

**ONEIDA COUNTY DEPARTMENT OF LAW**

Oneida County Office Building

800 Park Avenue ♦ Utica, New York 13501-2975

(315) 798-5910 ♦ fax: (315) 798-5603 ♦ www.ocgov.net**Anthony J. Picente, Jr.**
County Executive**Peter M. Rayhill**
County Attorney

January 25, 2021

Hon. Scott J. DelConte, JSC
Supreme Court Chambers
Oswego County Courthouse
25 East Oneida Street
Oswego, New York 13126Re: Tenney v. Oswego County Board of Elections, et al.
EFC-2020-1376

Dear Judge DelConte:

We write to you today to follow up on the teleconference held last week in response to Your Honor's Order of January 20. The Oneida County Board of Elections is proceeding with its administrative review of the affidavit ballots concerning the records received from the NYS Department of Motor Vehicles. We anticipate that review should be completed no later than tomorrow, January 26, 2021. The canvass of those ballots is scheduled to commence on Wednesday, January 27 at 9:00 AM at MVCC in Utica. This was the earliest possible time we could begin the canvass, after arranging for transportation of equipment and setup of the space. As we have indicated previously, the Board of Elections offices do not provide a Covid-safe space to conduct a canvass, so an alternate location was needed.

We also write today to request that the Court extend its deadline for reporting our results. The earliest we will be able to start the canvass, logistically, is this Wednesday, the 27th, with up to two tables operating, assuming the campaigns can staff more than one table. A separate email will be sent to the campaigns with all the details of the location and timing. We will work as long as possible on Wednesday, and plan to continue into Thursday and Friday, if necessary, to finish the canvass. We confidently anticipate being done by the end of the day on Friday, January 29. Therefore, we respectfully request that the Court grant us an additional forty-eight (48) hours to complete the canvass and report the results, until 6:00 pm on Friday, January 29, 2021.

We understand that the Court needs these ballots canvassed quickly, and the Oneida County Board of Elections has been working on this issue since the Court's order was uploaded to NYSEFC. But in light of the logistical issues we're facing with alternate, Covid-safe locations in which to conduct the canvass, we respectfully ask for just a bit more time.


Our proposed canvass schedule is as follows:

Wednesday, January 27, 2021:	9:00 am – 6:00 pm (or later)
Thursday, January 28, 2021:	9:00 am – 6:00 pm (or later)
Friday, January 29, 2021:	9:00 am – 6:00 pm


All Canvassing to take place on the MVCC Utica Campus.

We respectfully ask Your Honor to kindly provide us with a brief extension of time to fully comply with the Court's order of January 20.


Respectfully yours,



Robert E. Pronteau, Esq.
Assistant County Attorney



John W. Dillon, Esq.
Of Counsel



Vincent J. Rossi, Jr., Esq.
Of Counsel

Extension - Granted
So Ordered Jan 25, 2021
