

Election Commission

Meeting Minutes

April 2, 2013

Present: Ken Hartford (Chair), Marjorie Butler, Nancy Levine, John McDermott

Also Present: Chief Operating Officer Robert Rooney, City Clerk David Olson, Assistant City Solicitor Ouida Young

Consolidation Plans

Chief Operating Officer Bob Rooney presented the Executive Office's plan to reorganize the Elections and City Clerk's Offices into one Department. The plan calls for the current Elections Department to merge into the City Clerk's Office.

The consolidation plan was developed to provide better service to the residents of Newton, create departmental efficiencies, and align with other communities around the Commonwealth. With the recent retirement of the Executive Secretary of Elections, it seemed an opportune time to undertake this consolidation. The idea of consolidation had been looked at over a number of years and the proposed plan was worked on by a joint group made up of Chief Operating Officer Robert Rooney, Vice President of the Board Cheryl Lappin, City Clerk David Olson, Assistant City Solicitor Ouida Young, and City Solicitor Donnalyn Kahn.

The reorganization plan was recently docketed with the Board of Aldermen, and the goal of the Executive Department is to keep the Election Commission informed and to get the Commission's input. A packet of information was provided to the Commission (attached).

A narrative was provided by the Mayor's Office to describe the reorganization. A list of Massachusetts cities was provided which showed who was responsible for elections in those cities. It was noted that the majority of cities have the City Clerk as the one responsible for running elections. In towns it is the Town Clerk who is responsible.

The Mayor's Office also looked at the departmental work load over the course of the year for both the Elections Office and the City Clerk's Office and it was found that the peaks in work load in each department offset each other, so it has the potential to make for a better use of staff. Downtime in Elections could be used to assist the Clerk's Office and downtime in the Clerk's Office could be used to assist with Elections.

The question of how the City Clerk could do all of the work came up and it was noted that the plan called for the hiring of a second Assistant City Clerk to assist the Clerk and staff to get the

work done. The prime candidate for this position would have experience in Elections as well as an understanding of the work of the Clerk's Office.

The Clerk works for the Board of Aldermen and the consolidation of the Departments would mean that Elections would now fall under the Board of Aldermen. This is not a major concern of the Mayor as there is little in terms of control or influence that he can place on an election. It is governed by State Law and City Charter.

Mr. Rooney wanted to point out that this consolidation is not a cost saving move. The full budget of the Elections Department will be moved into the City Clerk's budget. In time, the City may realize some efficiency in terms of equipment and facilities. It was asked if there would be savings from the elimination of the Executive Secretary position in favor of a manager position. It was noted that there would be about \$30,000 in savings from that move. Some of that savings would be used to provide an increase in salary for the City Clerk. A Commissioner noted that a resident had asked if this change in the position would actually be just a change in salary as it looked as if the manager would have the same responsibilities as the Executive Secretary. It was noted that some of the workload would be transferred to the City Clerk with the Assistant Clerk highly involved in the operations and coordination of each election and of the daily operations of the office. It is hoped that the consolidation of the departments will allow the staff more opportunity for job advancement, and skill and knowledge acquisition opportunities.

The reorganization will be voted by the Board as part of the budget process in the next few weeks. As part of the reorganization plan there will be a change in the ordinances to lay out the responsibilities of the Clerk in terms of elections. A Memorandum of Agreement (MOA) has also been drafted that will be between the Board of Aldermen and the Election Commission. It spells out the responsibilities of the Clerk in regards to elections. The Law Department noted that the MOA also references the Commonwealth's regulations (CMRs) that deal with Election Commissioners' responsibilities in regards to the certification of nomination papers and petitions. Through this MOA, the Elections Commissioners can authorize the City Clerk's office to undertake the certification of nomination papers and petitions on their behalf. This will make it clear that the Commissioners have authorized the City Clerk to not only have responsibility for the administrative tasks, but also to actually perform functions dealing with the certification of nomination papers and petitions. Since the Elections staff will now become part of the City Clerk's Office it will make it clear that the staff can also take on this function for the Commissioners. The language of the MOA and the draft of the ordinance change track each other and are mirror reflections.

Both the Board of Aldermen and the Mayor's Office do not want to put the Election Commissioners in a place that they do not want to be. So it is important that if the Commissioners are in agreement to this approach it is reflected in an MOA.

The Commissioners were concerned about the current move of the Elections Department as it seems that the reorganization is a done deal. It was explained that the move of the Elections staff from their current office space to the space next door to the Clerk's office has been part of a larger space allocation plan within City Hall. To move the Commercial Assessors from the basement to be near the Assessing Office, the Elections staff needed to move to underutilized space formerly occupied by the Department of Public Works. This relocation will work well should the reorganization plan go forward, as the wall between the new Elections office and the City Clerk could easily be removed.

The Commissioners asked if the Board of Aldermen was aware of the plan and if they were in agreement. It was noted that the Board's Programs & Services Committee would be discussing the plan for the first time the following evening, but that there had been general discussion of consolidation during discussions about the appointment of the Clerk as Interim Executive Secretary of Elections. The Board of Aldermen has been generally in favor of this consolidation to date.

The Commissioners asked for some clarification on earlier discussions which made it seem that the reorganization of the departments would be more complicated than it seems to be presented tonight. The Asst. City Solicitor noted that there was some initial concern as to whether in making this move the City would have to move from an Election Commission to a Board of Registrars. That has been looked at by the Law Department and a lawyer specializing in Election Law has been consulted. The Law Department now feels that it is best to keep the Election Commission in place with the previously described MOA and City Ordinance amendments. By keeping the Election Commission there will be no need to address changes to the City Charter because the Charter now references the Election Commission. Currently there is nothing in the ordinances that relates to elections so the ordinance changes to Chapter 3 will codify the role of the City Clerk in relationship to elections. The Law Department feels that the proposed plan before the commission tonight is the best option for this reorganization.

A draft consolidated organization chart was presented. There was concern that the chart seemed to indicate that the Board of Aldermen oversaw the Election Commission. The Chief Operating Officer stated that this was not what was intended and that the organizational chart would be modified to make it clear that the Commission did not report to the Board.

It was asked if there would be changes to the job descriptions for the staff and if there would be any problem in changing the job descriptions. Chief Operating Officer Rooney noted that

until the plan is accepted, the City is not in a position to negotiate with the union. However, the Human Resources Director is involved and is looking at the types of work being done by the staff in both departments. The initial determination is that the work in both departments is similar and that the staffs in both offices are currently in similar grades. As the staffs in both offices will be cross trained so that they can assist with whatever work needs to be done, there may need to be some adjustments, but the City is not at that point yet.

The New Election's Office

The new Elections office located next to the City Clerk's Office is now open on the first floor of City Hall. It is located next to the City Clerk's Office. The State Voter Registration Information System computers are hooked up and the office is functioning. The census is being processed and a plan is in place to have it done by June 1, 2013.

Certification of March Override Election.

The Commissioner's certified the results of the March Proposition 2 ½ Override election and signed the certification sheet.

Upcoming Elections

The City Clerk reported that the Elections office has lined up the poll workers for the April 30th Senate Primary. The office will not be conducting a training before April 30th, but will be conducting training sessions in early June in preparation for the June 25th dual elections.

It was asked if the Nomination Papers for the Special Alderman-at-Large election were available. The Clerk reported that the papers would be available April 8th and will be due back in early May. The Nomination papers for the fall elections will be available May 1st.

The Clerk reported that the new position of Assistant Clerk for Elections had been posted and interviews are scheduled. The funding for the position will not be official until the budget is approved, but the office is looking to have someone in place as soon as possible. There have been some excellent resumes for the position.

Report on the Changes to the Polling Locations at the March Election.

For the March election, the polling locations within six of the schools was changed to provide better security within the building. The City Clerk reported that the only major problem that

was reported with the changes was at the Memorial Spaulding School. The major problem was that the new entrance was not handicapped accessible. The Clerk has met with Michael Cronin from the School Department and arrangements have been made to build an asphalt ramp into the space. Signage will also be put in place to direct individuals to park in the parking lot. The space with the modifications will be used again for the April election, but if problems still exist the Clerk will work with Mr. Cronin to move back to the Gym.

The Commissioners asked that the flow of voters at the polling locations be assessed in April to make sure that larger numbers of voters can be accommodated. It was also asked that the Commission look at alternative venues for polling locations for those currently in schools as security in the wake of Newtown CT will be heightened on school property.

The meeting adjourned at 8:10 pm.

March 29 2013

Reorganization Proposal Relative to the City Clerk and Elections Department

This document constitutes the "explanatory memo" as set forth in Sect 6-2 in the City Charter. Its intended use is to explain the reorganization of the Elections Department and the City Clerk's Office into a single department under the direction of the City Clerk.

This reorganization is proposed after considerable thought and research about the functions, goals, and efficiencies of these two departments; the services delivered to citizens in the City of Newton; and the means by which to conserve resources in City government, be it personnel, capital, or financial. City-wide studies and research of other effective municipalities in the delivery of services have been done related to these departments. Of the 41 cities canvassed, 27 have the City Clerk running the elections. It has been determined that such alignment and cross-training of assigned personnel will improve the operational implementation of both departments. In addition, a review of other municipalities' organizational structure across the Commonwealth has resulted in a proposal for this reorganization for the City of Newton which will have a lasting and positive impact on our City.

This narrative accompanies the proposed Ordinance changes to reflect this reorganization as submitted. The last time these departments were re-organized was in 1962, when the City adopted MGL Chap. 51, sec. 16A which transferred the responsibilities of elections to a Board of Election Commissioners (which department is not formally recognized in the City Ordinances - hence only the Ordinances pertaining to the Clerk's Office need amendment). Currently, with automation and staffing efficiencies through cross-training, a re-organization is intended to capitalize on these developments and achieve the following goals:

1. **Improve Coordination and Execution of Operations**

* Operational requirements will be coordinated through a single management structure which will allow for resource allocation in a timely and efficient manner. This results in streamlined work processing with one point of entry. As a combined department, service needs are consolidated into one service counter operation; receiving, recording, and responding to all inputs through the same office.

* The resources needed to execute administrative functions such as purchasing, scheduling and payroll can be leveraged to avoid duplication in some staff functions while minimizing redundant equipment costs and associated maintenance.

ENCLOSURE B

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ENCLOSURE B

2. Centralize similar data collection across the departments

* Key data needed by both departments will be managed by the same management structure, with some software sharing and improved tracking of statistics and population data.

3. Development of the Leadership and Management within Staff

* Streamlining the top management structure will necessarily create opportunities for middle management to develop and grow into leadership positions not currently available. For instance, the administrative staff with understanding of the functions of both vital statistics and elections could potentially develop qualifications for opportunities in either specialty area. This allows for the professional development in either area of expertise and access to additional management positions. Traditionally leadership positions are typically filled from outside Newton's workforce.

4. Improved Staff Productivity and Performance in Core Functions

* Core functions such as Vital Statistics, Census and Elections will be better coordinated under one department head and result in a more consistent and "smoothing effect" of staff workload to best utilize resources throughout the year.

* Staff will be cross-trained and assimilate the duties and responsibilities of both departments so that robust staffing is ensured throughout the year.

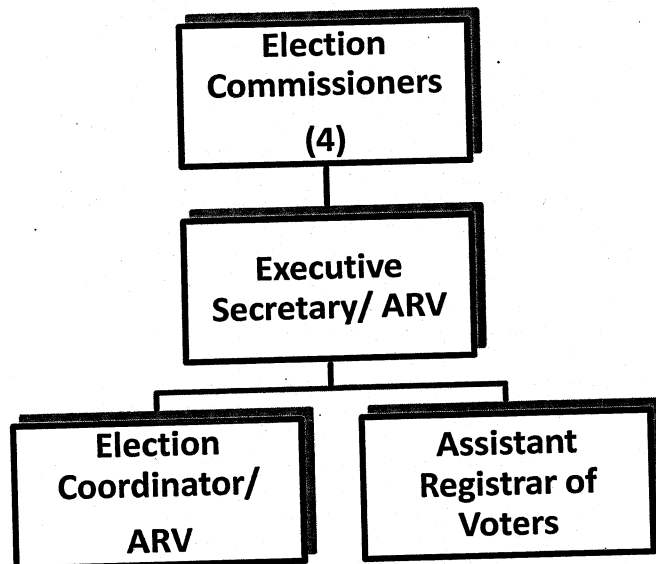
It is the intent of the Administration to present this initiative in a preliminary forum in order to inform a discussion with elected officials and stakeholders. Subsequently, after inclusion of viable recommendations during this process, a final proposal would be submitted for the Honorable Board's approval concurrent with the FY14 Budget, documenting both the organizational structure and funding of cost centers. The Administration looks forward to the opportunity to discuss and refine this plan prior to implementation. It is anticipated that the potential for improved efficiency, elimination of redundancy, and improved service productivity will better serve the City of Newton.

As of the time of this discussion with the Board of Aldermen, a meeting with the Elections Commission to review this proposal in further detail is scheduled for Tuesday, April 2, 2013.

ENCLOSURE B

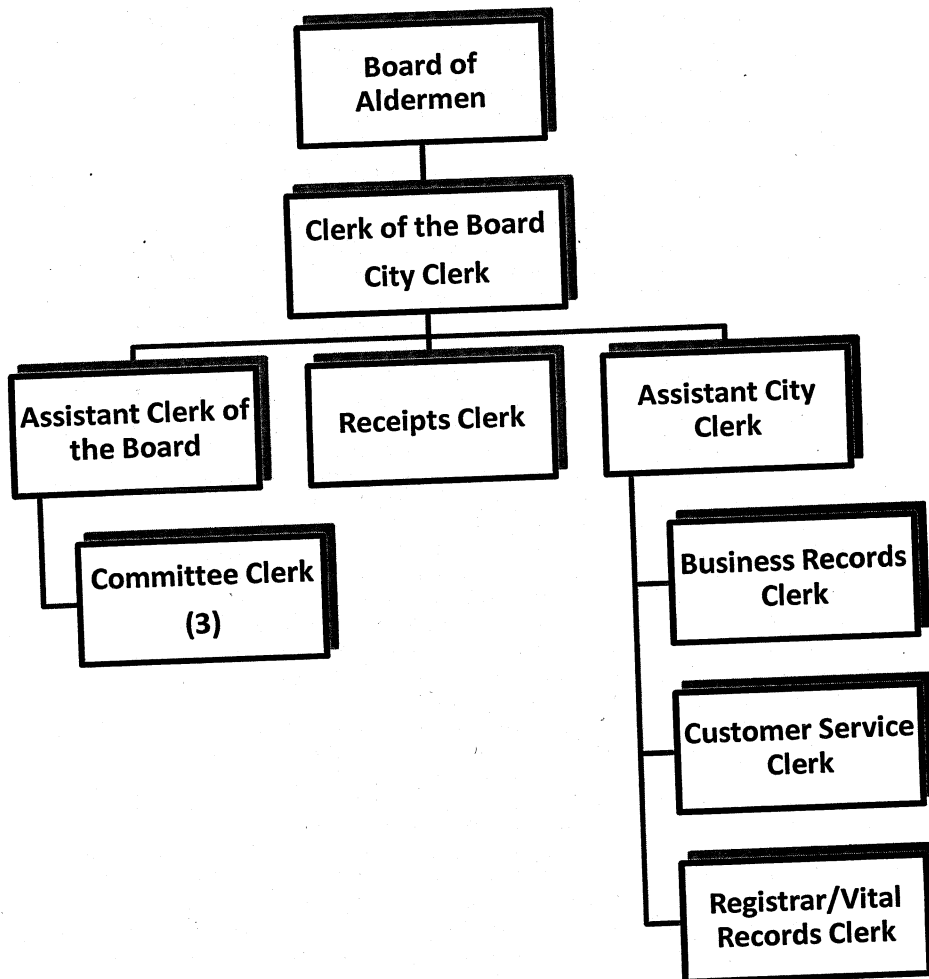
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ELECTIONS DEPARTMENT



*** CURRENT ***

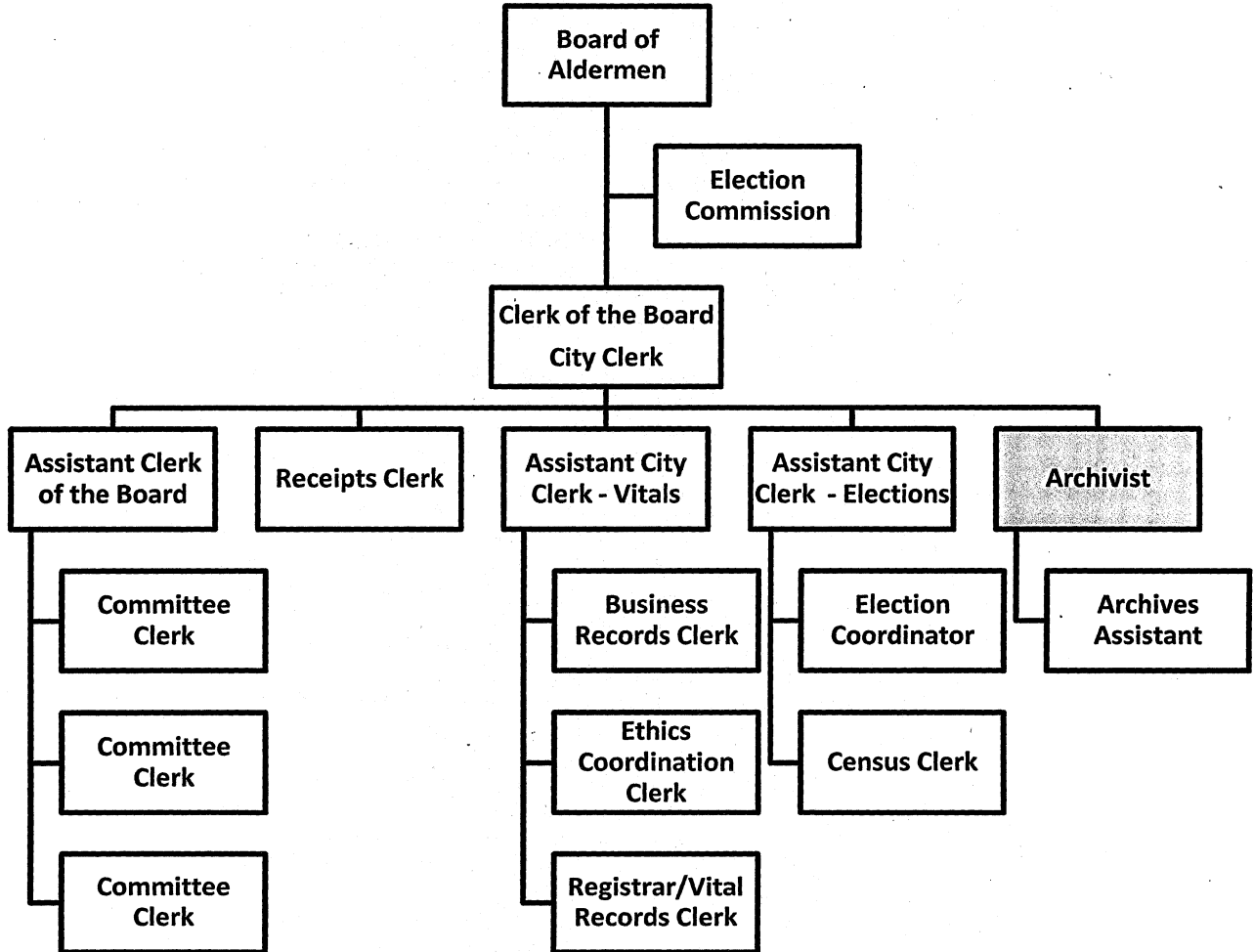
CITY CLERK



***** PROPOSED *****

CITY CLERK / CLERK OF THE BOARD

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Supporting Amendments to City ordinances
in connection with the reorganization of the City Clerk's office
to provide administrative support to the Board of Election Commissioners

The reorganization plan as proposed, requires one ordinance amendment, as follows:

Add a new Section 6-6 to Chapter 6 pertaining to the City Clerk:

Section 6-6. Administration of Elections.

- (a) In addition to exercising the duties and responsibilities of city clerk, the city clerk shall also serve as the administrative director of the board of election commissioners and in that capacity shall:
- (1) Provide administrative and operational support to the board of election commissioners established pursuant to G.L. c. 51, sec. 16A and sec. 8-6 of the City Charter;
 - (2) Perform such duties and responsibilities as may be required or requested by the board of election commissioners in the performance of their duties under G.L. c. 51, sec. 16A and 950 CMR 55.02(12), or as otherwise prescribed to said board by any federal, general or special law;
 - (3) Coordinate the services of other city departments for the conduct of any election; and,
 - (4) Administer and keep the records of the board of election commissioners.
- (b) The city clerk may assign such personnel within the city clerk's office to work in the preparation and administration of elections as he or she deems necessary or advisable to properly perform the duties and responsibilities described in subsection (a) above.

Enclosure C