

City of Lawrence
Office of the City Clerk
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Lawrence, Massachusetts 01840

DANIEL RIVERA
MAYOR

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CITY CLERK

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To:	Mayor Rivera; Council President Vasquez; City Council Members
From:	William J. Maloney, City Clerk
cc:	Richard Reyes, Assistant Clerk;
Re:	Recommended Poll Relocation – E4 Salem Elderly Housing to Weatherbee School [Doc. 94G-2020 – pending]
Date	9-10-20

This is a report of current poll locations approved by the City Council and Mayor. The following locations serve as polling places in the City of Lawrence, MA as of 7-13-20:

DISTRICT A/DISTRITO A - PROSPECT HILL

Essex District/Ward-Precinct/Location:

14th - A1 PARTHUM SCHOOL 255 EAST HAVERHILL ST.
16th - A2 PARTHUM SCHOOL, 255 EAST HAVERHILL ST.
14th - A3 ROLLINS SCHOOL, 451 HOWARD ST.
16th - A4 PARTHUM SCHOOL, 255 EAST HAVERHILL ST.

DISTRICT B/DISTRITO B - PLAINS - NORTH COMMON

16th - B1 NORTH COMMON EDUCATIONAL COMPLEX, 58 LAWRENCE ST./233 HAVERHILL ST.
16th - B2 LEAHY SCHOOL, 100 ERVING AVE., (BRUCE ST.)
16th - B3 LEAHY SCHOOL, 100 ERVING AVE., (BRUCE ST.)
16th - B4 VALEBROOK APARTMENTS, UNION & SUMMER STREETS

DISTRICT C/DISTRITO C - ARLINGTON NEIGHBORHOOD

17th - C1 FAMILY DAY CHARTER SCHOOL, 404 HAVERHILL ST.
17th - C2 BRUCE SCHOOL, 135 BUTLER ST.
17th - C3 BRIEN BUILDING, 355 PARK St.
16th - C4 ARLINGTON SCHOOL, 150 ARLINGTON St.

DISTRICT D/DISTRITO D - TOWER HILL

17th - D1 BRUCE SCHOOL, 135 BUTLER ST.
17th - D2 GUILMETTE SCHOOL, 80 BODWELL ST.
17th - D3 ESSEX TOWERS, 45 BROADWAY.
17th - D4 ESSEX TOWERS, 18 FRANKLIN ST.

DISTRICT E/DISTRITO E - SOUTH LAWRENCE WEST

17th - E1 HOUSING AUTHORITY OFFICE/BEACON STREET BOYS CLUB, 71 DUCKETT AVENUE
16th - E2 FROST SCHOOL, 33 HAMLET ST.
16th - E3 FROST SCHOOL, 33 HAMLET ST.
16th - E4 ELDERLY HOUSING, 339A SALEM ST.

DISTRICT F/DISTRITO F - SOUTH LAWRENCE EAST

14th - F1 SO. LAWRENCE EAST SCHOOL, 165 CRAWFORD ST.
16th - F2 SO. LAWRENCE EAST SCHOOL, 165 CRAWFORD ST.
16th - F3 SO. LAWRENCE EAST SCHOOL, 165 CRAWFORD ST.
16th - F4 SO. LAWRENCE EAST SCHOOL, 165 CRAWFORD ST.

DOCUMENT 94G-2020: WARD E/PRECINCT 4 POLL LOCATION:

II. Ward E/Precinct 4 [16th Essex District], SALEM STREET -Approx Number of Voters: 1,819

Review of operations and discussions with Warden at this poll location during the State Primary on 9-1-20 results in a conclusion that “social distancing” was difficult to maintain due to the small room used as a polling location for this precinct which serves approximately 2,000 voters. Although the “remote means” of voting helped keep “in person voting” low, a higher voter turnout by “in person voting” is expected for the 2020 Presidential Election which may cause over-crowding resulting in an inability to maintain social distancing impacting the public safety and the safety of poll workers during the Presidential Election. In addition, voters who appear have no area to stand in line other than to remain outside the entrance to both poll locations which may cause lines of voters into the areas immediately outside the polling location. It should also be kept in mind that this poll location is the polling place for elderly residents living nearby and would be required to wait in line to vote out doors on election day which may be detrimental to the health and safety of voters who may be elderly or have other health concerns – which would be augmented if the weather were inclement or severely cold. Voters from the neighborhood may also be discouraged if they are required to stand in line outside the poll location entrance for any period of time since there is no interior location within the building that voters may conveniently wait to vote. For these reasons, it is recommended that this poll location be moved from its current location at the Salem Street Elderly complex to the Weatherbee School for the upcoming Presidential Election on November 3, 2020.

1. The Weatherbee School Location

In August of 2020 the Weatherbee School at 75 Newton Street was examined by the City Clerk and City Engineer for use and ADA access of the “inside accommodations” and this location is more than suitable to serve as a poll location for the approximate 2,000 voters residing in the area. The report prepared by the City Engineer concerning use and access for ADA compliance is attached to this report.

There are several locations within the interior of the Weatherbee School that could serve as a poll location including the open all area near the main parking lot and the gymnasium area which can be entered by the rear of the school building.

The deadline to determine poll locations is 20 days prior to the upcoming Presidential Election which is Wednesday, October 14, 2020. The consideration of relocating this poll location to the Weatherbee School may rest with consideration of availability by the Lawrence School Department. The Lawrence School Calendar shows that Tuesday, November 3, 2020 is to be closed to students on election day – this was confirmed with the School Facilities Manager. The City Clerk believes that all schools that serve as poll location should be closed on every election day to guarantee the safety of school children against harm that may be caused by anyone who may enter a school building on election day because it is open to the public. Any proclivity to cause harm is unpredictable and cannot be guarded is school children are present. Closing school poll locations also provides an additional measure of safety against issues that the COVID pandemic presents and will help remove the possibility of the inadvertent spread of the coronavirus to children or school teachers and staff by voters and other member of the public who may enter school buildings that must remain open to the public.

Any decision to relocate this two poll location should be made as soon as possible in order to provide voters with as much advance notice of the changed poll location. Recommending the move of this poll location is

based solely to provide a means to protect the public health of voters and election workers who will be at the polling location on election day. I am unaware of any disparate adverse impact that relocating the polling place may have based on race, national origin, disability, income, or age of the affected voters as required for certification pursuant to c. 115 of the Acts of 2000. The conclusion to relocate these poll locations is based solely on reasons intended to address the public health threat posed by insufficient physical space available to assure that voters, poll workers and the general public are able to maintain the safety that “social distancing” may provide to avoid infection of the coronavirus due to the pandemic proportion of this disease. Although all other factors cited in c. 115 of the Acts of 2020 are important, the Commonwealth of Massachusetts and the City of Lawrence simply does not provide sufficient means, staff, time or professional training necessary to conduct a complete and meaningful review and analysis to formulate a determination required of the certification. For this reason, the recommended relocation of this poll location would provide the minimal ability to provide “social distancing” that is not available at the current poll location simply because of its lack of physical space.

Although the emergency legislation allows poll locations to be placed at locations that may not meet prior statutory requirements [ie: contingent precincting] to address COVID considerations, locating E-4 polling location to the Weatherbee School is in the E-4 precinct and complies with all former and current lawful requirements for placing poll locations. This is will prove important upon reinstatement of the former statutes regarding poll locations.

2020-VOTE REQUIRED BY SECRETARY OF THE COMMONWEALTH

The Secretary of State has informed the City Clerk and Election Division Staff that the following requirement of the City Council will be required at least 3 days prior to moving the poll location:

“At least 3 days before moving a polling place, the selectmen or city council must evaluate and report on whether the change would have a disparate adverse impact on the basis of race, national origin, disability, income, or age. The report must be posted on the city/town’s website and in the clerk’s office.”

Please consider this report as the basis of any determination the City Council may be required to enter to comply with this requirement.

The following vote of the Council is suggested:

SUGGESTED MOTION AND VOTE I: The Members of the Lawrence City Council hereby affirm that the changed poll locations attached to this vote and recorded as referenced is a result of the evaluation of the reasons for moving the poll location primarily due to promote the “public safety” for the Presidential Election on November 3, 2020. To the best of our knowledge and information the change of poll locations subject to approval will not would have a disparate adverse impact on the basis of race, national origin, disability, income, or age.

SUGGESTED MOTION AND VOTE II: The Members of the Lawrence City Council hereby affirm that the changed poll locations attached to this vote and recorded as referenced are being moved in order to better serve the public convenience and/or public health.

CONCLUSION

I. REQUEST TO ESTABLISH POLL LOCATION BY VOTE NO LATER THAN 10-14-20:

Based on the most current information available it is requested that the City Council vote to confirm the change of poll location for the following Wards/Precinct: Ward E/Precinct 4;

II. NOTIFICATION OF CHANGED POLL LOCATIONS TO VOTERS?

The provision of G.L. c. 54, sec. 24 which require all voters to receive written notice of any changed poll location. Although c. 115 of the Acts of 2020 have removed the lawful requirement of providing written notice to voters of changed poll locations and provides alternative means of electronic notice to voters [ie: reverse 911 contact] inquiry and investigation into the ability to provide comprehensive notice by electronic means would not likely be as efficient as sending written notice of the changed poll location by mail.

Written notice by mail to all voters of changed poll locations [consistent with G.L. c. 54, sec. 24] results in an estimated cost of approximately 1.00 per voter; TOTAL voters affected: 2,000 in precinct E-4; TOTAL costs = 2,000.00;

In addition to mail notice, additional poll staff will be requested to provide direction to voters at each poll location during the 13 hours the polls remain open. The cost of each worker is about 200.00 [Total cost of poll workers to provide "in person" notice on election day = 200.00].

At the direction of Finance Director Ianello changed poll locations based on COVID related reasons have been presented for payment under COVID budgetary submissions which these changes would also be presented. . Certainly, the changes to the poll locations referenced in this memo are directly related to assuring public safety is provided during the election for no other reason than the COVID pandemic. Relocating the polling places as suggested in this memo will have a direct benefit to preserve the public health and safety to voters, poll workers and general public during "in person" voting at poll locations established by the City of Lawrence that reliance upon existing poll locations does not appear to provide.

Thank you for your attention and consideration.

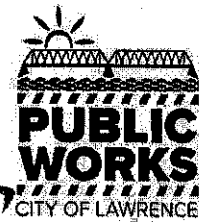


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Felix Garcia Jr.
ACTING CITY ENGINEER

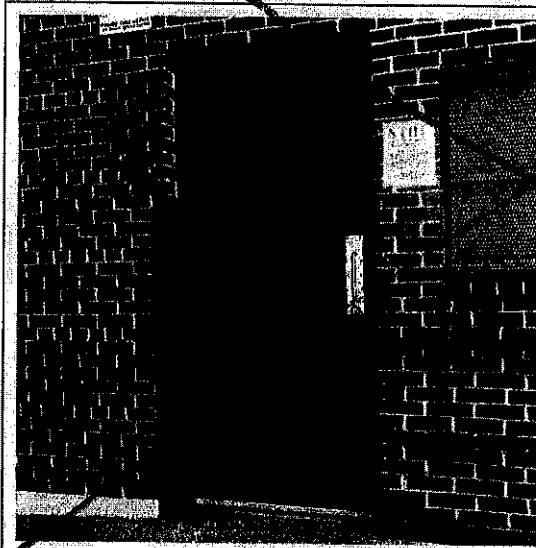


Figure 21: Accessible door along Duckett Avenue.

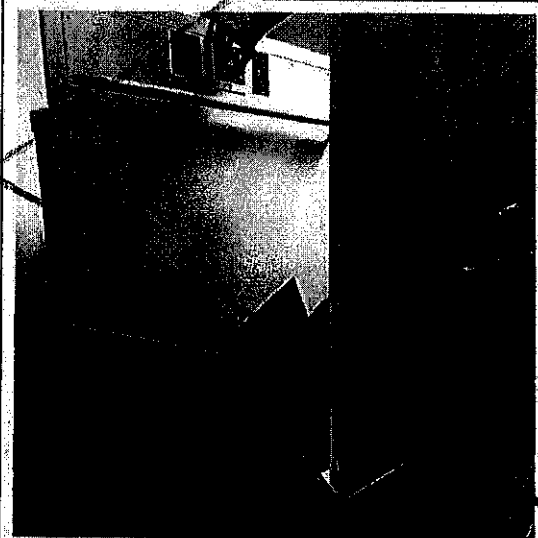


Figure 22: ADA compliant wheelchair lift.

Wetherbee School

Accessible Route

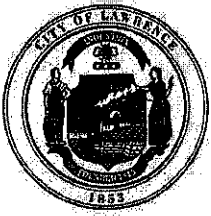
An accessible route is provided. Route starts from the parking lot and ends at concrete curb cut. If concrete curb cut and concrete ramp are repaired then the accessibility route reaches the entry doorways (see Figure 23).

Parking & Passenger Drop-Off

The building's parking lot contains thirty-eight (38) marked parking spots, two (2) of which are designated as accessible. The number of accessible spots complies with the required minimum number per 521 CMR Chapter 23.2.1. An accessible route leads from the accessible parking spots to the accessible front entrance if concrete curb and ramp are repaired.

Entrances

The entrance along Newton Street is accessible per 521 CMR Chapter 25.



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Doors and Doorways

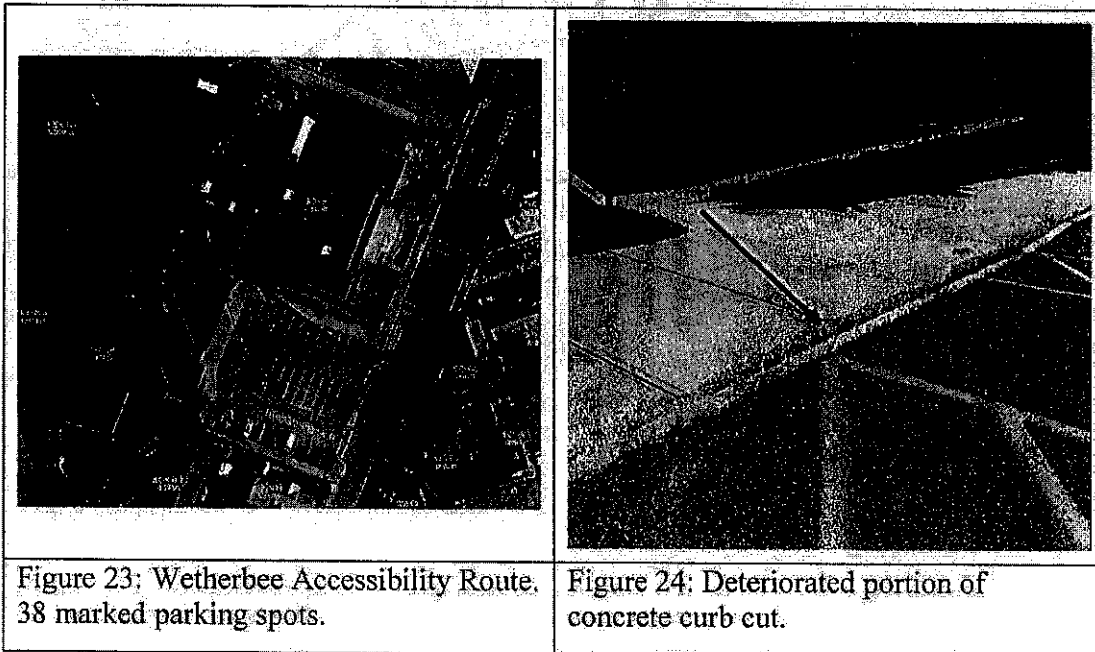
All doors and doorways along path towards voting location in building are compliant with 521 CMR Chapter 26.

Ramps

Ramps are required to comply with 521 CMR Chapter 24. Ramp is compliant in terms of slope and width. However, due to the trip hazard caused by deteriorated concrete, the ramp is not in compliance (see Figure 25).

Floor Surfaces

During the time of observation, the floor surfaces was stable, firm, and slip resistant. Floor Surface is compliant to 521 CMR Chapter 29



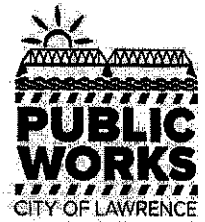


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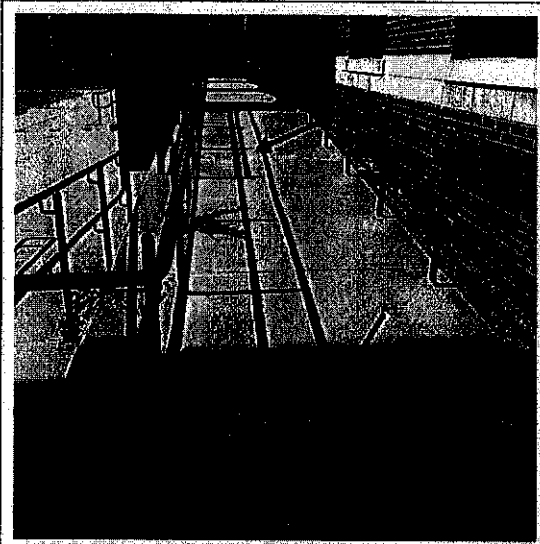


Figure 25: Deteriorated portion of concrete ramp. Slope is 4.8%.

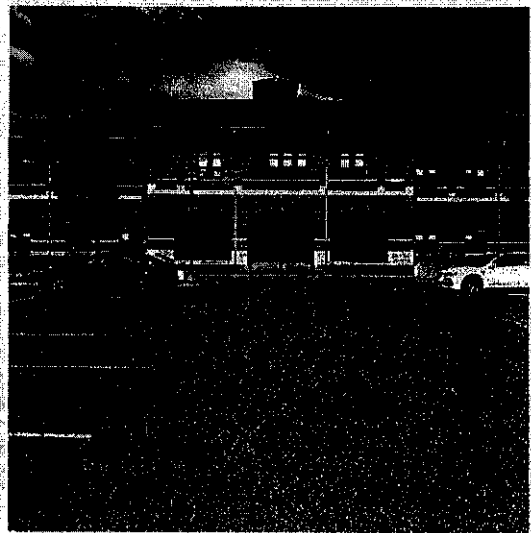


Figure 26: Accessible entrance at Wetherbee School

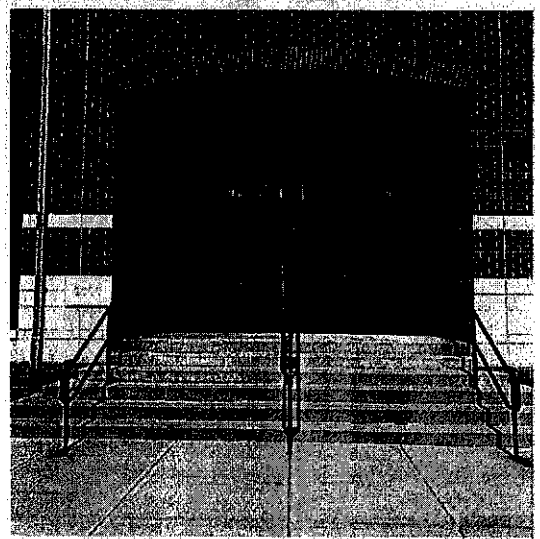
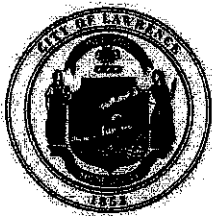


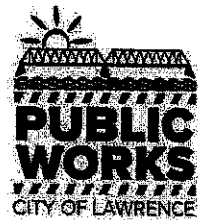
Figure 27: Compliant doors.



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ACTING CITY ENGINEER

Conclusion


Accessibility Matrix						
	High School Learning Center	Lawrence Public Library	Lawrence Senior Center	Former Boys & Girls Club	Wetherbee School	Northern Essex Community College
Accessible Route	8	10	10	9	8	10
Parking	5	9	10	7	9	10
Door & Doorways	9	10	10	9	9	10
Ramp/Elevator/Lift Curb Cut	8	N/A (10)	N/A (10)	9	6	10
Distance to Voting Room (From Parking Lot)	6	10	9	8	9	9
Total	36 (C-)	49 (A+)	49 (A+)	42 (B)	41 (B-)	49 (A+)

Notes

1. Scores is from zero to ten. Ten being the best, zero the worst.
2. N/A = not applicable
3. Repairs to any deficient items will increase the scores (i.e. adding temporary asphalt to cracked concrete ramp)

Based on the accessibility study, from passenger drop off/ parking lot to voting room facilities that are compliant with 521 CMR are Lawrence Public Library, Lawrence Senior Center, Northern Essex Community College and former Boys and Girls Club building. Repairs to the Wetherbee's concrete ramp and High School Learning Center concrete curb cut will also make the building compliant to 521 CMR.

Very respectfully,


Felix Garcia Jr., PE
Acting City Engineer

