

ELECTION WORKERS – STATE PRIMARY

<u>Warden</u>	<u>Clerk</u>	<u>Checkers & Ballot Counters</u>	
Philip T. Detsch	Pamela G. Gjestebly	Josephine C. Crowell	Joanne C. Newman
		Ann L. Deluty	Diane L. Parker
<u>Deputy Warden</u>	<u>Ballot Box</u>	Elizabeth D. MacGilvra	Betty Sauta
Edward R. Perry, Jr.	Janet Derby	Alice L. Mortenson	Tammy VanBuren

**STATE ELECTION
NOVEMBER 2, 2010**

Pursuant to the Selectmen's warrant of September 28, 2010, posted by the Constable on October 2, 2010, the State Election was held in Hale Middle School Gymnasium and was called to order at 7:00 a.m. The Special Town Election to fill a vacancy on the Board of Selectmen was also held on November 2nd. Information regarding the Special Town Election follows the report of the State Election.

After examining the ballot box and finding it empty and in good order, the counter was set to zero. The ballot box was then locked and the keys delivered to the Warden who declared the polls open.

During polling hours, 203 absentee ballots were opened, recorded and cast into the ballot box. There were twenty-eight spoiled ballots. There were four provisional ballots. The polls were declared closed at 8:00 p.m. A total of 3377 ballots cast on election night. Voter turnout was 70.78%. There were 4,771 registered voters.

On November 12th, the Board of Registrars of Voters met in a properly noticed public meeting and opened the State Election ballots from eight Specially Qualified Voters (US citizens living overseas or military whose last place of residence was Stow and are entitled to vote in elections). The results were added to the election night totals and the Final Totals are listed below.

Final number of votes cast in the November State Election was 3385. (70.9% turnout)

RACE/CANDIDATES	Election Night Overseas Ballots		Official Total
	Total	11/12/10	
Governor & Lieutenant Governor			
Blank	20	-	20
Patrick and Murray	1619	6	1625
Baker and Tisei	1567	2	1569
Cahill and Loscocco	138	-	138
Stein and Purcell	30	-	30
Write-In	3	-	3

STATE ELECTION - NOVEMBER 2, 2010 (continued)

RACE/CANDIDATES	Election Night Overseas Ballots		Official Total
	Total	11/12/10	
Attorney General			
Blank	69	-	69
Martha Coakley	1986	7	1993
James P McKenna	1318	1	1319
Write-In	4	-	4
Secretary of State			
Blank	109	1	110
William Francis Galvin	1862	6	1868
William C Campbell	1128	1	1129
James D Henderson	278	-	278
Write-In	0	-	0
Treasurer			
Blank	129	1	130
Steven Grossman	1636	5	1641
Karyn E Polito	1611	2	1613
Write-In	1	-	1
Auditor			
Blank	232	1	233
Suzanne M Bump	1290	4	1294
Mary Z Connaughton	1688	2	1690
Nathaniel Alexander Fortune	165	1	166
Write-In	2	-	2
Representative in Congress Fifth District			
Blank	63	7	70
Nicola S Tsongas	1873	1	1874
Jonathan A Golnik	1368	-	1368
Dale E Brown	37	-	37
Robert M Clark	36	-	36
Write-In	0	-	0
Councillor Third District			
Blank	459	1	460
Marilyn M Petitto Devaney	1591	6	1597
Nicholas A Iannuzzi	1326	1	1327
Write-In	1	-	1
Senator in General Court Middlesex & Worcester District			
Blank	199	1	200
James B Eldridge	1891	6	1897
George M Thompson	1286	1	1287
Write-In	1	-	1

STATE ELECTION - NOVEMBER 2, 2010 (continued)

RACE/CANDIDATES	Election Night Overseas Ballots		Official Total
	Total	11/12/10	
Representative in General Court			
Third Middlesex District			
Blank	174	2	176
Kate Hogan	2217	5	2222
Chuck S Kuniewich, Jr.	984	1	985
Write-In	2	-	2
District Attorney			
Blank	1034	2	1036
Gerard T Leone Jr.	2311	6	2317
Write-In	32	-	32
Sheriff			
Blank	619	1	620
James V DiPaola	1878	6	1884
Michael S Tranchita Sr.	873	1	874
Write-In	7	-	7

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Tax on Alcohol

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.

Results	Election Night	Overseas Ballots	Official Total
	Total	11/12/10	
Yes	1763	3	1766
No	1561	3	1564
Blank	53	2	55

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Repeal 40B

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.

Results	Election Night	Overseas Ballots	Official
	Total	11/12/10	Total
Yes	1603	2	1605
No	1609	6	1615
Blank	165	-	165

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Lower state sales tax to 3%

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.

Results	Election Night	Overseas Ballots	Official
	Total	11/12/10	Total
Yes	1479	3	1482
No	1866	5	1871
Blank	32	-	32

QUESTION 4: THIS QUESTION IS NOT BINDING

Marijuana

Shall the state representative from this district be instructed to vote in favor of legislation that would allow the state to regulate the taxation, cultivation, and sale of marijuana to adults?

Results	Election Night	Overseas Ballots	Official
	Total	11/12/10	Total
Yes	1686	6	1692
No	1398	1	1399
Blank	293	1	294