



# CITY OF CAMBRIDGE

## BOARD OF ELECTION COMMISSIONERS

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### COMMISSIONERS

Ethridge A. King, Jr.  
Larry W. Ward  
Charles J. Marquardt  
Thomas Stohlman

### EXECUTIVE DIRECTOR

Tanya L. Ford

### ASSISTANT DIRECTOR

Lesley Waxman

## **BOARD OF ELECTION COMMISSIONERS MEETING**

### **Minutes of March 12<sup>th</sup>, 2025**

The meeting was called to order at 5:30 PM March 12<sup>th</sup>, 2025, via Zoom, Present were Commissioner King, Commissioner Marquardt, Commissioner Stohlman, Commissioner Ward, Executive Director Tanya Ford, and Assistant Director Lesley Waxman.

#### **Roll Call:**

Commissioner King	Present
Commissioner Marquardt	Present
Commissioner Stohlman	Present
Commissioner Ward	Present

#### **I. PUBLIC COMMENT**

Mr. Hawkinson asked if he should hold his remarks until the City Assistant Solicitor's presentation.

**Motion: Move public comment until after the presentation by Mr. Veloso of the new draft**

Moved by Commissioner Stohlman

Seconded by Commissioner King

#### **Roll Call:**

Commissioner King	Yes
Commissioner Marquardt	Yes
Commissioner Stohlman	Yes
Commissioner Ward	Yes

#### **II. Reports**

##### **1. Executive Director's Report**

- No report

##### **2. Assistant Director's Report**

- No report

### III. Action Agenda

#### Old Business

##### The Charter Review

Mr. Veloso reported he reviewed Commissioner's Stohlman's comments, and his department was working on integrating the election section of the Charter for the City Council presentation next week.

##### Director of Election Section

Having the Director be the ex-officio member in case of a tie vote has been removed. It is recognized that a tie vote means a defeat of a measure in terms of voting.

**Commissioner Marquardt** thanked Mr. Veloso and his team for all their hard work. He asked Ms. Ford and Ms. Waxman if we reached out to the Secretary's office for any input.

Mr. Veloso answered they did reach out in February to make sure what was being proposed would "pass muster" by the Division of Elections and the State Legislature when it gets to that point. The State's Directors of Elections provided comments before it was presented to the Cambridge Elections Board last week. Michelle Tassinari, the Director of Elections for the State elections division and legal counsel has provided comments. He also reported she is willing to review the document again if further revisions are made.

**Commissioner Marquardt** raised the issue there may be need to break a tie when we are determining voter intent on hand count ballots when we must mark hand count tabulation forms to put them through the machine. He stated we can't reject a ballot based on a tie, we still must determine voter intent.

**Mr. Veloso** agreed and suggested that is something the commissioners should consider.

**Ms. Ford** stated if there is a tie, the Director of the Count can be asked for an opinion, even though that person can't vote.

**Mr. Veloso** Pointed out that during the recent recount, as a legal counsel advising the Board of Election Commissioners, he would provide a legal opinion when consulted. The opinion was based on case law and promoted standardization in how ballots were reviewed.

**Commissioner Stohlman** asked if the commissioners have to decide, who currently breaks a tie. He referenced the 1921 Special Act where it says a tie would be broken by a judge.

**Ms. Waxman** pointed out that the 1921 Special Act was specific to challenges to nomination papers and not to determine "voter intent". She also stated in the past fifteen years there have been a couple of times when there were 2-2 votes, and a commissioner would change their mind to move forward.

**Mr. Veloso** Added that re-counts are observed by both parties, and they have the right to raise an objection that can be noted if they chose to appeal the vote/decision in a court.

**Commissioner Stohlman** again asked what state law said if it is important to decide to accept or reject a ballot. "Who breaks the tie, according to state law?"

**Mr. Veloso** pointed out that issue would have to be looked at.

The next issue was to clarify the distinction between the Board of Election Commissioners and the Elections Department.

**Ms. Ford** asked if the definitions would be in the Charter.

**Mr. Veloso** pointed out all definitions will be in Article 1 of the Charter.

**Commissioner Stohlman** Pointed out the previous proposed section stated, "the director of elections shall be head of the elections department" versus the revised section saying "the director of the elections shall be the head of the election commission".

**Mr. Veloso** pointed out the department is currently called the "Election Commission" and they didn't want to change the current way it is referred to.

**Commissioner Stohlman** asked Mr. Veloso to make sure commissioners get a copy of Article 1 of the proposed charter. He also asked what precisely are the appointment powers of the Board of Election Commissioners?

**Mr. Veloso** stated the appointment power from 1921 has been superseded by the Plan E form of government when it was adopted in the 40's. Therefore, commissioners have no appointment powers.

**Ms. Ford** stated at that time, the board had appointment powers over assistant registrars, and assistant commissioners. They did not have powers over actual staff.

**Commissioner Stohlman** asked where the duties and responsibilities of the election commissioners are written.

**Mr. Veloso** pointed to sections of the special acts relative to the Board of Election Commissioners that have not been superseded by state law, as well as state law.

**Commissioner King** asked for the difference between "appointing or hiring"?

**Mr. Veloso** Stated there is no difference.

**Commissioner Stohlman** Questioned who is responsible for hiring of poll workers.

**Ms. Waxman** pointed out as paid commissioners those responsibilities are part of the job but is not the same as having appointing powers.

**Commissioner Marquardt** stated he would like to move forward noting that the director, the assistant director and the commissioners work together as a team but the director and assistant director are first point of contact. He noted that Mr. Veloso is "doing a good job and providing opportunities to adjust as circumstances warrant".

**Commissioner Stohlman** stated that the commissioners are "where the buck stops" according to various state laws, Chapter 51 and the 1921 special act. He acknowledged that yes, the city manager "supervises" but allows hiring to be done by others.

**Mr. Veloso** Stated the next changes made were typos and things that had been raised in the Board of Election Commissioners prior review. Also did an update to add submission of ballot question petitions deadline so that municipal elections scheduling is reflective of the election calendar.

**Commissioner Stohlman** recognized the advantages of suggesting adaptable language for contemporary ballot counting techniques. However, he observed that the section on vacancies continues to follow the traditional method. Suggested having the same flexibility when it comes to vacancies as we have in the elections.

**Ms. Waxman** pointed out for vacancies you are only electing one person so there are no surplus transfers, therefore the same flexibility is not needed. The city council voted to keep the ranked choice method we have except for giving us flexibility in changing the surplus method.

**Mr. Veloso** Stated one main change is that if approved, Cambridge would be moving to a special act, a home rule petition from of government in the city manager system instead of a Plan E charter. In that case, to have a resident initiative measure, it must be in the charter. The city council voted to restore the resident initiative petition that reflects modern procedures.

**Commissioner Marquardt** asked clarification questions related to percentages of needed signatures for a resident initiative. He also asked about the timeline of when it appears on the ballot, noting it could be two years out.

**Mr. Veloso** said yes, there must be a "high bar" to getting on the ballot.

**Commissioner Stohlman** noted that this section of how an initiative petition is done is not the responsibility of the Election Commission. Mr. Veloso agreed.

**Mr. Veloso** noted these changes will be presented to the city council at the next meeting.

**Ms. Ford** asked when it would be available to the public. Mr. Veloso stated it would be posted on the agenda for the next city council meeting.

**Commissioner Marquardt** asked Mr. Veloso if he knew what the proposed action of the city council would be regarding to the charter changes. Mr. Veloso said no.

**Commissioner King** asked what the role of the commissioners regarding edits or changes is. Ms. Ford offered comments could be sent from the election commission through the city manager to the city council and Mr. Veloso agreed.

#### **Motion: Open public comment**

Moved by Commissioner King

Seconded by Commissioner Marquardt

#### **Roll Call:**

Commissioner King	Yes
Commissioner Marquardt	Yes
Commissioner Stohlman	Yes
Commissioner Ward	Yes

Mr. Hawkinson thanked Commissioner Stohlman for submitting written comments. He commented on section 7.2 the issue of age, that writing in more strict things into the charter than we have today, is an unnecessary restriction because it would take a special act to allow people under 18 to vote. He stated it does not reflect the values of our city. He

thanked Mr. Veloso for changes to 7-18 and 7-19 which considered some of his comments. He stated that whether Chapter 54A still applies should be clear and unambiguous. He added that 7-19 doesn't belong in the charter and might confuse people.

**Motion: Close public comment**

Moved by Commissioner King

Seconded by Commissioner Marquardt

**Roll Call:**

Commissioner King	Yes
Commissioner Marquardt	Yes
Commissioner Stohlman	Yes
Commissioner Ward	Yes

**V. New Business**

**Motion: To adjourn at 6:49 pm**

Moved by Commissioner King

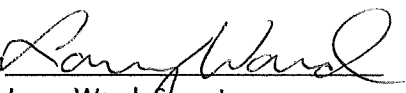
Seconded by Commissioner Marquardt

**Roll Call:**

Commissioner King	Yes
Commissioner Marquardt	Yes
Commissioner Stohlman	Yes
Commissioner Ward	Yes

A True Record

Attested by

  
Larry Ward, Secretary