

CITY CLERKS OFFICE

2012 OCT -2 AM 11:54

WOBURN, MA 01801

Report of

Ad Hoc Polling Place Review Committee

to

His Honor the Mayor

and

Woburn City Council

October 2, 2012

1. Background

The Ad Hoc Polling Place Review Committee (hereinafter “the Committee”) was established by Order adopted by the City Council on June 19, 2012 and approved by the Mayor on June 21, 2012. The eight-member committee consists of a diverse group representative of stakeholders in the election process, including a representative of the Mayor, the Woburn City Council, the Woburn School Committee, the Woburn Handicapped and Disabled Citizens Commission, the Woburn Democratic City Committee, the Woburn Republican City Committee, a registered voter not enrolled in any party otherwise known as an independent voter, and the City Clerk as chief election officer of the city also acting as chair.

The Committee was charged with reviewing the current polling locations, studying the feasibility of consolidating and/or relocating polling places within the city to achieve cost savings, and to make recommendations for necessary improvements. The committee held eight meetings and a public hearing, researched polling locations in other Massachusetts communities, made site visits to proposed locations within the city, used GIS technology to compare voting locations in other Massachusetts communities with Woburn locations, and reviewed history and statistics relative to elections in the City of Woburn.

2. Division into wards and precincts

The first step of the committee was to consider the current polling locations. By the City Charter, there are seven wards in the city. Population considerations further divide the seven wards into two precincts each for a total of fourteen precincts.

Between 1940 and 1970, the city was divided into seven wards with no precinct divisions. During the 1970s, the city was divided into four single precinct wards, one double precinct ward, and two triple precinct wards. Since 1980, the city has been divided into seven double precinct polls. The division of wards is based on population as determined by the decennial U.S. Census. It is interesting to note that it is total population and not the numbers of voters that determines the division of wards and precincts.

3. History of polling locations

Since 1940, the city has utilized a number of various locations as polling places. The locations include, but are not limited to, private club halls, religious facilities, fire stations, restaurants, swimming pool bathhouse, City Council Chamber, and school buildings. Since 1970, school buildings have been the predominant location for holding elections. It has only been since the mid-1990s that schools have been the exclusive location of polling places, except for certain election days when school buildings were under reconstruction. All school levels, that is the high school, middle schools and elementary schools, have been used as polling locations.

At the present time, the fourteen precincts vote in a total of nine locations. The precincts in Wards 2, 3, 5, 6 and 7 have been consolidated to one location per ward. The precincts in Wards 1 and 4 are in four separate locations and have not been consolidated. Each precinct, whether in a consolidated location or not, are required to be operated as a separate and distinct unit. All current polling places are located in elementary schools with the exception of one that utilizes a middle school library and one that uses a closed elementary school. Further, State law requires that a polling location in a city be located within the precinct or within a contiguous precinct.

4. Challenges

As one national advocacy group notes, school districts have made significant efforts to secure schools across the country in recent years, including spending millions of dollars on security systems. Yet on election day the schools designated as polling places are opened wide for anyone to enter. In many of the schools in the city, voters and interested individuals can divert from entering the room designated for the election and pass through corridors in the school.

A police detail is assigned to each polling location as required by statute. The police officers present are on site for the sole purpose of providing security for the election workers and election process. The officers carry out significant duties, including transporting ballots and other election materials to and from the polling locations,

keeping order and enforcing numerous election related statutes within the polling place, and enforcing the lawful orders of the wardens within the polling place. The detail officer is not charged with general security of the building except to the extent that it relates to the conduct of the election.

The former Clapp Elementary School building has been used as a polling location since the mid-1960s. There is a high likelihood that the building will be closed for further use and demolished in the next couple of years. Although the building is still used for a polling location, this use increases costs to the city. The building heat must be raised on election day for the comfort and security of poll workers and voters. The exterior lighting to the polling place is not working and will have to be repaired for the next election. The gymnasium floor has settled resulting in what has the appearance of a frost heave in the middle of the floor causing a safety hazard for poll workers and voters. In addition to these more recent concerns, the school has always been a challenge to voters. The handicapped accessible parking has been a challenge. Now that that school is closed, the main parking is located at the bottom of a steep hill which proves challenging to voters with physical impairments. Until the school closed, there was no parking during the day other than on street parking for voters.

Parking is a challenge at most of the polling locations. The Wyman School has no dedicated parking for voters and little on-street parking. The distance from the parking at the Reeves School up a long sidewalk with a noticeable rise in the grade, a walk down a

corridor and then into a gymnasium has been a constant source of complaint by voters. Even when the lower parking lot has been made available to voters, the distance into the gymnasium is significant. There is limited parking for voters at the Shamrock School, the Hurd School, the White School, the Goodyear School, the Joyce School library and the Altavesta School. In each of these locations, the parking of voters mixes with the school buses, teacher parking and sometimes with outdoor student activities.

Inequities in polling locations have arisen since the 2000 U.S. Census and have been exacerbated since the 2010 U.S. Census. For example, voters on Acorn Street although within walking distance of the Joyce Middle School have to vote at the Clapp School. Voters who reside on Newbury Street just across the street from the Wyman School, which has been a voting place since 1970, now have to vote at the White School. This was due to population changes and the required movement of precinct lines following the census.

Current polling locations also have physical deficiencies. For example, the Hurd School gymnasium has no sound absorbent materials and the echoes often make it difficult for election workers and candidates' observers from hearing voters or each other during busy times. The door used by voters at the Goodyear School, which does not have a handicapped accessibility push pad in the new school building, leads directly to the outside bringing cold air and inclement weather into the polling place to the discomfort of voters and election workers and diminishing the energy efficiency of the building.

The general interruption of the school day at all locations is also significant. Polling locations are required to be set up on the day before the election, usually a Monday. Department of Public Works and Office of the City Clerk staff spend most of the day coordinating with each school for a suitable time to arrive at the school for set-up. To avoid conflict, many locations cannot be set up until after the school day resulting in Department of Public Works staff working overtime shifts. Once the polling place is set-up the students and staff lose cafeterias, gymnasiums, library space, staging areas where younger students wait for buses at dismissal, and general school meeting areas. The space is off limits for school use in most locations for the entire election day. In some locations there is a crossover while the election is being conducted so that students have access to the kitchen at lunch, which causes disruption for poll workers and voters. Polling equipment is taken down by a Department of Public Works crew and put into storage in the school on the day after the election, generally by noontime. In large measure, election day is a three day disruption to the school activities.

Election days are unpredictable. While the common perception is that there are two election days each year – a primary or preliminary and a general election – it is a much different calendar. Often there are special elections, whether to fill a vacancy in office or for a vote on a public policy issue. Other times a planned election may be cancelled due to a lack of candidates. Every four years there are three elections within a cycle due to the Presidential Primary. Since 1999, there have been two election days for

five school years, three election days for four school years, four election days for two school years, and in one school year there were five election days. This means during those school years, election activities disrupted the school operations six days, nine days, twelve days, and fifteen days in each school year. These statistics also demonstrate why closing the schools on election day would be ineffective, unpredictable and potentially harmful to the education process.

5. Available resources

According to the U.S. Election Assistance Commission (hereinafter “the EAC”) “Election Management Guidelines” there are a number of suitable buildings that can be used as polling locations. The types of buildings to be considered for consolidated vote centers include shopping malls; grocery stores; large meeting rooms in libraries and government buildings; and gymnasiums. Locations to be considered for single or consolidated polling places include church activity and/or community rooms; school meeting rooms and gymnasiums; VFW, American Legion and/or Masonic Lodge activity rooms; city government meeting rooms; apartment clubhouses; country club meeting rooms; National Guard and other training centers; retirement building meeting rooms; area business meeting rooms; and individual homes where often garages are used.

There tends to be a preference for using publicly-owned over privately owned buildings. Publicly-owned buildings are generally well-established, accessible, the

locations are known throughout the community, and the jurisdiction has total control over the use of the building. Privately owned buildings, while they may be suitable, are subject to change in ownership or management that may more readily discontinue the availability of the building for a particular election. Each time a polling location changes, all voters affected must be notified by mail, which can be an unexpected cost to the community. It is also important to avoid moving polling places so that voters are not confused or frustrated when attempting to vote.

The committee considered a full range of possible locations for new or consolidated polling locations. These included all of the privately operated clubs within the city, hotels, supermarkets, shopping mall, office parks, high school, middle school and elementary school buildings, fire stations, the police station, Spence Farm, the senior center, the YMCA, and the Boys and Girls Club.

6. Considerations when selecting a polling location

The EAC also recommends that the following considerations be given when selecting a polling location: buildings should be located in close proximity to the voters who are served by the location; property owners must grant permission for the use of their building for voting purposes on election day; the buildings selected for use as polling places must meet Federal and State accessibility requirements; buildings must have an adequate-sized room or hallway sufficient to meet the needs for setting up

equipment and voter check-in stations, including adequate space for voters to wait in line; property owners may be requested to open the building for poll worker use the evening prior to election day, and must be willing to open the building in the early morning hours of election day until after the close of the polls; the property must have sufficient parking available for voters' use on election day; and traffic ingress/egress must be evaluated, based on the number of expected voters on election day. For vote centers considerations include large centrally-located facilities equipped to handle large quantities of voters over an extended period of time; large parking area with easy ingress/egress; potential need for security guards during voting hours; and cooperative agreement with area law enforcement agencies to provide traffic control during peak voting hours.

Bear in mind that the EAC guidelines are written to a nationwide audience. In most parts of the country, with New England states by and large the exception, voting is conducted by counties and not municipalities. Voting locations are spread throughout the county. References to centrally located facilities refer to reasonably convenient distances for voters to travel. When considering this issue, the differences within the thirteen square miles of Woburn should be compared to the more significant distances located within counties across the country. For example, compare the distance to travel from place to place within the City of Woburn with the time to travel from place to place within Middlesex County. The differences are considerable.

7. Guiding Principles of the Committee

The Committee established the following guiding principles during its research and deliberations.

1. Ensuring sound public safety principles.

The Committee voted unanimously to remove polling locations from the elementary schools. This was determined to be the primary objective of the committee. The consensus was on how we as a society have done well to secure our schools to ensure public safety, yet we open them up to the general public during elections. In removing elementary schools from the equation, public safety is greatly enhanced.

The intrusion into the elementary schools and the potential for harm is multifaceted. The obvious instance would be an individual with nefarious intentions entering the school on the pretext of voting, but using the opportunity to infiltrate other areas of the school.

Further, the increased traffic creates the possibility of injury. Not only the increased volume of traffic is a concern, but also the mix of drivers unfamiliar with the typical driving patterns on school grounds and young students walking towards the school creates a potentially dangerous situation.

The Committee received some comments and questions about the number of children injured in Woburn on election day. It was the opinion of the Committee that the city should not wait for an accident to occur before taking action when, in addition to

increasing the safety of young students, there were other benefits to removing the polling locations from the elementary schools.

2. Maintaining election integrity and logistics.

The Committee agreed that lowering the number of polling locations would enhance the ability of the City Clerk as the city's chief election official and the Board of Registrars of Voters to maintain election integrity. Currently, the city maintains nine polling places for seven wards divided into fourteen precincts. The City Clerk and overseers of the election have to provide assistance at nine polling places, which presents challenges to answering questions or issues raised by voters, candidates and elections officials in a timely manner. It takes approximately three hours to make one visit to each of the nine present polling locations and discuss issues with the election officers stationed at each. In addition, since 1993 and to a greater extent since 2000, the number of election laws and processes has increased dramatically. Having the chief election official on site would enhance the ability of poll workers to properly follow the election laws and have questions of procedure answered, which ultimately aids the voters and avoids delay in the voting process. In reducing the number of polling places, the integrity of the elections is guarded with greater oversight.

3. Realizing cost efficiency.

The Committee agreed that a secondary focus to public safety and election oversight would be any realization of cost efficiencies and savings. There would be

obvious cost savings if fewer buildings were required to be kept open for polling places, such as reducing the use of heat, electricity and other utilities. There would also be decreased costs including but not limited to voting machine programming, printing, advertising, and custodial and police detail charges. It was determined that if there were one polling location instead of nine, the city would save approximately \$8,300 each election day. This would be \$16,600 for a two-election day cycle, \$25,000 for a three-election cycle such as a presidential year, and \$33,200 for a four-election cycle if a special election were called. This is a savings of approximately 24% per election day. Over a ten-year period with no special elections called, the city would save \$190,900.00 in today's dollars without adjusting for future inflation. This does not account for School Department savings in operating one building from 6:00 a.m. until the close of polls instead of nine buildings, nor if special elections are called during this period.

8. Discussion concerning various possible polling locations

The Committee conducted an inventory of all possible buildings available for polling locations. These included both publicly owned and privately owned buildings. Consideration was given to issues such as availability, competing uses and disruption to other users of the buildings, handicapped accessibility, parking, and location.

There was consensus in the Committee that publicly-owned buildings were more desirable than privately owned buildings for several reasons. The ownership or

management of a privately owned building can change often. Although the building may have been used for a polling location, new management could easily end the relationship particularly if there was no lease agreement with rent being paid. Further, if rent were paid for a private building this would be an additional expense. Some of the privately owned buildings were older and had accessibility issues. There was no certainty that a building would be available for a given election day, particularly a special election. Parking for the buildings may also compete with other uses in the building. Some of the privately-owned buildings the Committee considered were all of the private clubs in the city, hotel ballrooms, recreational facilities such as the YMCA and the Boys and Girls Club, the Woburn Mall, and the three large grocery stores in the city. For various reasons, each was determined to be unsuitable for a polling location.

The Committee then turned its attention to public buildings. These included the high school, the middle school, the elementary schools, the fire stations, the police station, city hall, the senior center, and the Spence Farm property. Most of these buildings also were determined to be unsuitable for use as a polling location. In some instances there was inadequate parking, poor or challenging handicapped accessibility, or inadequate space to set up a polling location.

Since the polling locations moved predominantly to school buildings in the 1970s, there has been a friction between the competing needs of the community. In November 1970, the Superintendent of Schools requested the Mayor to consider terminating the use

of schools cafeteriums as polling locations. Citing State mandates on the minimal length of the school day and the school year, the School Department described the “very disruptive factor for the schools” when serving as hosts for the polling places.

Once the Committee reached the conclusion that the polling locations should be removed from the elementary schools, three of the publicly owned buildings were determined to have conditions that would be beneficial as a polling location – the Woburn High School, the Joyce Middle School and the Senior Center. The members spent considerable time on reviewing these buildings, including site visits and discussion with the department heads responsible for managing the buildings and users of the buildings.

9. Strongest potential locations for polling places

The Senior Center located on School Street was one of the buildings determined by the Committee to be a suitable candidate for a polling place. There was ample parking for voters with 67 total parking spaces, including 17 handicapped accessible parking spaces and additional parking in the grass area. However, when the building is in use, patrons of the facility use many of these parking spaces. Unless the senior center is closed on election day, there would be challenges for voters trying to park at the location. Voting would be in the general meeting room, formerly the cafeteria when the building was used as an elementary school. The room is air-conditioned but has poor lighting for voting purposes. There were only two electrical outlets at the back of the

room and additional electric outlets may have to be installed to accommodate the voting equipment. The room was 2,284 square feet in area making it large enough to comfortably accommodate two precincts and with a possibility of accommodating four precincts. The conditions in the room may make it difficult for voters and election workers to hear and therefore the number of precincts should be kept at a minimum.

The Woburn Memorial High School on Montvale Avenue was considered. The gymnasium would be the polling location. The gym is located on the second floor. A 25-step staircase leads directly to the gym with an elevator down a short corridor for voters who would have difficulty with the large number of stairs. The gym has an area of 12,000 square feet, making it large enough to accommodate all fourteen precincts. If additional space was desired, a gymnastics room and wrestling room with a combined area of 4,800 square feet is available on the first floor below the gym. The gymnastics room and wrestling room are off one hallway with its own entrance making accessibility to voters easy. Although there is a separate entrance to this area of the building, individuals entering through the doors can gain access to other portions of the high school. The gymnastics room and wrestling room could each accommodate two precincts for a total capacity of four precincts. Parking at the high school is a major concern. Although there is ample parking, with the building in use parking spaces are limited, student parking is located far from the entrance to the high school buildings, and rarely are there empty

parking spaces in the parking lots. Unless the school was closed on election day, there would not be sufficient parking for any voters.

The Joyce Middle School gymnasium or field house was also considered by the Committee. The gym has a separate entrance from the main school building. There is a pass code operated door leading from the gym to the main school building, which would prevent any individual from entering into the main school building thereby dramatically increasing the security of students on election day. The gym is 21,000 square feet in area, nearly twice as large as the high school gym, and is more than adequate to accommodate all of the polling places. There is sufficient lighting and there is no echo due to sound absorbent material in the ceiling. There were electrical outlets, but additional outlets may have to be installed to accommodate the voting equipment. The school has ample parking with 332 total parking spaces on the lot, including 13 handicapped accessible parking spaces. Handicapped parking spaces are conveniently located between two entrances to the gym. Of the 332 parking spaces, 80 are located on the lower teachers' lot, 76 are located directly in the front of the school, and the remaining 176 parking spaces are located in the lot to the side of the gym and hockey rink. Except for the teachers' parking, all other parking spaces are by and large not used during the day and the teachers' lot parking is also available after the school day ends. The only issue arising with parking would be if there were other events scheduled in the school, the hockey rink, or the soccer field on an election day. Ideally, the School Department would prohibit the use of

the building for any use other than voting on election day, thereby assuring more than adequate parking.

10. Parking considerations

Although parking has to be given due consideration when establishing a polling place, there are no legal requirements establishing minimum parking standards in general. As has been discussed, a number of current polling locations have little or no on-site parking available for voters. In setting the requirements for handicapped parking spaces at a polling location, the Massachusetts Code of Regulations, specifically 950 CMR 51.02(2), states that “if a parking lot is available” a certain number of handicapped accessible parking spaces must also be included. Given no other guidance on the issue of parking, the Committee turned to Section 8.2.5 of the 1985 Woburn Zoning Ordinances, as amended. The use in the chart most closely associated with a polling place was “restaurant, full service and restaurant, fast food” in that there are presumed to be a high number of patrons in vehicles with short-term stays at the facility. The Zoning Code requires twelve parking spaces per 1,000 square feet of net floor area. Using the 21,000 square feet at the Joyce Middle School gym, this calculates to 252 parking spaces. There are 332 parking spaces available on the lot with 252 parking spaces being available all day and an additional 80 parking spaces being available after the teachers have left for the day. The only possible alternative use in the zoning code used for calculating the

parking would be “retail, financial institution or service establishment” and this use would only require 105 parking spaces versus the 332 available parking spaces.

11. Trend towards “vote centers”

The Committee considered not only the recent trend across the country to open “vote centers”, that is locations within the jurisdiction where all voters can vote, but the number of communities within Massachusetts that currently have one polling location within the community. With single polling places in a community, there is no confusion for voters and changes in ward and precincts lines do not change their voting locations. No matter where the voter resides in the city, the voter votes in the same location. Under current Massachusetts law, any town may consolidate all of its polling places to one location but without special legislation a city cannot do so. In an informal survey, the Committee identified 59 communities in Massachusetts with one polling location, including the neighboring communities of Burlington, Reading and Stoneham.

Burlington holds their elections in the Burlington High School gymnasium, which is located close to the center of town. The community has eight precincts, approximately 15,000 voters, and is approximately 11.8 square miles in area. The precincts are set up in lines separated by rows of voting booths. Handicapped and elderly drivers are allowed to enter at the rear of the building from a separate parking area with access controlled at a checkpoint. Other voters use another parking lot with a longer walk to the building.

Nursing homes use the community's B-Line buses to pick up residents and bring them to the polls in loops running every 1 to 1½ hours. The community does not provide transportation otherwise.

Reading conducts voting in the Field House at Reading High School, which is located north of the center of town. Reading has eight precincts, approximately 17,000 voters and is approximately 10 square miles in area. The building is served by three entrances with parking areas near each entrance. Depending upon voter turnout there are at times issues with parking and if the school is closed on election day there is no issue with parking. Poll workers park at off-site satellite parking and are transported to the school by the town's elder services bus. The town provides no special transportation to voters. The precincts are sectioned off by crowd control ropes and the voting booths lined up in rows. A table is set up to direct voters needing assistance to the correct precinct.

Stoneham conducts all of its voting in the meeting room at Stoneham Town Hall, which is located near the center of town. Stoneham has seven precincts, approximately 14,500 voters and is approximately 6.6 square miles in area. The precincts are set up in lines separated by rows of voting booths. The senior center runs a shuttle bus to the polls. Parking is available in parking lots around the town hall, which are also used for other town hall business including the other town hall offices, the police station and a fire station. Vehicle parking turns over often with voters generally entering and exiting the polling place quickly.

The town of Franklin is a community comparable to the city of Woburn with one polling location. Their total population is 31,635 and there are approximately 22,000 voters. This compares to Woburn's population of 38,120 with approximately 25,000 voters. However, where Woburn is approximately 13 square miles in area, Franklin is approximately 27 square miles in area.

12. City history with single polling place voting

The city of Woburn has prior history with operating a single citywide polling location. By special act of the legislature, the city conducted a special election on June 8, 2002 with all voting taking place within the two gymnasiums of the former Woburn High School. Turnout of voters for that day was 8,337 voters or 37.1% of eligible voters. Except for voters who arrived before the polls opened, there were no lines on election day. Once the polls opened, the early arriving voters filtered to their individual precinct tables and were serviced without lines for the rest of the day. Voters in the wrong precinct only had to move to the correct line in the same room and did not have to go to another building in the city. Note only was this a relatively high turnout, but the hours that the polls were open were shorter than usual. Polls in Woburn are generally open from 7:00 a.m. to 8:00 p.m. or a total of thirteen hours. For the June 2002 special election, the polls were only open from 8:00 a.m. to 6:00 p.m. or a total of ten hours. That is three less

hours or 23% fewer hours. Voters were processed at an average rate of 834 voters per hour. This would extrapolate to 10,842 voters during a thirteen-hour day or approximately a 44% turnout. Note that the average turnout for all elections between 2000 and 2012 is 37.34%.

13. Recommendation

The Committee considered its charge to be finding the best possible solution for the location of polling places in the city after reviewing the current polling locations, studying the feasibility of consolidating and/or relocating polling places within the city to achieve cost savings, and to make recommendations for necessary improvements. The committee further applied the guiding principles of ensuring sound public safety principles, maintaining election integrity and logistics, and realizing cost efficiency. Based on all of these considerations, the Ad Hoc Polling Place Review Committee recommends that all polling places be consolidated to the gymnasium at the Joyce Middle School and that special legislation be sought to permit such action.

14. City and state procedures for implementing the recommendation

The recommendation of the Committee will require special legislation in order to be implemented. The most efficient method of proceeding with the special legislation would be an Order adopted by the City Council and approved by the Mayor. The Order

would then be transmitted to the Legislature through the city's legislative delegation. The matter would proceed through the State House of Representatives and the State Senate and once approved would be sent to the Governor for his signature to make the matter law.

15. Conclusion

The Ad Hoc Polling Place Review Committee members after considerable deliberation determined by consensus the most effective polling location based on the criteria set out in the establishing Order and the research findings of the group. Although there may be potential alternative arrangements, the members are confident that the recommendation made by the Committee is the most effective and efficient method of using the community's resources for voting, achieving cost savings, simplifying the voting process for voters by eliminating uncertainty, and reducing burdens on other members of the community.

Respectfully submitted,
AD HOC POLLING PLACE REVIEW COMMITTEE

AD HOC POLLING PLACE REVIEW COMMITTEE



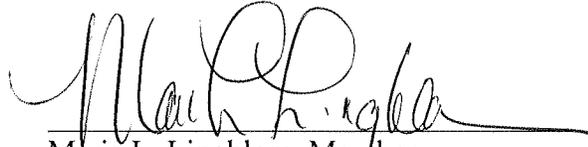
Joseph E. Demers, Member



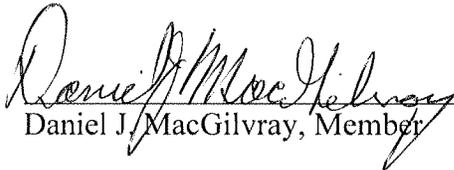
Paul J. Denaro, Member



Joseph V. Elia, Member



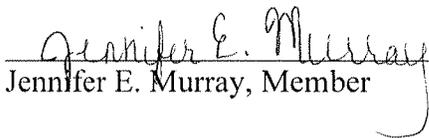
Marie L. Lingblom, Member



Daniel J. MacGilvray, Member



Shaheen Mozaffar, Ph.D., Member



Jennifer E. Murray, Member



William C. Campbell, Chair