



Medford City Council  
Medford, Massachusetts

## **Governance Committee, March 26, 2024**

### **Voting Members**

Justin Tseng, Chair  
Isaac B. "Zac" Bears, Vice Chair  
Kit Collins  
Emily Lazzaro  
George A. Scarpelli

This meeting will take place at 7:00 P.M. in the City Council Chamber, 2nd Floor, Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom.

Zoom Link: <https://us06web.zoom.us/j/86093754838>

Call-in Number: +13092053325,,86093754838# US

Broadcast Live: Channel 22 (Comcast), Channel 43 (Verizon), and [medfordtv.org](http://medfordtv.org).

To submit written comments, please email [AHurtubise@medford-ma.gov](mailto:AHurtubise@medford-ma.gov).

### **CALL TO ORDER & ROLL CALL**

### **ACTION AND DISCUSSION ITEMS**

#### **23-474 - Offered by Council President Bears**

2023 Municipal Election Process Errors & Accountability Report

### **PAPERS IN COMMITTEE**

To view Papers in Committee, please email [ahurtubise@medford-ma.gov](mailto:ahurtubise@medford-ma.gov).

### **Adjournment**



Medford City Council  
Medford, Massachusetts

**MEETING DATE**

March 26, 2024

**SPONSORED BY**

**AGENDA ITEM**

**23-474** - 2023 Municipal Election Process Errors & Accountability Report

**FULL TEXT AND DESCRIPTION**

**23-474** - Offered by Vice President Bears

Whereas the Election Commission voted 3-1 to postpone discussion of the Council's request for a report on 2023 election issues to the Commission's January 2024 meeting; now, therefore:

Be it Resolved by the Medford City Council that a report be placed on the "Reports Due/Deadlines" section of the Council agenda titled "2023 Municipal Election Process Errors & Accountability Report" with a deadline of the January 23, 2024 Regular Meeting for a presentation by Elections Manager Ripley and Election Commission Chairperson Milorin.

Be it Further Resolved that the Council adds the following requests to the report: (1) any issues with the process for filing for recount and why it took so long for candidates and the public to be notified, (2) any process issues in preparation for the recount, and (3) what systems will be put in place to ensure prompt and timely notification of any issues or errors to the public to ensure trust is maintained when errors are made.

1. Councillor Scarpelli offered an amendment requesting the attendance records for all the members of the Election Commission.
2. Councillor Caraviello offered an amendment requesting an answer to the question of why it took until almost one o'clock in the morning to shut off the central tabulator.

Vice President Bears moved for approval as amended (Councillor Scarpelli second)—approved as amended.

[End of Paper **23-474**, with actions taken on December 19, 2023. Additional discussion occurred under Papers **23-450** and **23-451** on November 14, 2023.]

**23-474 - 2023 Municipal Election Process Errors & Accountability Report (Due January 23, 2024)**

Addressing the Council:

Elections Manager Melissa Ripley

Election Commission Chair Henry Milorin, 8 Temple Street

Election Commission Member Erin DiBenedetto, 21 Dearborn Street

- 1. Councillor Scarpelli offered an amendment requesting that the the Governance Committee meet with the Election Commission and Elections staff to review the reforms in the report, and for progress updates and additional discussion of any needs, and of how the Council can be supportive, to make sure that these issues are addressed, and that resources are provided to the Election Commission.**
- 2. Councillor Scarpelli renewed his request (amendment a from December 13, 2023) for the attendance records for all the members of the Election Commission.**

**Councillor Scarpelli moved to refer the paper, as amended, to the Governance Committee (Councillor Lazzaro second)—referred to the Governance Committee.**

## **RECOMMENDATION**


## **FISCAL IMPACT**

## **ATTACHMENTS**

1. 2024-03-04\_VotebyMailLabelingError\_Summary
2. 2024PresidentialPrimary\_NotableIssues\_Summary\_OnLetterhead\_wEnclosures
3. Election-Commission-Meeting Attendance
4. Fixing election irregularities.rev
5. Commissioner Milorin AAR Municipal Election.rev



*Election Commission  
85 George P. Hassett Drive, Room 102  
Medford, Massachusetts 02155  
781-393-2491*

From: Nina Nazarian 

To: Elections Commission  
Mayor Breanna Lungo-Koehn  
Cc: City Council

Re: Vote by Mail Error Identified in February 2024 relative to the March 5<sup>th</sup> Presidential Primary

Date: March 4, 2023

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The following is a report regarding the vote by mail issue identified by a registered voter.

**Background**

On February 12, 2024 registered voter Jennifer M. Sagtosky posted to a Facebook group the following statement:

“we got two vote by mail ballots addressed to me and my husband (which I obviously opened) and on the inside were ballots for two entirely different people on our street (not even at the same address), so maybe check your ballot before you fill it out to make sure it’s actually yours.”

On the same day, the Elections Office also received a call from the registered voter. This call was the first notification the Elections Office received on the matter. Upon receiving the call, the Elections Office immediately convened a meeting to discuss the matter.

The challenge faced by individuals doing the work was that labels printed from the state’s Voter Registration Information System (VRIS) did not line up in the same places between the outer envelope label and the inner envelope label. In other words, if the top left label on the outer envelope sheet was First1, Last1, the top left label on the inner envelope label sheet was not necessarily First1, Last1, it may have been First2, Last2 for instance.

The conclusion of the internal meeting was that there needed to be immediate clarity to specific steps in which labels needed to be placed on envelopes. Namely, that the labeling should be performed by teams of 2, at a minimum, so there was an additional check process and names were read aloud to ensure that the two labels were properly checked. As part of those discussions, the internal team believed the error was relatively isolated. They believed it was isolated to Ward 3, Precinct 2 and only one or two label sheets.

Office team members began researching the matter immediately and contacting individuals on the label sheet where Jennifer M. Sagtosky and her husband, Jonathan A. Sagtosky’s names appeared to determine if the inner mail in ballot envelope, known as the EV7, had the correct name label. The City’s Election Office and management support persistently followed up on this matter to determine the extent of the error and be able to make the necessary corrections.



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### **Findings**

As of February 29, 2024, the Election Office's review of the matter has been completed to the best of the Office's ability. In total, the Election Office believes that there were 12 registered voter envelopes which were affected by this error. The Election Office was able to make contact with 10 out of 12 of those addresses and make the necessary corrections but was unable to make contact with 2 out of the 12, despite leaving 2 voice messages and making one visit to the remaining addresses.

We collectively were disappointed that this error occurred, however I am proud that the Elections Office took immediate action, put systems in place to ensure it did not recur and applaud their overall diligence with getting over 7,000 vote by mail requests out to registered voters.



## *City of Medford*

*Election Commission  
85 George P. Hassett Drive, Room 102  
Medford, Massachusetts 02155  
781-393-2491*

From: Nina Nazarian 

To: Elections Commission  
Mayor Breanna Lungo-Koehn  
Cc: City Council

Re: Notable Issues Relative to the March 5<sup>th</sup> Presidential Primary

Date: March 13, 2024

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The following is a report regarding various notable issues, in my opinion, that came up on and after Super Tuesday. This is not intended to be a complete report of irregularities or issues that arose during this Presidential Primary.

### **Signage at the Roberts School**

In my view, the most notable issue that arose on Super Tuesday was signage at the Roberts School. One of the biggest challenges in preparing, leading up to the election, was the fact that no one could reconcile what signage was available for each polling location. This was due to signage being dispersed throughout the City. Signs were stored at each polling location, at City Hall and the DPW. That means signs were dispersed in sixteen locations. Further complicating the situation was the fact that school was in session, meaning the typical entrance a voter would use to access their polling location, may have moved.

Prior to election day, we attempted to reconcile all the signage to the best of our ability, create additional signage and be prepared in the event additional signage needed to be created. On the morning of March 5, 2024 we received a number of complaints about signage at the Roberts School. That morning, I went out to the Roberts reworked the signs, and placed additional signs to navigate voters to the entrance. We continued to review the signage and lighting throughout the day at this site, including Commissioner Milorin visiting the site twice. We did not receive further complaints relating to signage after noon at the Roberts School.

One action we took to remedy this type of situation from recurring in the future is we instructed the DPW to pick up ALL signage from the polling locations and bring them to City Hall. We believe this will greatly aid the Elections Office in preparing signage in advance of the day of elections, even if school is in session. In the event school is in session during a future election, we plan to have more signs in use at the Roberts and other schools where additional signage was needed (i.e. Brooks School).

### **Election Results Subsequent to the Closure of Polls**

The Elections Commission received a complaint from a candidate on the ballot, Patricia Brady Doherty, regarding the availability of results from Central Tabulation. The candidate was adamant that results should be available just after 8 PM at Central Tabulation, much like results are posted at



## *City of Medford*

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each polling location. The file being downloaded from the system was moving very slowly, and based on feedback from another community, it is possible that the purchase of an external hard drive could help speed up the download. Further review of this matter with the candidate may be warranted to ensure that the Elections Office has a complete understanding of their complaint.

### **Post-Election Tabulation**

On Wednesday, March 7, 2024 the Elections Office published the attached Notice of Post-Election Tabulation. On the same day, I transmitted that notice to the Secretary of State's Office, as I believed I was required to send that notification to them as well. I received an email from Director and Legal Counsel Michelle K. Tassinari which read:

Good Afternoon Nina-

Kelly forwarded your email to me for response. Please note that all ballots from the Presidential Primary were to be counted on election night. The provisions referenced in your notice apply only to a biennial state election. Information about the counting process and requirements were sent to local election officials, see attached, multiple times before the election, which specifically state that all ballots must be counted on election night.

Please provide this Office with an accounting of how many ballots were received before 8pm last night but not counted, listed by ward, precinct and party. We will need this information to evaluate how to proceed as the law does not authorize a post-election tabulation as proposed.

Michelle K. Tassinari  
Director and Legal Counsel

I responded that same day with the following:

Hi Michelle,

I apologize, I was not aware. I was trying to keep up with the advisories, reading laws, etc., but I was also taking in a lot of volume/learning at once the best I could.

We have a total of 77 ballots that arrived after 5:30 PM and before 8 PM yesterday. Per your email, we have outlined ballots by ward, precinct and by party. Please see attached.

We had posted notice to the City's website and bulletin boards. We will await your reply before making any changes to those postings. We are also planning to perform the election certification on Friday and/or Saturday.



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We respectfully await your reply.

Sincerely,

Nina

The following day, the attached Order “to complete the count of votes in the Presidential Primaries in accordance with the Notice published on March 6<sup>th</sup>” was received. I made arrangements to have a police officer present, and the Elections Office proceeded with the tabulation and certification on Friday, March 8, 2024. The count occurred in the Elections Office, Room 102, City Hall, 85 George P. Hassett Drive, Medford, MA 02155. In attendance during the count were Election Commissioner and Chairperson Henry Milorin, Elections Consultant Danielle Pietrantonio, Captain Barry Clemente and me. Elections Consultant Sergio Cornelio joined the group just as the count was completed and assisted with the certification process.

### **Next Steps**

The Elections Office is going to be collecting feedback from election workers regarding this past election and will use their input for a post-election audit to help us make adjustments and corrections, where needed.





## *City of Medford*

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*Election Commission  
85 George P. Hassett Drive, Room 102  
Medford, Massachusetts 02155  
781-393-2491*

TO: Residents of the City of Medford  
FROM: Medford Elections Commission  
DATE: March 6, 2024  
RE: Notice of Post-Election Tabulation for March 5, 2024, Presidential Preference, State Committee Man, State Committee Woman, Ward Committee Election

In accordance with Chapter 92 of the Acts of 2022, known as the VOTES Act, please be advised that the City of Medford will perform a post-election tabulation session for the March 5, 2024 Presidential Preference for Election Day ballots that arrived after 5:30 PM but no later than 8:00 PM on March 5, 2024, that were not able to be sent and processed at their respective polling locations.

This session will take place in the Elections Office, City Hall, 85 George P. Hassett Drive, Medford, Massachusetts, beginning on Friday, March 8, 2024 at 1:15 PM and will be open to the public.

The process will be open for public observation. If you would like to observe the Post-Election Tabulation, we ask that you contact the Medford Election Office by calling (781)-393-2491.



# The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth  
Elections Division

March 7, 2024

Medford Election Commission  
Election Commission  
85 George P. Hassett Drive, Room 102  
Medford, Massachusetts 02155

## ***VIA EMAIL ONLY***

Dear Commissioners:

I am writing in response the Notice of Post-Election Tabulation received on March 6, 2024, in which you indicate that vote by mail ballots for the March 5<sup>th</sup> Presidential received after 5:30 p.m. and before 8:00 p.m. on election day were not tabulated. The City has explained that seventy-seven (77) ballots were validly received, but there was insufficient time to distribute to the appropriate precincts to be counted. The City has a statutory responsibility to count the ballots cast, and therefore, you must complete the count of votes cast in the Democratic, Republican and Libertarian Presidential Primaries before the results can be certified.

In accordance with the authority set forth section 60 of chapter 56 of the General Laws, the City of Medford is therefore ordered to complete the count of votes in the Presidential Primaries in accordance with the Notice published on March 6<sup>th</sup>. A record of the proceedings must be kept, including the place, time, and people in attendance and a police officer or constable must be present during this continuation of the count. After the counting is complete and the votes recorded, the ballots must be sealed.

Once this process is complete, the Election Commission must certify the election results, complete the Return of Votes and transmit them to the Elections Division no later than March 9, 2024.

Should you have any additional questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink that reads "Michelle K. Tassinari".

Michelle K. Tassinari  
Director/Legal Counsel

	<u>Henry</u>	<u>Mark</u>	<u>Erin</u>	<u>Tony</u>
8/22/2022	X	X	X	X
9/21/2022	X	X	X	X
10/19/2022	X		X	X
11/7/2022	X		X	X
11/16/2022	X		X	X
11/21/2022	X	X	X	X
1/18/2023	X	X	X	X
2/15/2023	X		X	X
3/15/2023	No quorum			
4/19/2023	X		X	X
5/17/2023	X		X	X
6/14/2023	No quorum			
7/19/2023	X	X	X	X
8/16/2023	didn't meet open meeting law requirements			
9/20/2023	X	X		X
10/18/2023	X	X	X	EXCUSED
11/8/2023	EXCUSED	X	X	X
11/15/2023	X	X	X	X
12/8/2023	X	X	X	X
12/13/2023				

# HENRY MILORIN

8 Temple St • Medford, MA 02155 • [henry.milorin@verizon.net](mailto:henry.milorin@verizon.net) • (781) 483-3455

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To fix irregularities in our election, the following approach can be considered:

1. Identify and investigate irregularities with follow up: Gather evidence and information about reported irregularities on election process. This may include instances of voter fraud, tampering with ballots, or other violations of election rules. **(Action taken so far, the commission has designed a survey to reach out to poll workers and advanced team in search of what went wrong during the elections)**
  2. Establish an independent investigation committee: Form a committee comprising impartial individuals or organizations to conduct a thorough investigation. This committee should be free from any bias or conflict of interest. **(Can be done following answers received from survey)**
  3. Review voter registration and eligibility: Verify the accuracy of voter registration records to ensure that only eligible individuals are allowed to vote. Cross-check the voter list with state identification databases and address any discrepancies. **(Step achieved via V.R.I.S – Voter Registration Information System)**
  4. Secure and audit voting machines, polling pads: Ensure that voting machines and polling pads are secure and cannot be tampered with. Conduct a comprehensive audit of the machines and polling pads to identify any potential irregularities or manipulation. **(Done during machines testing but need to be more open to public)**
  5. Recount votes: If there are doubts about the accuracy of the vote count, consider conducting a recount of the ballots. This should be done under strict supervision and with proper safeguards to maintain transparency. **(Recount was requested and executed on December 9, 2023)**
  6. Address complaints and appeals: Provide a mechanism for individuals to submit complaints or appeals regarding the irregularities. Investigate each complaint thoroughly and take appropriate action based on the findings. **(Easy said than done as some of the complaints came in as personal treats but is open for citizens to execute civil rights concerns respectfully)**
  7. Enhance transparency and monitoring: Strengthen the transparency of the election process by independent observers and implementing stricter monitoring mechanisms.
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This can help prevent irregularities in future elections. **(Always the objective and we need to recruit citizens to engage more. MGL Title VIII, Chapter 54, Section 68A)**

**8. Prosecute offenders:** If evidence of fraud or other criminal activities is found, ensure that the perpetrators are prosecuted. This will serve as a deterrent and maintain the integrity of future elections.**(Allow elections MGL to address what can be done)**

It is important to note that the specific approach may vary depending on the nature and scale of the irregularities. It is advisable to consult legal experts and election authorities to determine most appropriate course of action.



## **Medford Election After Action Report of Commissioner Milorin on the Recent Municipal Election**

**1. Introduction:** This report provides an analysis and evaluation of the recently concluded municipal election, highlighting key observations and recommendations for future improvement. As an election commissioner, my aim is to provide a comprehensive and personal assessment of the recent election processes, focusing on its strengths and areas that require attention.

**2. Election Preparation:** The election was meticulously planned and organized, considering factors such as voter registration, candidate nominations, and polling station arrangements. The election team worked diligently to ensure all necessary resources were available, including personnel, equipment, and communication systems.

**3. Voter Engagement:** Efforts were made to increase voter engagement through various means, such as public awareness campaigns, and voter education initiatives. However, there is room for improvement in terms of reaching out to underrepresented groups, ensuring language accessibility, and leveraging social media platforms for broader engagement.

**4. Polling Stations:** The setup of polling stations were well-executed, ensuring convenient access for voters across the municipality. Adequate staffing and training of poll workers contributed to the smooth functioning of the voting process. However, technical issues were encountered at a few locations, which may have caused inconvenience to voters. Measures should be taken to address these issues in future elections.

**5. Election Day Operations:** The election day operations were generally successful, with efficient management of voter queues and ballot distribution. However, there were instances of confusion due to insufficient instructions at some polling stations. Clear communication and better coordination between election officials and poll workers would significantly enhance the voting experience.



**6. Security and Compliance:** Security measures were implemented to ensure the integrity of the election process, including the presence of law enforcement personnel at polling stations. Compliance with electoral laws and regulations was strictly monitored, and no major incidents of misconduct or electoral fraud were reported. However, enhanced training for election staff on security protocols and procedures is recommended for future elections.

**7. Results and Transparency:** The counting and tabulation of votes were conducted with transparency and a lack of accuracy, instilling confidence in the election outcome. The timely announcement of results and their availability to the public through various channels did not meet expected transparency. However, the provision of more detailed information and data on the election results would be beneficial for public scrutiny and analysis.

**8. Recommendations:** Based on the observations made during the municipal election, the following recommendations are put forth for consideration:

- a) Strengthen efforts to engage underrepresented groups, ensuring inclusivity and accessibility throughout the electoral process.
- b) Improve technical infrastructure at polling stations to minimize delays caused by technical issues.
- c) Enhance signage and communication at polling stations to provide clear instructions to voters.
- d) Conduct regular training sessions for election staff and poll workers on security protocols and compliance with electoral laws.
- e) Increase transparency by providing more detailed information and data on election results for public scrutiny and analysis.

**9. Conclusion:** Overall, the municipal election was conducted successfully, with a few areas requiring attention for future improvement. By implementing the recommendations outlined in this report, we can further enhance the integrity, inclusivity, and transparency of future election processes in our city.