

TOWN OF HAMPTON
Incorporated 1786
BOARD OF SELECTMEN- REGULAR MEETING MINUTES
October 6, 2014 7:30 p.m.
Town Hall Community Room

1. Call to Order

First Selectman Allan Cahill called the meeting to order at 7:32pm.

2. Audience for Citizens

Juan Arriola read a letter regarding previous Board of Selectmen meeting, and submitted the letter for the record.

Dayna McDermott Arriola also read a letter, stating a complaint regarding the wording of the agenda and intent of the previous Board of Selectmen meeting. Letter was submitted for the record.

3. Acceptance/ Approval of Minutes :

MOTION: Selectmen Chapel/ Grindle moved/ seconded to approve minutes of the September 2, 2014 meetings of the Board of Selectmen as written. All in favor; motion passed.

4. Liaison Reports:

- A. D-11 Board of Education – John Burnham stated there was an opening on the Board of Education for a registered voter either republican or unaffiliated to maintain minority representation.
- B. Hampton Board of Education – None
- C. Fire Department - None
- D. Ambulance Corp – None
- E. Public Works –None.

5. Communications – First Selectman Cahill read a letter from Kathy Thompson regarding the speed of traffic on Main St/ Route 97. Discussion continued regarding traffic calming solutions.

Cahill also read a letter of resignation effective immediately from Rheo Brouillard, as Board of Finance alternate, a request from Don Bezanson to be appointed as an alternate to the Agriculture Commission and a request from Gloria Langer to be appointed as an alternate to the Planning and Zoning Commission.

Selectman Chapel thanked Rheo Brouillard for his time served on the Board of Finance.

MOTION: Selectmen Grindle/ Chapel moved/ seconded to appoint Don Bezanson as an alternate to the Agriculture Commission, and Gloria Langer as an alternate to the Planning and Zoning Commission. All in favor; motion passed.

6. Financial Report – Selectmen reviewed the financial report for the months ending September 30, 2014

7. Tax Collector Report – Selectmen reviewed the tax collector report for the months ending September 30, 2014

A. Refunds

MOTION: Selectmen Cahill/ Chapel moved/ seconded to approve a refund of \$294.40. All in favor; motion passed.

8. Appointment(s)/Term(s):

None

9. Board/ Committee/ Commission Minutes/reports for review – minutes were reviewed by the Board of Selectmen

10. Additions to the Agenda

None

11. Old Business

- A. Update on Solar Project at Town Hall

The solar rack should be installed by September 21st, the space is cleared and the project approved by the Planning and Zoning Commission.

- B. Update on Milone and Macbroom Analysis
The selectmen of the three towns of Hampton, Scotland and Chaplin would like to meet with the analysis coordinator and to set town meeting. Brief discussion continued regarding the education analysis.
- C. Update on Town Hall Driveway Project
The selectmen brought the plan proposal to the Planning and Zoning Commission, PZC had some suggestions and the majority of the project is tabled for the winter, except for the solar panel relocation, which is already underway.

12. New Business

- A. Discuss and Act on Dark Sky Endorsement
MOTION: Selectmen Chapel/ Grindle moved/ seconded to endorse Dark Sky lighting for Planning and Zonings DDI. All in favor; motion passed.
- B. Discuss and Act on Award Town Hall Roof Project
MOTION: Selectmen Chapel/ Grindle moved/ seconded to hire Bradford Standing Seam from Woodstock to replace the roof at the Town Hall with a metal roof. All in favor; motion passed.
- C. Discuss and Act on Resolution for STEAP Grant Participation
MOTION: Selectmen Grindle/ Chapel moved/ seconded to approve the following resolution:
RESOLVED, that the Town of Hampton, a town that is not economically distressed, does not have an urban center in any plan adopted by the General Assembly pursuant to section 16a—30 of the Connecticut State Statutes and is not a public investment community, opts in to apply for a small town economic assistance program, the purpose of which shall be to provide grants-in-aid to any municipality that qualifies under said terms.
All in favor; motion passed.
- D. Discuss and Act on Application for 2015 STEAP Grant
First Selectman Cahill indicated his desire to apply to resurface the tennis courts as well as build a pavilion on the town hall campus, ideally behind the Community Center. Other suggestions were made, including a meeting room at Trailwoods and fixing the ball field.

MOTION: Selectmen Chapel/ Grindle moved/ seconded the motion for the Town to apply for a STEAP grant to resurface the tennis courts, build a pavilion and build a crossway connecting the Town Hall and the Community Center. All in favor; motion passed.

13. Audience for Citizens

None

12. Adjournment

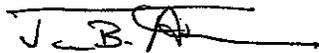
MOTION: Selectmen Grindle/ Chapel moved / seconded to adjourn the meeting. All in favor; motion passed.
Meeting adjourned at 8:34PM

Liz Stillman
Recording Secretary

To: the Hampton Board of Selectman

I listened to a tape of the meeting of October 2 and was disturbed to hear someone, who has been identified to me as public official Mike Higgins, heckling my wife while she was answering Selectman Grindle's questions. I have never witnessed that behavior during a meeting of the Hampton Board of Selectmen without an immediate reminder that someone else has the floor. I don't understand why this board would allow that type of unruly and rude behavior. I expect a public apology and some form of assurance that it will not be tolerated again. Until then, I'm submitting a freedom of information request for board policies regarding the conduct of your meetings and a request to be notified of all meetings of the Board of Selectmen in order for me to attend so that someone in the room might at least call a point of order when this type of unacceptable and crude behavior occurs.

Can any one of you imagine what would have happened to me if I had continuously heckled Mrs. Higgins at a meeting in the town of Hampton?


Juan Arriola

October 6, 2014

October 6, 2014

To the Board of Selectmen,

Though I am reluctant to submit a complaint, the October 2 meeting of the Board of Selectmen violated the provisions of the Freedom of Information Act in that the actual discussion ventured well beyond the purview of the stated purpose of the special meeting. "Operations" was too vague a term, and "to appoint officials" specific enough to preclude the various subjects raised during Selectman Grindle's inquisition, as well as the curious discussion of why it was necessary to meet.

It's a mystery to me as to why the question was even posed. We have required a meeting for the purpose of appointing officials for voting events for over a year. I don't know what the difference was last Thursday, except for the captive audience.

I also do not understand why the question couldn't have been asked and answered during the scheduling of the meeting, when Mr. Grindle had the opportunity to question the necessity of the meeting, and Ms. Higgins could have assured, as she did at the meeting, that she would raise no objections this time to whoever was appointed.

I am submitting the following as proof of the necessity of the meeting. I would have provided it at the October 2 meeting if I had understood that the word "operations" and "to appoint election officials" meant to object to the meeting itself.

In their ruling on the complaints Ms. Higgins filed against me for, among other things, the appointment of election officials, the State Elections Enforcement Commission "commends Mr. Cahill's and Mr. Grindle's efforts and encourages complainant Higgins and respondent McDermott-Arriola to seek this type of mediated, non-adversarial, solution to any future difference that may arise". Mr. Grindle was correct in his statement that the Commission did not mandate that the Selectmen meet with us, but they did impose that directive on the Registrars.

I'm submitting the email communications of the last year that precipitated every one of our several meetings. Everyone of these emails is an irate reaction to the appointment of election officials. These emails should clear up any further confusion as to why it has been impossible to appoint election officials without intervention, and why it was presumed it would be impossible once again, given that in the most recent email, Ms. Higgins wrote "I feel as though I am going to throw up when I have to be in the same space as you."

Since this was the first time in more than a year that Ms. Higgins did not respond negatively to the appointment of election officials, we must conclude that the pre-emptive measure of scheduling a meeting worked.

Respectfully submitted,

Dayna McDermott Arriola

Subject: Fw: poll workers

From: Dayna McDermott (flowergirl32357@yahoo.com)

To: jill.eileen.dumas@gmail.com;

Date: Wednesday, October 2, 2013 10:04 PM

----- Forwarded Message -----

From: Dayna McDermott <flowergirl32357@yahoo.com>
To: Marilyn Higgins <msamhiggins@gmail.com>
Sent: Thursday, May 16, 2013 6:30 PM
Subject: Re: poll workers

i don't think that's fair to the people you have listed here. brandy is no relation to stan. she is randy's niece. as far as everyone else is concerned, i think they have all proven themselves as committed to team "fair elections", completely irrespective of political affiliation. i thought i accommodated your request to ask dot blocker by asking randy to step out of his comfort zone and serve as checker. unless you consider dot as "team dayna", too. she is a neighbor, and a very good one at that. i did not reject your choice of absentee ballot counter. it is not legal for her to serve in that capacity. i was not objecting to you asking matt to fill in as absentee ballot clerk as you had neglected to appoint one. i was objecting to your comment that we should continue to use him in that capacity for every voting event so that he could move the furniture and equipment.

From: Marilyn Higgins <msamhiggins@gmail.com>
To: Dayna McDermott <flowergirl32357@yahoo.com>
Sent: Thursday, May 16, 2013 2:28 PM
Subject: Re: poll workers

I asked him EXACTLY ONCE!!! to serve as Absentee Ballot counter - it was not meant as an insult to him. It's truly incredible to me how you find insult in everything. Amazing!

I know you'll fuss and spew and deny it, but so far at this Referendum we have

Team Dayna

Marjorie

Brandy (who you say you don't know, but I assume is either Stan Crawford's wife or daughter)

Matt

Randy

Team Sam

No one so far - since you rejected my choice for Absentees and I haven't heard from Stephanie about filling in for me yet.

Sandra I expect remains neutral.

Can't wait - I think it sounds like a great day!

Sent from my iPhone

On May 16, 2013, at 11:17 AM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

i don't know brandy either, other than witnessing her work on the recreation commission, to which she was recently appointed, and which has been very impressive, according to all in attendance. it was actually kathi who asked her, i believe because she understood that we have few poll workers who are able to work at this particular referendum and as checkers. i thanked kathi for finding someone willing and able to serve in that capacity -- it spared me the task yesterday of calling everyone remaining on the list -- though i will forward your concerns here to her. i suggest that we ask brandy to briefly "shadow" each assignment next thursday to ascertain her interest and capabilities. this is actually a procedure we have used for every poll worker we have ever hired.

previously, randy has asked to only serve as ballot clerk, a request we have honored for peggy fox, dot blocker, tisha chaine, and linda gorman. i believe we should accommodate randy, who has served us loyally longer than any other poll worker with the exception of sandra, in the same manner. however, i have contacted him and he has agreed to try it next thursday, with a promise of banana cupcakes, and with the stipulation that if he doesn't feel comfortable with the assignment, he can continue to limit his service to ballot clerk.

as to the limitations of absentee ballot counters, i am simply following the law and specific directives from the secretary of state's office and common sense. i am surprised, given that ms. fox served as registrar of voters, she was unaware of those limitations.

i reviewed the list of potential poll workers after tuesday when it was agreed that we needed to find additional poll workers. i will return it to the office next tuesday for your review.

matt is not serving as an absentee ballot counter. he is serving as assistant registrar in my stead. i did announce this last time and explained that my daughter has an evening commitment at her school which her family plans on attending. along with transporting her from school, and to the event, i will have little time in the polls myself, but i will return in time for matt to serve as the absentee ballot counter.

i did, and continue, to object to your announcement that we should hire matt as absentee ballot counter for every voting event so that he can move the furniture and the equipment. i do find that asking him to come in for such a limited time so that he can handle the lion's share of the

heavy work for 10% of the pay that everyone else is receiving is disrespectful and unfair.

From: Marilyn Higgins <msamhiggins@gmail.com>
To: Dayna McDermott <flowergir132357@yahoo.com>
Sent: Thursday, May 16, 2013 10:35 AM
Subject: Re: poll workers

Other than I have no idea who Brandy is I have no specific objections. I do however object to you asking people we have not consulted on. I would rather Randy work as Checker and Dot as Ballot Clerk or visa versa, if that's what they would like. I forgot about Joan being on the BOE and will talk to her; however, I certainly hope you are not implying that she would attempt to cheat at the count, because it sure sounds like you might be! When did you review the list of people who expressed interest in helping out at the polls? I find it hard - if not impossible - to believe not one is still capable of sitting and handing out ballots to people, at the very least. Interesting that when I asked Matt to be my Absentee Ballot counter it was demeaning and beneath him to work for \$9. an hour, but when you ask him it's ok? That's pretty interesting. I thought that was one of the many of the egregious things I did wrong - please, to hire Matt to count Absentee Ballots just so he'd be around at the end of the night to help clean up!!!!

On Thu, May 16, 2013 at 9:02 AM, Dayna McDermott <flowergir132357@yahoo.com> wrote:

Marjorie is the moderator. Sandra is the tender. Randy is the ballot clerk, if he is available. Checker is Brandy Crawford, if she is available. Matt is my absentee ballot counter. Joan Fox certainly cannot act as an absentee ballot counter as that would constitute a considerable conflict as she has a vested interest in the outcome of one of the questions as a member of the Board of Education. I reviewed the list of people who expressed an interest in working at the polls before any further contacts were made. The people who expressed interest did so many years ago when they first registered. As such, many have since become employed, others have become quite elderly and health, at least at this time, would prohibit participation, some have become involved in agencies that would constitute a conflict of interest. If you have any further objection to employing Brandy Crawford, please let me know immediately so that I might forward those to her.

From: Marilyn Higgins <msamhiggins@gmail.com>
To: Dayna McDermott <flowergir132357@yahoo.com>
Sent: Thursday, May 16, 2013 8:17 AM
Subject: Re: poll workers

We have a very long list of people who have indicated on their voter cards that they are interested in working at the polls - I think we should begin with them before we go searching for others. Maybe those three you suggested are on that list; if so, we should definitely call them. We can talk to Randy tonight about Thursday. I left my list in the office or somewhere - what we have so far is?

Moderator: Marjorie
Tender: Sandra
Checker: Randy (??)
Ballot clerk: I forget
Dem Absentee Ballots: Joan Fox
Dem ROV for me when I have to leave from 1:30-3:30: Stephanie

Sent from my iPhone

On May 15, 2013, at 4:27 PM, Dayna McDermott <flowergir132357@yahoo.com> wrote:

i spoke with lara, on another matter, this afternoon and she is not able to work next thursday as a checker. someone who has expressed an interest in working at the polls, brandy crawford, is willing to work as a checker next thursday, as long as she can secure someone to look after her children. she is an unaffiliated voter and is randy's niece. also contacting julie (a democrat) and marj (a republican) trowbridge to see if they would be willing to serve as checkers in the future, as we are running out of them, especially during budget season where there are conflicts of interest for tammy king, brenda dinsmore, margaret haraghey, penny newbury, and stan crawford, who has also expressed an interest in serving at the polls. i have not been able to reach randy yet, but i imagine he will be at the town meeting tomorrow and we can check on his availability then. kathi is willing to serve as a substitute poll worker or moderator, and juan is willing to be listed as a substitute moderator as well.
please confirm receipt and alert me of any issues you might have with this information. thank you in advance.

Subject: Fw: tabulator testing
From: Dayna McDermott (flowergirl32357@yahoo.com)
To: flowergirl32357@yahoo.com;
Date: Friday, October 3, 2014 10:48 PM

On Thursday, July 18, 2013 8:19 AM, Marilyn Higgins <msamhiggins@gmail.com> wrote:

If Stephanie can be there at 10, I will be as well. If she can't, I will find someone else who can monitor your and Kathi's behavior. I will not look for this statute that says we must name a substitute moderator. If it exists, show it to me. If you show it to me - outside the emergency plan that you wrote - I will agree to name Juan as backup.

I was most certainly not absent from the opening of the polls!!! Your memory is astonishing! I arrived 11:15 that morning - you arrived at 11:40 and when I questioned you, you told me you had appointed Matt, but he was even later than you. We were late, not because of me. I was in the Town Clerk's office taking care of something you had already done, thereby inconveniencing me and Leslie - you could have mentioned you had taken care of that, but it works better for your agenda to say I was "absent from the office". I have no idea what verbal reprimand you think you heard - there is a note in the journal that I refused to sign the opening paperwork and that is true. My signature indicates I certify that the tests were conducted according to law, and that is untrue, so I couldn't sign it. All this happened before the polls opened, so if it was witnessed by two voters, they were in the polling place illegally. I will not apologize to Marge now, or ever, since I don't accept that I did anything wrong. Interesting to me that she hasn't asked for this apology herself; makes me wonder how much Kathi is behind this - and all of her information is hearsay. She wasn't there.

Really? You haven't vetoed moderators? You imagine the perception that Stephanie worked at the school two or three days this year looks bad and she can't serve. I think the amount of time you work against the school budget looks bad, but you don't seem to agree with that. Elizabeth Lindorff refuses to work with you and Kathi, I never asked for Kate because I know you would immediately say no; so you can say you didn't veto my choices, but it's not true. You very frequently veto my choices of all poll workers.

I will find out if I can find someone who is willing to come up there, I will be there. Otherwise I will be contacting SOTS office and figure out how we should proceed.

Sent from my iPhone

On Jul 17, 2013, at 11:07 PM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

Kathi and I will be in the office at 10 a.m. to process the last memory card and the tabulator. We do have a tape that proves that neither Kathi nor I were shouting at you, and that you admitted that I had neither shouted at you nor accused you of anything. Kathi, according to the tape, was informing you, as part of the discussion on appointing a substitute moderator, that Marjorie enjoys working as a moderator but at this time is insisting on an apology from you and a commitment that what occurred at the polls last time, your absence from the polling place during the opening procedures, and the verbal reprimand that was witnessed by five polling officials and two voters, would not happen again. I believe this is not the first time she conveyed that message to you.

Deputies, by law, serve solely at the discretion of their party's registrar; therefore, you may not dictate to me when my deputy can work. It might be a good idea to invite Stephanie so that she might learn the process. I believe she mentioned that she would like to witness those proceedings as well just yesterday.

I will no longer apprise you of any duties. You can find the statute that dictates that we must appoint a substitute moderator. The emergency plan also refers to this requirement. It is a set of policies and procedures officially approved by the Board of Selectmen and based on the statutes that govern emergency plans.

I have not vetoed prospective moderators. I have pointed out that all of those you have suggested are precluded from serving at this particular referendum due to a conflict of interest as employees of, or members of, the elementary school board of education. To my knowledge, no one has refused to be in the room with you.

I am pleased that Mr. Grindle has agreed to serve as an absentee ballot counter.

From: Marilyn Higgins <msamhiggins@gmail.com>
To: Dayna McDermott <flowergirl32357@yahoo.com>
Sent: Wednesday, July 17, 2013 7:34 PM
Subject: Re: tabulator testing

As long as you and Kathi shout at me I will leave the room -I will not be bullied by either of you. If you can be civil and not cast blame for a few minutes I will be there in the morning at 10 - if you think you can't, I won't. And if it's both you and Kathi I will leave the room until I can find someone else who can be there as well. I will not ever be in a room alone with you and Kathi again. I hope that's clear enough. If this continues and we have to bring in the Secretary of State's Office, so be it. As far as I am concerned, the last referendum was held illegally and the fact I refused to sign off on anything I did not witness does not mean I will back down. If Marge is so biased she does not see that, that's too bad; I will not apologize to her or anyone for believing a voting event should be held according to the law.

I need to see the Statute that says there needs to be a backup Moderator - and I don't mean the emergency plan *you* wrote - I mean an actual statute. If you can produce one, I will agree to Juan serving as back-up since you have vetoed everyone I have suggested and Marge and Kathi are refusing to be in the room with me.

You do not apprise me of my duties - my duties are the exact same as yours, and it's not up to you to apprise me what they are.

Bob Grindle has agreed to be an Absentee Ballot Counter, if he meets with your approval.

On Wed, Jul 17, 2013 at 1:01 PM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

It seems as though we are faced with the same dilemma as the last referenda. This morning, you left the office during a discussion on the appointment of a substitute moderator for the July 30 referendum, a legal requirement, without completion of the task at hand, the testing of the tabulators. Because of the conversation in the Board of Selectmen's Office, wherein I did agree to apprise you of all duties requiring completion, I did not finish the testing of the second tabulator nor the setting of the second memory card. I am available tomorrow morning when Town Hall opens at 10 a.m. and for very limited times beyond that as we are leaving for another vacation. The task should take less than a half of an hour to complete. We do, however, need to appoint a substitute moderator, as well as another absentee ballot counter, to serve at the July 30 referendum. This might take a little longer. Please let me know of your availability. Thank you.

Subject: Re: testing ballots
From: Dayna McDermott (flowergirl32357@yahoo.com)
To: msamhiggins@gmail.com;
Cc: brucebayne@earthlink.net; knewcombe@charter.net;
Date: Monday, October 21, 2013 4:03 PM

You communicated that Stephanie would fill in for you for the referendum and the preparation and noted the time frame, the 9th to the 15th. There were registrar related duties and election related duties during that time frame, including the statutory requirement of appointing election officials. The statutory time frame allows a small window of opportunity for preparation of the tabulators. If you can somehow figure out how to informally test the ballots, memory cards, and tabulator between now and Thursday and allow at least 48 hours notification for the formal test, please let us know.

On Monday, October 21, 2013 2:38 PM, Marilyn Higgins <msamhiggins@gmail.com> wrote:

Stephanie did serve as me FOR THE REFERENDUM. I was going to be out of town the day of the Referendum, which I had informed the Selectmen the night of the Town Meeting. Might I remind you, picking the workers for the election does not constitute the referendum. Nor does dictating when and whom will be present for formal and informal tests, etc. You cannot ignore me - sorry, I'm Registrar, even if I did designate my Deputy to fulfill some of my duties on a temporary basis. I'm back!!!!

Sent from my iPhone

On Oct 21, 2013, at 1:18 PM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

Might I remind you that you informed me in writing that your deputy, Stephanie, would serve in your stead throughout the recent referendum process. During that time period you did not fulfill any of the responsibilities of the office, the referendum, or the election, even while you were in the office. During that same time period, necessary discussions occurred regarding election officials, who needed to be formally appointed by October 15. Also during that same period, discussion on testing the ballots necessarily began. Our window of opportunity to complete all pre-election tasks in a timely manner is narrow. Kathi, who is preparing the spread sheet, as she has for the past several years, does not expect to have it ready before Tuesday. We had agreed, during the meeting with Melissa, that we would work to our strengths, but if you wanted to be included in this task, you should have informed Kathi of this well before now. The formal test must occur by Friday. This leaves us only with Tuesday for conducting all informal testing so that 48 hours notice can be provided for either Thursday, or Friday. I do not know to what extent Stephanie discussed with you any of the duties she fulfilled in your stead, however I would think you would be grateful to Stephanie for stepping up to the plate, efficiently and cooperatively.

On Monday, October 21, 2013 10:19 AM, Marilyn Higgins <msamhiggins@gmail.com> wrote:

I just got your message from Stephanie that we are testing ballots tomorrow morning and the formal test will be Thursday or Friday. I will contact Joan Fox and see if any of those dates work for her and if she can be there. Stephanie is going to see if Tammy King can work as her proxy - hopefully one or both of them will be able to be there tomorrow and either Thursday or Friday. If they can't, we'll have to come to a different time and date that works for all of us before Friday afternoon.

Whether you like it or not, I am the Registrar and I am the one you must consult if there are deadlines to meet or jobs to be done. You have informed me in the past that I cannot make unilateral decisions on anything - at that time it was a matter of hiring an Absentee Ballot counter - yet here you are informing Stephanie when you have decided we are going to do the informal test and that she has a choice of whether the formal test will be Thursday or Friday. You have to stop this - you will disagree - but you must include me in decisions from now on. I have a complaint that is being investigated by SEEC about this exact thing - you performing our job by yourself, and that was a Referendum. This is an election - please remember to **consult** with me, do not inform me when we are going to do something. I'm not even going to get in to the fact you have hired all the poll workers for the election - you think you've covered your self by working it out with Stephanie and you almost caused a major problem between she and I over that - you will be unsuccessful in the future if you continue to try to divide and conquer. I should have been consulted on the list of poll workers as well.

See you in the morning.

Subject: Fw: ruling

From: Dayna McDermott (flowergirl32357@yahoo.com)

To: knewcombe@charter.net;

Date: Friday, May 23, 2014 11:52 AM

On Friday, May 23, 2014 11:21 AM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

I called Peggy Reeves after I received your communication.

Everyone else heard the instructions on Unofficial Checkers at the Training Session. No one objected to the rules as presented. No one ever has, though the instructions on Unofficial Checkers have been the same for at least the decade that I have served, and never before have we ever had a problem with anyone following them, or the rules themselves.

The Moderator did agree to correct Ms. Fox, and, in fact, said he had apprised her of the rules, but, for whatever his reason, he was reluctant to do so, twice. That is why I did it, and why I informed the Moderator, and everyone of our Officials, that we need to correct problems as soon as they occur, using as an example, if someone advocates a vote in the Polling Place, we have a duty to correct it immediately.

When voters complain, as they did yesterday, about the conduct of an Unofficial Checker, and other people who have served as Unofficial Checkers also complain about discriminatory practices in the Polling Place, then we must respond to protect the integrity of the voting process.

On Friday, May 23, 2014 10:32 AM, Marilyn Higgins <mrsamhiggins@gmail.com> wrote:

Here we go again. I challenge you to ask Joan if you spoke to her in a normal tone of voice - or if you believe that was "normal", we disagree on what normal is. I am curious what you wrote to Peggy as clearly your version and mine are quite different. It could not have been private since you began it in public. You stood in front of the Moderator's Table and yelled at Joan in front of three voters and all the poll workers. You spoke very loudly, walked out of the room and came back in yelling THREE times! Even you say that Matt was uncomfortable "confronting" (and you did use the word "confront") Joan - perhaps he also thought you were in error and that what Joan did was not wrong. There is no statute that states a person who is functioning as Unofficial Checker can't be friendly and say hello to her next door neighbor. I refused to be baited by you into a shouting match in public. I believe if you read the Moderator's Journal from last year, I was written up for the behavior you exhibited yesterday; I was not about to let you do that to me again. Also, as there is no statute prohibiting this, I see no reason why you believe I would support you in this. Just because something has been done one way in the past, does not mean there is any reason for it to continue. And I don't actually remember this every being said before - I believe the only reason it came up this time is your personal animosity towards Joan. I believe your attack was personal.

And of course, none of them would hold you responsible, because you once again chose people who are too nice to challenge you, or people who are your friends and family.

This is what I wrote to Peggy Reeves - I would like to see what you wrote to her and what she answered:

I tried to write Ted and received his out of office reply, then I tried to call Bernie Liu twice. We had a situation earlier today during our Referendum here in Hampton.

We have Unofficial Checkers from the BofE for the vote on the Elementary School budget. A voter came in and spoke to this checker - we are a VERY small town - 1000 voters - and these people are neighbors - not that's relevant - but, as I say, it's a very small town. The other Registrar began yelling at her that she is not allowed to speak to or nod to or have any interaction with the voters on any level. I would like to know from some one in the SOTS office if this is true. Are the Unofficial checkers forbidden from speaking to or even smiling at the public while they're here? What statute is that if it's true?

On Fri, May 23, 2014 at 10:04 AM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

I received a different ruling from Peggy Reeves when she was apprised of all the facts, not just a select few.

I did not shout at Ms. Fox. I spoke in a normal tone. I asked you to apprise her of the rules we had gone over at the training session and the ones that the Moderator relayed to the unofficial checker prior to the opening of the polls since you were sitting next to her. In that way, the conversation could have been far more private, but you refused. It was actually the Moderator's duty to instruct the unofficial checker, not mine, and I asked him to do so, but he was clearly uncomfortable confronting Ms. Fox, and the situation needed to be rectified.

If you had objections to the rules we have followed through every voting event in at least the last decade, you should have expressed your objections during the training session when the rules were being discussed, not after the polls opened.

Lastly, I have not spoken to the other poll workers, but it's doubtful that they hold me responsible for the "tense" and "uncomfortable" environment.

Subject: Fw: referendum

From: Dayna McDermott (flowergirl32357@yahoo.com)

To: flowergirl32357@yahoo.com;

Date: Saturday, October 4, 2014 9:23 AM

On Wednesday, June 11, 2014 11:13 AM, Sam <msamhiggins@gmail.com> wrote:

Absolutely no to all. I was not consulted on a single one of these workers and have already asked Stephanie to moderate and she has already agreed. I won't have another room full of your pals - I will choose some - if not all of the workers this time.

Sent from my iPhone

On Jun 11, 2014, at 10:49 AM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

To: Marilyn "Sam" Higgins
First Selectman

The referendum has been scheduled for June 26th. Per policy and practise, the rotation of election officials calls for the following people to serve:

Ballot Clerk: Randy Thompson

Machine Tender: Sandra Hastings

Checker: Tammy King

Moderator: Marjorie Newcombe

Absentee Ballot Counters: Republican Deputy (Margaret Haraghey) and ----

I will contact the listed people within the next 24 hours, unless you express a stated objection to any of them.

Thank you,

Dayna McDermott-Arriola

On Wednesday, June 11, 2014 2:38 PM, Marilyn Higgins <msamhiggins@gmail.com> wrote:

I believe you said "unless I had a stated objection". I responded that I do have a objection and you immediately uped the ante to Allen. You told me Marjorie had moved to New Hampshire, so does she live here or not? I question her objectivity. I will concede to Randy, Tammy and Sandra, but will not agree to Marjorie. If you do not agree to Stephanie, I propose we find someone from out of town to work for us. I also have not ever accepted this "personal policy" that you wrote. We must increase our pool of poll workers. Several people who used to work are not available to us and we do not have enough.

On Wed, Jun 11, 2014 at 10:49 AM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

To: Marilyn "Sam" Higgins
First Selectman

The referendum has been scheduled for June 26th. Per policy and practise, the rotation of election officials calls for the following people to serve:

Ballot Clerk: Randy Thompson

Machine Tender: Sandra Hastings

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Moderator: Marjorie Newcombe

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I will contact the listed people within the next 24 hours, unless you express a stated objection to any of them.

Thank you,

Dayna McDermott-Arriola

Subject: Fw: You might both be interested in reading this.

From: Dayna McDermott (flowergirl32357@yahoo.com)

To: knewcombe@charter.net;

Date: Wednesday, June 11, 2014 3:08 PM

how's this for a hostile work environment.

On Wednesday, June 11, 2014 2:53 PM, Marilyn Higgins <msamhiggins@gmail.com> wrote:

<http://www.workplacebullying.org/individuals/problem/being-bullied/>

Dayna, I think you are a bully in every sense of the word and I think you know it in your heart of hearts.

Subject: Re: referendum

From: Dayna McDermott (flowergirl32357@yahoo.com)

To: msamhiggins@gmail.com; firstselectman@hamptonct.org; Cahill147@hotmail.com;

Date: Friday, June 13, 2014 4:15 PM

Randy called and said he is unavailable to serve as ballot clerk at the referendum. Tisha Chaine is next on the rotation schedule for ballot clerks.

On Thursday, June 12, 2014 7:13 PM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

We have already formally obtained legal advice from the State Elections Enforcement Commission as follows:
Item 35 of the Findings and Conclusions of File No. 2013-105 states that "...the commission commends Mr. Cahill's and Mr. Grindle's efforts and encourages the complainant and Respondent McDermott-Arriola to seek this type of mediated, non-adversarial, solution to any future differences that may arise."

On Thursday, June 12, 2014 6:53 PM, Marilyn Higgins <msamhiggins@gmail.com> wrote:

I will not meet with the Selectmen about this matter as they have no jurisdiction over our office. I will meet with any one in the SOTS legal office any time you would like to.

On Thu, Jun 12, 2014 at 6:48 PM, Marilyn Higgins <msamhiggins@gmail.com> wrote:

Marjorie has served in a number of recent voting events - including the November election and several of the Referendum last summer. I think it's someone else's turn and I would like Stephanie to be that person. She has not been Moderator for a long time and according to your system - that for some odd reason does not apply to Sandra Hasings, who doesn't even live in our town - this rotates and it's time for someone other than Marjorie.

On Thu, Jun 12, 2014 at 3:14 PM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

I spoke with Tammy, Randy, and Sandra yesterday evening, after you wrote that you posed no objections to any of them. Randy and Sandra are available; Tammy is not. Marjorie's plans have changed; she is in Hampton. Dot Blocker served already this year; I contacted her first for the RD#11 referendum. Nor is she willing to serve as checker, only ballot clerk.
I am trying to resolve problems as they arise with the Selectmen, per the directive of the SEEC. As such, we need to meet with the Selectmen regarding Moderators. As we are not a private corporation, we require actual criteria to terminate someone's employment; neither Juan Arriola, Kathi Newcombe, nor Marjorie Newcombe have breached any of the established rules. Further, none of our trained poll workers, who currently number twenty-one and have worked with these Moderators, have posed any objection to serving with them.

On Thursday, June 12, 2014 10:10 AM, Marilyn Higgins <msamhiggins@gmail.com> wrote:

So you have talked to Sandra and Randy? You and Kathi both told me Marjorie had moved to New Hampshire and would no longer be able to serve as Moderator. According to your own criteria, she served at the November elections and at least two of the Referendums last summer so it's Stephanie's turn - even according to your "personal policy". I will contact either Gloria or Dot Blocker - she told me last night she is available again.
I think as we move forward, we should agree that at one referendum, you will pick two workers, I will pick one; then the next time I will ask two and you'll ask one and we will contact a Moderator from out of town since we cannot agree on the list we currently have. I do not agree that there have been no complaints for several years. I have heard multiple complaints in the past and I personally have had complaints on several occasions. Our list is short and I think we need someone who can remain truly objective and I don't see any one on this list that fits that description.
I do not understand why Allen is included in this - why you escalated this to that level. You sent me a list and said it was the list unless I had "any objections" and then when I did raise an objection, you immediately appealed for "help".

On Wed, Jun 11, 2014 at 9:56 PM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

Randy Thompson and Sandra Hastings are available to serve on the 26th, however, Tammy King is not. Here is the list of potential checkers who have yet to serve this year:

Eileen Woodward
Laura Petix
Linda Gorman
Melanie Johnston
Sarah McDermott
Gloria Langer

Please select someone to serve as official checker; everyone on the list is fine with me.

We will need to meet with the Selectmen regarding Moderators. I am not willing to accept that the rest of our certified Moderators are incapable of serving as they have for several years without incident or complaint.

Subject: Fw: office hours
From: Dayna McDermott (flowergirl32357@yahoo.com)
To: firstselectman@hamptonct.org; cahillal147@hotmail.com;
Date: Friday, September 19, 2014 8:59 AM

FYI:

Here's the latest exchange. I personally think it was unnecessary and counter-productive to write that she feels like "throwing up" when she's in the same space as me.

I am also attaching the mandatory documentation from the Secretary of State that clearly states that ordering ballots is a "joint" responsibility which both registrars are required to sign for. The procedural plan which the Board of Selectmen formally adopted by unanimous vote also lists this as a joint responsibility. This is the first time in the history of ordering ballots that we've done this in a manner contrary to the prescribed directive of the Secretary of State.

Thank you for speaking with me last night; I know how busy you are and I do appreciate it.

On Monday, September 15, 2014 1:20 PM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

again, i do not use the word "besieged" verbally, though i can understand your confusion because i did request, in response to your accusations, that you refrain from lodging complaints against the members of my family, from libeling me in the press, and from using incidents against me which are unrelated to the office of the registrars of voters, which occurred nearly two decades ago, and of which you have not the vaguest clue. your own correspondence proves that you did not clarify the reason for your fear, but i am pleased with your admission that i did not threaten you and that you do not wish to upset me. i suggest again, as i did during the conversation, that matters should be discussed with the selectmen, as the seec urged.

On Monday, September 15, 2014 11:40 AM, Marilynn Higgins <rnsamhiggins@gmail.com> wrote:

actually you used that exact word. It's kind of upsetting that you say such hurtful words and then have no recollection that you said them. Please show me where I said you threatened to harm me - I did not say that. I said I am so afraid of upsetting you that I feel as though I am going to throw up when I have to be in the same space as you.

What claim, for the record? What are you talking about?

On Mon, Sep 15, 2014 at 11:35 AM, Dayna McDermott <flowergirl32357@yahoo.com> wrote:

i will continue on tuesdays. i believe this to be a necessary measure at this point, though we must still meet with the selectmen soon to resolve matters relative to the election. however, i must take exception with the opening sentence in your correspondence which is unnecessary, works to the detriment of your public vow, and furthers my claim. for the record, i never used the word "besieged", nor did i threaten to harm you in anyway, which kathi can verify as she heard the conversation.

On Monday, September 15, 2014 10:28 AM, Marilynn Higgins <rnsamhiggins@gmail.com> wrote:

Since you feel "besieged" when you're in the office and I feel so afraid I feel as though I will throw up when I have to go there, after getting permission from Allen, from now on I will be going in to the office a different day than you. I don't care if you want Tuesdays or Thursdays, just so long as they are different. Please let me know which you want to do. On the occasions when we have work that has to be done together, he has agreed to hire an objective third person. He hasn't decided who that person will be, just not either of our deputies and none of our Assistants.