

**BOARD OF RECOUNT  
RECOUNTS OF ELECTIONS HELD NOVEMBER 2, 1999**

**November 17, 1999**

**3:00 PM**

**Present: Mr. Durkin, Alderman Shea, Mr. Alfano**

The Recounts for three offices were initiated at 3:00 PM having been called to order by Chairman Durkin. Chairman Durkin requested Deputy City Clerk Johnson to advise of the process and proceed with the recounts.

Deputy Clerk Johnson advised that recounts were being held for three offices: Ward One Ward Clerk, Ward 11 School Committee, and Ward 3 Selectmen races.

Deputy Clerk Johnson requested rule changes for the Ward 3 Selectmen race. She stated that when the Board of Recount met their ruling was that they were going to put the pilings of the ballots in essence in groups of 25 and count them as they are doing for the other two races. However, voters are allowed to choose three people for the Selectmen race, if we do that we would have to count the ballots six times. Deputy Clerk Johnson requested that they change the rule and utilize a tally sheet and use a two-person team. One person will show the ballot for the Ward 3 race, they will be allowed to challenge at that time, and it will be so tallied on the sheet at that time. Deputy Clerk Johnson stated that the Clerk's office would compute the tally sheets at the end. Because there were three selections allowed by the voters, it was felt that a tally sheet would be the most efficient method to recount the votes cast in that race. Additionally, there was a request by the candidate who petitioned for the recount, to have only one team so he could review each ballot personally.

Chairman Durkin so moved to have the rule change requested so ordered. The motion was duly seconded and carried unanimously.

A communication from Richard Girard was distributed to members of the Board of Recount for informational purposes, as a response to the communication submitted at the previous meeting from the Ward Clerk.

Deputy Clerk Johnson advised that the process would begin, and requested Ward One participants to come forward. Participants were allowed the opportunity to go to the vaults and inspect the lock-up facilities of the ballot boxes. One person

elected to do so. The ballots were brought to the Aldermanic Chambers and were viewed by observers and Ms. Mann.

Deputy Clerk Johnson requested the Ward 11 School Committee participants to come forward. An attorney and two observers came forward for each of the candidates. One person was assigned by each of the candidates to go to the vaults to collect the ballot boxes. The ballot boxes were brought to the Aldermanic Chambers and were viewed by observers and the attorneys.

Deputy Clerk Johnson requested the Ward 3 Selectmen participants to come forward. Mr. Murphy, the candidate having requested the recount, came forward first and stated he did not wish to have anyone other than Ms. Hyler present at the table. Mr. Murphy noted that his letter to the City Clerk had requested a recount of only he and one other candidate. Deputy Clerk Johnson advised that under the law the entire race was to be recounted and that all candidates had a right to observe the process. Mr. Murphy noted his objection again stating he did not want anyone present in the room at the table, Ms. Hyler was not present. Deputy Clerk Johnson reiterated her comments as to the recount provisions and the rules adopted by the Board of Recount with respect to all candidates having the right to observe. Mr. Murphy stated he wished to withdraw his request for the recount. Deputy Clerk Johnson asked if he was sure he wished to stop the recount at this time. Mr. Murphy replied affirmatively advising again that he did not wish the recount of the whole race.

Deputy Clerk Johnson approached the Board of Recount advising that Mr. Murphy had stated he wished to withdraw his request for the recount of the Ward 3 Selectmen race and that he was objecting to having other candidates at the table with him. Deputy Clerk Johnson advised under provision of law he was the one who had requested the recount and could therefore request to withdraw at any time during the process. It was noted that Chairman Durkin had left the room. Mr. Alfano and Alderman Shea accepted the request by Mr. Murphy to withdraw, and requested the Clerk to announce same. Chairman Durkin returned during the announcement.

Deputy Clerk Johnson advised that the person who requested the recount for the Ward 3 Selectmen Race, D. J. Murphy, has withdrawn the request for a recount, so there would be no recount of the Ward 3 Selectmen race. Deputy Clerk Johnson noted for the record that Louise Weatherbee is objecting to the fact that this has been withdrawn. Mr. Murphy again interjected attempting to make objection to the record reflecting any statements with regard to Ms. Weatherbee and was requested to be seated. Mr. Murphy continued with his objections, and Deputy Clerk Johnson again requested he be seated. Deputy Clerk Johnson stated that Ms.

Weatherbee did in fact approach the City Clerk's office and requested a recount as well, however, it was after the closing time for that submission under the law. Deputy Clerk Johnson stated that Ms. Weatherbee had been advised that although it was after the deadline for filing for a recount, that a recount had been requested and there would be a recount. Ms. Weatherbee stated that she went to see Mr. Bernier the day after the election and he had advised that she needed to write a letter, and then when she went in she was told she didn't have to because someone else had requested one.

Deputy Clerk Johnson advised that the recount would not occur this date for the Ward Three Selectmen race.

Deputy Clerk Johnson advised members of the Board of Recount that the ruling from the Solicitor was that if a candidate requested a recount, the recount would need to be held regardless of whether the candidate or a representative for the candidate was present at the Recount.

The recounts of the Ward 1 and Ward 11 races proceeded and the counts were made. The Board of Recount ruled on 18 challenged ballots, 4 of which were protested and so marked for the Ward 11 race. There was one challenged ballot for the Ward 1 race which was ruled upon, protested and so marked.

The results of the recount were accepted by the Board of Recount and so certified as follows:

***WARD ONE, WARD CLERK***

Scott Green had 1172 votes.  
Paula B. Mann had 1160 votes.  
Write-In's counted as 4 votes.  
Total votes counted were 2336.

***WARD 11, SCHOOL COMMITTEE***

William Boyd, III had 700 votes.  
Russell P. Ouellette had 718 votes.  
Total votes counted were 1418.

There being no further business the recount session was adjourned.

A True Record Attest.

Clerk of Committee