

TOWN OF HUDSON, NH
CODE OF ETHICS COMMITTEE
PETITIONER INFORMATION FORM

This form to be prepared pursuant to Hudson Town Code, Chapter 53

Name of Person Submitting Petition Kara Roy/Dave Morin

Address 46 Marsh Road/29 Library Street

Home Telephone # 603.809.4432

Subject of Petition Member of Board of Selectmen

Business Name (if applicable) _____

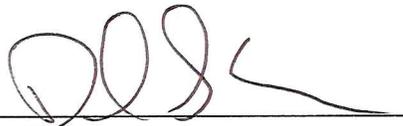
Address _____

Business Telephone # _____

HUDSON TOWN CODE 53-6.b (1) STATES

“The person submitting the petition to the Town Clerk must complete a Petitioner Information Form. This person shall be notified of the date the Code of Ethics Committee will address the petition and shall be requested to attend this meeting.”

I have read and understand the requirements of Hudson Town Code, Chapter 53 as stated above.



Signature

8-2-2020
Date



Signature

7/31/2020
Date

Adopted 3/95

In Re: Ethics Complaint against Unknown Member of the Board of Selectmen

Brief Statement of Facts

1. Town policy dictates that evaluations of for all town employees, including the Town Administrator, each year no later than June 15th. The evaluations must be done by the employee's supervisor.
2. The Town Administrator is supervised by the Board of Selectmen, who are responsible for his evaluation.
3. The Board of Selectmen are required to vote on any raises for any exempt employee.
4. In non-public session on June 23, 2020 the Board of Selectmen were asked to consider raises for department heads. After discussion, the Board chose to defer the matter to the following meeting so that the Town Administrator could complete their required evaluations.
5. Again in non-public session on June 30, 2020 the Board voted on raises for all department heads except for the Town Administrator, choosing to defer discussion of any raise for him until the Board completed their evaluation of him.
6. On July 14, 2020 the evaluation and potential raise for the Town Administrator was again deferred because Selectman McGrath had not completed her evaluation.
7. On July 23, 2020 Selectmen Morin, Roy, and Couto received an e-mail from a citizen. Selectman Roy's e-mail contained information discussed in non-public session (See Exhibit A). The e-mail to Chairman Morin also contained information discussed in non-public session (See Exhibit B).
8. The information contained in that e-mail did not appear in the minutes of the June 23rd meeting, the June 30th meeting, or the July 14th meeting. Nor did it appear in any other publicly available document.

Authority

9. The Hudson Ethics Committee holds the authority to investigate this matter pursuant to §53-2.1 of the Town Code: "The Code of Ethics Committee may require of any member of town government to appear before it and give such information as it may require in relation to this office, its function and performance. The Code of Ethics Committee shall give at least 48 hours' written

notice of the general scope of the inquiry which is to be made to any person it shall require to appear before it under this section. The Code of Ethics Committee, for this purpose, may administer oaths and require the production of evidence.”

Complaint

COUNT I

10. That on or about July 23, 2020 a duly elected member of the Board of Selectmen violated RSA 41:1-a(b) by providing an unauthorized third party with information that was discussed in non-public session and that was not otherwise available publicly and that Selectman “knew or reasonably should have known that the information was exempt from disclosure pursuant to RSA 91-A:5; and that its divulgence would constitute an invasion of privacy, or would adversely affect the reputation of some person other than a member of the public body or agency...”

COUNT II

11. That on or about July 23, 2020 a duly elected member of the Board of Selectmen breached the public trust and the trust of the Board by breaking the confidentiality of the deliberations in violation of RSA 41:1-a(b).

COUNT III

12. The information relayed to an unauthorized third party by a duly elected member of the Board of Selectmen had the sole purpose of attempting to unduly influence certain other members of the Board of Selectmen vote in a certain manner and contrary to their stated position.

Conclusion

13. To protect the integrity and preserve the sanctity of the Board of Selectmen this matter must be resolved.

WHEREAS, the Petitioners respectfully request the Hudson Ethics Committee investigate the origin of the breach of confidentiality and to provide recommendations for this Board to address any breach that may be discovered.

Kara,

I understand that the Town Administrator's annual salary review will be on the BOS Agenda for its meeting this coming Tuesday (28 Jul '20).

I also understand - and please, correct me if I am wrong - that there may be a member of the Board who opposes the recommended 3% pay increase, and would replace it with a 1% increase.

Having been the Chairman of the Board that hired Steve for the Town Administrator's position some 17 years ago, I assure you that the decision was made on the basis of Steve's consummate professional expertise, integrity, mission focus and above all, his selfless dedication and commitment to the Hudson Community - his home.

Qualities that he has always demonstrated, and continues to demonstrate every single day.

Over the course of his 23+ years of service to the Town of Hudson, Steve has never been about money.

If there is in fact a Board member mulling a 1% pay increase, I know with total certainty the it has nothing to do with money (cost cutting) or Steve's performance of duty (a documented record of total success in every aspect of Town's operations and service to its citizens).

A vote for a 1% increase is nothing more than a petty and meaningless gesture of disrespect to the Office of the Town Administrator and the people of Hudson - a deeply disturbing manifestation on the part of any Town official.

As one who has made more than his share of mistakes over the years while serving as an elected / appointed Town official, believe when I say that having to explain such pettiness in a subsequent Public forum - without benefit of any justification - will not be an enjoyable experience for any Board member foolishly choosing to follow such a course of action.

With all due respect, I would remind each member of the Board of Selectmen that they were elected to serve the interests of the people - not thier own.

Kara, anything less than the Board's unanimous support for the 3% pay increase will send our residents a disturbing message - certainly not about Steve Malizia, but rather, the Selectmen.

Best regards

Bill Cole

12 Fairway Dr.

Sent from Outlook

EXHIBIT B

----- Original Message -----

From: William Cole <bcfairway@msn.com>

To: "dmorin@hudsonnh.gov" <dmorin@hudsonnh.gov>

Date: 07/23/2020 4:06 PM

Subject: Town Administrator's Annual Salary Review

Dave,

I understand that the Town Administrator's annual salary review will be on the BOS Agenda for its meeting this coming Tuesday (28 Jul '20).

I also understand - and please, correct me if I am wrong - that there may be a member of the Board who opposes the recommended 3% pay increase, and would replace it with a 1% increase.

Having been the Chairman of the Board that hired Steve for the Town Administrator's position some 17 years ago, I assure you that the decision was made on the basis of Steve's consummate professional expertise, integrity, mission focus and above all, his selfless dedication and commitment to the Hudson Community - his home.

Qualities that he has always demonstrated, and continues to demonstrate every single day.

Over the course of his 23+ years of service to the Town of Hudson, Steve has never been about money.

If there is in fact a Board member mulling a 1% pay increase, I know with total certainty the it has nothing to do with money (cost cutting) or Steve's performance of duty (a documented record of total success in every aspect of Town's operations and service to its citizens).

A vote for a 1% increase is nothing more than a petty and meaningless gesture of disrespect to the Office of the Town Administrator and the people of Hudson - a deeply disturbing manifestation on the part of any Town official.

As one who has made more than his share of mistakes over the years while serving as an elected / appointed Town official, believe when I say that having to explain such pettiness in a subsequent Public forum - without benefit of any justification - will not be an enjoyable experience for any Board member foolishly choosing to follow such a course of action.

With all due respect, I would remind each member of the Board of Selectmen that they were elected to serve the interests of the people - not thier own.

EXHIBIT B

Dave, anything less than the Board's unanimous support for the 3% pay increase will send our residents a disturbing message - certainly not about Steve Malizia, but rather, the Selectmen.

Best regards

Bill Cole

12 Fairway Dr.

Sent from Outlook

CAUTION!!

This email came from outside of the organization. Do not click links/open attachments if the source is unknown or unexpected.

CAUTION!!

This email came from outside of the organization. Do not click links/open attachments if the source is unknown or unexpected.