

Exhibit 1

Election 2020
Preliminary Covid, Access and Safety Plan
Covid Response Team (in consultation with Bard Security)
For Federal and State Elections
Tuesday November 3, 6:00 am-9:00 pm
Bard College Bertelsmann Campus Center

October 26, 2020

Bard College is thrilled to welcome all voters from Red Hook District 5 to the Multipurpose Room (MPR) of the Bertelsmann Campus Center. For nearly two decades, the MPR has safely hosted events for the campus and off campus communities.

The dimensions, layout and overall functioning of the Bertelsmann Center will allow it to serve as a safe polling location on November 3 for all of District 5 by enabling voters and poll workers to maintain social distancing while also providing accessibility to those with mobility impairments. These election protocols build upon many current practices of Bard that have enabled us to operate safely throughout the pandemic and before as they concern events on campus. They also rely on CDC *Polling Locations and Voters* Interim guidance of June 22 and updated on October 22nd, which include recommendations for use of “larger facilities,” as the MPR suggests (<https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html>) and New York State and New York Department of *Public Health Safety Measures to Prevent Against Transmission of COVID-19 at Polling Stations* guidelines (https://coronavirus.health.ny.gov/system/files/documents/2020/06/boe-doh_covid19_pollsitecleaning_update_061120.pdf). Finally, Bard is taking into consideration all regulations and best practices concerning the Americans with Disabilities Act, to ensure access to all voters.

This preliminary plan was drawn up by Bard’s Covid Response Team, which has been meeting regularly (normally twice per week) since March 2020 and which has been responsible for Bard’s Covid Safety protocols. This plan will be finalized after consultation with Nuvance Health, the largest health provider in the region, with whom Bard has been working closely since June, to review all campus reopening, teaching, housing and other Covid-related safety plans, as well as for special events, such as Bard’s graduation ceremony in August. Please note: **we understand that the Board of Elections does not require polling sites to prepare or provide Covid Safety plans, but we believe in good practice and transparency** and we intend to make a redacted version of this plan available on our Covid 19 website and Election@Bard website and to the Board of Elections for publication to the general public. We will also consult with the Board of Elections and appropriate local law enforcement officials.

The plan is consistent with Bard's protocols. Please note that Bard's Covid plans have consistently stated that the campus will be open for "essential civic activities such as elections, where visitors will be directed to closely controlled facilities operated and cleaned in keeping with New York State and CDC approved Covid-19 guidelines" <https://www.bard.edu/covid19/>. The President's message limiting access to campus also noted the exception: *"Although the College has applied strict measures to contain COVID, it will take equally extraordinary measures to make sure that access to voting on election day is easy, fair, and safe. Based on the College's record in preventing any cases on campus so far, voting on the campus should be considered the safest and most convenient alternative for in-person voting"* (his italics).

I. Covid Safety:

A. Voting Set-up

- Covid reminders: Place signs on sidewalks, near polling entrance, and in Campus Center reminding voters of Covid safety tips (masks, social distancing etc).
- Room setup: To be determined by BOE Polling Coordinator.
 - Recommend that BOE situate welcoming tables and voting booths towards the middle and far end of Multipurpose Room (MPR) in appropriate socially distanced manner.
 - Recommend Voting machines all be set up at least 10 feet apart (exceeding the CDC recommendation of six feet).
 - Recommend distancing markers for floor and area inside MPR, in waiting area, and outside of North entrance going up path.
- During voting, Social Distancing Coordinator from BOE can work inside room and Bard can provide additional support outside of actual polling room should long lines develop.
- Limit number of voters waiting in MPR and in internal waiting areas (if long lines, encourage waiting outside in cooperation with Poll Workers, and create cordoned path where voters can wait). Subject to consultation with the BOE, we propose that in the room itself there be space for poll workers and watchers, four voters at machines, up to an additional six voters in line socially distanced ten feet apart. Voters can line up at distances of 10 feet in cordoned off hallway and the rest can wait outside. If there is inclement weather, we will move tents to protect voters. The result is that we should be able to easily accommodate approximately 20 voters inside at one time in a standard that exceeds CDC guidelines.
- Create separate cordoned off area in MPR should voter need to remove mask for identification purposes per CDC guidelines
- Create egress through the South doors of the MPR allowing exit into quad as alternative to main entrance.
- Ventilation system will operate as it always does when MPR is occupied.

B. Sanitizing

BOE Sanitizing Coordinator will have primary responsibility for sanitizing within polling area (MPR).

COVID Response Team will provide supplemental support and supplies, including:

- Hand sanitizer with at least 60% alcohol.
- Garbage Cans for disposal of materials
- Disinfectant and Wipes
- Disposable Masks

C. Health

- All students entering Campus Center will be required to display green Involvio app.
- Any self-isolation or quarantine protocols for students, faculty or staff will be enforced and alternative approaches to voting identified.
- All Bard poll workers, poll watchers, and core support staff for voting will be expected to take Covid tests October 29-30. Only those who test negative will be allowed to participate. All participants will be required to complete daily Covid Check-in

D. Cleaning

Environmental Services will:

- Clean Campus Center MPR and entrance on night of 11/2. Midnight shift ES Staff member will clean and disinfect.
- Arrange to clean exterior spaces (door handles and hallways) during the day. We will implement a break in flow to clean interior spaces.
- Clean bathrooms on second floor of Campus Center (which will be closed to other traffic) several times during the day
- Clean MPR and Campus Center entrance after 10 pm on 11/3.

II. Building Access

- Security will open Campus Center North entrance at 4:45 am and await the first poll worker. Poll workers will be provided with Security telephone number should there be any difficulty.
- North entrance of Campus Center will be restricted to voters, poll workers, poll watchers, “voter welcome volunteers,” and BOE officials.
- South entrance will be closed except as a means of egress.

- All others accessing the building for access to the Post Office etc. will be mandated through West entrance.
- Students and all but election workers and Bard hosts will be restricted from East side of building. Separation area will be manned by Student Activities staff and appropriate garderoles.
- DTR door on South side will be open. North side door will be closed except as means of egress.
- Second floor of Campus Center will be closed except for skeleton staff. Bathrooms on the second floor reserved for voters and poll workers.
- Alternative Entrance will be created on the South side of MPR for voters who cannot/or will not follow mandated safety protocols for face coverings.
- Classes scheduled for MPR will be moved to other locations or rescheduled.
- Staff working on second floor will be instructed to host no meetings on 11/3

III. Furniture & Equipment

- Jacob Testa will liaise with BOE to ensure that appropriate furniture is available in MPR (Desks, Chairs) and access for equipment dropoff is set.
- Bard will offer guest access to Internet for voters.
- Jacob will consult with BOE concerning computer or IT needs.

IV. Parking

- Students, faculty, and staff will be prohibited from parking in Admissions and Campus Center lots adjacent to North door. Announcements will begin 10/27 and signs will be posted starting 11/30 beginning at 6:00 pm on 11/2
- Security will ticket cars and inform drivers on 11/2 that unauthorized vehicles will be towed.
- Security will direct all voters to parking areas adjacent to Campus Center North entrance (including Handicap Accessible spaces) and in Admissions parking lots.
- Poll workers will be asked to park in Admissions Parking Lot: Notes before hand to clear out, spaces and spaces reserved for voters
- Signs will lead from all lots to polling site entrance on North side of Campus Center (see signage)
- Parking will be prohibited along Annandale Rd, in consultation with the County.

V. Signage

- Electronic signs will be placed at North and South entrances to Bard Campus will be marked with "Vote at Bard 11/3" (done 10/26)
- Signs for "Voter Parking" to be placed on Annandale Rd North and South of North Ravine Rd.

- Signs of “Vote Here” to be placed on walking paths to Campus Center from public transportation (Loop Bus) stop and parking lots.
- Center for Civic Engagement staff will review access to the Campus Center, the MPR, and the area surrounding within 100 feet of the campus the night of 11/2, the morning of 11/3, and throughout the day of 11/3 to ensure that there are no signs or communications that violate electioneering rules.

VI. Communications

A. Internal:

- Students and staff have been notified of move of polling site to Campus Center
- President Botstein will send a reminder to the Bard Community on 10/28 of rules governing voting, access to Campus Center, rules on electioneering and acceptable clothing etc.
- Additional reminders will be sent through email, social media, Involvio (student information application) and Regroup Emergency Notification, which goes to all students, reminding community of:
 - a) Polling hours
 - b) Rules regarding access to Campus Center, including closing of North entrance to all except voters, poll workers etc. and requirement of West entrance will be only general access entrance.
 - c) Rules concerning electioneering
 - d) Faculty will be informed by Dean of College and Executive Committee that classes in Campus Center will be moved or rescheduled.
 - e) that only voters will be permitted into the Campus Center

Regroup notification will take place on Friday, 10/30 and Monday, 11/2

B. External

- Bard website and social media accounts (which reach more than 20,000 people, 70% of whom are Hudson Valley residents) will inform the community of Polling site hours and location.
- Electronic signs will be placed at North and South entrances to Bard Campus will be marked with “Vote at Bard 11/3” (done 10/26)

VII. Security

- Director of Security John Gomez will consult with State Police, Red Hook Police and Sheriff's Department to determine appropriate actions
- Security will be posted at entrance to North Ravine Road and inform people where to park
- Security personnel will be present near the entrance to Campus Center all day.

VIII. Staffing

- Bard “Voter Welcome Volunteers” will be situated at North entrance to Campus Center, in vestibule between West and East (voting side) of Campus Center and at the information desk in the entryway to Campus Center.
- Election@Bard (non-partisan student voting organization) will set up student information table at path from Annandale Rd to Campus Center to advise students and other voters about procedures and to provide sample ballots to ensure efficient voting.
- Staff will be drawn from Student Activities, CCE, Dean of Students Office, Environmental Services

Schedule of Final Approval

Draft approved by Response Team: October 26

Review with Medical Group and Nuvance Consultants: October 27

Consultation with local law enforcement October 26-30

Consultation with Board of Elections: October 27-November 2

Bard COVID-19 Policies and Procedures: Overview

The College's COVID-19 Response Team and Cares Team together develop detailed policies and procedures for keeping the campus safe under COVID, and communicating those policies to the campus community. All of Bard's COVID policies and communications are posted on the College's [COVID page](#).

Employee Training and Behavior Requirements

- All employees required to complete [online training](#) about campus policies and procedures.
- All employees required to sign a [Health Pledge](#) before returning to campus, agreeing to abide by the College's COVID policies and protocols.
- All employees required to read the [Return to Campus Guidebook for Employees](#) detailing the College's policies and workplace expectations and guidelines under COVID.
- All supervisors required to submit Return to Campus departmental plans, which were reviewed and approved by the Response Team. Return to Campus plans include staggered shifts/days and remote work options for employees, to de-densify the campus.
- All employees are required to submit a daily health check-in for every day they come to campus.
- All non-urgent work travel prohibited, and non-urgent personal travel strongly discouraged.
- Non-essential visitors prohibited; the Response Team considers requests for essential visitors.

Student Training and Behavior Requirements

- All Bard students are required to read the [COVID-19 Addendum to the Student Handbook](#), detailing the College's policies and on-campus expectations and guidelines under COVID.
- All students required to sign the Health Pledge at the end of the COVID-19 Addendum to the Student Handbook, agreeing to abide by the College's COVID policies and protocols in order to have access to campus.
- All students required to submit a daily health check-in via the Involvio app.
- All non-urgent travel is prohibited for students living on campus, and strongly discouraged for off-campus students.
- Bard students are not allowed to have visitors on campus.

Campus and Facility Management

- New intensive cleaning and disinfection protocols have been developed, in consultation with behavioral health and infectious disease experts, for every campus facility.
- All classrooms and office spaces have been reconfigured to allow for physical distancing as necessary.
- Signs regarding required behavior (masking, hand hygiene, physical distancing) posted around campus.
- Hand sanitizer and PPE dispensers are available throughout campus.

Response Team Members:

Malia Du Mont, President's Chief of Staff, Vice President for Strategy and Policy (Chair)
Coleen Alexander Murphy, Vice President for Administration
Kimberly Alexander, Director, Human Resources
Jonathan Becker, Executive Vice President and Vice President for Academic Affairs
Barbara Jean Briskey, Director, Health Services
Erin Cannan, Vice President Student Affairs/Dean for Civic Engagement
Deirdre d'Albertis, Dean of the College
Brooke Jude, Associate Professor of Biology
John Gomez, Director, Safety and Security
Emily McLaughlin, Associate Dean of the College
Jennifer Murray, Dean of International Studies
Bethany Nohlgren, Dean of Students
Kahan Sablo, Dean for Inclusive Excellence
David Shein, Associate VP for Academic Affairs/Dean of Studies
Éric Trudel, Chair, Faculty Senate

A note on the Chair: **Malia K. Du Mont** is Chief of Staff and Vice President for Strategy and Policy at Bard College. Previously, she was Co-President of Amur Equipment Finance, and also held multiple positions in the Pentagon, including Director of Strategy in the Office of the Secretary of Defense. She served as a senior intelligence analyst in Afghanistan and at NATO, and worked on special operations policy and homeland defense policy in OSD and on the Joint Staff. She has degrees from Bard College and Harvard University. An Army Reserve officer and Afghanistan veteran, Malia chairs the NY-19 Veterans Advisory Council for Congressman Antonio Delgado. She is on the board of the World Affairs Council Mid-Hudson Valley and on the Advisory Council for Arts in the Armed Forces.

Exhibit 2

From: Malia Du Mont <responseteam@bard.edu>
Subject: [college] 🤖 RESPONSE TEAM MESSAGE TO THE BARD
COMMUNITY
Date: October 24, 2020 at 11:21:41 AM EDT
To: All Bard College <allbard@bard.edu>
Reply-To: responseteam@bard.edu

Update 10/24/20

To the Bard College community,

Topics in this update:

- Additional Thanksgiving holiday guidance
- Surveillance testing clarification
- COVID-19 in our region
- Voting protocols

Thanksgiving holiday guidance

In response to our most recent guidance regarding safety during the Thanksgiving holiday, many at Bard have offered to host Thanksgiving gatherings for students not returning home for the holiday. The generosity of so many faculty, staff and neighbors in the community is gratifying. It is disappointing to have to ask everyone to heed the advice of the CDC and our medical consultants. Sharing food in enclosed domestic spaces with individuals who are not members of one's regular household is a high-risk activity, even in small groups.

We ask then, for the continued safety of the Bard community, that we not plan to host students in our homes for Thanksgiving celebrations. The College is planning on-campus activities for the holiday that will be safe and festive, and we encourage members of the campus community to participate in these activities instead. We will soon share details on how to take part in or help sponsor Thanksgiving activities on campus.

Surveillance testing

Our randomized testing is an important element of our campus safety plan, and its continued success depends on your full participation. While the majority of our students have been fulfilling the requirements of our surveillance testing program, some have not, so we must reiterate that surveillance testing is mandatory for students. Students selected for testing **must respond and complete the test** that week, even if you have previously been randomly selected.

We continue to encourage employees to sign up for inclusion in the weekly random testing pool, with a reminder that once you opt in to random testing on campus, **you are required to complete the test if you are selected**. The registration and consent forms can be found [here](#).

Both employees and students can choose the day and time of your test via the reply form, and the test itself takes less than five minutes.

COVID-19 in our region

During a press conference Wednesday, New York Governor Andrew Cuomo announced several changes to New York State's cluster zones map, which shows areas with rising COVID-19 cases. [Click here](#) to see the state's updated cluster maps; [click here](#) for detailed guidance on the restrictions within clusters; and [click here](#) to access a tool to check

whether a specific address is within a cluster. Please exercise extra caution or avoid these zones entirely until further notice.

Many nearby states, such as New Jersey and Connecticut, are experiencing increases in COVID cases and hospitalizations, so we must all continue to abide by the prohibition on non-emergency travel and guidance as outlined on the College's [COVID-19 website](#), in [previous Response Team updates](#), and the [New York State Travel Advisory website](#).

Voting protocols

The College's COVID policy accounts for access for "essential civic activities such as elections, where visitors will be directed to closely controlled facilities operated and cleaned in keeping with New York State and CDC-approved COVID-19 protocols." Now that the courts have allowed the District 5 polling site to be moved to the Bard campus, we are finalizing protocols for the polling site which will be announced next week. These will include traffic control, a discrete entrance to the polling site at the Bertelsmann Campus Center, closure of parts of the building, special parking regulations, and special cleaning protocols. All voters from District 5 - nearly 70% of whom are Bard students, employees, and their families - will be able to vote safely at the Bertelsmann Campus Center on Election Day.

Sincerely,
Bard College COVID-19 Response Team

responseteam@bard.edu

Coleen Alexander Murphy, Vice President for Administration

Kimberly Alexander, Director, Human Resources

Jonathan Becker, Executive Vice President and Vice President for
Academic Affairs

Barbara Jean Briskey, Director, Health Services

Erin Cannan, Vice President Student Affairs/Dean for Civic Engagement

Deirdre d'Albertis, Dean of the College

Malia Du Mont, Chief of Staff, President's Office/Vice President for
Strategy and Policy

Brooke Jude, Associate Professor of Biology

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Éric Trudel, Chair, Faculty Senate

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Jonathan Becker

Executive Vice President and Vice President for Academic Affairs

Director, Center for Civic Engagement

Ward Manor Gate House

PO Box 5000

Annandale-on-Hudson NY, 12504

Phone: 845-758-7378 Fax: 845-758-7185

jbecker@bard.edu

cce.bard.edu

<http://www.facebook.com/Bard.Civic.Engagement>

(preferred pronouns: he/him/his)



Exhibit 3

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED AUGUST 26, 2020**

RESOLUTION REGARDING ELECTION DISTRICT NO. 5

WHEREAS, on April 12, 2016, the Town Board passed Resolution No. 29 resolved that the Town Board communicate the need to locate a polling site at Bard College in order to provide safe, convenient access by the registered voters of Election District 5 (the "2016 Resolution"); and

WHEREAS, at the time of the 2016 Resolution, Election District 5 had more than the recommended number of registered voters (1,124 vs. 950) for a single district; and

WHEREAS, the overwhelming majority of voters resided at or adjacent to the Bard Campus and NYS Election Law states that the polling site should be located where the majority of voters live; and

WHEREAS, despite the Town Board's unanimous approval of the 2016 Resolution, the polling place remained at St. John's Church of Barrytown; and

WHEREAS, at the present time, the number of registered voters remains over the recommend number of registered voters (1,036 vs. 950);

WHEREAS, the overwhelming majority of voters still resided at or adjacent to the Bard Campus; and

WHEREAS, the Bard Campus is served by the Dutchess County Loop Bus System and NYS Election Law states that the polling site should be located on a public transportation route when possible; and

WHEREAS, the Bard Campus center is handicap accessible, providing fair access to all voters;

WHEREAS, the COVID-19 pandemic has created an additional and urgent need to provide a polling location which is large enough to accommodate the number of registered voters within Election District 5 with adequate social distancing measures and enhanced safety precautions;

WHEREAS, the Bard Campus has a student center which can accommodate a substantially larger number of voters with adequate social distancing, including, but not limited to, the ability to have a delineated entrance and exit to avoid cross-contact of voters, a substantially larger number of restroom facilities, and a larger room to space voting booths six feet apart;

WHEREAS, utilization of the Bard Campus would create a safer, more efficient voting experience;

WHEREAS, Bard College has previously, and continues to offer use of its facilities for voting purposes;

WHEREAS, sufficient space exists at Bard College to provide a safer voting experience and the ability to increase voter participation for all voters within Election District 5;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Red Hook communicate the need to locate a polling site at Bard College for safe, convenient access by the registered voters of Election District 5.

Exhibit 4

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session at the Town Hall, 7340 South Broadway, Red Hook on April 12, 2016 at 7:30 p.m., local time.

The meeting was called to order by Supervisor McKeon, and, upon roll being called, the following members were:

PRESENT:

Supervisor Sue Crane
Councilman William O'Neill
Councilman Harry Colgan
Councilwoman Sarah Imboden
~~Councilman James Ross~~

ABSENT: Councilman James Ross

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by Councilman O'Neill, seconded by Councilman Colgan, to wit;

RESOLUTION NO. 29
DATED APRIL 12, 2016

RESOLUTION REGARDING ELECTION DISTRICT NO. 5

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING <u>Aye</u>
Councilman William O'Neill	VOTING <u>Aye</u>
Councilman Harry Colgan	VOTING <u>Aye</u>
Councilwoman Sarah Imboden	VOTING <u>Aye</u>
Councilman James M. Ross	VOTING <u>Absent</u>

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 12th day of April, 2016 and entitled:

RESOLUTION NO. 29
DATED APRIL 12, 2016

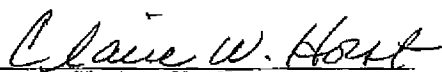
RESOLUTION REGARDING ELECTION DISTRICT NO. 5

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 13 day of
April 2016.

-SEAL-


~~Sue McCann~~ Claire W. Horst
~~Town Clerk~~ Deputy Town Clerk

**NYCLU**

NEW YORK CIVIL LIBERTIES UNION

LOWER HUDSON VALLEY CHAPTER
297 Knollwood Road, Suite 217
White Plains, NY 10607
914.997.7479
lowerhudsonvalley@nyclu.org
www.nyclu.org

April 11, 2016

Dutchess County Board of Elections
47 Cannon Street
Poughkeepsie, New York 12601

Dear Commissioner Haight:

The NYCLU Lower Hudson Valley Chapter is writing in support of the Bard students request for a polling place on the campus of Bard College. As noted in the Election@Bard campaign materials over 68% of voters in District 5 reside on Bard College property and the current polling place is difficult to access for students. Additionally, it is concerning that the current location is inaccessible by mass transit.

Voter participation rates in our country are troubling and in New York State voter turnout is dismal. The EAC (US Election Assistance Committee) 2014 Election Administration and Voting Survey Comprehensive Report notes that voter turnout in NYS is 47th out of the 50 states. NYS is unfortunately one of the lowest states to turn out voters.

Additionally, the report notes that in-person voting on Election Day is the most popular form of voting with over half American voters casting ballots in person. Clearly, it would be a good idea to have a more accessible polling place for the voters in District 5.

Institutions of higher education are ideal locations for polling places. The education experience prepares youth with the skills needed to fulfill their role as citizens and this an ideal time to establish regular voting patterns for our younger citizens. In a democratic society, civic participation ensures fair and responsive governing that meets the needs of society. Younger generations are the future of our country and should be actively encouraged to participate in government. The importance of voting is paramount to that participation.

It is our sincere hope that you will thoughtfully consider and grant the request of the Election@Bard campaign to relocate at a polling place to the Bard College campus.

Respectfully submitted,

Shannon Wong

Shannon Wong
Chapter Director

TOWN OF RED HOOK

7340 SOUTH BROADWAY, RED HOOK, N. Y. 12571
Tel:(845) 758-4600 • Fax:(845) 758-5313 • www.redhook.org

SUPERVISOR

ROBERT P. McKEON

COUNCIL MEMBERS

HARRY P. COLGAN

SARAH IMBODEN

WILLIAM J. O'NEILL

JAMES M. ROSS

TOWN JUSTICES

JEFFREY C. MARTIN

JONAH TRIEBWASSER

TOWN CLERK

SUSAN MCCANN

ASSESSOR

JENNIFER S. WARBURTON

SUPT. OF HIGHWAYS

THERESA BURKE

April 18, 2016

Dutchess County Board of Elections
47 Cannon Street
Poughkeepsie, New York 12601

Dear Commissioners Haight & Caviglia:

At the direction of the Red Hook Town Board, I write to you to request that a polling site be located at Bard College for Election District 5. Enclosed is the Resolution passed at our April 12, 2016, Town Board Meeting.

New York State Election Law is clear as it relates to locating polls: near public transportation, conducive to accommodating persons with physical challenges and proximity to the majority of the registered voters. The current site is inadequate to handle the potential activity that exists during this Presidential election year. My understanding is as of last week 1,124 registered voters were on record for District 5.

With the possibility of a repeat voter registration increase such as the one this winter (approximately 600 new registrants) a new fall semester class could cause the number of voters in District 5 to be nearly twice the limit of 950/district.

Furthermore, asking a population that largely does not possess public or other transportation to travel by foot or bicycle on River Road from Ammandale is a dangerous proposition. The Red Hook and Bard Community have endured too much tragedy on our roadways.

For these reasons and more, we respectively ask that you add a polling site to Bard College prior to the general election of 2016.

Sincerely,



Robert McKeon
Town Supervisor

enc.

cc: Town Board
Sue McCann
Christine Chale

RECEIVED
2016 APR 21 P 2:49 PM
DUTCHESS COUNTY
BOARD OF ELECTIONS

**TOWN OF RED HOOK
RESOLUTION NO. 29
DATED APRIL 12, 2016**

RESOLUTION REGARDING ELECTION DISTRICT NO. 5

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WHEREAS, the overwhelming majority of voters reside at or adjacent to the Bard Campus and NYS Election Law states that the polling site should be located where the majority of voters live; and

WHEREAS, Election Law states that polling sites should be located near public transportation; and

WHEREAS, many of the residents of Election District 5 do not have access to public or their own transportation and River Road is neither safe or convenient for travel by foot or bicycle; and

WHEREAS, sufficient space exists at Bard College and the college has offered use of its facilities for such convenience;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Red Hook communicate the need to locate a polling site at Bard College for safe, convenient access by the registered voters of Election District 5.

RECEIVED
2016 APR 21 P 2:49
DUTCHESS COUNTY
BOARD OF ELECTIONS

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The meeting was called to order by Supervisor McKeon, and, upon roll being called, the following members were:

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Councilman William O'Neill
Councilman Harry Colgan
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~~Councilman James Ross~~

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Councilwoman Sarah Imboden	VOTING <u>Aye</u>
Councilman James M. Ross	VOTING <u>Absent</u>

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RESOLUTION NO. 29
DATED APRIL 12, 2016

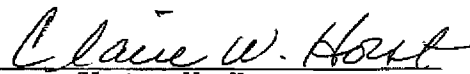
RESOLUTION REGARDING ELECTION DISTRICT NO. 5

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 13 day of
April 2016.

-SEAL-


~~Sue McCann~~ Claire W. Horst
~~Town Clerk~~ Deputy Town Clerk

RECEIVED
2016 APR 21 P 2:50
DUTCHESS COUNTY
BOARD OF ELECTIONS



DUTCHESS COUNTY
BOARD OF ELECTIONS
47 Cannon Street
Poughkeepsie, NY 12601-3270
(845) 486-2473 (845) 486-3768 (fax)
www.dutchesselections.com

DEMOCRATIC
COMMISSIONER

Marco Caviglia

To: Erik Haight
Republican Commissioner

Dear Erik,


As discussed at the Commissioner's meeting this morning, we are at an impasse concerning the certification of the District 5 poll site in Red Hook. The reasons that I cannot agree to the continued use of the site as proposed include, but are not necessarily limited to, the reasons set forth in the letter dated May 4, 2016 from Bard College to us, concerning this issue. Those concerns are, not necessarily in order of importance, the unanimously approved resolution by the Town of Red Hook Board to move the poll site to the Bard campus, better accessibility for as many as 7 out of 10 registered voters in that district if moved to the campus, the huge size of the number of registered voters of approximately 1125 voters, if not more, which is tantamount to the number requiring mandatory election district realignment under EL 4-100(4), the demonstrated danger to Bard students seeking to vote when walking to the poll site (you will recall the relatively recent vehicular-related deaths of one or more Bard students when walking on such roads), and the lack of public transportation for students to ride to the poll site.

In addition, although not mentioned in the letter, I have further concerns about the disproportionate effect under these circumstances upon minority voters. On information and belief, the Town of Red Hook, per the 2000 census, has a 5.8% minority population. The Bard student composition has a 27.06% minority population. The majority of minority voters in Red Hook, and certainly within that particular district, are placed at a distinct disadvantage in terms of ease, safety,

and ability to vote. I see this as a *de facto* disenfranchisement of minorities in regard to their fundamental constitutional right to vote.

As the other proposed poll sites needing certification are not at issue, I shall certify all of them as proposed *except* the subject poll site for the upcoming elections. This will eliminate any uncertainty or confusion for those municipalities and voters, and comply with the statutory mandate concerning such certification overall.

Sincerely,



Marco Caviglia
Democratic Commissioner

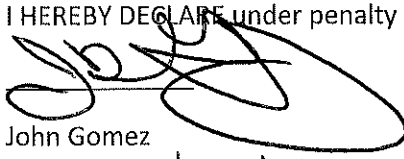
Exhibit 5

DECLARATION OF JOHN GOMEZ

1. My name is John Gomez and my work address is 30 Campus Road, Annandale on Hudson, New York.
2. I am competent to execute this declaration, which I do upon personal knowledge.
3. I am employed by Bard College as Vice President of Operations/Security Director, and have been in that role since July 2018.
4. I served with the New York State Police Department for 29 years, and concluded my service there as a Senior Investigator.
5. During that time, I spent four years on a counterterrorism unit and 17 years in Special Operations.
6. At 3:05pm on October 25, 2020, Security dispatch received a report from a student who was with a friend.
7. In that report, one student stated she observed a male subject enter the Center using the side door and walking down to the Multipurpose Room in the Bertelsmann Center.
8. The students confronted the male, because the male appeared to be unfamiliar with the building, and our policy is that we are to have no unauthorized visitors on campus or in campus buildings.
9. The male refused to identify himself and said "I have the right to be here, don't worry about it."
10. The student observed that the subject appeared to be discreetly recording videos by holding his black iPhone to his side.
11. This made the student nervous, so she called security.
12. The student described him as male, brown hair, approximately 5' 8" with a "beer belly" wearing light brown khaki pants and a navy blue sweater with some kinds of letters on it that she couldn't read clearly. He was wearing a mask.
13. Based on this student's report, two of our campus security guards started looking for this suspect.
14. They located him in his vehicle on the Kelly Road extension, a public road.
15. They informed him that the general public is not allowed on campus due to the pandemic, and that there are signs posted across campus to that effect.
16. They asked him for his name. He would not give it. Then he left.
17. These two security guards submitted an incident report that came to my attention as well as to several other supervisors. In addition, I forwarded the report to those supervisors who work for me.
18. Based on my experience in police work and particularly in counterterrorism activities, recording videos without permission by an unauthorized person is suspicious activity. Because I was concerned, I also forwarded the incident report to the Dutchess County sheriff's office.
19. I and the dispatcher spent approximately three hours today, Monday, October 26, reviewing videotape to determine where else this suspect's vehicle had been on campus and to verify that the vehicle he was in when he spoke to the security guards (a gray Nissan Sentra with a NY license plate 42DU) was the same vehicle we saw on our cameras. It was.
20. When students contact us and are concerned, we take it quite seriously.
21. Had this person contacted Bard security in advance, identified himself and stated a legitimate purpose for coming on campus and taking videos, I would have made arrangements to accommodate this person after contacting appropriate personnel on campus.

22. Even if this person was not actually recording anything while on campus, these students knew this person was violating by Bard policy by being an unauthorized person in a campus building.
23. Over the last 24 hours, this incident was a priority for me and others to determine what this person was doing in the Bertelsmann Center on a Sunday afternoon at 3:00pm, particularly because I understood the Bertelsmann Center is to be used as a polling place on November 3.

I HEREBY DECLARE under penalty of perjury that the foregoing is true and correct.

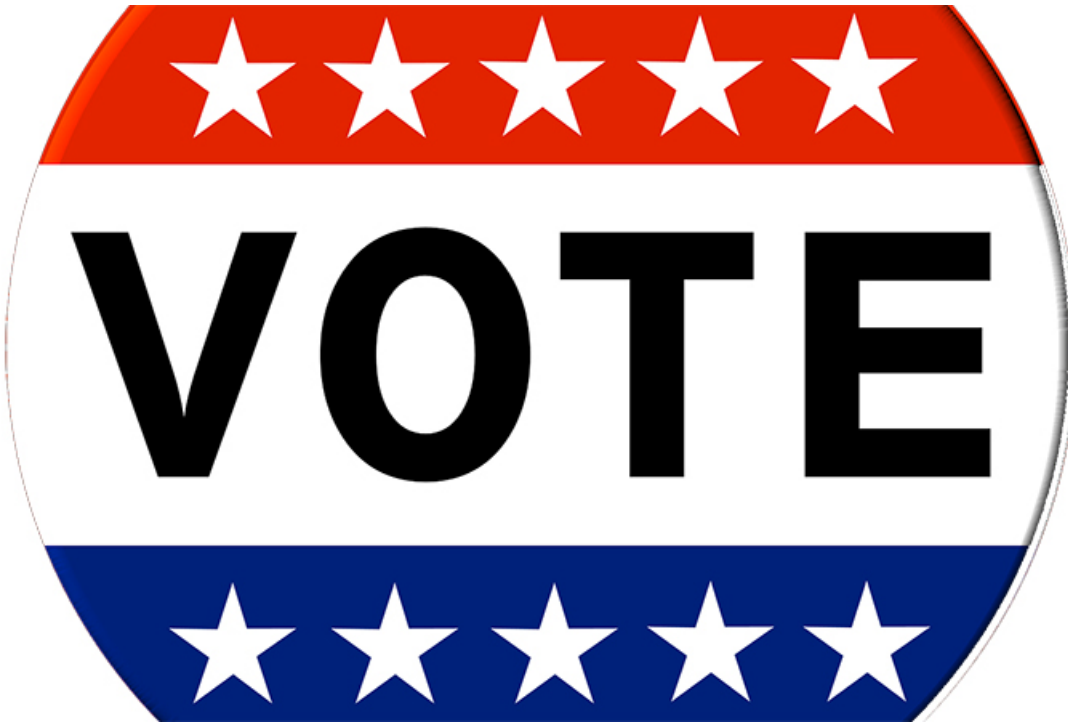

John Gomez

Date: 10/27/2020

Exhibit 6

Judge says GOP commish 'untrue'; polling site moved to Bard College

October 24, 2020



POUGHKEEPSIE – [Bard College](#) has been granted its appeal to move a polling place from a Red Hook church to the campus center at the college. Supreme Court Justice Maria Rosa overturned her own October 13 ruling which kept the voting location at St. John's Episcopal Church in Red Hook.

A lawsuit filed by students and professors at Bard College sought to have a polling place moved from the church to the Bard College Campus Center. Dutchess County Republican Elections Commissioner Erik Haight argued against the change, saying that the move at such a late date would cause voter confusion just days before the November election. Supreme Court Judge Maria Rosa agreed with Haight on October 13

and [declined to move the polling place.](#)

Two days after the decision, the Dutchess County Board of Elections (BOE) announced that two other polling places in Red Hook were being relocated. [Bard College appealed the judge's previous ruling](#). In the previous ruling Judge Rosa said "The election is too close in time to enable a change in polling site that would be fair to all voters in the 5th district including by giving them timely and effective notice of change." Rosa's ruling was based on testimony from Commissioner Haight.

In reversing her own earlier ruling on Friday afternoon, moving the polling site to the Bard campus, Judge Rosa was critical of the relocation of the two other sites. The decision said in part "The basis for this court's decision and order has now been eliminated since the primary factor identified by Commissioner Haight and relied upon by this court was simply untrue. Apparently there was, and is, time to move the polling place for District 5 in Red Hook. The court notes that Commissioner Haight submitted no affidavit in opposition to this motion." Judge Rosa's order officially moves the polling place to Bard College, even though the college recently closed the campus to the public due to COVID-19 precautions. The order says "this court modifies its prior determination. The District 5 polling place shall be moved from the St. John's Episcopal Church in Red Hook, N.Y. to the Bertelsmann Campus Center at Bard College in Red Hook, N.Y. in time for in-person voting on November 3, 2020 from 6:00 a.m. to 9:00 p.m."

Bard College – photo provided.

The Supreme Court Judge addressed the health concerns related to COVID-19, adding "This court notes the Respondents' claims as to Bard's rules regarding COVID-19 and Bard's response and also notes Bard's apparent ability to create a safe environment for voters particularly given its stated record of zero cases of COVID as of October 16, 2020 out of 4,417 tested students and employees."

Bard College Executive Vice-president Jonathan Becker praised the decision. "We're very pleased by the court's ruling. It's a victory for youth voters on the 50th anniversary of the 26th amendment to the constitution and for the safety of all voters and poll workers in the

district. It's also a win for the Americans with Disabilities Act and everyone it serves, and for the rule of law."

GOP Commissioner Haight denounced the latest ruling, saying "To move a polling place to a closed campus defies common sense." Becker refuted Haight's concern, saying "The voting site on the Bard Campus, the Bertelsmann Campus Center will be open to all voters in District 5. This has been our policy from outset and has been included as an element of all of our campus safety protocols, including the recent tightening of campus access. Becker indicated that safety protocols will protect voters while on campus, saying they "will take equally extraordinary measures to make sure that access to voting on election day is easy, fair, and safe. Based on the College's record in preventing any cases on campus so far, voting on the campus should be considered the safest and most convenient alternative for in-person voting."

Democratic Elections Commissioner Beth Soto was pleased with the new decision, calling it "A great day for democracy."

Soto continued, adding "As the Democratic Commissioner I fully supported this decision, which is documented in the court petitions. Anything said to the contrary is pure malarkey. The judge recognized that the Republican Commissioner's reasons for not moving the poll site were not legitimate. I have long maintained that the only reason the GOP has refused to consider moving the site was to suppress the student vote."

The campus is currently closed to the public and signs are posted to inform visitors that, except for certain reasons, entry is prohibited. According to Becker, that will change this week. "Signage on campus will be updated this week directing voters to the new polling site. We will also deploy Security and other campus staff to ensure that Bard is an accessible and welcoming polling site."

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* indicates required

Email Address *

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Exhibit 7

https://www.dailyfreeman.com/news/elections/in-reversal-judge-says-polling-place-will-move-to-bard-college/article_6d767d72-161f-11eb-b3fb-3f9f01786feb.html

FEATURED

In reversal, judge says polling place will move to Bard College

Mid-Hudson News Network

Oct 24, 2020



Bard College students walk on the campus in Annandale-on-Hudson, N.Y., on Thursday, March 12, 2020.

Tania Barricklo — Daily Freeman file

RED HOOK, N.Y. — Reversing her own ruling, a state Supreme Court judge now says there will be an Election Day polling place at Bard College.

Justice Maria Rosa ruled Friday that the basis of her initial ruling on Oct. 13 — a Republican election official's contention that relocating a polling place at such a late date would cause confusion among voters — proved to be "simply untrue" when the Dutchess County Board of Elections announced on Oct. 15 that two other voting sites in Red Hook were being moved.

In her initial ruling, Rosa, agreeing with county Republican Commissioner of Elections Erik Haight, wrote, "The election is too close in time to enable a change in polling site that would be fair to all voters in the [Red Hook] 5th District, including giving them timely and effective notice of change."

On Friday, in her reversal, the judge wrote that "the basis for this court's [Oct. 13] decision and order has now been eliminated since the primary factor identified by Commissioner Haight and relied upon by this court was simply untrue. Apparently there was, and is, time to move the polling place for District 5 in Red Hook."

Rosa's ruling means the District 5 polling place will be in the Bertelsmann Campus Center at Bard College in Annandale-on-Hudson instead of at the Episcopal Church of St. John the Evangelist, at 1114 River Road, about 1.5 miles south of the college.

Rosa's rulings arose from a lawsuit seeking an on-campus polling place that was filed by the Andrew Goodman Foundation, the student group Election@Bard, student Sadia Saba, Bard President Leon Botstein and Bard Vice President for Student Affairs Erin Cannan.

The plaintiffs said in a press release issued at the time of the filing that the church "is inaccessible by public transportation, in clear violation of New York State Election Law, which requires that polling places are situated on public transit routes."

"The current polling location is a 3-mile round trip from the Bard campus on an unsafe route that lacks sidewalks and adequate street lighting," the release stated. "The route creates a significant hardship for voters with disabilities, and the majority of students who don't have cars."

Rosa noted in her Friday ruling that Bard has closed its campus to visitors because of the COVID-19 pandemic but said the college has the "apparent ability to create a safe environment for voters, particularly given its stated record of zero cases of COVID as of October 16, 2020, out of 4,417 tested students and employees."

Bard Executive Vice President Jonathan Becker praised the judge's ruling.

"We're very pleased by the court's ruling," he said. "It's a victory for youth voters ... and for the safety of all voters and poll workers in the district. It's also a win for the Americans with Disabilities Act and everyone it serves, and for the rule of law."

Haight was critical, saying that "to move a polling place to a closed campus defies common sense." But Becker said the college will take "extraordinary measures to make sure that access to voting on Election Day is easy, fair and safe."



Bard loses lawsuit seeking better voting location



Lawsuit says polling place location doesn't meet needs of Bard College students



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Exhibit 8

LOCAL

Court orders Red Hook polling site moved to Bard campus

Journal staff

Published 1:05 a.m. ET Oct. 24, 2020 | Updated 11:51 a.m. ET Oct. 24, 2020

Election Day is a little more than a week away.

But that's enough time to change a polling site in the interest of safety, according to a Dutchess County Supreme Court ruling.

Judge Maria Rosa on Friday ordered the Town of Red Hook's District 5 polling site moved from the Episcopal Church of St. John the Evangelist to Bard College's Bertelsmann Campus Center, in response to concerns voters would not be able to adequately social distance at the church.

Republican Elections Commissioner Erik Haight said he intends to appeal the order.

The decision is a reversal of her Oct. 13 ruling that the site could not be changed — she cited an affidavit from Haight advising that altering the plans could confuse the district's voters — after the Board of Elections the following day opted to move the site for Red Hook's Districts 7 and 8.

"The basis for this court's decision and order has now been eliminated since the primary factor identified by Commissioner Haight and relied upon by this court was simply untrue," she wrote. "Apparently there was, and is, time to move the polling place for District 5 in Red Hook."

Bard closes campus, continues battle to relocate District 5 polling site on campus

Early voting: Where to vote in person in Dutchess, Ulster, Orange

The polling place on Bard's campus was ordered open from 6 a.m. to 9 p.m. Nov. 3. Executive Vice President Jonathan Becker said the multipurpose room at the Bertelsmann Campus Center will be used.

The polling site has been at the center of years of dispute, with college leaders arguing it was not adequately accessible for students.

"Generations of our students have demonstrated tremendous determination over more than two decades in fighting for the right to vote and to do so in a fair and equitable manner," Becker said, noting the possibility of an appeal. "We hope this is the last chapter in attempts by the Board of Elections to suppress student voters at Bard, but we recognize, given the track record, that we will need to remain vigilant."

Haight, however, said it "defies common sense to put a poll site onto a closed campus." Bard on Oct. 19 announced its decision to close to visitors, even though it had yet to report a confirmed case of the virus on campus, in the wake of spikes in the surrounding region.

"Just because there isn't a case today doesn't mean there won't be a case by Nov. 3," Haight said, "which is precisely why Bard closed their campus in the first place. Even they understand the risk. "

Bard's president, along with campus officials and a student; and the Andrew Goodman Foundation, a social justice organization; sued Haight and Democratic Elections Commissioner Elizabeth Soto on Sept. 4, citing safety issues and that the church was not regarded as being handicapped accessible. It noted the site is not convenient for the high percentage of registered voters in the district who live on or around the campus.

Church leaders on Sept. 15 sent a letter to the Board of Elections stating the space cannot support "an adequately safe environment for the poll workers as well as the voters" amid the COVID-19 pandemic.

The group's efforts were also backed by Town of Red Hook Supervisor Robert McKeon and a town resolution. Soto has also said she was in support of the move.

Motion followed site change

After initially being denied, the group filed a motion to reargue and renew its push to change the site late on Oct. 15, hours after the town announced on its website the polling site for Districts 7 and 8 had been changed from Town Hall to Linden Avenue Middle School, citing a need to ensure social distancing measures could be followed.

"Having misled this Court into entering the order, Commissioner Haight immediately proceeded to do precisely what he said could not be done," attorney Michael Volpe wrote in the filing.

Volpe cited state Election Law dictating a board of elections must give each voter at least five days written notice before an election of a change in polling places.

In her Oct. 13 ruling, Rosa questioned why the petitioners had waited so long to initiate legal action to move the site, and said her decision was based on whether or not the Board of Elections reasonably did its duty by law, which was to decide on a location by its March deadline.

"While petitioners have stated good cause for fair consideration to be given to moving the polling place petitioners offer no explanation for not commencing this action at an earlier date," Rosa wrote.

However, in her second decision, she wrote, "Although the Board of Elections must designate polling places by March 15th of each year it has the discretion to later select an alternate polling location if the initially designated polling place is subsequently found to be unsuitable or unsafe.

"In considering the Petitioners' arguments, the court recognized their claims, as supported by the Church, that the current polling site is too small to safely accommodate voters and poll workers in light of the COVID-19 pandemic," she wrote, noting Haight did not submit an affidavit in opposition to the motion to reargue and renew.

The polling place will move to Bard despite the college closing to visitors.

"Although the college has applied strict measures to contain COVID, it will take equally extraordinary measures to make sure that access to voting on Election Day is easy, fair and safe," Bard College President Leon Botstein wrote on the college's website.

Rosa noted "Bard's apparent ability to create a safe environment for voters particularly given its state record of zero cases of COVID" as of Oct. 16.

Becker said the voters will use "a designated entrance" to the campus to remain separate from student activities.

"We are developing plans to welcome voters to our campus center and to do what we can to spread the word in the community of the polling site change," he said. "We normally have many volunteers to drive students to the polls. We will ask the volunteers to instead help make Bard as welcoming a site as possible."

Exhibit 9



Court moves Red Hook voting site to Bard

Republican Commissioner's decision to move other voting locations showed it was not too late and that his claims were "simply untrue"

By Staff - October 24, 2020

Dutchess County Supreme Court Judge Maria Rosa ruled Friday that the Dutchess County Board of Elections must move Red Hook's District 5 polling site from the Episcopal Church of St. John on River Rd. to a location on Bard Campus. Rosa pointed out false arguments made by the Republican Commissioner opposing the change.

Bard College officials and others brought the court case after Republican Board of Elections Commissioner Erik Haight refused to relocate the Barrytown voting location. The petition cited issues with the small space, COVID-19 social distancing, and problems with accessibility for the disabled.

The church had also notified the Board of Elections that it is unable to provide "an adequately safe environment for the poll-workers as well as the voters."

The request was initially denied by Judge Maria Rosa, who accepted Haight's claim that there would not be enough time to notify voters of a new location. But when **Red Hook Districts 7 and 8 at town hall were moved by the Board of Elections less than 24 hours after her ruling**, the appellants file a motion to reargue the case.

In the new motion, attorney Michael Volpe wrote, "Having misled this Court into entering the order, Commissioner Haight immediately proceeded to do precisely what he said could not be done."

Judge Rosa agreed.

"The basis for this court's decision and order has now been eliminated since the primary factor identified by Commissioner Haight and relied upon by this court was simply untrue," Rosa wrote.

Bard Campus is closed to visitors as a precaution against COVID but will be open on Election Day. There have been no cases of COVID-19 reported on

campus this fall.

Haight has indicated he plans to appeal the ruling.

Facebook Comments



Exhibit 10

TUESDAY, OCTOBER 27, 2020 | 9:11 AM LOCAL TIME | °F / -18°C

LOCAL

REGIONAL

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 24 October 2020 09:44AM

District 5 Polling Spot Will Move to Bard After All; Judge Reverses Herself

by Emily Sachar



In one of the more bizarre developments of the Red Hook District 5 voting site debacle, a State Supreme Court judge has reversed her own decision and decided there is indeed enough time to move the site onto the Bard College campus.

Previously, Judge Maria Rosa, a Democrat, said there was not enough time to move the site from the Episcopal Church of St. John the Evangelist on River Road to Bard College's Bertelsmann Campus Center.

"This is a great victory for youth voters on the 50th anniversary of the 26th amendment, which reset the voting age to 18. It's also a victory for all voters and poll workers in the district, who will be able to vote and work safely on Nov. 3," said Jonathan Becker, executive vice president of Bard.

Rosa made her initial decision by relying on the recommendation of a Republican election commissioner, Erik Haight, despite the church stating that it could not assure social distance protocols could be followed and despite complaints from myriad officials and students connected to the college, including several who are handicapped and who argued the failure to move the polling site was a violation of the Americans with Disabilities Act (ADA).

The new petition, asking for a reconsideration of Rosa's initial decision, also turned on other safety and accessibility concerns. The church, Bard and its co-plaintiffs argued, is small, could not be adapted for COVID-19 safety, and was largely inaccessible to the 70 percent of District 5 voters who reside on or near Bard College.

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Further investigation, Rosa said, determined that Haight was simply wrong. The judge did not explain why she didn't simply order the Board of Elections to figure out a way to move the site. Her initial decision was also hard to fathom given that there was more than two months available to set up the Bertelsmann center for in-person voting when Bard filed its complaint in early September.

Rosa had earlier chastised the college for waiting until September to apply for a voting venue change. But, many other districts in New York State similarly waited that long to move voting sites as they awaited Covid updates and recommendations from Gov. Andrew Cuomo and scientists.

Rosa's Oct. 13 decision was especially odd because the Town of Red Hook, the very next day, was permitted to move two other election sites to Linden Avenue Middle School from the Town Board office, which remains shuttered due to Covid.

"The basis for this court's decision and order has now been eliminated since the primary factor identified by Commissioner Haight and relied upon by this court was simply untrue," Rosa wrote in her new decision. "Apparently there was, and is, time to move the polling place for District 5 in Red Hook."

The effect of the decision is that some outsiders will need to be admitted to the Bard Campus for Nov. 3 voting, which will run from 6 a.m. to 9 p.m. Bard shut down its campus to outsiders earlier this week, on Oct. 19, citing an uptick in Covid-19 cases.

"It is important to underline that the Bard campus is and has remained open for essential civic activities, including voting," Becker added. He noted that Bertelsmann is a discrete facility, and voters will use a designated entrance, adjacent to handicap parking, which will be for voters only.

"We will only have essential activities take place in the Campus Center on Election Day," Becker said. He said that Bard Security and volunteers from the Center for Civic Engagement will be on-site to ensure that voters are guided to the correct location and are able to remain separate from the other activities on campus.

Bard president Leon Botstein; The Andrew Goodman Foundation, a social justice organization; and several other campus officials sued Haight and Democratic Elections Commissioner Elizabeth Soto to move the voting site, citing safety issues. They also argued that the church was not handicapped-accessible. And they noted the site is not convenient for the high percentage of registered voters in the district who live on or around the campus.

In an appeal after Rosa's first decision, Bard attorney Michael Volpe came down hard on Haight, citing the Linden Middle School moves. "Having misled this Court into entering the order, Commissioner Haight immediately proceeded to do precisely what he said could not be done," Volpe wrote in the filing.

Volpe cited state Election Law dictating a board of elections must give each voter at least five days' written notice before an election of a change in polling places.

The ruling comes after more than two decades of Bard students fighting for the right to vote and to do so in a fair and equitable manner. "We hope this is the last chapter in the history of efforts to suppress student voters at Bard. We are also reminded of the travails that voters across the country face as officials and political parties attempt to impede citizens from exercising the most central of their rights," Becker said. "We thank our colleagues at the Andrew Goodman Foundation, Venable LLP, and Bromberg Law LLC for their support and congratulate all of the Bard students who have worked tirelessly on behalf of student voting rights."

Rosa was elected to the court in 2012 to a term expiring in 2026.

Photos:

- 1) Bard students register to vote
- 2) Supreme Court Judge Maria Rosa
- 3) Episcopal Church of St. John the Evangelist on River Road



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Exhibit 11

From: Robert McKeon mckeonandny@yahoo.com
Subject: Fwd: Dutchess County Supreme Court Judge orders moving Election District 5 polling site to Bard College Campus Center
Date: October 25, 2020 at 8:39 PM
To: jbecker@bard.edu, Jonathan Becker jbeckeremail@gmail.com

RM

Sent from my iPhone

Begin forwarded message:

From: Home - News Flash <listserv@civicplus.com>
Date: October 24, 2020 at 2:40:26 PM EDT
To: mckeonandny@yahoo.com
Subject: Dutchess County Supreme Court Judge orders moving Election District 5 polling site to Bard College Campus Center

[View this in your browser](#)

October 24, 2020

Dutchess County Supreme Court Judge orders moving Election District 5 polling site to Bard College

Dutchess County Supreme Court Judge orders moving Election District 5 polling site to Bard College Campus Center... [Read on](#)

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Exhibit 12

From: Jill Lundquist lundquistjill@gmail.com
Subject: Fwd: Election District 5 Polling Site Changed to the Bard College Campus Center
Date: October 26, 2020 at 2:20 PM
To: Jonathan Becker jbecker@bard.edu

JL

Here you go:

Begin forwarded message:

From: mfenaroli@redhook.org
Date: October 26, 2020 at 1:15:30 PM EDT
Cc: Robert McKeon <rmckeon@redhook.org>
Subject: Election District 5 Polling Site Changed to the Bard College Campus Center

From: Supervisor Robert McKeon
Re: Election District 5 Polling Site

Late last week the Town learned that Supreme Court Judge Maria Rosa ordered the polling site for District 5 moved to Bard College (proposed to be at the Campus Center Multi-purpose Room - [see map](#)). The polls are open on Election Day from 6am - 9pm. Early voting continues this week at Rhinebeck Town Hall:

Early Voting Time Slots

Oct-24-2020 (Sat) : 12 pm - 5 pm
Oct-25-2020 (Sun) : 12 pm - 5 pm
Oct-26-2020 (Mon) : 9 am - 5 pm
Oct-27-2020 (Tue) : 12 pm - 8 pm
Oct-28-2020 (Wed) : 9 am - 5 pm
Oct-29-2020 (Thu) : 12 pm - 8 pm
Oct-30-2020 (Fri) : 9 am - 5 pm
Oct-31-2020 (Sat) : 9 am - 4 pm
Nov-01-2020 (Sun) : 12 pm - 5 pm

Please consult the [Board of Elections](#) website for more information or log on to www.redhook.org for updates on matters affecting your community.

Matthew P. Fenaroli
Supervisor's Assistant
Town of Red Hook
7340 South Broadway
Red Hook, NY 12571
845-758-4602
mfenaroli@redhook.org

Exhibit 13

[Business Safety Plan](#)[Business Affirmation](#)[Industry Guidance](#)[Town of Red Hook 2021 Adopted Budget](#)

TOWN NEWS

DUTCHESS COUNTY SUPREME COURT JUDGE ORDERS MOVING ELECTION DISTRICT 5 POLLING SITE TO BARD COLLEGE

Dutchess County Supreme Court Judge orders moving Election District 5 polling site to Bard College Campus Center [Read on...](#)

ROAD PAINTING FOR BICYCLES TO BEGIN TODAY

Road painting for bicycles will begin today and continue into tomorrow... [Read on...](#)

THE VOTING LOCATION AT THE RED HOOK TOWN HALL HAS BEEN MOVED TO THE LINDEN AVE. MIDDLE SCHOOL

The Town of Red Hook Voting Location for Election Districts 7 and 8 has been moved to the Red Hook Middle School Gym... [Read on...](#)

THE CENSUS DEADLINE HAS BEEN CHANGED TO TOMORROW, THURSDAY, OCTOBER 15, 2020

THE 2020 CENSUS DEADLINE HAS BEEN MOVED TO THURSDAY, OCTOBER 15th... [Read on...](#)

NOTICE OF TOWN BOARD MEETING - TUESDAY, OCTOBER 13, 2020

A town board meeting will be held by the Town Board of the Town of Red Hook on Tuesday, October 13th, 2020 at 7:30pm... [Read on...](#)

TOWN CALENDAR

October 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>	31

TUE OCT.

27

Greenway &
Trails
Committee
[Learn More](#)

WED OCT.

28

Red Church
Cemetery
[Learn More](#)

WED OCT.

28

Town Board
Meeting
[Learn More](#)

WED OCT.

28

Economic
Development
Committee
[Learn More](#)

WED OCT.

28

Senior
Services
Committee
[Learn More](#)

THU OCT.

29

Court -
Cancelled
[Learn More](#)

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Town of Red Hook Voter Information

^^Link to Info^^

Link To Red Hook Responds
Website



Town Hall Operations

While the Town Hall remains closed to the public, our staff is working and able to process requests typically on a next day turnaround.

All paperwork is processed through our mail slot on the entrance door to the building.

To contact a particular office, click on Town Departments above.

[RHCSD & Bard College Reopening Plans for Fall 2020](#)

[Restarting Red Hook MAP](#)

[Red Hook Business Contacts](#)

[New York Forward](#)

Posted on: October 25, 2020

Dutchess County Supreme Court Judge orders moving Election District 5 polling site to Bard College

Dutchess County Supreme Court Judge orders moving Election District 5 polling site to Bard College Campus Center

The Town of Red Hook has learned that Supreme Court Justice Maria Rosa ordered District 5's election site moved from St. John's in Barrytown to Bard College's Campus Center. Bard College has confirmed that the site will be open and available to all voters in the District on Election Day, Tuesday November 3rd from 6am to 9pm. For more election information, including maps of each district, log onto www.redhook.org

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- [Supervisor's Press Release](#)
- [Water Department](#)

Next ⇒

[Road Painting for Bicycles to begin Today](#)

Other News in Home - News Flash

Road Painting for Bicycles to begin Today

Posted on: October 19, 2020

The Voting Location at the Red Hook Town Hall has been moved to the Linden Ave. Middle School

Posted on: October 15, 2020

The Census Deadline has been Changed to tomorrow, Thursday, October 15, 2020

Select Language



