

State Election – November 4, 2014

Polls opened at 7:00 a.m. on a cool but sunny fall day. Temperatures at the time polls opened were in the mid 40's rising to the high 60's in mid afternoon. Polls closed at 8:00 p.m.

Election Officers

Mary Kay Klippel	7:00 a.m. to 3:00 p.m.
Beverly Sanderson	7:00 a.m. to 3:00 p.m.
Jeffrey DeRose	7:00 a.m. to 3:00 p.m.
Virginia Allis	7:00 a.m. to 11:45 p.m.
Jan Korytoski	3:00 p.m. to 11:45 p.m.
Constance Ludlam	3:00 p.m. to 11:45 p.m.
Patricia Barschenski	3:00 p.m. to 11:45 p.m.
Lynn Sibley - Clerk	7:00 a.m. to 11:45 p.m.
Katherine Fleuriel Warden	7:00 a.m. to 3:00 p.m.
Marianne Simon	3:00 p.m. to 11:45 p.m.
Edwin Zaniewski – Constable	7:00 a.m. to 3:00 p.m.
Thomas Mahar – Constable	3:00 p.m. to 11:45 p.m.

Additional Staff for Counting Ballots:

Randy Sibley	8:00 p.m. – 11:45 p.m.
Joanne Oshea	8:00 p.m. – 11:45 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 749. Two times throughout the day a ballot got stuck and the box needed to be opened to remove the ballot. We were unsure if the ballots were counted or counted twice. The officers in charge of the voting lists counted and announced the whole number of names checked on said lists to be 748 which indicates that one of the ballots was counted twice on the ballot box. 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 748. Forty-six absentee ballots were requested and 40 of those 46 were returned and cast. There were two provisional ballots neither of which was counted because the Registry of Motor Vehicles indicated that the two people were either registered in another town with no registration in Whately or had checked no in the register to vote section when renewing their license. There were no UOVAVA voter requests.

748 voters cast ballots of a possible 1,145 registered voters. Count ended at 11:45 p.m.

Due to the quantity of ballots cast the ballot box needed to be opened two times to empty the ballots into a box kept in public view and guarded by election officials. By emptying the ballot box it kept the box from clogging and therefore allowing the acceptance of ballots. The ballots were sealed with numbered strips each time. The first at 12:30 p.m. with zip strip 0329072, the second time at 5:15 with zip strip 0329077.

The ballots having been duly sorted and counted were recorded and declared in open meeting to be as set forth in the official record.

After all ballots were counted the unused ballots were sealed in the black ballot box with two signed and dated stickers. The used ballots were secured in a box with 1 strip numbered 0329082 and two signed and dated stickers.

Canvas of votes:

(Write-ins that did not receive 5 or more votes are included in the “other” category)

Senator in Congress	
Edward J. Markey	487
Brian J. Herr	230
Others	1
Blanks	<u>30</u>
Total Votes Cast	748

Governor and Lieutenant Governor	
Baker & Polito	286
Coakley & Kerrigan	383
Falchuk & Jennings	51
Lively & Saunders	6
McCornick & Post	9
Others	1
Blanks	<u>12</u>
Total Votes Cast	748

Attorney General	
Maura Healey	479
John B. Miller	233
Others	2
Blanks	<u>34</u>
Total Votes Cast	748

Secretary of State	
William Francis Galvin	490
David D'Arcangelo	168
Daniel L. Factor	55
Others	1
Blanks	<u>34</u>
Total Votes Cast	748

Treasurer	
Deborah B. Goldberg	415
Michael James Heffernan	233
Ian T. Jackson	54
Blanks	<u>46</u>
Total Votes Cast	748

Auditor	
Suzanne M. Bump	459
Patricia S. Saint Aubin	186
MK Merelice	40
Others	1
Blanks	<u>62</u>
Total Votes Cast	748

Representative in Congress	
James P. McGovern	598
Others	6
Blanks	<u>144</u>
Total Votes Cast	748

Councillor	
Michael J. Albano	579
Others	3
Blanks	<u>166</u>
Total Votes Cast	748

Senator in General Court	
Stanley C. Rosenberg	613
Others	5
Blanks	<u>130</u>
Total Votes Cast	748

Representative in General Court	
Stephen Kulik	441
Dylan E. Korpita	285
Others	3
Blanks	<u>19</u>
Total Votes Cast	748

District Attorney	
David E. Sullivan	588
Others	3
Blanks	<u>157</u>
Total Votes Cast	748

Register of Probate	
John F. Merrigan	583
Others	4
Blanks	<u>161</u>
Total Votes Cast	748

Council of Governments Executive Committee	
Bill Perlman	554
Others	4
Blanks	<u>190</u>
Total Votes Cast	748

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION – Gas Tax

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would eliminate the requirement that the state's gasoline tax, which was 24 cents per gallon as of September 2013, (1) be adjusted every year by the percentage change in the Consumer Price Index over the preceding year, but (2) not be adjusted below 21.5 cents per gallon.

A **YES VOTE** would eliminate the requirement that the state's gas tax be adjusted annually based on the Consumer Price Index.

A **NO VOTE** would make no change in the laws regarding the gas tax.

Question 1

Yes	385
No	349
Blanks	<u>14</u>
Total Votes Cast	748

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION – Bottle Bill

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would expand the state's beverage container deposit law, also known as the Bottle Bill, to require deposits on containers for all non-alcoholic non-carbonated drinks in liquid form intended for human consumption, except beverages primarily derived from dairy products, infant formula, and FDA approved medicines. The proposed law would not cover containers made of paper-based biodegradable material and aseptic multi-material packages such as juice boxes or pouches.

The proposed law would require the state Secretary of Energy and Environmental Affairs (EEA) to adjust the container deposit amount every five years to reflect (to the nearest whole cent) changes in the consumer price index, but the value could not be set below five cents.

The proposed law would increase the minimum handling fee that beverage distributors must pay dealers for each properly returned empty beverage container, which was 2¼ cents as of September 2013, to 3½ cents. It would also increase the minimum handling fee that bottlers must pay distributors and dealers for each properly returned empty reusable beverage container, which was 1 cent as of September 2013, to 3½ cents. The Secretary of EEA would review the fee amounts every five years and make appropriate adjustments to reflect changes in the consumer price index as well as changes in the costs incurred by redemption centers. The proposed law defines a redemption center as any business whose primary purpose is the redemption of beverage containers and that is not ancillary to any other business.

The proposed law would direct the Secretary of EEA to issue regulations allowing small dealers to seek exemptions from accepting empty deposit containers. The proposed law would define small dealer as any person or business, including the operator of a vending machine, who sells beverages in beverage containers to consumers, with a contiguous retail space of 3,000 square feet or less, excluding office and stock room space; and fewer than four locations under the same ownership in the Commonwealth. The proposed law would require that the regulations consider at least the health, safety, and convenience of the public, including the distribution of dealers and redemption centers by population or by distance or both.

The proposed law would set up a state Clean Environment Fund to receive certain unclaimed container deposits. The Fund would be used, subject to appropriation by the state Legislature, to support programs such as the proper management of solid waste, water resource protection, parkland, urban forestry, air quality and climate protection.

The proposed law would allow a dealer, distributor, redemption center or bottler to refuse to accept any

beverage container that is not marked as being refundable in Massachusetts.

The proposed law would take effect on April 22, 2015.

A YES VOTE would expand the state's beverage container deposit law to require deposits on containers for all non-alcoholic, non-carbonated drinks with certain exceptions, increase the associated handling fees, and make other changes to the law.

A NO VOTE would make no change in the laws regarding beverage container deposits.

Question 2

Yes	291
No	451
Blanks	<u>6</u>
Total Votes Cast	748

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION - Casinos

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would (1) prohibit the Massachusetts Gaming Commission from issuing any license for a casino or other gaming establishment with table games and slot machines, or any license for a gaming establishment with slot machines; (2) prohibit any such casino or slots gaming under any such licenses that the Commission might have issued before the proposed law took effect; and (3) prohibit wagering on the simulcasting of live greyhound races.

The proposed law would change the definition of "illegal gaming" under Massachusetts law to include wagering on the simulcasting of live greyhound races, as well as table games and slot machines at Commission-licensed casinos, and slot machines at other Commission-licensed gaming establishments. This would make those types of gaming subject to existing state laws providing criminal penalties for, or otherwise regulating or prohibiting, activities involving illegal gaming.

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

A YES VOTE would prohibit casinos, any gaming establishment with slot machines, and wagering on simulcast greyhound races.

A NO VOTE would make no change in the current laws regarding gaming.

Question 3

Yes	348
No	391
Blanks	<u>9</u>
Total Votes Cast	748

QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION – Sick leave

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

Employees who work for employers having eleven or more employees could earn and use up to 40 hours of paid sick time per calendar year, while employees working for smaller employers could earn and use up to 40 hours of unpaid sick time per calendar year.

An employee could use earned sick time if required to miss work in order (1) to care for a physical or mental illness, injury or medical condition affecting the employee or the employee's child, spouse, parent, or parent of a spouse; (2) to attend routine medical appointments of the employee or the employee's child, spouse, parent, or parent of a spouse; or (3) to address the effects of domestic violence on the employee or the employee's dependent child. Employees would earn one hour of sick time for every 30 hours worked, and would begin accruing those hours on the date of hire or on July 1, 2015, whichever is later. Employees could begin to use earned sick time on the 90th day after hire.

The proposed law would cover both private and public employers, except that employees of a particular city or town would be covered only if, as required by the state constitution, the proposed law were made applicable by local or state legislative vote or by appropriation of sufficient funds to pay for the benefit. Earned paid sick time would be compensated at the same hourly rate paid to the employee when the sick time is used.

Employees could carry over up to 40 hours of unused sick time to the next calendar year, but could not use more than 40 hours in a calendar year. Employers would not have to pay employees for unused sick time at the end of their employment. If an employee missed work for a reason eligible for earned sick time, but agreed with the employer to work the same number of hours or shifts in the same or next pay period, the employee would not have to use earned sick time for the missed time, and the employer would not have to pay for that missed time. Employers would be prohibited from requiring such an employee to work additional hours to make up for missed time, or to find a replacement employee.

Employers could require certification of the need for sick time if an employee used sick time for more than 24 consecutively scheduled work hours. Employers could not delay the taking of or payment for earned sick time because they have not received the certification. Employees would have to make a good faith effort to notify the employer in advance if the need for earned sick time is foreseeable.

Employers would be prohibited from interfering with or retaliating based on an employee's exercise of earned sick time rights, and from retaliating based on an employee's support of another employee's exercise of such rights.

The proposed law would not override employers' obligations under any contract or benefit plan with more generous provisions than those in the proposed law. Employers that have their own policies providing as much paid time off, usable for the same purposes and under the same conditions, as the proposed law would not be required to provide additional paid sick time.

The Attorney General would enforce the proposed law, using the same enforcement procedures applicable to other state wage laws, and employees could file suits in court to enforce their earned sick time rights. The Attorney General would have to prepare a multilingual notice regarding the right to earned sick time, and employers would be required to post the notice in a conspicuous location and to provide a copy to employees. The state Executive Office of Health and Human Services, in consultation with the Attorney General, would develop a multilingual outreach program to inform the public of the availability of earned sick time.

The proposed law would take effect on July 1, 2015, and states that if any of its parts were declared

invalid, the other parts would stay in effect.

A YES VOTE would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

A NO VOTE would make no change in the laws regarding earned sick time.

Question 4.

Yes	436
No	240
Blanks	<u>72</u>
Total Votes Cast	748

QUESTION 5: THIS QUESTION IS NOT BINDING

Shall the state senator from this district be instructed to vote in favor of legislation that would prohibit candidates for state or local office from taking campaign contributions from industries regulated by such offices; regulate campaign spending by corporations; require increased disclosure of contributions to, and spending by, groups unaffiliated with candidates or political parties; provide voters with a tax rebate to make contributions to their preferred candidates; prohibit elected officials and their senior staff from negotiating a future job while in office and engaging in any lobbying activity for five years once they leave office; and increase penalties for candidates and groups that violate campaign finance laws?

Question 5.

Yes	439
No	88
Blanks	<u>221</u>
Total Votes Cast	748

A true record,
Attest:

Lynn M. Sibley, MMC, CMMC
Town Clerk