



CITY OF CAMBRIDGE

BOARD OF ELECTION COMMISSIONERS

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COMMISSIONERS
Ethridge A. King, Jr.
Larry W. Ward
Charles J. Marquardt
Victoria A. Harris

EXECUTIVE DIRECTOR
Tanya L. Ford

ASSISTANT DIRECTOR
Lesley Waxman

BOARD OF ELECTION COMMISSIONERS VOTER REGISTRATION CHALLENGE HEARING

Minutes of March 1st, 2023

Commissioner Marquardt called the meeting to order at 5:33 pm on February 15th, 2023, in-person. This is the matter of the voter registration challenge filed by Charles Teague against Sam Seidel. Mr. Teague is represented by Ms. Heather Hoffman.

Roll Call:

| | |
|------------------------|-----------------------|
| Commissioner King | Yes |
| Commissioner Marquardt | Yes |
| Commissioner Harris | Absent due to recusal |
| Commissioner Ward | Yes |

Also present were Executive Director Ms. Ford and Assistant Executive Director Ms. Waxman.

I. Public Comment:

John Hawkinson noted the minutes did not reflect all the discussion had by the commissioners after the parties left the February 15th meeting.

Robert Winters commented that the standard of where someone sleeps is not "carved in stone" and suggested there be a certain level of "discretion" allowed. He also stated that maybe a person could make a declaration of their address and once chosen they would be bound to it and not change from election to election.

Hearing Notes

Ms. Hoffman noted the law states where you sleep is your address. She encouraged the Commissioners to follow the law and appeal law if they thought a change was needed.

Mr. Seidel re-stated he felt the City has adjudicated this issue over twenty years. He also stated it is impossible to selectively enforce when there are similar situations within a hundred yards of the situation before the Board. Mr. Seidel also pointed out that he receives police and trash services from Cambridge and receive mail at 02140 which is a Cambridge zip code.

Commissioner Marquardt asked where he pays taxes and Mr. Seidel responded, Somerville.

Ms. Hoffman noted that the property paid Cambridge taxes through 2009 and it changed in 2010 to Somerville base on the assessment by Cambridge that area of his condo by which he has exclusive rights to is in Somerville

Commissioner Ward Ms. Hoffman asked why Mr. Teague only brought action against one person when others are in the same situation. She responded it came to Mr. Teague's attention because Mr. Seidel signed a voter petition related to a Cambridge matter.

Mr. Seidel responded by saying that he caught Mr. Teague on his porch looking into his window, taking pictures, and looking into his mailbox and ignoring him when he called out to him twice before acknowledging him.

After no more comments, for discussion, Commissioner Marquardt showed a memo from the city solicitor stating the primary consideration is "where the person sleeps", and a survey from Cambridge City engineer that zero percent of the building is in Cambridge.

Motion: The board of Election Commissioners find that Mr. Seidel was incorrectly registered in Cambridge and to remove him from the voting rolls and provide him with information to register in the City of Somerville.

Moved: Commissioner Marquardt

Seconded: Commissioner King

Prior to voting, Commissioner King stated that as election officials we must ensure that voters are not disenfranchised, or unfairly remove one person from the voter rolls when there are nine other people we have not dealt with. His position is this is a broader matter that should be handled collectively, not individually. He pointed out that he has been voting there since living at that address, getting mail, and services all from Cambridge.

Commissioner Marquardt stated we have one complaint before us.

Commissioner King stated with respect that he has the right to take other things into consideration.

Commissioner Ward agreed with Commissioner King and stated being extremely troubled by what he considered "stalking" by Mr. Teague. He also expressed having a problem with a situation that has existed forever and only changing it for one person and not others in a similar situation.

Commissioner Marquardt stated we must review all the boundary cases.

Commissioner King asked if we are going to "actively" pursue all the people on the block.

Commissioner Marquardt stated we are tasked with one thing, "determining where people vote."

Ms. Ford stated it depends on what decisions commissioners make that is going to affect the block. Stating if the decision is Mr. Seidel lives in Cambridge, others can be left alone. If the decision is he does not live in Cambridge, then we must address everyone in the same situation. Ms. Ford suggested that we get someone from the City Solicitor's office to come to the next meeting to answer questions.

Commission Ward and Commissioner King would like to see a plan to address similar dwelling as a group versus individual cases.

After being sworn in, Deb Morse asked if we could hit the pause button and consider the ramifications of the decisions we will make.

Commissioners King and Ward stated they were not prepared to remove Mr. Seidel from the Cambridge Voting rolls without more discussion.

Commissioner Marquardt stated the next meeting will be March 15th, 2023.

Commissioner King stated we are not "kicking the can down the road," we just want to make the right decision for all involved.

No Roll call was taken.

Motion: To recess the meeting at 6:28 pm

Moved: Commissioner Marquardt

Seconded: Commissioner King

Passed: 3-0-1

A True Record

Attested by


Larry Ward/Secretary