

May 7, 2015

To: Town Council, Town of Chevy Chase

As you know, in Tuesday's election, Fred Cecere, a write-in candidate, received the second-highest number of votes in a race for two open seats. We understand that Dr. Cecere's financial disclosure statement was delivered to the Town Office shortly after 7:00 p.m. on the Tuesday of the election (May 5, 2015). It is our further understanding that Dr. Cecere agreed to become a write-in candidate several days before the election.

On Tuesday evening, Stephan Lawton, Election Board Chair, in the presence of Election Board member Anthula Gross, signed the official count indicating that the votes (including absentee ballots) were cast as follows: John Bickerman: 228; Fred Cecere: 168; and Patricia Burda: 119. In addition, a few additional write-in ballots were cast for several town residents: Deborah Vollmer received two write-in votes, and Rose Edwards, Amy Miller, John Fitzgerald, Kathy Legg, Deborah Ingram, Julia Randall, Beth Kevles, David Lublin, Linna Barnes, Michael Cecere and Stephen Seidel received one vote apiece. The Town Charter requires that within 48 hours of the close of the election, or 8 p.m. Thursday, May 7, 2015 the Election Board both determine the votes cast for each candidate and certify the results to the Council. We hereby determine that the votes cast for candidates were as reported by the official count signed by Mr. Lawton (which is attached hereto).

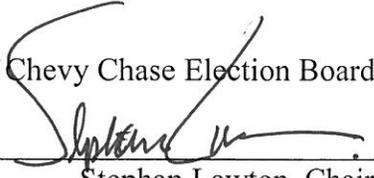
The Board met on Wednesday, May 6, 2015 with the Town Attorney and carefully analyzed applicable provisions of State law, as well as the Town Code and Charter. (Two Board members are lawyers, one of whom has experience with election law matters). After somewhat lengthy deliberations, the Board unanimously concluded that it is unable to certify the election results because there is substantial evidence that Dr. Cecere may not have complied with legal requirements relating to filing of financial disclosure statements. Although it appears that Dr. Cecere had agreed to become a write-in candidate several days before the election and in fact recognized his obligation to file a financial disclosure statement, he may not have complied with legal requirements that write-in candidates submit such statements for public inspection prior to the election. Failure to file on a timely basis rendered impossible a Town resident's ability to review information in his financial disclosure statement and negated the Ethics Commission's responsibility to determine the adequacy of his financial disclosure statement.

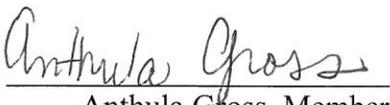
We recommend as follows:

1. That the Ethics Commission immediately be directed to determine whether Dr. Cecere complied with applicable financial disclosure laws.
2. That if the Ethics Commission determines that Dr. Cecere failed to comply with applicable financial disclosure laws, the Town Council nullify Tuesday's election and take action to schedule a new election as soon as possible.

Respectfully Submitted,

Town of Chevy Chase Election Board

By   
Stephan Lawton, Chair

  
Anthula Gross, Member

  
Gloria Tristani, Member