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December 21, 2016

John Labadini  
Concerned Watertown Homeowners Association  
499 Main Street  
Watertown, MA 02472

Alyson Morales  
Watertown Strong Schools  
21 Chandler Street  
Watertown, MA 02472

Re: Concerned Watertown Homeowners Association and Watertown Strong Schools  
CPF 16-135 and 16-139

Dear Mr. Labadini and Ms. Morales:

This office has completed its review of a complaint we received concerning campaign activity in Watertown. The complaint alleged that two organizations, the Concerned Watertown Homeowners Association ("CWHa") and Watertown Strong Schools ("WSS"), raised and spent money to influence a recent ballot question in Watertown regarding the adoption of the Community Preservation Act. The complaint further alleges that both the CWHa and WSS failed to organize as ballot question committees or to disclose their campaign finance activity, as required by M.G.L. c 55, the Massachusetts campaign finance law.

CWHa originally was an issues group that was founded in late 2015 for the purpose of opposing the adoption of residential design guidelines in Watertown. CWHa collected dues from its members to effectuate its goals, which included educating residents on the process and implications of adopting design guidelines. WSS is a parent-run organization committed to "restoring Watertown Public Schools to the strong schools they once were."  
[Http://www.watertownstrongschools.com](http://www.watertownstrongschools.com). WSS has never collected funds or dues from its members for any purpose, as it typically relies on its website, email, and free social media posts to communicate with the public.

Through May of 2016, CWHa focused exclusively on the issue of design guidelines. In June of 2016, the Community Preservation Act ("CPA") was proposed in Watertown. At that time, CWHa and WSS determined that they would oppose the CPA. In response to the prospect of a CPA ballot question, and at least in part to fund its "Vote No" activities and advertising, CWHa collected funds from its members, in the total approximate amount of \$1,400, and





deposited those funds into its general treasury account. CWHA then used the contributions it collected, along with approximately \$2,500 from its general treasury, to purchase signs, robocalls, and other advertisements opposing the ballot question, in the total approximate amount of \$3,900. Because WSS did not have any general treasury funds and did not want to raise funds relating to the CPA, some of the signs purchased by CWHA were actually "Vote No" signs that were given to WSS.<sup>1</sup>


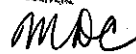
Under the campaign finance law, a group of persons that coordinates its efforts, including fundraising and spending under a common name, for the purpose of supporting or opposing a ballot question, is acting as a ballot question committee. Fundraising includes the receipt of both monetary contributions, as were received by CWHA, and in-kind contributions, e.g., the signs purchased by CWHA for the benefit of WSS. Groups or committees undertaking such efforts are subject to the registration and disclosure requirements of the campaign finance law. See M.G.L. c. 55, §§ 1, 5, 9 and 18; IB-90-02.

Based upon our review, we have concluded that CWHA and WSS, by soliciting and/or receiving monetary or in-kind contributions to oppose the CPA ballot question, were acting as ballot question committees as of June 2016. Therefore, both groups should have organized as ballot question committees and disclosed their campaign finance activity with the local clerk. Because they did not organize and disclose their campaign finance activity in a timely manner, CWHA and WSS did not comply with the campaign finance law.

OCPF notes, however, that both groups cooperated fully with this review, and that their failure to organize as ballot question committees may have been based upon advice they sought from the local clerk's office. Accordingly, because CWHA has now organized as a ballot question committee and disclosed all campaign finance activity undertaken on behalf of both CWHA and WSS, and because we believe that the guidance provided in the course of this review will result in future compliance with the campaign finance law, no further action is required, and this matter may be closed at this time.

In accordance with the opinion of the Supervisor of Public Records, this letter is a matter of public record. A copy is being provided to the person(s) who brought this matter to our attention.

Sincerely,

  
Michael J. Sullivan   
Director

cc: John Flynn, Watertown Town Clerk  
MJS/mc

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<sup>1</sup> Signatures for the CPA ballot question were certified in September, and the question was passed at the November 8 election.