



**BOARD OF REGISTRARS OF VOTERS  
CITY OF WALTHAM  
NOTICE OF RECOUNT**

November 5, 2019 Municipal Election  
Offices of City Councillor Ward 2 and City Councillor Ward 6

**Recount to be Held on Saturday, November 23, 2019**

**Ward 2 Candidates**

William A. Hanley  
123 Pond End Road  
Waltham, MA 02451

Caren Dunn  
58 Mount Walley Road  
Waltham, MA 02451

**Ward 6 Candidates**

Sharline Nabulime  
164 Hammond Street  
Waltham, MA 02451

Sean Durkee  
185 Hammond Street  
Waltham, MA 02451

The Board of Registrars of the City of Waltham will meet on Saturday, November 23, 2019 for the purpose of conducting a recount of the Municipal Election held on November 5, 2019 for the offices of Councillor Ward 2 and Councillor Ward 6.

On November 13, 2019 at 8:39 a.m., a petition was filed by William A. Hanley seeking a hand recount of the votes cast for Councillor Ward 2 in the Municipal Election of November 5, 2019. Mr. Hanley filed the petition with the required number of signatures which have been certified.

On November 15, 2019 at 4:50 p.m., a petition was filed by Sharline Nabulime seeking a hand recount of the votes cast for Councillor Ward 6 in the Municipal Election of November 5, 2019. Ms. Nabulime filed the petition with the required number of signatures which have been certified.

**AGENDA**

Saturday, November 23, 2019

At 8:30 a.m., the Ward 2 and Ward 6 sealed ballot containers will be removed from the vault at City Hall, 610 Main Street, Waltham, for transfer, by the Waltham Police, to the Clark Government Center

Auditorium, 119 School Street, Waltham, where the recount for Ward 2 and Ward 6 will be conducted. Candidates, their counsel, and their agents/observers may be present to observe the transfer process.

The order of the counting the ballots shall be Ward 2 followed by Ward 6.

Upon arrival at the Clark Government Center, which is estimated to take place between 8:35 a.m. and 8:55 a.m., the sealed Ward 2 ballot containers will be brought into the counting area to be opened so that the ballots can be separated into blocks of fifty (50) for counting. The sealed Ward 6 ballot containers will remain in the custody of the registrars and will not be opened until the completion of the counting of the Ward 2 ballots. Candidates, their counsel, and their agents/observers may be present to observe the process.

At 9:00 a.m., prior to the commencement of the separation of the Ward 2 ballots, the recount procedures and ground rules for the recount will be explained by a registrar or designee. The explanation of the recount procedures and ground rules will be repeated prior to the commencement of the separation of the Ward 6 ballots into blocks of fifty (50) for counting.

Following an explanation of the recount procedures and ground rules, the Ward 2 ballot containers will be opened and the ballots will be separated into blocks of fifty (50) for counting. The ballots will be separated into blocks of fifty (50) by two teams at separate tables. Each team will be comprised of two recount workers. The Ward 2 candidates, their counsel and agents/observers may be present to observe the process.

Once the Ward 2 ballots have been separated into blocks of fifty (50) and placed in envelopes, the counting of the ballots will commence. The ballots will be counted by two teams of counting clerks. Each team will consist of a reading and tally clerk who will sit opposite each other at a counting table. In addition, there will be a total tally clerk at a separate table. Accordingly, each candidate may designate five (5) agents/observers to observe and participate in the counting procedures. The registrars will review and decide whether to count any provisional ballots or any absentee ballots rejected as defective. Upon the completion of the counting of the Ward 2 ballots, the ballots will be sealed in containers. Protested ballots will be placed in separate envelopes which will be sealed. The containers and sealed envelopes will be kept in the custody of the registrars and transferred to the vault in City Hall by the Waltham Police upon the completion of recount activities.

Following the completion of the counting of the Ward 2 ballots, and prior to the commencement of the counting of the Ward 6 ballots, a registrar or designee will again explain the procedures and ground rules for the recount.

Following an explanation of the procedural and ground rules, the Ward 6 ballot containers will be opened and the ballots will be separated into blocks of fifty (50) for counting. The ballots will be separated into blocks of fifty (50) by two teams at separate tables. Each team will be comprised of two recount workers. The Ward 6 candidates, their counsel and agents/observers may be present to observe the process.

Once the Ward 6 ballots have been separated into blocks of fifty (50) and placed in envelopes, the counting of the ballots will commence. The ballots will be counted by two teams of counting clerks. Each team will consist of a reading and tally clerk who will sit opposite each other at a counting table. In addition, there will be a total tally clerk at a separate table. Accordingly, each candidate may designate

five (5) agents/observers to observe and participate in the counting procedures. The registrars will review and decide whether to count any provisional ballots or any absentee ballots rejected as defective. Upon the completion of the counting of the Ward 6 ballots, the ballots will be sealed in containers. Protested ballots will be placed in separate envelopes which will be sealed. The containers and sealed envelopes will be kept in the custody of the registrars and transferred to the vault in City Hall by the Waltham Police upon the completion of recount activities.

### **Guidelines for Candidates, Representatives and Agents/Observers**

Each candidate is allowed to witness the recount and may be accompanied by one or more counsel.

In addition to counsel, each candidate may also be represented by up to four (5) agents/observers, one for each clerk reading the ballots or tallying the votes at a counting table, and one for the clerk tallying the total results of the recounted ballots who will be at a separate table. These agents/observers, along with the candidate and counsel have the right to watch and inspect the ballots, tally sheets and all other papers used in the recount, and to watch every individual act performed in connection with the recount, including the separation of the ballots into blocks of fifty (50) for counting.

**The names of counsel and the agents/observers for the candidates should be provided to the City Clerk by 1:00 p.m. on November 22, 2019. Agents/observers must be appointed by the candidates in writing and agents/observers must present such written authorization for admission to the counting area.**

The general public may witness the recount, but must remain outside of the counting area.

### **Ground Rules for Recount**

In order to assure an orderly recount on November 23, 2019, the following ground rules will be in effect:

- Election Materials:
  - Only recount workers and the registrars may handle ballots or other election-related materials.
  - Candidates, their counsel and agents/observers may ask for a closer look, but may not touch the ballots or other election-related materials.
  
- Agents/Observers:
  - Agents/Observers may not bring food or drink into the recount area, and must silence their phones.
  - Agents/Observers must respect the work being performed by the counting clerks and the total tally clerk and may not move around the room during the counting of ballots.
  - Only the candidates and their counsel may move from table to table during the counting of the ballots.
  - Disorderly conduct and outbursts will not be tolerated. Anyone creating a disturbance will be warned once, then ejected and not allowed to return.
  - Agents/observers may challenge a decision of the counters by stating the words “I protest,” but otherwise must be silent to allow workers to count ballots without distraction; if an agent/observer has a question or needs assistance, she/he may raise her/his hand and a runner or other designee of the registrars will arrange for the same to be addressed.

- Board of Registrars:
  - The registrars will act on any challenges to ballots brought before them; however, counsel for the candidates are encouraged to review at the counting table any ballot to which an objection is raised to determine whether to bring the same to the registrars.
  - Only the candidate or their counsel may present arguments to the registrars regarding ballots to which objections are raised during the counting process; after the registrars have had the opportunity to review each ballot at issue, both candidates (or their counsel) will be provided an opportunity to present their respective positions, with the candidate who brought the objection presenting first.
  - The vote of the registrars on any such challenge will be final, and, unless such vote results in a tie, the ballot will be counted in accord with the vote of the registrars.
  - If a candidate challenges the decision of the registrars, the ballot will be counted according to the vote of the registrars (unless the registrars' vote is a tie, in which case it will be counted in accord with the recount worker's call), and then be marked by the registrars with the date, office being recounted, and vote of the registrars, and then placed in an envelope to be segregated from other ballots.
  
- Other Matters:
  - The registrars' jurisdiction is limited to the manner in which the votes are counted.
  - Objections to other matters will be unlikely to be addressed by the registrars.
  - At the conclusion of the recount, such matters may be placed on the record for the purpose of preserving the same any future action.

General Information

At the commencement of the recount, the registrar or designee will review the entire recount process, allowing questions to be raised at that time by recount workers, candidates, their counsel and observers. Enclosed is a copy of the Secretary of the Commonwealth's booklet, "Election Recounts," which provides detailed information on the recount process.

If candidates anticipate that their agents/observers will not be able to stay for the duration of the counting of the ballots on November 23, 2019, please designate additional agents/observers. However, additional agents/observers will be required to remain outside of the counting area until permission has been given to replace an agent/observer.

Only the candidates, their counsel, and those persons designated in writing as agents will be permitted to enter the counting area. Other City officials and employees, excepting those working at the recount, have no legal status at the recount. Any other City official or employee who wishes to be allowed inside the counting area must be appointed as one of the candidate's agents/observers. Of course, the general public may observe the recount from outside the counting area.

Please contact the Office of the City Clerk's office at (781) 314-3120 if you have questions or require additional information.

Sincerely,

Robert J. Waddick,  
 City Clerk,  
 Member of the Board of Registrars of Voters

