

State Election – November 2, 2010

Polls opened at 7:00 a.m. on a sunny fall cool day. Temperatures at the time polls opened were in the mid 20's rising to the high 40's in mid afternoon. Polls closed at 8:00 p.m.

Election Officers

Maryann Sadoski	7:00 a.m. to 4:15 p.m.
Beverly Sanderson	7:00 a.m. to 3:00 p.m.
Suzanne Cycz	7:45 a.m. to 3:00 p.m. (Lynn Sibley covered 7– 7:45)
Martha Zigmont	7:00 a.m. to 3:00 p.m.
Jan Korytoski	4:15 p.m. to 11:30 p.m.
Constance Ludlam	3:00 p.m. to 11:30 p.m.
Jane Grybko	3:00 p.m. to 11:30 p.m.
Carl Brooks	3:00 p.m. to 11:30 p.m.
Virginia Allis - Clerk	7:00 a.m. to 11:30 p.m.
Katherine Fleuriel Warden	7:00 a.m. to 11:30 p.m.
Edwin Zaniewski – Constable	7:00 a.m. to 4:30 p.m.
Thomas Mahar – Constable	4:30 p.m. to 11:30 p.m.

Additional Staff for Counting Ballots:

Randy Sibley	8:00 p.m. – 11:30 p.m.
Patricia Barschenski	8:00 p.m. – 11:30 p.m.

At the opening of the polls, and before any ballots were cast, the Ballot Box register indicated 000; and at the close of the polls the Ballot Box register indicated 780. During inputting of ballots into the Ballot Box throughout the day the bell failed to ring many times. The officers in charge of the voting lists counted and announced the whole number of names checked on said lists to be 780 which indicates that even though the bell failed to ring the ballots were counted. The presiding officer then removed the ballots from the ballot box and caused them to be counted one by one, and announced the whole number of ballots cast to be 780. The ballots having been duly sorted and counted were recorded and declared in open meeting to be as set forth in the official record. Twenty-four absentee ballots were cast. There were no provisional ballots cast or UOCAVA ballots. No ballots remained outstanding after November 2, 2010.

780 voters cast ballots of a possible 1,121 registered voters. Count ended at 11:15 p.m.

Due to the quantity of ballots cast the ballot box needed to be opened several times to empty the ballots into a box kept in public view and guarded by election officials. By emptying the ballot box frequently it kept the box from clogging and therefore allowing the acceptance of ballots.

After all ballots were counted the used ballots were sealed in a box with 2 strips numbered 0329041 and 0329046 and two stickers. The unused ballots were secured in a box with 2 strips numbered 0329099 and 0329016 and two stickers.

Canvas of votes:

Governor and Lieutenant Governor

Patrick and Murray	419
Baker & Tisei	233
Cahill & Loscocco	78
Stein & Purcell	38
Blanks	<u>12</u>
Total Votes Cast	780

Attorney General

Martha Coakley	511
James P. McKenna	240
Nathanael Fortune	1
Blanks	<u>28</u>
Total Votes Cast	780

Secretary of State

William Francis Galvin	510
William C. Campbell	202
James D. Henderson	31
Blanks	<u>37</u>
Total Votes Cast	780

Treasurer

Steven Grossman	453
Karyn E. Polito	278
Nathanael Fortune	1
Blanks	<u>48</u>
Total Votes Cast	780

Auditor

Suzanne M. Bump	285
Mary Z. Connaughton	182
Nathanael Fortune	278
Blanks	<u>35</u>
Total Votes Cast	780

Representative in Congress

John W. Olver	527
William L. Gunn, Jr.	195
Michael Engel	44
Blanks	<u>14</u>
Total Votes Cast	780

Councillor	
Thomas T. Merrigan	551
Michael Franco	188
Blanks	<u>41</u>
Total Votes Cast	780

Senator in General Court	
Stanley C. Rosenberg	636
Nathanael Fortune	1
Blanks	<u>143</u>
Total Votes Cast	780

Representative in General Court	
Stephen Kulik	635
Richard Smith	1
Nathanael Fortune	1
Blanks	<u>143</u>
Total Votes Cast	780

District Attorney	
David E. Sullivan	605
Michael A. Cahillane	7
Blanks	<u>168</u>
Total Votes Cast	780

Sheriff – Franklin County	
Christopher J. Donelan	600
Blanks	<u>180</u>
Total Votes Cast	780

Council of Governments Executive Committee	
Bill Perlman	565
Blanks	<u>215</u>
Total Votes Cast	780

QUESTION 1: Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

SUMMARY

This proposed law would remove the Massachusetts sales tax on alcoholic beverages and alcohol, where the sale of such beverages and alcohol or their importation into the state is already subject to a separate excise tax under state law. The proposed law would take effect on January 1, 2011.

A YES VOTE would remove the state sales tax on alcoholic beverages and alcohol where their sale or importation into the state is subject to an excise tax under state law.

A NO VOTE would make no change in the state sales tax on alcoholic beverages and alcohol.

Question 1

Yes	311
No	464
Blanks	<u>5</u>
Total Votes Cast	780

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

SUMMARY

This proposed law would repeal an existing state law that allows a qualified organization wishing to build government-subsidized housing that includes low- or moderate-income units to apply for a single comprehensive permit from a city or town’s zoning board of appeals (ZBA), instead of separate permits from each local agency or official having jurisdiction over any aspect of the proposed housing. The repeal would take effect on January 1, 2011, but would not stop or otherwise affect any proposed housing that had already received both a comprehensive permit and a building permit for at least one unit.

Under the existing law, the ZBA holds a public hearing on the application and considers the recommendations of local agencies and officials. The ZBA may grant a comprehensive permit that may include conditions or requirements concerning the height, site plan, size, shape, or building materials of the housing. Persons aggrieved by the ZBA’s decision to grant a permit may appeal it to a court. If the ZBA denies the permit or grants it with conditions or requirements that make the housing uneconomic to build or to operate, the applicant may appeal to the state Housing Appeals Committee (HAC).

After a hearing, if the HAC rules that the ZBA’s denial of a comprehensive permit was unreasonable and not consistent with local needs, the HAC orders the ZBA to issue the permit. If the HAC rules that the ZBA’s decision issuing a comprehensive permit with conditions or requirements made the housing uneconomic to build or operate and was not consistent with local needs, the HAC orders the ZBA to modify or remove any such condition or requirement so as to make the proposal no longer uneconomic. The HAC cannot order the ZBA to issue any permit that would allow the housing to fall below minimum safety standards or site plan requirements. If the HAC rules that the ZBA’s action was consistent with local needs, the HAC must uphold it even if it made the housing uneconomic. The HAC’s decision is subject to review in the courts.

A condition or requirement makes housing “uneconomic” if it would prevent a public agency or non-profit organization from building or operating the housing except at a financial loss, or it would prevent a limited dividend organization from building or operating the housing without a reasonable return on its investment.

A ZBA’s decision is “consistent with local needs” if it applies requirements that are reasonable in view of the regional need for low- and moderate-income housing and the number of low-income persons in the city or town, as well as the need to protect health and safety, promote better site and building design, and preserve open space, if those requirements are applied as equally as possible to both subsidized and unsubsidized housing. Requirements are considered “consistent with local needs” if more than 10% of the city or town’s housing units are low- or moderate-income units or if such units are on sites making up at least 1.5% of the total private land zoned for residential, commercial, or industrial use in the city or town. Requirements are also considered “consistent

with local needs” if the application would result, in any one calendar year, in beginning construction of low- or moderate-income housing on sites making up more than 0.3% of the total private land zoned for residential, commercial, or industrial use in the city or town, or on ten acres, whichever is larger.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would repeal the state law allowing the issuance of a single comprehensive permit to build housing that includes low- or moderate-income units.

A NO VOTE would make no change in the state law allowing issuance of such a comprehensive permit.

Question 2

Yes	260
No	477
Blanks	<u>43</u>
Total Votes Cast	780

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

SUMMARY

This proposed law would reduce the state sales and use tax rates (which were 6.25% as of September 2009) to 3% as of January 1, 2011. It would make the same reduction in the rate used to determine the amount to be deposited with the state Commissioner of Revenue by non-resident building contractors as security for the payment of sales and use tax on tangible personal property used in carrying out their contracts.

The proposed law provides that if the 3% rates would not produce enough revenues to satisfy any lawful pledge of sales and use tax revenues in connection with any bond, note, or other contractual obligation, then the rates would instead be reduced to the lowest level allowed by law.

The proposed law would not affect the collection of moneys due the Commonwealth for sales, storage, use or other consumption of tangible personal property or services occurring before January 1, 2011.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would reduce the state sales and use tax rates to 3%.

A NO VOTE would make no change in the state sales and use tax rates.

Question 3

Yes	250
No	517
Blanks	<u>13</u>
Total Votes Cast	780

QUESTION 4

Shall the Town of Whately be allowed to assess an additional \$60,000 in real estate and personal property taxes for the purpose of funding the municipal capital stabilization fund for the fiscal year beginning July 1, 2011?

Question 4.

Yes	249
No	510
Blanks	<u>21</u>
Total Votes Cast	780

QUESTION 5

THIS QUESTION IS NOT BINDING

Shall the state representative from this district be instructed to support legislation that would establish health care as a human right regardless of age, state of health or employment status, by creating a single payer health insurance system like Medicare that is comprehensive, cost effective, and publicly provided to all residents of Massachusetts?

Question 5.

Yes	494
No	238
Blanks	<u>48</u>
Total Votes Cast	780

QUESTION 6

THIS QUESTION IS NOT BINDING

Shall the state representative from this district be instructed to vote in favor of legislation that would allow the state to regulate and tax marijuana in the same manner as alcohol?

Question 6.

Yes	487
No	239
Blanks	<u>54</u>
Total Votes Cast	780

A true record,
Attest:

Lynn M. Sibley, CMC, CMMC
Town Clerk