

City of Newton



Mayor
Setti D. Warren

ELECTION COMMISSION

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NEWTON CENTRE, MA 02459

David A. Olson
Interim Executive
Secretary

Kenneth R. Hartford, Chairman
Marjorie Ann Butler • John P. McDermott
Nancy M. Levine

NOTICE OF MEETING

Meeting of the Board of Election Commissioners

Thursday, May 9, 2013, 7:00 P.M.

City Hall, Room 203

Newton, MA

MEETING AGENDA

1. To review and certify the results of the April 30, 2013 Primary Elections
2. To approve the minutes of the April 2, 2013 and April 25, 2013 meetings.

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator at 617-796-1280

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.

Election Commission

Meeting Minutes

April 25, 2013

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

Also Present: City Clerk David Olson

Memorandum of Agreement

The Election Commission discussed the Memorandum of Agreement that was requested by the Law Department to facilitate the reorganization of the City Clerk and Elections Offices. The City Clerk reported that the Programs & Services Committee of the Board of Aldermen had an initial review of the document and was in support of the Agreement. They have not voted on it yet as they will wait until after a Public Hearing is held on the reorganization on May 8th.

The Chair of the Committee opened the floor for questions and suggestion on how to proceed with the Memorandum of Agreement. It was asked if the office would always have the window for citizens to come up to and get information about elections. The Clerk noted that the plan calls for a combined Clerks and Elections Office with a single counter that will stretch across the entire front of the office from the current door of the Clerk's Office to the current door of the Elections Office. This will allow for a very long counter that will accommodate a number of people.

It was noted that the Elections Office can get busy with people coming in. It is expected that this will be addressed with the combined staff which will allow for more people to be available to handle both Elections and City Clerk requests and questions. Instead of just two or three people with elections training, there will now be seven who can assist customers.

It was asked if there would be any union issues with the reorganization of the department. It was reported that it is undetermined at this time. The Human Resources Office has been involved and has been reviewing the job descriptions. The initial review from HR is that the job descriptions in each department are similar, there will not be a major shift in the types of work performed although the staffs from both offices will need to be trained in new information.

It was asked if the Elections staff would remain designated elections staff after the reorganization. It was explained that the current elections staff would all become part of the City Clerk's Office, and all of the Clerk's Office staff would be cross-trained to answer questions about both clerk's office information and elections. However, each staff member will have a

specialization. There will be three staff with specialization in elections and census work and four with specializations in Clerk's Office topics. A concern was raised that there is a lot of specific information regarding elections and it is important that those specializations remain and that residents get the correct information when they come to the office.

An Election Commissioner was concerned that not having a separate elections office was atypical as her research on-line indicated that they all had separate offices. It was asked if any research was done on what other cities do. It was noted that that research had been done. Having a combined office was not unusual. Concern was raised that the new Assistant Clerk position would be the only position that was in charge of elections and that it was more involved than the work of the Clerk's Office where staff only goes to a database and gets some statistics. The Commissioners wanted to make sure that there was someone full time who is tasked with making sure the Elections, Census, and Campaign Finance material were being handled correctly. The City Clerk noted that the assistant City Clerk for Elections will have that roll and be trained in the information and will be working with the assistant City Clerk for Vitals to make sure there is back-up so that if someone goes on vacation or is sick there is not a loss of continuity. It was reiterated by the Election Commissioners that they wanted to make sure that the Assistant Clerk for Elections has the authority and time to do their job.

The City Clerk distributed copies of the proposed consolidated budget and noted that the City Clerk's budget retained the specific categories of divisions that had been in the Elections Department Budget. There will still be a census division and an elections division. A question was raised about the specific goal under elections of creating an advisory group to assist the clerk. The Clerk explained that it was his hope to create an advisory group made up of current Wardens and Clerks to get their ideas for improvements to election day set-up and for poll worker training.

It was noted that the organization chart had been modified to reflect the requested change of reporting structure of the Election Commission that the Commissioners had requested at their last meeting.

A motion was made by Commissioner Levine to accept the Memorandum of Agreement seconded by Commissioner McDermott. The vote of the Commission was unanimous. 4 Yeas, 0 Nays. Chairman Hartford signed the agreement on behalf of the Commission.

Minutes of May 2, 3013 Commission Meeting

The Clerk distributed the minutes of the May 2, 2013 Commission meeting for the Commission's information. As they were not able to be distributed before tonight's meeting, he asked that they be approved at the next Commission meeting. This will give Commissioners

time to review them. It was asked if the City Clerk would be writing the minutes in the future. The Clerk responded that he will take that responsibility.

Update on the April 30, 2013 Primary Election

The Clerk reported that the staff has done a fantastic job organizing, arranging and getting things ready for the Election. Sue, Eneida and Ben have been fantastic in getting absentee ballots, polling location material and the supplies bags packed. They have also been arranging for poll workers, police to cover the polls and DPW staff to deliver the voting booths and ballot boxes to each polling location. As of today, things are ready to go to be delivered on Monday including some additional signage for Tuesday.

The City Clerk noted that he authorized the purchase of a new Accu-vote machine. When the new Ward 2, Precinct 4 was created, one of the two spare machines was used to cover this polling location. The Clerk felt uncomfortable having just one spare machine and used some of the additional funds allocated for the special elections to purchase a second spare. It was asked if the machine at Zervas that had broken down during the last two elections had been repaired. The Clerk reported that our vendor LHS had been out to service both the machines and the ballot boxes. It was asked by a Commissioner if we would need double ballot boxes in June. The Clerk responded that we would not need two ballot boxes in June as the Accu-vote machines can recognize up to six ballots per election, so both ballots can go through one machine. The ballots at the end of the night however will need to be sorted and packed separately.

June 25th Dual Elections

The City Clerk reported that he hoped to get the advisory group mentioned earlier will be able to get together to get some advice on training and set-up to assist the poll workers with the dual election. His initial thought was to have two check-in books at the check-in table, one for the Special Senate and one for the Special Municipal. He noted that there was a suggestion to continue to alphabetically split the book, and to have each of the two inspectors have two books, half the alphabet for the senate and half the alphabet for the municipal. He does not agree with this suggestion, but would like to get the advisory group in to discuss it. The Commission agreed with the Clerk that it should not be split.

The Clerk reported that identification badges have been created for all of the poll workers to help citizens identify poll workers and for school personnel to identify who belongs at the polls. It was asked if the discussion of school security could be included in the Election Advisory Committee discussions. The Clerk thought that this could definitely be a part of the discussions,

and also noted that the Commission talked about looking at moving polling locations out of the schools. The moving of locations will need to be a larger discussion amongst commission members to look at where they might be moved.

The Clerk related that a few years ago the Election Commission had voted to move the Zervas School polling locations to the Waban Library, but that it could not be done because of issues of handicap access to the Library Building. He noted that he has heard from Public Buildings and John Rice that a handicap ramp will be added to the Waban Library Building so that it can be a useable space if the Commission wants to go ahead and use that space this fall.

The Clerk reported on modifications to the new entrance to the polling location at Memorial Spaulding to address handicap access. Mike Cronin of the School Department and David Turocy of the Department of Public Works have worked together to create an asphalt ramp for the door. Mr. Cronin will also make sure that the cafeteria tables at the polling location are out for the room.

The Clerk noted that additional signage will be put out at the polling locations to make the entrances more visible to the public. The Clerk and a staff member will be going out on Tuesday morning to make sure that signs have been placed appropriately. A manual will be created for the future that lays out where signs should be placed. The Commission asked that the Clerk make sure that the handicap entrances at the polling locations are also sufficiently signed.

Census Update

The Clerk reported that the Census processing is going along well and is ahead of schedule at this point. The envelopes have been opened and sorted and those census forms that have no changes have been updated in the VRIS system to indicate that they were returned.

The meeting adjourned at 8:00 pm.

The next meeting is scheduled for May 9, 2013

Respectfully submitted

Kenneth Hartford, Chair