

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN KERRIGAN, ANTHONY HOLIDAY,
MICHAEL J. McSHEA, TARIQ MANGUM,
RENEE CROSBY, and CAROLYN DAVENPORT,
on behalf of themselves and all other individuals
similarly situated,
Plaintiffs,

v.

THE CITY OF PHILADELPHIA; MARGARET M.
TARTAGLIONE, ANTHONY CLARK and
JOSEPH DUDA, in their official capacities as
Philadelphia City Commissioners;
PENNSYLVANIA DEPARTMENT OF STATE and
PEDRO A. CORTÉS, in his official capacity as
Secretary of the Commonwealth,
Defendants.

Civil Action No. 07-000687

**CITY DEFENDANTS' TENTH SET OF RESPONSES TO THE THIRD-PARTIES'
ACCESSIBILITY RECOMMENDATIONS FOR POLLING PLACE LOCATIONS**

The City of Philadelphia (the "City"), Margaret M. Tartaglione, Anthony Clark and Joseph Duda, (collectively, the "City Defendants") submit to the Court this report providing the City Defendants' responses to 218 recommendations issued by the independent third parties, the Department of Justice and Campbell Thomas & Company (collectively the "Third Parties"), for making City polling place locations accessible on election day. These recommendations were issued on or around May 1, 2010 through July 1, 2010.

The City Defendants are required by Paragraph III.A of the Settlement Agreement to notify the plaintiffs whether the City Defendants accept or reject the recommendations of the

Third Parties for making City polling place locations accessible on election day. The City Defendants must respond to the Third Parties' recommendations within 45 days of their receipt.¹

If more than 80 recommendations require a response, the City Defendants must respond to at least 80 recommendations every 45 days until the City Defendants have issued responses to all recommendations that are more than 45 days old.

The City Defendants have responded to 194 recommendations² in this report. The City Defendants implemented many of the accepted recommendations for temporary modifications in the April 2012 primary election, even though they were not obligated to do so. Some of the modifications recommended by the Third Parties were already being implemented by the City Defendants well before the Third Parties began evaluating the accessibility of the City's polling place locations.

II. POLLING PLACES THAT ARE INACCESSIBLE AND SHOULD BE RELOCATED

The following are the City Defendants' responses to recommendations for relocation of polling places.³

A. Recommendations Issued by the Department of Justice

1-6. Ward 2, Divisions 17, 24, Fleisher Art Memorial School, 719 Catharine Street is

¹ The 45 days does not include the blackout period that occurs 45 days before and 30 days after an election. Thus, if an election occurs before the 45 days have passed, the City Defendants have an additional 76 days to respond, so as to ensure that this process does not impede the administration of elections.

² The City Defendants note that the Ninth Set of Responses were inadvertently numbered by inaccessible location rather than by number of recommendations made by the Third Parties. In the Ninth Set of Responses, the City responded to 392 recommendations for relocations and 37 recommendations for temporary modifications.

³ Each relocation recommendation set forth below was evaluated by the City Defendants. Where the City has chosen an alternate accessible location, the City did so primarily because of distance.

inaccessible as the school refuses to provide temporary measures.

RELOCATE TO:

- Fleisher Art Memorial Center for Works on Paper, Christian Street and 7th Street (enter through parking lot off of Catharine Street)
- Wellness Center, 610 Christian Street (enter on Passyunk), contact Gabina, 215-551-2333 (we were unable to talk to the Administrator)(unlock left leaf of double door)
- Ward 2, Division 16, Weccacoe Recreation Center, 400 Catharine Street
- Ward 2, Divisions 18, 22, 23, Palumbo Recreation Center, 9th and Bainbridge Streets
- Ward 5, Division 4, Starr Garden Recreation Center, 6th and Lombard Streets
- Ward 2, Division 11, Santore (Southwark) Library, 928 S. 7th Street

REJECTED WITH ALTERNATE RECOMMENDATION. School agreed to permit City to provide and install a 6-foot portable ramp to accommodate level change between the new and old buildings, making the school accessible.

7-9. **Ward 11, Division 1, Office, 1701 W. Lehigh Avenue**, is inaccessible.

RELOCATE TO:

- Cricket, 2900 N. Broad Street, Shopping Center

REJECTED. Owner refused.

- Pathmark Grocery Store, 2900 N. Broad Street (2 gates would need to be unlocked at parking and in front of store)

REJECTED. Owner refused.

- Super Clean Laundry, 2900 N. Broad Street, 609-631-9146

REJECTED. Owner refused.

10-14. **Wards 11, Division 4, Kenderton School, 15th & Ontario Streets**, is inaccessible.

RELOCATE TO:

- Ward 11, Division 9, Tioga Presbyterian Senior Home, 1531 W. Tioga Street
- Store, 3439 N. 17th Street (used to be a polling place; needs a 2 foot temporary ramp at entrance to voting area and doors need to be propped open there)
- Temple University School of Medicine, Kresge Hall, West Building, 3500 N. Broad Street
- Resurrection Life Church, Tioga Street & 17th Street (it serves as a new polling place)
- Medical Office Building, Temple University Physicians, 3322 N. Broad Street

REJECTED WITH ALTERNATE RECOMMENDATION. Site is accessible via rear door with 6' ramp. City will provide ramp.

15-16. **Ward 20, Division 3, 11 Dendy Rec Center, 10th and Oxford Streets**, is inaccessible.

RELOCATE TO:

- Ward 20, Division 6, St. Malachy's School, 1429 N. Warnock Street
- Howard Gittis Student Center at Temple University, W. Montgomery Avenue & North 13th Street (lobby area)

REJECTED. There is an accessible entrance to the Rec Center via the women's bathroom.

17-19. **Ward 28, Division 8, New Life Mission Baptist Church, 2450 W. Sergeant Street**, is inaccessible.

RELOCATE TO:

- Quality Community Health Care, Inc., 2501 Lehigh Avenue, 215-227-0300 (lobby area)
- Fire Engine Co. #45, York Street & 26th Street
- St. Martin de Porres, Judson Street & W. Lehigh Avenue (use ramped entrance; could not inspect interior)

REJECTED. Current location is now accessible as a result of removal of woodwork and doorframes.

20-22. **Ward 29, Division 16, Residence, 2914 W. Oxford Street**, is inaccessible.

RELOCATE TO:

- Wards 29, 32, Divisions 15, 4, 31, WD Kelley School, 28th & Oxford Streets
- Ward 29, Division 10, Brewerytown CDC Office, 3000 W. Master Street
- Unity Temple Worship Center, W. Jefferson Street & 31st Street (www.utwc.org)

REJECTED. The division has been moved to The Sartain Apartments, 3017 W. Oxford St.

23-27. **Ward 31, Divisions 11, 12, HA Brown School, Sergeant and Jasper Streets**, is inaccessible as the owner refuses to provide temporary measures.

RELOCATE TO:

- St. Michael's Evangelical Lutheran Church, 2141 E. Cumberland Street, 215-4230792 (side, ramped entrance on Trenton Street)
- Bracetti Academy, Charter School, 2501 Kensington Ave., 215-291-4436 (entrance on E. Cumberland St.)
- Ward 31, Division 2, Cardinal Bevilacqua Center, 2646 Kensington Avenue

- Ward 31, Divisions 8, 9, Kensington High School Annex, 2463 Emerald Street
- Ward 31, Divisions 3, 13, Hackett School, York Street & Trenton Avenue

REJECTED. H.A. Brown School is accessible via Firth Street entrance into auditorium.

28-33. **Ward 32, Division 29, WM Dick School, 25th & Diamond Streets**, is inaccessible.

RELOCATE TO:

- Philadelphia Department of Public Health, Philadelphia Health Center - Strawberry Mansion, 2840 Dauphin Street (accessible entrance)
- Ward 28, Divisions 2, 3, 6, Wright School, 28th Street & Dauphin Street
- Ward 32, Division 28, Johnson Homes, 2500 W. Norris Street
- Ward 32, Divisions 15, 16, 17, St. Elizabeth's Community Center, 23rd Street & Montgomery Avenue
- Ward 32, Division 2, F. Douglas School, 22nd Street & Norris Street
- Ward 32, Divisions 13, 14, Community Center, 1924 N. Woodstock Street

REJECTED. The division has been moved to an accessible location at the Hank Gathers Recreation Center, 25th & Diamond Streets.

34-36. **Ward 34, Division 42, Church, 6143 Lansdowne Avenue**, is inaccessible.

RELOCATE TO:

- Good Samaritan Baptist Church, Lansdowne Avenue & 62nd Street (place exactly 5 foot ramp for exterior step) (could not conduct full interior inspection)
- 90th Street Mount Hermon Baptist Church, 6132 W. Jefferson St., 215-879-2534 (place 6 foot ramp on existing ramp at entrance on 62nd Street and prop its doors open)
- Ward 34, Division 11, Manna Outreach Worship Center, 6130 Lansdowne Avenue

REJECTED WITH ALTERNATE RECOMMENDATION. The Church is accessible with a threshold mat, prop door and doorbell as temporary modifications.

37-42. **Ward 37, Division 3, Vision of Missions, 2319-25 N. 11th Street**, is inaccessible.

RELOCATE TO:

- Head Start, 2514 Germantown Avenue (main entrance)
- Philadelphia Parent Child Center, Inc., 2515 Germantown Avenue, 215-229-0503 (level entrance by playground)
- *Ward 37, Division 5, Fairhill Apartments Community Center, 2411 N. 11th Street*

- Ward 37, Division 14, Hartranft School, 8th & Cumberland Streets
- Edberg-Olson Practice Football Facility, Temple University, 10th Street & Diamond Street
- Dauphin Arms Apartments, 2230 Dauphin Street, 215-235-1156 (community room)

ACCEPTED. The division has been moved to an accessible location at Fairhill Apartments Community Center, 2411 N. 11th St.

43. **Ward 39, Division 14, Garage, 3236 S. Juniper Street**, is inaccessible.

RELOCATE TO:

- Holiday Inn Hotel, 900 Packer Avenue, contact GM William Green, 215-755-9500.

REJECTED. Manager refused; demanded \$800 per hour to have polling at the hotel.

44-47. **Ward 48, Division 18, Daycare, 1801 S. 17th Street**, is inaccessible.

RELOCATE TO:

- Second Nazareth Missionary Baptist Church, 18th Street & Tasker Street, contact Joe Holley, 215-796-3530 (use Tasker Street ramped entrance)
- St. Thomas Aquinas School, contact Father Sperger, 215-334-2312 (use entrance from parking lot to school, using a six foot temporary ramp and propping open hallway doors)
- Cycle Mat Laundry, 18th Street & Moore Street
- St. Agnes Continuing Care Center, 1900 S. Broad Street (used to be a polling place for Ward 48, Divisions 14, 20 - prop open interior doors and remove astragal)

REJECTED. Division has been moved to accessible location at Di Silvestro Recreation Center at 15th & Morris Streets.

48-53. **Ward 52, Division 17, Bryn Mawr Suites, 5100 Lebanon Avenue**, is inaccessible.

RELOCATE TO:

- Ward 52, Division 16, Fairview Arms Apartments, 5219 Wynnefield Avenue
- Ward 52, Divisions 15, 19, Pinn Memorial Baptist Church, 54th Street & Wynnefield Avenue
- Ward 52, Division 21, Evans Recreation Center, 53rd Street & Parkside Avenue
- One Crazy Greek Pizza, 52nd Street & Lebanon Avenue, abandoned location, 215477-3184 (5 foot temporary ramp needed at entrance)
- Wachovia Bank, 1575 N. 52nd Street, 215-473-5460 (entrance area)

- T-Mobile Store, 1575 N. 52nd Street, Suite 708, 215-871-0523

REJECTED WITH ALTERNATE RECOMMENDATION. Bryn Mawr Suites is accessible via the front entrance lobby, propping doors and providing a 6' ramp as temporary modifications.

54-55. **Ward 11 Division 13, Thankful Baptist Church, 1608 W. Allegheny Avenue**, is inaccessible.

RELOCATE TO:

- Ward 11, Divisions 8, 18, Panati Recreation Center, 22nd and Clearfield Streets
- Ward 11, Division 9, Tioga Presbyterian Senior Home, 1531 Tioga Street

REJECTED. The division has been moved to Thankful Baptist Church Annex at 1628 W Allegheny Ave.

56-58. **Ward 17, Divisions 24, 25, 29, Logan School, 17th Street and Lindley Avenue**, is inaccessible.

RELOCATE TO:

- ***Piney Grove Baptist Church, 5019-21 17th Street***, Pastor Robert H. Paul (2 divisions may fit in day care extension on corner at 5035 17th St. and 1 division may fit in lobby outside sanctuary at street level)(front entrance not accessible; must go behind Church)
- La Salle University, entering off of Lindley, Treetops Cafe, Communication Center, Residence Hall-St. Basil Court (we did not speak to LaSalle University but a number of buildings are accessible)
- ***Provision of Grace World Mission Church, 1950 Rockland Street***, Pastor Tony Pritchette, 215-324-9066 (we did not view interior)

ACCEPTED. Divisions 25 and 29 have been moved to Provision of Grace World Mission Church, 1950 W Rockland St. Pending a hearing, Division 24 will be moved to the Piney Grove Daycare at 5035 N 17th St.

59-63. **Ward 38, Division 5, Storefront, 2900 N. 25th Street**, is inaccessible

RELOCATE TO:

- The Christlike Faith Baptist Church, 25th Street & W. Cambria Street, 215-227-6759 (foot ramp for step on W. Cambria Street entrance)
- Ward 38, Division 6, Shuler (Whittier) Recreation Center, 27th & Clearfield Streets
- ***Ward 38, Divisions 3, 4, Whittier School, 27th & Clearfield Streets***
- Ward 38, Division 2, Devereaux Methodist Church, 26th Street & Allegheny Avenue
- Berean Baptist Church, 2425-33 W. Indiana Avenue, 215-229-2688 (side,

ramped entrance on N. 25th Street)

ACCEPTED. Pending a hearing, the division will be moved to Whittier School, 27th & Clearfield Sts.

64-68. **Ward 38, Division 11, Memorial Church Good Shepherd, 3820 The Oak Road**, is inaccessible.

RELOCATE TO:

- Ward 38, Division 17, School Lane House Apartments, 5450 Wissahickon Avenue

REJECTED. Recommended location is more than five blocks from the voting division; manager refused for security reasons.

- Ward 38, Divisions 12, 20, Falls of Schuylkill Library, 3501 Midvale Avenue

REJECTED. No room for additional division.

- Second Church of Christ Scientist, Christian Science Reading Room, 3015 W. School House Lane, 215-438-2748 (entrance from parking lot; place 6-foot temporary ramp on curb from parking lot since curb cut is too high)

REJECTED. Manager refused.

- The Arts at Penn Charter School, David Kurtz Performing Arts Center, 3000 W. School House Lane, 215-844-3460

REJECTED. School refused.

- Philadelphia University, Paul Gutman Library, 4201 Henry Ave., 215-951-2840

REJECTED. Philadelphia University will not permit City to use library, but may permit use of gym currently under construction as a polling place in the future. Construction is to be completed by late November and the gym should be available for the Spring 2013 election.

69. **Ward 39, Division 1, Key School, 8th and Wolf Streets**, is inaccessible.

RELOCATE TO:

- Dentex, 826 W. Porter Street, contact Art Schrbotten, 215-336-8391

REJECTED. Owner refused.

70. **Ward 39, Division 18, Storefront, 828 Ritner Street**, is inaccessible.

RELOCATE TO:

- Philly Focus, 2301 S. 8th Street, contact Tony Vo 267-872-4590 (needs a 2 inch threshold ramp)

REJECTED. Philly Focus has closed and the phone number has been disconnected.

71-75. **Ward 39, Division 21, Anthony's Restaurant, 2349-51 S. Front Street**, is inaccessible.

RELOCATE TO:

- JMC Financial Services, 100 W. Ritner Street, contact Joseph Cucinotta, 215-467-5777 (lobby area)

REJECTED. Owner refused.

- Philadelphia Parking Authority - Taxi & Limousine Division, 2415 South Swanson Street, contact Jim Ney, 215-683-9417 (lobby area or room off of lobby area)

REJECTED. Manager Jim Ney refused.

- IKEA Store, 2206 S. Columbus Boulevard (lobby area)

REJECTED. Owner refused.

- Clear Store, 2250 S. Columbus Boulevard, 425-216-7983 (lobby area)

REJECTED. Owner refused.

- Best Buy Store, 2300 S. Columbus Boulevard (lobby area)

REJECTED. Owner refused.

76-79. **Ward 39, Division 33, Daycare, 2601 S. 11th Street**, is inaccessible.

RELOCATE TO:

- Ward 39, Divisions 25, 39, Fire Engine Company #49, 13th & Shunk Streets
- ***Ward 39, Divisions 29, 44, JP Caterers, 2810 S. 9th Street***
- Mastery Charter School, Thomas Campus, 9th Street & Johnston Street (lobby area)
- Sovereign Bank, Oregon Avenue & 10th Street, 215-334-2718

ACCEPTED. Pending a hearing, the division will be moved to JP Caterers, 2810 S. 9th St.

80-82. **Ward 39, Divisions 36, 41, Southern Field House, 12th & Bigler Streets**, is inaccessible.

RELOCATE TO:

- Ward 39, Divisions 25, 39, Fire Engine Company #49, 13th & Shunk Streets

REJECTED. There was no room for an additional division due to presence of truck in the bay.

- ***Ward 39, Divisions 29, 44, JP Caterers, 2810 S. 9th Street***

ACCEPTED IN PART/REJECTED IN PART. Ward 39/41 has been moved to JP Caterers, 2810 S. 9th St. There is insufficient space for Ward 39/36,

which would be the fifth division at that location.

- Sovereign Bank, Oregon Avenue & 10th Street, 215-334-2718

REJECTED. Owner refused. City has canvassed for division 39/36 multiple times more than five blocks from the division, even canvassing across Broad Street. Nothing is available.

83-85. **Ward 40, Division 3, Bartram Field House, 58th Street & Grays Avenue**, is inaccessible.

RELOCATE TO:

- **The Ezekiel Baptist Church, 5701-39 Grays Avenue**
- T-Mobile Store, 5808 Woodland Avenue, contact Damien Miggins, damien.miggins@t-mobile.com
- Richard Allen Charter School, 2601 S. 58th Street

ACCEPTED. The division has been moved to The Ezekiel Baptist Church, 5701-39 Grays Ave.

86-91. **Ward 40, Divisions 10, 19, 20, Roche Post American Legion, 64th Street and Paschall Avenue**, is inaccessible.

RELOCATE TO:

- Southwest Globe Times, 6328 Paschall Avenue, 215-729-0800 or 215-727-7777
- United Church of Jesus Christ, Woodland Avenue & 66th Street (use side entrance on Woodland Avenue)(no interior inspection conducted)
- Bingo Hall, Woodland Village Plaza, 6026 Woodland Avenue
- Dunkin' Donuts, Woodland Village Plaza, 6110 Woodland Avenue, 215-724-3100
- Ladder 4/Engine 40, 6438 65th Street
- Jackson Hewitt Tax, Woodland Avenue & Yocum Street, 215-424-1600

REJECTED. Roche Post American Legion has begun necessary modifications to become ADA compliant and will be completed by Election Day. All three divisions will remain there.

92-93. **Ward 43, Divisions 7, 8, 21, 25, World Alive Worship Center, 801 W. Luzerne Street**, is inaccessible.

RELOCATE TO:

- Hunting Park Recreation Center, W. Hunting Park Avenue (gymnasium could easily hold all 4 divisions)
- Little Flower Catholic High School, 1000 West Lycoming Street (we did not speak to school administrators but there is ample lobby space), 215-455-6900

REJECTED. All four divisions have been moved to accessible location at the Lenfest Center, 3890 N. 10th St.

94-96. **Ward 49, Division 18; Ward 61, Division 17, Bickley United Methodist Church**, 6239-59 N. 6th Street, is inaccessible.

RELOCATE TO:

- Fisher Park, entrance off W. Spencer, building in middle of park (did not view interior, but could see through window, ample space and accessible)
- Ward 49, Division 20, The Eye Institute, 1200 W. Godfrey Avenue
- Ward 61, Divisions 6, 13, Fisher Park Recreation Center, 06th and Spencer Streets

REJECTED. Ward 49/18 has been moved to an accessible location at Lee's Monument, 908 W. Godfrey Ave. Ward 61/17 has been moved to an accessible location at St. Helena's School, 400 W. Spencer Street (also 61/18).

97-101 **Ward 50, Division 27, Mt. Moriah Church, Stenton Avenue and Dorset Street**, is inaccessible.

RELOCATE TO:

- *Ward 50, Divisions 6, 8, 11, 23, Finley Recreation Center, Upsal Street and Mansfield Avenue*
- Dunkin' Donuts, 8113 Stenton Avenue, 215-248-7558 (call corporate headquarters,
- Leisha Evans at 215-288-3407 (this group owns 35 Dunkin' franchises in Philly))
- Unitarian Universalist Church of the Restoration, 6900 Stenton Avenue, Rev. Larry W. Smith, 215-247-2561 (did not view interior)(prop open exterior doors)
- Ward 50, Divisions 2, 5, 7, Leeds School, Mt. Pleasant and Woolston Avenues

ACCEPTED. The division has been moved to accessible location at the Finley Recreation Center at Upsal & Mansfield Sts.

102-114 **Ward 56, Divisions 30, 31, 35, 41, St. Luke's Church, 1946 Welsh Road**, is inaccessible.

RELOCATE TO:

- Rhawnhurst-Bustleton Ambulance, 2044 Grant Avenue, contact Sugar Fine, 215-6989111, office, 215-969-3001 (voting area in garage)
- Excelsior Condominiums, 2131 Welsh Road, 215-698-1862 (we did not talk to condo association)
- Professional Office Building, 2137 Welsh Road (adequate space in lobby)

- Office Building, 9432 E. Roosevelt Boulevard, Matthew Shanahan, Colliers International Real Estate, 215-925-4600
- Jeanes Temple Northeast Medical Group, 9331 Old Bustleton Avenue, 215-602-8500
- Maternity BVM & School, 9220 Old Bustleton Avenue, 215-673-8127
- Galzerano Funeral Home, 9304 Old Bustleton Avnue (voting area in garage)
- Krewstown Shopping Center (empty storefronts), Krewstown Road, 215-469-9980, 215-627-0900
- Empty Storefront & Church at shopping center at Scotchbrook Drive and Baner Street
- Ward 58, Division 19, Northeast Racquet & Fitness Club, 9379 Krewstown Road (voting currently occurs in a pit down stairs in the lobby; move all voting areas to the second floor, utilizing lift)
- Ward 63, Division 25, Chapel Manor Nursing Home, 1104 Welsh Road
- Ward 58, Divisions 11, 14, 28, 42, Anne Frank School, 2000 Bowler Street
- Ward 57, Divisions 4, 6, Casino Deli Restaurant, 2425 Welsh Road

REJECTED. All four divisions have been moved to accessible location at the American Legion Post 810, 9151 Old Newtown Rd.

B. Recommendations Issued by Campbell Thomas & Company

115-117. **Ward 10, Division 5 at St. Athanasius School**, 7105 Limekiln Pike is inaccessible.

Relocation Possibilities for DIVISION 05 include:

- Ward 10 Division 05 Deliverance Missions (215-559-6610) 6848 Ogontz Ave.
- Ward 50 Division 28 West Oak Lane Seniors Center (see report 2) 7210 Ogontz Ave. This is already a polling place for Ward 9 Division 06
- Ward10 Division 04 –Strip of newer stores at 20th St. and Ogontz Ave including a driver’s license testing station

REJECTED WITH ALTERNATE RECOMMENDATION. City has provided a 6’ ramp for the 5” step up to the entry door. The hallway doors are double doors at 27.5” each that are propped open on Election Day. The church may be installing handrails for the slight slope of the hallway.

118-119. **Ward 10, Division 14 at Wrights Barber Shop**, 1901 72nd Ave. is inaccessible.

Relocation Possibilities for DIVISION 14 include:

- Ward 10 Division 01 - Harvest End Time Church (see report 2) 1808 W. Cheltenham Ave. This is already a polling place for Ward 10 Division 01
- Ward10 Division 04 –Strip of newer stores at 20th St. and Ogontz Ave including a driver’s license testing station

REJECTED WITH ALTERNATE RECOMMENDATION. Site is now accessible with use of portable ramp.

120-122. **Ward 10, Division 22 at St. Athanasius School**, 7105 Limekiln Pike is inaccessible.

Relocation Possibilities for DIVISION 22 include:

- Ward 10 Division 05 Deliverance Missions (215-559-6610) 6848 Ogontz Ave.
- Ward 10 Division 22 – Mt. Airy Baptist Church (215-549-2200) – 2012 69th Ave.
- Ward 10 Division 19 – Simons Recreation Center (see report 2) – Walnut Lane and Woolston St. – This is already a polling location for Ward 10 Division 19

REJECTED WITH ALTERNATE RECOMMENDATION. City has provided a 6' ramp for the 5" step up to the entry door. The hallway doors are double doors at 27.5" each that are propped open on election day. The church may be installing handrails for the slight slope of the hallway.

123-127. **Ward 12 Division 17, 19 and 20-** St. Francis of Assisi at 4821 Greene St. is inaccessible.

Relocation Possibilities for DIVISION 17 include:

- Ward 12 Division 24 - Queen Lane Apartments (report 2) – 301 West Queen Lane
- Ward 12 Division 08- J. B. Kelly School (report 2) – Pulaski and Hansberry Streets.
- Ward 12 Division 16 – Germantown Professional Building (report 2) – 100 W. Coulter St.
- Ward 12 Division 17 – Oasis Hair Salon – 4911 Wayne Ave. – 215-849-2550
- Ward 12 Division 18 – Kane and Brown Hardware – 5011 Wayne Ave. – 215-438-8501

REJECTED WITH ALTERNATE RECOMMENDATION. St. Francis of Assisi has closed down. All three divisions have been moved to accessible location at Happy Hollow Recreation Center, Wayne & Logan Streets.

128-130. **Ward 13 Division 16 - Simon Gratz High at 1717 Hunting Park Ave** is inaccessible.

Relocation Possibilities for DIVISION 16 include:

- Ward 13 Division 15 - Marcus Foster Stadium, School District of Philadelphia, Germantown Ave. and Staub St. – Two potential buildings

- **Ward 13 Division 16 - Triumph Baptist Church (www.triumph.org) – 1648 W. Hunting Park Ave** – New building with parking and several entrances – left information regarding polling with VP
- Ward 13 Division 16 - Nazarene Baptist Church (215-223-9821) – 3975 Germantown Ave – Rear accessible entrance – Left information with secretary

ACCEPTED. Division has been moved to Triumph Baptist Church, 1648 W. Hunting Park Ave.

131-133. **Ward 13 Division 17 Simon Gratz High at 1717 Hunting Park Ave.** is inaccessible

Relocation Possibilities for DIVISION 17 include:

- Ward 13 Division 06/17 – Steele School (report 2) – 301 Queen Lane.
- Ward 13 Division 17 - Boys and Girls Club – 4223 Wayne Ave. 215-324-6433
- Ward 13 Division 15 Marcus Foster Stadium, School District of Philadelphia, Germantown Ave. and Staub St. – Two potential buildings

REJECTED. Division has been moved to accessible location at Triumph Baptist Church, 1648 W. Hunting Park Ave.

134-136. **Ward 13 Division 22 - Simon Gratz High at 1717 Hunting Park Ave.** is inaccessible.

Relocation Possibilities for DIVISION 22 include:

- Ward 13 Division 15 - Marcus Foster Stadium, School District of Philadelphia, Germantown Ave. and Staub St. – Two potential buildings
- **Ward 13 Division 16 - Triumph Baptist Church (www.triumph.org) – 1648 W. Hunting Park Ave** – New building with parking and several entrances – left information regarding polling with VP
- W13 D23 - Nicetown Tioga Branch Library (report 2) – 3720 N Broad St

ACCEPTED. Division has been moved to Triumph Baptist Church, 1648 W. Hunting Park Ave.

137-141. **Ward 35 Division 13 – Prince of Peace Church** at 6001 Colgate Street is inaccessible.

Relocation possibilities for DIVISION 13 include:

- Ward 35 Division 13 - Burger King Training Center (215-641-9700) – 5921 Rising Sun Ave – Strip Mall
- Ward 35 Division 13 - Former Wachovia Bank Branch – Comly and Rising Sun
- Ward 35 Division 10 – Lawncrest Recreation Center (report 5) – Rising Sun and Comly St. - already used for W35 D10,11,25.

- Ward 35 Division 10 – Lawncrest Library (report 2) – 6098 Rising Sun Ave.
- Ward 35 Division 10 – Fire Station Engine 64 – 6000 Rising Sun Ave.

REJECTED WITH ALTERNATE RECOMMENDATION. Church is accessible. The Pastor will remove the doorway moulding to provide enough width to be ADA compliant.

142-144. **Ward 42 Division 01 – City Sign Shop** at 4501 ‘G’ Street is inaccessible.

Relocation possibilities for DIVISION 01 include:

- Ward 42 Division 01 – 4557 ‘G’ St. – Owner M. Flock, Wyndmoor, PA
REJECTED. Owner never responded.

- Ward 33 Division 02 – Ferko Recreation Center – J Street and Cayuga – Currently a polling location

REJECTED. Outside the five-block rule; City will continue to canvass.

- Ward 33 Division 01 – Hunting Park Elementary School – G Street and Hunting Park Ave., 215-291-5680

REJECTED. Recommended location is more than five blocks from the voting division. City will continue to canvass.

145-150. **Ward 42 Division 12 – Olney High School** – Front and Duncannon Streets is inaccessible.

Relocation possibilities for DIVISION 12 include:

- Ward 42 Division 12 – Garage building on the High School site directly off Front St., leave overhead door open.
- Ward 42 Division 12 – ECS Adult Education Center (Karen @215-329-6122) – 4950 Rising Sun – Requires wedge ramp at threshold.
- Ward 42 Division 12 – Jesus Christ of the Latter Day Saints, Family History Center – 5236 Rising Sun Ave. - Building appears accessible but currently un-occupied.
- Ward 42 Division 17 – Morrison School – 5100 N. 3rd St. - Currently a polling location with available space (report 2)
- Ward 42 Division 14 – St. Ambrose Jr. High AKA Olney Elementary Annex – C Street and Roosevelt Blvd. – Requires 5’ ramp, prop open entry doors, remove astragal, voting would need to be in classroom with door propped open.
- Ward 42 Division 12 Autozone (215-329-9102) – 180 W. Duncannon Ave., limited store cooperation. Requires clearing a portion of display area.

REJECTED WITH ALTERNATE RECOMMENDATION. CTC conducted the survey. City re-inspected the location and found the slope of the ramp to range from 9.3-10.0%; the door to the polling area can be propped open. City will provide door stops.

151-153. **Ward 42 Division 14 – New Life Presbyterian Church** at 425 East Roosevelt Blvd. is inaccessible.

Relocation possibilities for DIVISION 14 include:

- Ward 42 Division 12 – ECS Adult Education Center (Karen @215-329-6122) – 4950 Rising Sun –Requires wedge ramp at threshold.
- Ward 42 Division 14 – St. Ambrose Jr. High AKA Olney Elementary Annex – C Street and Roosevelt Blvd. –Requires 5’ ramp, prop open entry doors, remove astragal, voting would need to be in classroom with door propped open.
- Ward 42 D12 – Jesus Christ of the Latter Day Saints, Family History Center –5236 Rising Sun Ave. - Building appears accessible but currently un-occupied.

REJECTED WITH ALTERNATE RECOMMENDATION. CTC conducted the survey and found the ramp to be only 10.7%. The interior door hardware is not an issue because the door can be propped open; City will provide door stops.

154-157. **Ward 42 Division 15** – Cedar Grove Church at Rising Sun and Tabor Rd. is inaccessible.

Relocation possibilities for DIVISION 15 include:

- ***Ward 42 Division 18 – Christian International High (former Cedar Grove Ch. School) - 401 E. Tabor Rd.*** - Current polling location can take 1 more.
- Ward 42 Division 19 – Olney Elementary– Water St. and Tabor Rd. –Rear entrance off of school yard at Fisher St. Requires 6’ ramp, prop open entry doors, remove astragal, vote in wide corridor area.
- Ward 42 Division 19 – Solid Rock United Methodist Church (Rev. Margaret Powell 215 329-2851) – 199 E. Tabor Rd –Use ramped entry from Water Street parking area. Provide 1-1.2”wedge for ramp start.
- Ward 42 Division 19 – Fire Station Engine 61 - Tabor Rd and Somerville Street

ACCEPTED. Division has been moved to Christian International High, 401 E. Tabor Rd.

158-160. **Ward 42 Division 16 – Olney High School** – Front and Duncannon Streets is inaccessible.

Relocation possibilities for DIVISION 16 include:

- W42D17 – Morrison School – 5100 N. 3rd St. - Currently a polling location with available space (report 2)
- W42 D19 – Solid Rock United Methodist Church (Rev. Margaret Powell 215 329-2851) – 199 E. Tabor Rd –Use ramped entry from Water Street parking area. Provide wedge for ramp start.
- W42 D19 – Olney Elementary– Water St. and Tabor Rd. –Rear entrance off of school yard at Fisher St. Requires 6’ ramp, prop open entry doors, remove astragal, vote in wide corridor area.

REJECTED WITH ALTERNATE RECOMMENDATION. CTC conducted the survey. City re-inspected the location and found the slope of the ramp to range from 9.3-10.0% and the door to the polling area can be propped open.

161-165. **Ward 45 Division 04 – St. John Cantius School** at 4415 Almond St. is inaccessible.

Relocation possibilities for DIVISION 04 include:

- Ward 45 Division 04 – McCormick Hall (Plasterer’s Union 215-288-4280) – 2535 Orthodox St. – Prop open entry door with short temporary ramp. Or Training Center in W45D20 on Orthodox St. – Interior not viewed.
- Ward 45 Division 20 - Slabinski Funeral Home (215-744-2700) – 2614 Orthodox St. – Accessible with space.
- Ward 45 Division 04 – Philadelphia Fire Officers (215-289-2890) – 2200 Lefevre St. – Accessible with space.
- Ward 45 Division 04 – Edgemont Caterers (215-289-6242) – 4411 Edgemont St. – Requires 5’ ramp with entry door propped open.
- Ward 45 Division 23 – Bridesburg Recreation Center – 4601 Richmond St. – Already a polling location for W45D03 (report 2)

REJECTED. St. John Cantius School is now accessible. School built an 11’ portable ramp that covers the 2 steps totaling 11”.

166-168. **Ward 45 Division 20 – St. John Cantius School** at 4415 Almond St. is inaccessible.

Relocation possibilities for DIVISION 20 include:

- Ward 45 Division 04 – W45 D04 – McCormick Hall (Plasterer’s Union 215-288-4280) – 2535 Orthodox St. – Prop open entry door with short temporary ramp. Or Training Center in W45D20 on Orthodox St. – Interior not viewed.
- Ward 45 Division 20 - Slabinski Funeral Home (215-744-2700) – 2614 Orthodox St. - Accessible with space for parking
- Ward 45 Division 20 - Plasterers Union Training Hall (Plasterer’s Union 215-2884280) –Orthodox St.

REJECTED WITH ALTERNATE RECOMMENDATION. St. John Cantius School is now accessible. School built an 11' portable ramp that covers the 2 steps totaling 11".

169-170. **Ward 49 Division 17 – 2nd Macedonia Church** at 1301 W. Ruscomb St. is inaccessible.

Relocation possibilities for DIVISION 17 include:

- W49 D10 Birney School (report 2)l – 9th and Lindley Streets – Already a polling location
- W49 D11 - Cooke Elementary School (report 2) – Old York Rd and Louden St. – Already a polling location

REJECTED WITH ALTERNATE RECOMMENDATION. CTC conducted the survey and found the slope of the ramp to be 8.8%. The interior doors can be propped; City will provide doorstops.

171-174. **Ward 59 Division 21– Germantown Community Presbyterian Church at Greene and Tulpehocken St.** is inaccessible.

Relocation possibilities for DIVISION 21 include:

- Ward 59 Division 23 – Germantown Mennonite Church (report 3) – 21 W. Washington Ln.
- Ward 59 Division 22 – Settlement Music School (215-320-2610) Germantown Branch - 6128 Germantown Ave. – Will be accessible when drive to new entry is completed.
- Ward 59 Division 21 – Unitarian Universalist House (215-843-0809) – 221 W. Tulpehocken. Several available accessible entrances – Facility undergoing a change in ownership.
- Ward 59 Division 18 Linglebach School (report 5)

REJECTED. Division has been moved to accessible location at Stapeley Retirement Home, 6300 Greene St.

175-178. **Ward 59 Division 22– Germantown Community Presbyterian Church at Greene and Tulpehocken St.** is inaccessible.

Relocation possibilities for DIVISION 22 include:

- Ward 59 Division 24 – W Johnson Classic Cars (215-438-4330) – 86 W. Johnson St. Use overhead door.
- Ward 59 Division 12 - Brand New Life Christian Center (215 844-0790) – 6301 Germantown Ave. Use storefront entrance off of Washington Lane Prop open entry door due to immediate slope of floor at interior.
- Ward 59 Division 22 – Safeguard Storage (215) 240-6775 – 6224 Germantown Ave. – use garage entry and drop-off area.

- Ward 59 Division 16 – Olney High School (School District of Phila.) – Use and mark path from High Street to entry doors with 1 step. Provide 6’ ramp and prop open entry doors. Poll can be in entry area or adjacent corridor.

REJECTED. Division has been moved to accessible location at First United Methodist Church at 6019 Germantown Ave.

179. **Ward 66 Division 08 – Palmer Recreation Center at Comly and Thornton Rd.** is inaccessible.

Relocation possibilities for DIVISION 08 include:

- Ward 66 Division 06 - Flyers Skate Zone (215 618-0050) – 10990 Decatur Rd – facility interested and accessible. May require propping open door to area where polling takes place.

REJECTED WITH ALTERNATE RECOMMENDATION. CTC conducted the survey and took pictures of only one pathway. They did not survey building entrance or building interior. City re-inspected and found an accessible pathway that was measured along 4 different sections, with a slope ranging from 1.2%-4.5%. The building entrance and building interior is accessible.

180-182. **Ward 66 Division 24 – Drexel Library at 11099 Knights Rd.** is inaccessible.

Relocation possibilities for DIVISION 24 include:

- Ward 66 Division 42 - YMCA (215-632-0100 (report 1) – 11088 Knight Rd. – contact regarding availability of space
- Ward 66 Division 15 – St. Martha’s Gymnasium (215 632-3720) (report 1) – 11301 Academy Rd.
- Ward 66 Division 11 Archbishop Ryan High School (report 1) – 11201 Academy Rd

REJECTED WITH ALTERNATE RECOMMENDATION. CTC conducted the survey and assessed the pathway as a ramp. The slope of the pathway is 6%. Please look at the pictures in the inspection report.

183-185. **Ward 66 Division 44 – Drexel Library at 11099 Knights Rd.** is inaccessible.

Relocation possibilities for DIVISION 44 include:

- W66 D30- Benjamin Rush School – 11081 Knights Rd. – accessible entry adjacent to main entry. Use lobby for polling. Limited electrical. – unlock accessible door.
- Ward 66 Division 30 - NE Administration Offices for School District of Philadelphia (215-281-5903) – 4101 Chalfont Drive – requires 4’ ramp and propping open front door.

- Ward 66 Division 30 – Fitzpatrick School (215 281 2602) – 11061 Knights Rd. Accessible door at rear off parking lot has interior ramp to floor level.

REJECTED. CTC conducted the survey and assessed the pathway as a ramp. The slope of the ramp is 6%. Please look at the pictures in the inspection report.

186-187. **Ward 62 Division 22 – Residence at 2654 Devereaux St.** (report 1) is inaccessible. -

Relocation possibilities for DIVISION 22 include:

- W62 D16 – Ziegler School (report 1) – Saul and Comly
- W62 D 17 – DiSimone Auto – 6101 Frankford Ave. – Already a polling place – Report 4 – facility has opp multiple potential entrances at 2 show room areas.

REJECTED WITH ALTERNATE RECOMMENDATION. Division has been moved to accessible location at Auto Pros, 6250 Harbison Ave.

II. RECOMMENDATIONS FOR MAKING POLLING PLACES TEMPORARILY ACCESSIBLE ON ELECTION DAY

A. Recommendations Issued by Campbell Thomas & Company

188. **Ward 7, Division 12 at Cramp Elementary School, Howard and Ontario Sts.,** is inaccessible using the current entrance (5' double doors with a fixed astragal). There is an alternate entrance that can be used on Mascher St.

Temporary Measures:

1. Re-locate the entrance to the single 3' door on Mascher St.
2. Prop open Mascher St. single door.
3. Provide 2 wedge ramps for 1-1/2" lift ea. at entry pad and raised threshold.

ACCEPTED.

Permanent Measures:

1. Replace 5' font door pair with uneven set to provide accessible entry at the current door.

UNDER CONSIDERATION: The City Defendants are not obligated to implement permanent modifications. The City Defendants, however, will submit this recommendation to the appropriate City department to determine its feasibility and cost.

Relocation Possibilities for DIVISION 12 include:

- Ward 7 Division 11 – Century Storage, 3503 B Street.
- Ward 7 Division 12 – Ashley Foods, 124 W. Venango St.
- Ward 7 Division 6 – Gray Sales, 201-211 E. Venango St.

REJECTED. The City will implement recommended temporary modifications.

189. **Ward 11, Division 3 at the Heritage Park Rec Ctr-Sydenham & Clearfield Sts**

Temporary Measures:

1. Prop open exterior door.

ACCEPTED.

190. **Ward 22, Divisions 20,21 and 22 at the Emlen School, Chew Ave and Upsal St.**

(Entry via ramp and through doors to the auditorium) can be made accessible for 2 divisions only. Currently it is used for Ward 22 Divisions 20,21 and 22. See the alternate location section for division 22 :

Temporary Measures:

1. Prop open exterior doors.
2. Prop open doors into auditorium.

ACCEPTED. City will send doorstops to prop exterior and auditorium doors.

Permanent Measures:

1. Provide a ramp to serve the main floor of the school and not just the auditorium.

We interpret this as a request to provide a temporary ramp on Election Day. The City will a 6' ramp for access to the main floor.

191. **Ward 25, Division 06 at the Port Richmond Older Adult Center, 3068 Belgrade St.**
(Current entry via ramp at front):

Temporary Measures:

1. Relocate entry to side door through gate..
2. Prop open entry door and door to polling room.
3. Provide a 4' temporary ramp at entry
4. Relocate lockers in hallway

ACCEPTED. City will send a 4' ramp, prop the doors, and remove the lockers in the hallway to provide enough space for wheelchairs. City will use side entrance as alternative entrance as most seniors will still want to use front door.

Permanent Measures:

1. Re-build existing front ramp to standards.

UNDER CONSIDERATION: The City Defendants are not obligated to implement permanent modifications. The City Defendants, however, will submit this recommendation to the appropriate City department to determine its feasibility and cost.

192. **Ward 45, Divisions 05 and 24 at the Samuels Rec Center, Tioga and Gaul Streets:**
(current entry on at side to be relocated):

Temporary Measures:

1. Use entrance at rear that is through gate to rear door to storage area.
2. Prop open exterior doors
3. Clear path to polling location
4. Prop open interior doors
5. Mark entry re-location

ACCEPTED. City will implement all temporary modifications and will provide a 4' ramp for the door at the rear entrance due to the slope at door.

Permanent Measures:

1. Re-build ramp at front to meet standards
2. Option to build new ramp at front the uses side entrance near pool.
3. Adjust door hardware (closer tension) to meet requirements.

UNDER CONSIDERATION: The City Defendants are not obligated to implement permanent modifications. The City Defendants, however, will submit this recommendation to the appropriate City department to determine its feasibility and cost.

193. **Ward 58, Division 27- Sloane Honda at Haldeman and Bustleton Ave.** (entry at showroom doors) is inaccessible using the current polling location.:

Temporary Measures: None using the current entry location and polling space.

ACCEPTED. City will move the voting area to the used car showroom located on the same lot and will prop the doors.

Permanent Measures:

1. Relocate the polling area to a larger area in the showroom.
2. Prop open the entry doors.
3. Re-locate polling to another Accessible location on the property (there are several)

UNDER CONSIDERATION: The City Defendants are not obligated to implement permanent modifications. The City Defendants, however, will submit this recommendation to the appropriate City department to determine its feasibility and cost.

194. **Ward 62, Division 25 at Office, 6300 Brous Ave.** (entry at on Brous Ave.).

Temporary Measures:

1. Prop open storm door and entry door
2. Provide small wedge ramp for 2” lift.
 - a. Note this door is 32” clear only

Permanent Measures:

1. Relocate the polling to new location.

ACCEPTED. City will provide a 2” wedge and prop storm door and entry door.

Dated: October 12, 2012

CITY OF PHILADELPHIA
LAW DEPARTMENT

Shelley R. Smith
City Solicitor

By:

/s/ Robert D. Aversa
Robert D. Aversa,
Deputy City Solicitor
Attorney I.D. No. 66619
Ellen Berkowitz
Deputy City Solicitor
Attorney I.D. No. 80186
1515 Arch Street, 17th Floor
Philadelphia, PA 19102

CERTIFICATE OF SERVICE

I, ROBERT D. AVERSA, Deputy City Solicitor in the Law Department of Defendant The City of Philadelphia, hereby certify that I duly served a true and correct copy of the foregoing Tenth Set of Responses upon all counsel of record as a result of filing such document electronically; such document is therefore available for viewing and/or downloading pursuant to the Court's ECF system and is served pursuant to FRCP Rule 5(b)(2)(E) and Local Rule 5.1.2, ¶ 8.

/s/ Robert D. Aversa

Robert D. Aversa

Deputy City Solicitor, City Law Department

Dated: October 12, 2012