

1 JUDGE CRUMLISH: Good  
2 afternoon. I'm going to call to order the  
3 Return Board for the 2023 primary and  
4 special election. I'm James Crumlish. I am  
5 acting Chair. Along with me is Judge  
6 Furlong.

7 So with that, I'm going to begin  
8 by saying that in the conduct of this public  
9 meeting, it's my duty and responsibility to  
10 preserve the order and decorum of these  
11 meetings. All in attendance should be aware  
12 that shouting, interrupting, or disrupting  
13 the orderly process of these proceedings  
14 won't be tolerated. Those who violate those  
15 rules may be asked to leave.

16 The Sunshine Act permits anyone  
17 attending a public meeting to object to a  
18 perceived violation at any time during the  
19 meeting. If you choose to make a public  
20 objection, please succinctly state your  
21 objection and be aware that an objection is  
22 not an opportunity for speech making,  
23 cross-examination, or litigation.

24 We'll now move to public comment.

1 Persons commenting shall state where they  
2 live or if they are or not a resident of  
3 Philadelphia and that they are a  
4 Philadelphia taxpayer or, as this is the  
5 Return Board, which candidate, if any, they  
6 represent. Public comment is not an  
7 opportunity for repetitive or theatrical or  
8 rhetorical dialogue or a question and  
9 answer. It's a public comment process.  
10 That is it is a chance to tell us what you  
11 think.

12 Each speaker may have up to two  
13 minutes. However, I may extend at my  
14 discretion as a Chair that time. All public  
15 comments must be relevant or germane to the  
16 Board's business. Finally, also it is my  
17 responsibility to preserve the civility and  
18 order of these proceedings. As such,  
19 profane, slanderous, discriminatory threats  
20 or personal attacks won't be tolerated.

21 Anyone here representing a  
22 candidate to offer an argument on a mail-in  
23 ballot sufficiency determination should wait  
24 until the specific category they wish to

1 make an argument on is called later in the  
2 agenda of this meeting. If there are voters  
3 here wishing to be heard on the mail-in  
4 ballot, we ask that those voters wait until  
5 we get to that portion of the agenda and  
6 they'll be given an opportunity to speak at  
7 that time. Anyone wishing to offer public  
8 comments may please identify themselves and  
9 step forward.

10 (No response).

11 JUDGE CRUMLISH: Having no  
12 one rise to make a public comment, we will  
13 now move on. I'll call on the Secretary of  
14 the Commission, Judge Furlong. Judge  
15 Furlong, do we have any e-mailed comments?

16 JUDGE FURLONG: Thank you,  
17 Mr. Chairman, Judge Crumlish. All comments  
18 that were e-mailed by 9:45 a.m. were shared  
19 with Members of the Board and the deputies  
20 at 10:00 a.m. and have been provided to each  
21 member of the Board at the beginning of the  
22 meeting and are available at the public  
23 comment table. We received one comment from  
24 John Chin. I've reviewed Mr. Chin's comment

1 and asked that it be moved into the record.

2 JUDGE CRUMLISH: I've read it  
3 and I would move and agree with Judge  
4 Furlong that that will be made a public part  
5 of the record of this meeting.

6 JUDGE FURLONG: Thank you,  
7 Mr. Chairman.

8 JUDGE CRUMLISH: Anything  
9 further? We have one additional comment  
10 from the deputy.

11 DEPUTY KAPENSTEIN: Yes, your  
12 Honor, if I may be recognized? On the  
13 Language Access Advisory Board, we have  
14 posted the application onto our website and  
15 have reviewed the applicants. We are  
16 continuing to double our efforts in order to  
17 recruit highly-qualified and respected  
18 members of the community to serve on this  
19 Board and we hope to have its first meeting  
20 this summer.

21 JUDGE CRUMLISH: Thank you.  
22 We will now call on Ms. Eckroade to present  
23 the mail-in ballot sufficiency  
24 determinations. Good afternoon.

1 MS. ECKROADE: Good  
2 afternoon.

3 JUDGE CRUMLISH: You may  
4 proceed.

5 MS. ECKROADE: Okay. So for  
6 the 2023 primary, for the mail-in ballot  
7 sufficiency determination, we have, number  
8 one, blank declaration envelopes. We have  
9 105.

10 JUDGE CRUMLISH: Judge  
11 Furlong, I would move that we decline to  
12 accept that mail-in ballot as it is a  
13 deficiency under the law.

14 JUDGE FURLONG: Second and  
15 aye.

16 JUDGE CRUMLISH: Those absent  
17 declaration envelopes will not be counted.  
18 The next category?

19 MS. ECKROADE: Missing  
20 signature. We have nine.

21 JUDGE CRUMLISH: Again, as  
22 that is a failure under the law of the  
23 Commonwealth of Pennsylvania, I would move  
24 that we not count such mail-in ballots that

1 are missing the signature.

2 JUDGE FURLONG: I would  
3 second that and aye.

4 JUDGE CRUMLISH: We will not  
5 count those ballots missing signatures. You  
6 may proceed, ma'am.

7 MS. ECKROADE: Ballots not  
8 enclosed in secrecy envelope.

9 JUDGE CRUMLISH: Again, as a  
10 matter of Pennsylvania law, that is a  
11 requirement and I would move to not accept  
12 those ballots that were not enclosed in the  
13 secrecy envelope.

14 JUDGE FURLONG: I will second  
15 and aye.

16 JUDGE CRUMLISH: We will  
17 decline to count those ballots as  
18 identified.

19 MS. ECKROADE: And the total  
20 count for that was 521.

21 JUDGE CRUMLISH: I apologize.

22 MS. ECKROADE: No, that's  
23 okay.

24 JUDGE CRUMLISH: You may

1 proceed.

2 MS. ECKROADE: Signed by  
3 another individual other than the voter. We  
4 have 14.

5 JUDGE CRUMLISH: And that is  
6 a failure under control in Pennsylvania law.  
7 I would vote to not accept those ballots.

8 JUDGE FURLONG: Second, aye.

9 JUDGE CRUMLISH: Those  
10 ballots absent -- of in the name of another  
11 voter other than the registered voter will  
12 not be counted. The next category?

13 MS. ECKROADE: ID  
14 verification. No Social Security or  
15 driver's license on short file. We have  
16 one.

17 JUDGE CRUMLISH: I've been  
18 advised by the professional staff at the  
19 Commission that they have communicated by  
20 correspondence with the voter who has  
21 provided the necessary information so I move  
22 that we accept category five, that one vote.

23 JUDGE FURLONG: I second and  
24 aye.

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1 JUDGE CRUMLISH: That vote is  
2 accepted. Next, please?

3 MS. ECKROADE: ID  
4 verification. ID provided opposite of what  
5 is on short file. We have four.

6 JUDGE CRUMLISH: Also the  
7 professional staff of the Commission has  
8 communicated with the voter and that  
9 identification has been secured. I would  
10 vote to accept those votes as consistent  
11 with Pennsylvania law.

12 JUDGE FURLONG: Second and  
13 aye.

14 JUDGE CRUMLISH: Those votes  
15 will be counted. Next category?

16 MS. ECKROADE: ID  
17 verification. ID opposite -- ID doesn't  
18 match short file. We have zero.

19 JUDGE CRUMLISH: Okay. So if  
20 they had been presented, I may have voted  
21 against them being accepted. However, since  
22 there are zero, zero is zero.

23 JUDGE FURLONG: I concur.

24 JUDGE CRUMLISH: Thank you,



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1 Judge Furlong. Next category, please?

2 MS. ECKROADE: ID

3 verification. No response. We have 468.

4 JUDGE CRUMLISH: As they do  
5 not meet the standard -- the statute of the  
6 Commonwealth of Pennsylvania that controls  
7 in this matter, I would vote that we not  
8 accept those ID verification no responses.

9 JUDGE FURLONG: I will second  
10 and vote aye.

11 JUDGE CRUMLISH: So we will  
12 not count that category of ballots that have  
13 been submitted. Next category?

14 MS. ECKROADE: Missing date.  
15 We have 1,539.

16 JUDGE CRUMLISH: Although I  
17 do believe that that is an immaterial aspect  
18 of the ballot and it's subject to litigation  
19 presently in the federal courts, however, as  
20 a matter of existing Pennsylvania statutory  
21 construction by the Courts, I would vote to  
22 decline to accept those ballots with missing  
23 dates.

24 JUDGE FURLONG: I will second

1 and vote aye.

2 JUDGE CRUMLISH: They will  
3 not be counted. The next category?

4 MS. ECKROADE: Incorrectly  
5 dated, 257.

6 JUDGE CRUMLISH: And also  
7 coincident with that, my understanding of  
8 controlling case law, noting that the  
9 missing date -- or, I'm sorry, the incorrect  
10 date may have been a non-material defect in  
11 the ballot as a matter of federal law,  
12 however, the controlling law of the  
13 Commonwealth of Pennsylvania requires me to  
14 decline to accept that ballot.

15 JUDGE FURLONG: Second and  
16 aye.

17 JUDGE CRUMLISH: That ballot  
18 -- those ballots will not be committed --  
19 will not be accepted. The next category?

20 MS. ECKROADE: Ballot  
21 received back in a provisional secrecy  
22 envelope.

23 JUDGE CRUMLISH: Professional  
24 staff and the Commission have reviewed this

1 ballot -- or how many ballots is this?

2 MS. ECKROADE: One.

3 JUDGE CRUMLISH: So they have  
4 carefully considered all the other  
5 validation aspects and the ballot itself has  
6 not been compromised and is retained in the  
7 secrecy envelope. Based on that  
8 consideration, I would vote to accept that  
9 ballot.

10 JUDGE FURLONG: Second and  
11 aye.

12 JUDGE CRUMLISH: So having  
13 said that, that completes the ballot  
14 deficiency determinations. Do we have any  
15 other non-agenda items to be added?

16 (No response).

17 JUDGE CRUMLISH: Hearing  
18 none, we will move on to other business of  
19 the Commission in due course. Thank you  
20 very much, ladies and gentlemen.

21 - - -

22 (This concludes the video  
23 file.)

24 - - -

1 Public Comment from John Chin:

2

3 Dear City Commissioners:

4

5 I am writing to express my disappointment  
6 that the "Language Access Advisory  
7 Committee" was not activated before the  
8 primary election.

9 The City Commissioners made a historic and  
10 unanimous motion to establish the "Language  
11 Access Advisory Committee" before the  
12 primary election as a result of our  
13 collaborative work among the Committee of  
14 Seventy, All Voting is Local, Mayor's  
15 Commission on Asian Pacific American  
16 Affairs, and your office. This motion to  
17 advance equity and inclusion was a worthy  
18 event to celebrate.

19 Philadelphia Chinatown Development  
20 Corporation is a participating member of  
21 this working body. We announced and promoted  
22 the establishment of the Language Access  
23 Advisory Committee, as well as the  
24 recruitment of candidates to serve on this

1 committee.

2 The lack of result is very disappointing,  
3 and I hope that the Office of the City  
4 Commissioners can get this committee  
5 formation back on track and established this  
6 summer. We worked together to come up with  
7 the committee and recruit qualified persons  
8 who care about language access from diverse  
9 communities. We are willing to help again.  
10 Please establish this committee as you had  
11 promised.

12

13 Sincerely,

14 John

15

16 John Chin

17

18 Executive Director

19 Philadelphia Chinatown Development

20 Corporation

21 301-305 N. 9th Street, Philadelphia, PA

22 19107

23 tel: 215-922-2156 | fax: 215-922-7232 | web:

24 [www.chinatown-pcdc.org](http://www.chinatown-pcdc.org)

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