

2021-2022 PROCEDURE COMMITTEE UPDATED ANNUAL REPORT

Including Responses to LWVS Info Session Agenda on CNC Election

Monday, December 6, 2021, Updated as of May 5, 2022¹

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 any of the 10 CNC members from the class of 2021 failed to roll onto the PC, and what decisions were made about unfilled appointments or vacancies on the PC.**

Becky Bach, serving as a third-year member of the CNC, was elected 2020 PC vice chair by CNC voting members at their final meeting in January 2020. She succeeded Sarit Kessel-Fuchs as PC chair in 2021. Richard Pinto, serving as a third-year member of the CNC, was elected 2021 PC vice chair by CNC voting members at their final meeting in January 2021.² The remaining eleven members of the 2021-2022 PC were appointed from among civic volunteers in Scarsdale as provided in the Non-Partisan Resolution (NPR), who were later ratified by the new CNC graduates as their first order of business on the PC agenda in spring 2021. There were no members from the CNC graduating class who did not roll over. As provided by the NPR, two members of the CNC graduating class, Jill Spielberg and Jon Krisbergh, were elected by their CNC peers to serve as Chair and Vice Chair respectively of the 2021-2022 CNC.

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

The division of labor on the PC was organized according to each member's skill set and availability. Teamwork among the all-volunteer PC membership occurs organically each year. Subcommittees such as website updates, brochure design, fundraising, election, etc. were organized the same way. Communication among PC members was continuous beginning prior to the organization meeting in late May 2021 through the November 9 election, and was expected to continue until completion of the final PC tasks at the end of its term on January 31, 2022.

¹ Preliminary responses contained financial information that was obtained just prior to the League of Women Voters of Scarsdale (LWVS) information session on December 6, 2021. An updated Annual Report of the 2021-2022 PC as of the completion of its term on January 31, 2022 was planned. This version was updated as of May 5, 2022 to reflect additional fundraising deposits.

² This was a departure from the NPR, which recommends that the CNC should do so "with preference given to persons who, not now serving, had previously served on the Citizens Nominating Committee, or who had previously served on the Procedure Committee." Art. II, section 2(b).

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

Leadership transition in 2021 was seamless. The 2020 Vice Chair succeeded to the position of chair. The Vice Chair was selected by the CNC from among the graduating members of the CNC rather than from those who had previously served on the CNC or PC. The 2021 CNC was instructed as to the preferred procedure to follow at the end of their term. Several appointed members of the PC offered to continue serving. One new CNC graduate had previously served as PC chair. Institutional knowledge was thereby retained and continuity assured, assisted by the distribution of the Operations Handbook and ratification of the 2018-2019 PC chair for an additional term as an appointed member of the PC.

- **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.**

The new PC Operations Manual was made 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. Digital copies of the following essential documents were distributed at the organization meeting: the prior PC and CNC Calendar; the Non-Partisan Resolution; the prior PC Annual Report; the prior 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 January 2021 CNC Consensus Statement.

The PC continued its practice of utilizing the PC website for posting current documents, and retention of historical records including those that listed roles/responsibilities and those who served previously.

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

The PC process is based on the experiences of prior groups and leadership, with one major difference. Voting during the pandemic in November 2020 was by mail-in ballot only for health and safety reasons, and tabulating ballots was done remotely in a group Zoom meeting. In 2021, 45 residents out of a total of 251 voted by mail-in ballot, a slightly larger number than in past years. Post Office mail-in ballot delivery delays to the PC's P.O. Box 284 were minimal. Only two mail-in ballots were postmarked on the day before election, but were not found in the box on election evening and were not counted. Voting was again lower than in years past. Only three out of five non-partisan Election Units were even partially contested, reflecting the continuing difficulty

recruiting CNC candidates to run and serve during the stressful circumstances of the pandemic.

2. Policies, Procedures, and Guidelines

- **After the PC went through the process early in the summer of publicizing proposed amendments to the Non-Partisan Resolution, what feedback did you receive (other than from LWVS)?**
- **What factors led you to decide against moving forward with a referendum and what plans, if any, do you have for the future of those drafted 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 timeout was advisable. Low public feedback during the 90-day public comment period beginning in June persuaded the PC not to propose any new amendments for the 2021 election cycle, although the PC continued to annotate the NPR to keep track of potential amendments for future reference. The PC determined for the second consecutive year that it would not be reasonable to burden the public or realistic to expect their interest in amendments during the pandemic. Drafts were saved for future reference.

- **Did the PC and/or the CNC adopt a conflict of interest policy?**

The LWVS 2019-2020 CNC Election Consensus Statement clarified the League's previous reference to a "conflict of interest" policy.³ At the end of its term on January 31, 2020, the PC referred the matter to the incoming 2020-2021 PC. The LWVS has raised the same question again. The PC hasn't changed its position and therefore reiterates its response here:

"The Non-Partisan Resolution, which has been amended 42 times since 1930, addresses the avoidance of any appearance of impropriety or conflict in the CNC's process. For example, the NPR prohibits simultaneous service on the CNC by members of the same household, and simultaneous service on the CNC, PC, or School Board Nominating Committee by sitting village trustees. Meanwhile, the PC frequently emphasizes the importance of confidentiality in its and the CNC's process.

³ "In particular, the League encourages the PC and the CNC to revisit and consider adopting a conflict of interest policy that, among other things, contemplates the public roles and limits, if any, of individual members of the CNC once the committee as a whole has nominated its slate. The League further recommends deliberation and discussion of that issue up front and then throughout the entire CNC nominating process, just as the importance of confidentiality is and should be emphasized frequently." LWVS, CNC Election Consensus Statement, January 13, 2020, page 2.

Other than addressing potential conflicts of interest in its processes, the NPR, appropriately, does not impose any prohibition or policy that would limit the political activities or speech of CNC members once they have voted on a slate. Generally, limitations on an individual's constitutional right as a citizen to support and to vote for the candidate(s) of their choice would seriously interfere with one of our most basic democratic ideals. Once CNC members have completed their work, no requirement has been placed on them to support the non-partisan slate. Some participate in the efforts of a campaign committee, some do not. There have also been CNC members who chose to support another candidate not on the slate. It would be difficult to find any traditional political party or independent caucus that imposes any limits on a person's right to participate in the electoral process as a proponent or in opposition to its slate. For these reasons, an amendment to the NPR supporting such a policy has not been recommended by the Procedure Committee nor adopted by the CNC in its Rules of Procedure."

- **Did you make any recommendations to the CNC in regard to its rules of procedure or other matters?**

The PC made a recommendation to the CNC, prior to the CNC's organization meeting for change to the CNC's rules of procedure by adding to the standard questions two additional interview questions to ask of all potential nominees for village office: "Why are you interested in serving as Village Trustee or Village Mayor (response should address relevant office)?" and "Explain how you developed a creative solution that meaningfully resolved a problematic situation?" In making these suggestions, the PC explained to the CNC Chairs that: "Recommendations to revise the CNC Rules of Procedure, while not binding, are made by the PC from time to time as it deems appropriate, and are permitted under Article V, section 7(a) of the Non-Partisan Resolution. The purpose of this recommendation is to assist the CNC in its evaluation of potential nominees for village office by providing additional insight about their experience and qualifications." In addition, the PC sent the CNC chairs reminders about recruitment of CNC candidates and deadlines for publishing its meeting notices, materials used by the prior year's CNC to guide its members, and promptly advised the CNC of the November 9 election results, names, and contact information of the newly elected CNC members.

3. Recruiting Candidates for CNC Election

- **When and how did the PC begin to recruit?**

At its organization meeting in late May 2021, conducted by Zoom video conference, 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 late September when the search intensified. This timeline is typical but seemed especially hectic in 2021. 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 while they were deciding whether 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 efforts and other activities, were copied on emails relating to the recruitment effort, and received other recruitment materials with the expectation that they would enlist the help of their current CNC members. The PC enlisted SNAP to involve its neighborhood association members, and outreach included 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 media notification deadlines in the NPR, the PC made numerous other announcements over a period of months leading up to the November 9 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 "Viral News" (formerly "Editor's Notebook") listings appeared regularly in the Scarsdale Inquirer, and on the Scarsdale10583.com platform. The results of the election were posted through these same two 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 always mindful of the provision in the NPR which permits appointments during the first week of October, after the close of the petition application period on September 30. The "appointment power" was again activated in 2021 by outreach to residents who it was believed might have changed their mind about serving or had served before. Similar to prior experience, these efforts might have been more successful if not for the fact that the PC and its volunteer recruiters had come up against the hesitation of many residents to run in a contested election. This perennial issue was exacerbated by the continuing realities of pandemic fatigue. Partially contested slates were assembled in all but Heathcote and Quaker Ridge. Two additional vacancies in Fox Meadow made recruitment more difficult there.

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

An unexpected problem arose when a resident's timely application was inadvertently overlooked during an unusually hectic recruitment effort. The resulting omission of the resident's name and biography in the election brochure went unnoticed, despite circulation of the preliminary brochure proof to volunteers who had knowledge of the application. The error was not discovered until the week before the election, after the election brochure had been printed and mailed to approximately 5,800 residents. Apologies were extended personally and in writing to the resident, who was encouraged to run in the next CNC election and expressed an interest in doing so. It should be noted that because there is no provision in the Non-Partisan Resolution for write-in voting, the integrity of the non-partisan process might be compromised, and even challenged, if a resident were to conduct a formal write in campaign.

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 also worked on CNC candidate recruitment. The PC again had to make clear in writing to its members, its volunteers, the CNC's chairs, and the candidates, that the PC does not endorse any candidate.

- **Discuss this year's brochure and mail-in ballots – changes to general content from prior year, bio accuracy, layout, distribution, cost.**

The Election Brochure was handled by the same Mamaroneck vendor as usual, Printcraft. Mail-in ballots were downloadable on the PC website and were included with revised instructions as part of the Election Brochure. Distribution of the brochure postage paid was handled by Printcraft. Costs were comparable to 2020. The content and layout of the brochure did not change much, although the PC continued to include the double grid layout on the first page, which separately features all candidates by Election Unit and all sitting CNC members. The Chase Road Post Office was again designated as the official delivery point for the mail-in ballots. The biographical information was worked on collaboratively with candidates, who were requested to be

comprehensive but brief. Their written approval of their bio was required before submission of the final proof to the printer.⁴

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

As mentioned polling took place in the Public Library Scott Room from 7:00 AM to 9:00 PM. The Library parking lot provided ample space for in person voters. Signage was de minimus as the LWVS did not place any at the driveway entrance on Olmsted Road. Voters either entered the Library through the main entrance or the side entrance from the parking lot. Masks were required to be worn by voters and poll workers. The heavy metal locked ballot boxes, kept locked until after the polls closed, had been provided by the Village Clerk and transported to the Library the day before the election. Blank ballots, census lists, supplies, and sign in sheets were brought to the Library on election day. Poll workers were current PC members or former CNC election volunteers, all of whom either had familiarity with the process or were seated behind voter check in tables with those who did.

The usual polling procedures were followed, in which voters were asked their name and Election Unit, whether they had previously voted by mail-in ballot (none had), and were required to sign their name and address with pens provided on a sign in sheet attached securely to a clipboard directly across the table from the poll workers. Voters' names were checked by the poll workers against the census lists sorted by age and neighborhood, which had been provided at no cost by the School District Office. Only then were voters handed color coded ballots and directed across the room to fill in their ballots and place them in the appropriate ballot boxes (to which blank color coded ballots had been affixed), which were lined up in a row on a long table. There were a couple of small tables and chairs on either side of the room set up with additional copies of the Election Brochure and pens for voters to review if they needed to look up candidate biographies before filling in their ballots. Additional pens were provided on the ballot box table.

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

The PC organized a group of seven ballot tellers who tabulated ballots in the Library Scott Room at the close of in person voting at 9:00 pm. The entire process took just

⁴ The PC was mindful of prior LWVS inquiries about cost, yet continued to believe that the Brochure was necessary, was expected by voters, and would be a disservice to voters if not provided as long as the cost did not increase to prohibitive levels: "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." (2019-2020 CNC Election Consensus Statement, page 4)

over one hour. The tabulation process was efficient and accurate. On election day, mail-in ballots pre-sorted by Election Unit were not opened until they were collected from the Post Office and delivered to the Library, some collected days earlier and one last time after 5 pm. They were brought to the Library tellers after 9 pm. Mail-in outer envelopes were checked multiple times against in person sign-in sheets to ensure that no voter cast more than one vote. As mentioned, in person voter identities were also checked off on the Election Unit census lists obtained from the School District Office before handing in person voters their blank ballot. Mail-in ballot double envelopes were pre-sorted by Unit and checked and rechecked once distributed to the tellers to ensure all ballots were counted. See tabulation results in chart below. The PC's election committee chair conducted a final tally recheck before results were announced, first to the candidates and then to the media. The media (and all concerned) were advised that pursuant to the NPR, the only information that could be released were the names of the winning candidates and the number of total votes and votes by Unit.

- **What was the final tally of total CNC votes cast by neighborhood.**

See the below CNC election data chart for the vote breakdown. Voter turnout was comparable to 2020, which is to say lower than some but not all prior years. This could be expected in consideration of the ongoing pandemic. There were six invalid votes, of which one could not be identified at all and another had an address but was missing a name on the envelope. Another voter voted for candidates in the wrong election unit. Two mail-in ballots arrived at the Post Office too late, with envelopes postmarked November 8, the day before the election. The PC included more than one highlighted reference in the mail-in ballot instruction sheet about the necessity to allow ample time for mail delivery. In prior years there had been greater numbers of invalid mail-in votes when in person voting was held. A possible solution would be to add a more emphatic warning in the mail-in ballot instructions: **PLEASE FOLLOW THESE INSTRUCTION AND DON'T DELAY. YOUR VOTE WILL NOT COUNT AND WILL BE INVALIDATED IF YOUR NAME AND ADDRESS ISN'T ON THE OUTER ENVELOPE AND/OR IF YOU DIDN'T MAIL YOUR BALLOT ENOUGH DAYS IN ADVANCE TO BE POSTMARKED AND DELIVERED TO PO BOX 284 AT THE CHASE ROAD POST OFFICE BY ELECTION DAY.**

Another alternative to in person and voting by mail-in ballot that had been considered for the past two cycles was the use of a drop box to collect election day "mail-in ballots." Because it was unclear where the drop box might be placed so that it could be properly monitored, the drop box concept was not adopted but could be reconsidered for the November 2022 CNC election. The PC took note of the LWVS suggestion that a drop box would be acceptable to avoid Post Office postmark and mailbox delivery delays.

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

The Village Clerk advised the PC that the Village Hall lobby was being permanently decommissioned as a polling place. The Library staff offered the use of the Scott Room instead. Despite the challenges and stresses of the CNC election project generally, the availability of a large venue and adequate parking for in person voting may have reduced both the number of mail-in ballots and the time required to count them. There were 45 mail-in ballots received compared with 251 in 2020 when ballots were mail-in only due to the pandemic. There were no problems at the polls or during tabulation. Masks were required by the Library on the premises. The polling set up in the Scott Room allowed for adequate spacing between poll workers, voters and counters.

5. Finances

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

The following chart contains a breakdown of expenses through January 31, 2021. Expenses were higher than in 2020 due to the \$450 cost of the Library polling place instead of the Village Hall lobby fee of \$35. The beginning balance through January 31, 2021 as stated in the 2020 PC Annual Report was \$5,182.59. There was a late start in fundraising in November instead of early fall 2021. The balance including donations received by mid-February 2022 was approximately \$5,331.55. As of May 5, 2022 the balance was \$5,501.55.

2021-2022 Procedure Committee Expenditures and Historical Data

TYPE OF EXPENSE	YEAR 2021	YEAR 2020	YEAR 2019	YEAR 2018	YEAR 2017	YEAR 2016
Postage (brochure)	1,088.83	1,028.09	1,035.83	\$1,269.39	\$1,300.00	\$1,267.00
Printing (brochure)	2,119.88	2,223.42	2,164.96	\$2,036.52	\$1,717.28	\$1,768.33
Ballot printing	54.19	-0-	65.00	\$184.24	(contribution?)	\$48.32
Additional postage (fundraising)	116.00	143.00	198.00	(\$180.00) (contribution)	\$?	\$?
Scarsdale Library	450.00	-0-	240.00	\$240.00	≈150.00	\$?
Stationery	346.65	396.71	425.00	\$370.44	≈185.14	\$?
P.O. Box Rental	176.00	150.00	136.00	\$132.00	\$130.00	\$126.00
TOTAL expense paid	4,325.55	3,941.22	\$4,264.79	\$4,232.59	≈\$3,482.42	≈\$3,209.65

The next chart reflects 2021 election results and historical voter turnout data.

2021 CNC Election and Historical Voter Turnout Data

	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
Edgewood	51(6)	75	96 (8)	65 (18)*	66 (3)	37 (?)*	24*	21 (3)*	62 (3)+	76 (28)
Fox Meadow	88(21)	45*	46 (5)*	113 (2)+	54 (4)*	168 (?)	84	106 (28)	107 (?)	153 (67)
Greenacres	45(10)	79	82 (3)*	57 (7)+	141 (24)	68 (?)+	66+	54 (17)	103 (?)	115 (54)
Heathcote	12(5)	34*	57 (4)*	44 (3)**	136 (6)	24 (?)*	34*	34 (7)*	59 (?)	106 (40)
Quaker Ridge	13(3)	18*	87 (12)*+	70 (4)	42 (2)+	24 (?)*	16*	24 (10)*	24 (2)*	103 (45)
TOTAL (mail-in)	209(45)	251	368 (32)	349 (34)	439 (37)	321 (~106)	224 (25)	239 (65)	355 (163)	553 (234)

Data in parentheses () indicate the number of mail-in ballots; 2020 was exclusively mail-in ballot

All five 2021 Election Units had fewer than twice the number of candidates for each vacancy

In 2021 there were 1-year and 2-year unfilled vacancies in Fox Meadow

2021 CNC Election Synopsis

Ballots by Non-Partisan Election Unit – Total 254 (in person and mail-in ballot)

Edgewood **57**

Fox Meadow **109**

Greenacres **55**

Heathcote **17**

Quaker Ridge **16**

2021 Elected CNC Members, 3-year terms, except as indicated

Edgewood: William McInerney; Raju Sitaula

Fox Meadow: Lynne Clark; Scott Harris; Heath Sroka (2 yrs); Laura Thierer (1 yr)

Greenacres: Ralph Geer; Elaine Weir

Heathcote: Manisha Marria; Marjorie Meiman

Quaker Ridge: David Glattstein; Rohini Sahni

- **Describe this year's fundraising efforts and fundraising timeline⁵; Comment on any problems that arose and compare them to the prior years' experiences.**

The PC's 2021 fundraising discussions began over the summer but weren't implemented until after the November 9 election. Mailing was scheduled to occur before the end of the year primarily to select residents who had donated in the past. Thanks to the 2020-2021 PC's successful fundraising campaign and the generosity of Scarsdale's donors who support the nonpartisan system, the 2021 PC was able to cover its initial expenses and schedule fundraising to begin later in 2021.

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

END OF PC TERM OVERVIEW

The PC anticipated the following end of term activity by January 31, 2022: extending congratulations to the non-voting Chairs of the CNC after its last meeting for selecting the non-partisan slate of candidates for three Trustee positions; requesting information about CNC appointments of the non-voting Chair and Vice Chair of the 2022-2023 CNC, and of the Chair and Vice Chair of the Procedure Committee for 2022-2023 (to fill both vacancies); and reporting those appointments to the media.

As part of its administrative role, the PC also planned to request that the non-voting CNC Chairs: produce a CNC Annual Report, share information about how their Zoom meetings worked, provide a copy of the recording of the November 29, 2021 CNC Organization meeting for posting on the PC/CNC website, and forward any issues they wished to refer to the PC, which is a requirement under the Non-Partisan Resolution and CNC Rules of Procedure. The PC and the CNC are in session during the term ending January 31, 2022.