran for and was elected a member of the School Board and was therefore ineligible to serve.

- Describe the division of labor, how subcommittees were created and staffed, and frequency of communication among members.

The division of labor on the PC was organized according to each member's skill set and availability. The sense of teamwork and friendship among the all-volunteer PC membership seems to occur organically each year. Subcommittees, such as website redesign, fundraising, election, etc. were organized the same way. Communication among PC members was continuous beginning prior the organization meeting on May 1, 2019 through the November 12 election, and is expected to continue with completion of final PC tasks until the end of its term on January 31, 2020.

¹ These responses were preliminary, consistent with financial information that was obtained just prior to the League of Women Voters of Scarsdale (LWVS) information session on December 10, 2019. The completed, updated annual report of the 2019-2020 PC was released upon completion of its term on January 31, 2020, following receipt of the LWVS 2019 CNC Election Consensus Statement on January 13, 2020, http://www.lwvs.org/local_program_and_positions.html ("2019 CNC Election Consensus Statement").

- Describe the leadership transition efforts from the prior year's PC to the current PC.

Leadership transition in 2019 was seamless. The 2018 vice chair succeeded to the position of chair. A non-voting 2018 CNC member agreed to serve as vice chair. Two appointed members had served previously on the CNC. A member of the 2018 PC agreed to continue serving as an appointed member. Institutional knowledge was retained and continuity assured by these appointments, with the distribution of a draft Operations Manual, and through ratification of the prior year's chair as an appointed member.

- Describe the use, if any, of a central repository of files, memos, and similar historical records memorializing activities, timelines, lists of prospective candidates, and roles/responsibilities of those who served on the prior years' committees.

A new, comprehensive PC Operations Manual (21-page draft) was available to incoming PC members for them to use as a procedural guide for all aspects of their duties during their term on the PC. Also distributed to PC members at their organization meeting were digital copies of the following essential documents: the 2019-2020 PC and CNC Calendar; the NPR; the 2018-2019 PC Annual Report; the 2018-2019 CNC Annual Report; the CNC Rules of Procedure; the PC Member Contact List; CNC Recruitment Forms (Petition and Bio); a FAQ sheet about the nonpartisan election system; and the LWVS 2018 Consensus Report, dated January 30, 2019.

The PC continued the practice of the prior PC of utilizing the PC website for posting of current documents, retention of historical records including those that listed roles/responsibilities and those who served previously. Because committees were a fluid construct, lists reflected the composition of the entire PC rather than individual subcommittee membership. New this year, embedded on a PC website page, will be a video of the CNC Organization Meeting held on Monday, November 25, 2019.

- Comment on any problems that arose and compare them to the prior years' experiences.

The PC ran a well-organized process based on the experiences of prior successful groups and leadership. Problems were limited to one beyond the control of the PC, involving Post Office procedures that delayed mail-in ballot delivery to its P.O. Box 284 for weeks beyond the election on November 12. Many of these were postmarked on the day of the election, despite the PC's best in-person efforts to collect all mail between 5:00-6:00 pm on election evening from the P.O. Box and the postmaster on duty. The PC referred the matter to the 2020-2021 PC, citing the LWVS reference to this problem: "In light of the USPS troubles as well as potential confusion over the double-envelope requirement, the League suggests ongoing refinement and clarification of the voter instructions provided on the mail-in ballot. (2019 CNC Consensus Statement, page 2)

2. Policies, Procedures, and Guidelines

- What amendments to the Non-Partisan Resolution, if any, did you consider and what factors led you to the decision against proposing such amendments?

It was determined that the ratification of 12 amendments by the electorate in November 2018, many of which were substantive changes, had likely taxed voters and that a hiatus was advisable. Feedback from members of the committee and a number of other voters persuaded the PC not to propose any new amendments for the 2019 ballot.

- Did the PC and/or the CNC adopt a conflict of interest policy? AND
- Did you make any recommendations to the CNC in regards to its rules of procedure or other matters?

The PC did not receive referrals from the retiring 2018-2019 CNC about changing any specific CNC rules of procedure. The PC discussed but did not resolve whether to adopt a conflict of interest policy, consistent with its response to the LWVS in December 2018, and in light of the decision not to amend the NPR.

The LWVS 2019 CNC Election Consensus Statement (page 2) offered a clarification, which the PC had sought, on what the League meant by a conflict of interest policy. By the end of its term on January 31, 2020, the PC referred the matter to the incoming 2020-2021 PC.

The PC took note of the discussion about CNC confidentiality policy and procedures at the CNC Organization Meeting on November 25, 2019. Pending receipt of the 2019 CNC Annual Report, the PC referred the matter to the incoming 2020-2021 PC.

- How was the campaign committee formed last spring and what do you expect will be the process this coming year?

As the PC explained in answer to the same question in 2018: The PC is not involved in the nominating decisionmaking of the CNC, nor in the formation of the campaign committee which thereafter supports election of the CNC slate. The NPR is silent on the issue of what should happen after the CNC nominates a nonpartisan slate of candidates in order to get that slate elected. Since the PC is only responsible for considering proposed amendments to the NPR, running the Unit Elections, and making non-binding suggestions to the CNC to improve its procedures, speculating or making recommendations about future campaigns for the election of the nonpartisan slate or individual candidates is outside the PC's mandate and scope of study under the NPR. CNC-nominated candidates have traditionally chosen to run together as a slate. That arrangement is a norm, not a practice established by the NPR. There is nothing in the NPR or New York State Election Law to prevent future CNC-nominated candidates from deciding to run in a less coordinated fashion, including utilizing one or more campaign committees to support their individual candidacies rather than as a group. Several slates in recent years had chosen to run under the name "Scarsdale Citizens' Non-Partisan Party," although its format appears on its website to be ad hoc, informal, and flexible, without formal party structures, governing documents, requirements for membership or leadership, or party platforms.

3. Recruiting Candidates for CNC Election

- When and how did the PC begin to recruit?

At its organization meeting on May 1, 2019, members of the PC were given procedural guidelines and copies of CNC recruitment application materials, and were instructed to begin recruitment of CNC candidates. Recruitment accelerated over the summer months into September, when the search intensified. Members of the wider volunteer community were also engaged in the recruitment effort. A Google spreadsheet was used to keep track of contact information for potential recruits and previous candidates, the roster of recruiters, and the status of potential CNC candidates during their decisionmaking to commit to run for a CNC seat.

- What efforts were made to enlist the help of current CNC members, neighborhood associations, and other community organizations?

The new chair and vice chair of the CNC were kept in the distribution loop on the PC's recruitment and other activities, were copied on emails relating to the recruitment effort, and received other recruitment materials with the expectation that the CNC chairs would enlist the help of their current CNC members. The PC enlisted SNAP to involve the neighborhood association members, and contacted other community organizations such as the Rotary Club, the TVCC, the Chinese American Association, and media and social media platforms to get out the CNC recruitment messaging.

- When/where were announcements made?

Aside from the required notification deadlines in the NPR, the PC made numerous other announcements over a period of months leading up to the November 12 election, both before and after the recruitment deadline at the beginning of October. Announcements appeared in the Scarsdale Inquirer, the Scarsdale10583.com public news platform, and on other social media, in addition to the PC's website. Articles, letters to the editor and frontpage Editor's Notebook listings appeared regularly in the Scarsdale Inquirer and on the Scarsdale1083.com platform. The results of the election, which included an expression of gratitude to voters and volunteers for their support, were posted through the same outlets.

- Did you consider using the appointment power to secure a full slate (at least 2 candidates per vacancy) in neighborhood districts that lacked them?

The PC is mindful of the provision in the NPR which permits appointments into early October after the close of the application period on September 30. The appointment power was attempted by outreach to residents who it was believed might have changed their mind about serving or had served before. These efforts might have been successful if not for the fact that the PC and its volunteer recruiters had come up against the seemingly implacable hesitation of many residents to run in a contested election. A fully contested slate was assembled early in Edgewood. At one point Fox Meadow almost had a partially contested slate, but it was difficult overall to recruit candidates in Fox Meadow and Heathcote. The Greenacres slate was partially contested. After a very slow start in Quaker Ridge, the slate

was almost fully contested with five committed candidates by the end of September despite an extra one-year vacancy to fill.

- Comment on any problems that arose and compare them to the prior years' experiences.

Aside from the usual recruitment challenges, a potential conflict arises when some residents prefer to run for a seat on the School Board Nominating Committee instead of the CNC. Another problem that continues to challenge the PC's recruitment of CNC candidates is the requirement in the NPR that candidates must have resided in Scarsdale for two years. This provision has disqualified otherwise eligible new residents who were willing to run in the election and serve on the CNC. The PC should consider referring to the next PC a recommendation for an amendment to the NPR shortening this residency requirement.

4. Election

- Describe the steps taken to publicize the election, including general PR and get out the vote efforts, and voter education efforts.

Most if not all notices, press releases, articles and letters to the editor included a voter education angle. Getting out the vote involved continual promotion and an all-hands-on-deck approach by the PC and its community volunteers, many of whom had worked on this year's CNC candidate recruitment. A few days prior to the November election, Palm cards provided by the PC were requested by many of the 16 CNC candidates for distribution in their neighborhoods, and were handed out by PC members and volunteers at the Scarsdale and Hartsdale train stations. The PC made clear in writing to its members, its volunteers and the candidates that the PC does not endorse any candidate.

- Discuss this year's brochure and mail-in ballots – contents, bio accuracy, layout, distribution, cost.

The Election Brochure was handled by the same vendor as usual, Printcraft. Mail-in ballots were downloadable on the PC website and hard copies were printed pro bono by a PC member. Distribution of the brochure postage paid was handled by Printcraft. Costs were comparable to 2018. Because of the ongoing relationship with vendors, corrected items and additional copies were produced at no additional charge. New this year to encourage voter turnout were the brightly colored orange palm cards (produced by Printcraft) for candidates to hand out to their neighbors and for the PC to hand out at the train stations during rush hours on the Friday and Monday before election day. The contents and layout of the brochure didn't change much, although the PC continued to include the double grid layout on the first page featuring all candidates by Election Unit and all sitting CNC members. One clarification for 2019 was identifying the Chase Road Post Office as the official delivery point for mail-in ballots. The biographical information was worked on collaboratively with candidates. Written approval of each candidate's bio was required before submission of the final proof to the printer. Some content may have been lengthy but did not affect page length. The PC may consider some reasonable limitations on bio word count next year. An inadvertent typo in one candidate's name

appeared on the first page grid but was correct on the interior bio page. Because the printer had gone ahead with the run too quickly, the brochure grid could not be corrected in time before mailing had taken place. But the online version of the brochure, online and hard copy mail-in ballots, palm cards and public notices and PR were all corrected expeditiously as soon as the error was discovered. Needless to say, profound apologies were extended to the candidate and ultimately no harm appeared to have been done.

As suggested by the LWVS: “While commending the PC for the mailing of the detailed election brochure that serves to educate households about the Village’s non-partisan system, the League recognizes that the costs associated with its printing and mailing constitute the PC’s main annual expense. As a result, the League understands the need to continue monitoring and revisiting the costs and benefits of the brochure’s continued distribution to every household.” (2019 CNC Election Consensus Statement, page 4)

- Describe this year’s polling – staffing, signage, parking, polling hours.

Polling arrangements, staffing, signage and setup were more than adequate. The Village Clerk approved the PC’s request to set up tables, chairs and signage affixed to ballot boxes late on Friday afternoon before election day, since Village Hall was closed on Monday for Veterans Day. This saved an hour’s worth of setup time before the polls opened on election day morning. All day uninterrupted voting hours from 7:00 am to 9:00 pm were approved by the Village Manager in response to the PC’s request² in June 2019. The extended hours did not hamper the PC’s ability to sign up a sufficient number of polling volunteers taking turns during the day. Numerical pages of voter sign in sheets, stapled and labelled with the corresponding name of each Election Unit, were attached to clipboards and placed in front of the corresponding Unit ballot boxes to which blank color-coded Unit ballots were affixed. Parking was adequate despite the Village Board meeting beginning at 8:00 pm.

- Explain this year’s tabulation efforts – handling of mail-in ballots, tallying results.

The PC organized a group of ten ballot tellers, two to each Election Unit, in order to tabulate ballots efficiently and accurately around a large table in a secure area. Mail-in ballots were not opened until the polls closed at 9pm. They were cross-checked against sign-in sheets to ensure that no voter cast more than one vote. Mail-in ballot double envelopes were segregated by Election Unit and checked and rechecked to ensure all ballots were counted. No ballot or document was discarded nor left behind at Village Hall. See tabulation results in chart below.

- Assess this year’s CNC voter turnout (breakdown of total CNC votes cast by neighborhood and same for mail-in ballots).

See below CNC election and voter turnout data chart for breakdown. Voter turnout was slightly higher in 2019 than 2018. Voting was more accessible to voters and easier to handle by the committee due to all day voting hours. The number of mail-in ballots and therefore the total number of votes would have been greater if not for Post Office handling procedures, in which

² The PC’s stated grounds for the extension were that the four-hour break in voting from 10am to 2pm was disruptive to the election process, was confusing to voters who are accustomed to all-day voting in the general election on the first Tuesday of November, and was likely to depress voter turnout.

mail postmarked on or in some cases before election day was not delivered timely to the PC's Post Office Box for pickup by the PC before the 6:00 pm closing of the Post Office counter. Aside from mail postmarked properly but not delivered to the mailbox in time for collection on election day, there were several additional mail-in ballots that, inexplicably, turned up in the Post Office Box intermittently during the rest of the month of November. **The Procedure Committee may refer the issue to the incoming committee to mitigate undercounting mail in ballots.**

- Comment on any problems that arose and compare them to the prior years' experiences.

From what is known only anecdotally or from year-end PC reports about past year' elections, administrative problems have been minimal during the last two PC cycles. The 2018 NPR amendments did not create any problems for the 2019 PC. Guidelines initiated in 2018 and memorialized in the PC's draft Operations Manual may have contributed to the relative lack of drama over PC operations. There were no problems at the polls. Voters appeared to find the election mechanics easy to understand. And all-day voting seemed to even out the flow of voting throughout the day.

At the CNC's Organization meeting on November 25, 2019, a matter arose in connection with the respective responsibilities of the CNC and the Judicial Qualifications Advisory Committee in the vetting and nomination of a candidate for the office of Village Justice. The videotape of the proceedings is available here. **The Procedure Committee may refer the issue to the incoming committee to determine whether additional recommendations or amendments to the Resolution are in order.**

The election committee followed the procedures in NPR Art. IV.11,³ but placed additional focus on its intentionality in support of the community spirit of civic service rather than winning or losing by encouraging candidates who did not get a seat on the CNC that they should run again next year, and by emphasizing these fundamental tenets of the nonpartisan system in press submissions about the election results.

5. Finances

- Discuss this year's overall financing, including a breakdown of all income and expenses.

The following chart contains a breakdown of all expenses of the PC beginning in May 2019 to date. Expenses were comparable to those in 2018, with modest savings on brochure mailing postage and ballot printing. The balance in the PC Chase Bank account as of April 30, 2019 was \$1,828.45, reflecting revenues collected by the 2018-2019 PC. Revenues received from fundraising during October 2019 through election day November 12, 2019 were \$3,470.00,

³ "Following the Unit Elections, The Procedure Committee shall notify all candidates of the election results. Winning and losing candidates shall be informed only of the total vote in their Election Unit. Only the names of the winning candidates and only the total number of voters in each Election Unit shall be released to the public and/or the media. The Chairperson of The Procedure Committee shall inform the Chairperson of the Citizens Nominating Committee of the names of the persons elected to membership on the Citizens Nominating Committee."

which enabled the PC to cover all expenses. Additional revenues received through November 30, 2019 from generous public support brought the total to \$4,841.77.⁴

2019-2020 Procedure Committee Expenditures and Historical Data

TYPE OF EXPENSE	YEAR 2019	YEAR 2018	YEAR 2017	YEAR 2016	YEAR 2015	YEAR 2014
Postage deposit	1,035.83	\$1,269.39	\$1,300.00	\$1,267.00	\$1,267.04	\$1,274.28
Printing (brochure)	2,164.96	\$2,036.52	\$1,717.28	\$1,768.33	\$1,715.49	\$2,670.79
Ballot printing	65.00	\$184.24 (contribution?)		\$48.32	\$?	\$83.75
Additional postage (fundraising)	198.00	(\$180.00) (contribution)	\$?	\$?	\$39.20	\$31.96
VH meeting room and lobby polling (2019)	240.00	\$240.00	≈150.00	\$?	\$?	\$?
Stationery	425.00	\$370.44	≈185.14	\$?	\$?	\$?
P.O. Box Rental	136.00	\$132.00	\$130.00	\$126.00	\$126.00	\$?
TOTAL expense paid	\$4,264.79	\$4,232.59	≈\$3,482.42	≈\$3,209.65	≈\$3,147.73	≈\$4,060.78

The next chart contains this cycle's election results and historical voter turnout data.

2019 CNC Election and Historical Voter Turnout Data

	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Edgewood	96 (8)	65 (18)*	66 (3)	37 (?)*	24*	21 (3)*	62 (3)+	76 (28)	64 (2)	65 (4)
Fox Meadow	46 (5)*	113 (2)+	54 (4)*	168 (?)	84	106 (28)	107 (?)	153 (67)	162 (5)	133 (10)
Greenacres	82 (3)*	57 (7)+	141 (24)	68 (?)+	66+	54 (17)	103 (?)	115 (54)	106 (12)	89 (13)
Heathcote	57 (4)*	44 (3)**	136 (6)	24 (?)*	34*	34 (7)*	59 (?)	106 (40)	134 (25)	129 (64)
Quaker Ridge	87 (12)*+	70 (4)	42 (2)+	24 (?)*	16*	24 (10)*	24 (2)*	103 (45)	67 (12)	100 (47)
TOTAL (mail-in)	368 (32)	349 (34)	439 (37)	321 (≈106)	224 (25)	239 (65)	355 (163)	553 (234)	533 (56)	516 (138)

Data in parentheses () indicate the number of mail-in ballots

*indicates fewer than twice the number of candidates for each open slot

*+ fewer than twice the number of candidates for each open slot, with one 1-year unfilled vacancy

2019 CNC Election Synopsis:

Ballots by Election Unit: totals and in person(mail-in ballots)

Edgewood	96	88(8)
Fox Meadow	46	41(5)
Greenacres	82	79(3)
Heathcote	57	53(4)
Quaker Ridge	87	75(12)

⁴ For comparison, 2018-2019 PC revenues were \$3,533.62.

2019 Elected CNC Members, 3-year terms unless otherwise noted:

Edgewood: Christian Callaghan; Camille Roche

Fox Meadow: Susan Douglass; Amy Laartz

Greenacres: Elena Kanner; Michelle Sterling

Heathcote: Janet Han-Youm; Peri Zelig

Quaker Ridge: Neal Soss, 1-year term; Jay Wechsler; Omer Wiczuk

- Describe this year's fundraising efforts and fundraising timeline.⁵

The PC's 2019 fundraising efforts were well underway by early October. A flyer created over the summer by the PC election committee was produced by Printcraft, personalized by PC volunteers with handwritten notes, and mailed the month prior to the CNC election to select residents who had donated in the past.

Thanks to the 2018 PC's successful fundraising campaign and the generosity of Scarsdale's donors who support the nonpartisan system, the 2019 PC was able to cover its expenses and schedule fundraising close enough to the traditional year-end holiday giving season, though somewhat earlier to avoid the conflict with year-end holiday fundraising by other organizations. This was consistent with the 2018 PC's recommendation that the next PC commence the mailing to donors closer to or even before November 1. The total amount of funds raised to date by the 2019-2020 PC is slightly higher than revenues raised by the 2018 campaign, and will provide a cushion for the next PC to begin its administrative duties on February 1, 2020 of at least \$2,464.08.⁶ **The Procedure Committee may refer to the incoming committee the question of savings on the annual election brochure printing cost.**

⁵ The 2018 NPR amendments provided for public reporting of PC revenues and expenditures. (NPR Art. II.5)

⁶ The balance in the PC account as of January 31, 2020. An additional \$200 was received after January 1, 2020 leaving a balance of \$2,664.08, and bringing total revenues to \$5,041.77.