



### CITY OF DOVER, NEW HAMPSHIRE ETHICS COMPLAINT

Please type or print legibly and attach additional pages, if necessary.

Date Filed: 11/18/2013

Your Name: Jeffrey Thomas Gray

Address: 53 Mallard Dr. ALTON, NH 03809

Your Telephone Number 603-534-4906

|   |   |
|---|---|
| Name of person about whom you are filing. | <u>Rocky D'Andrea</u><br><u>Betsy Andieus Parker</u><br><u>Amanda Russell</u><br><u>Jean Bliss Badger</u> |
|---|---|

Type of Allegation(s). Check the appropriate box(es) below indicating the type of allegation(s) stated in this complaint.

#### ARTICLE X OF THE DOVER CITY CHARTER

- ELIGIBILITY FOR ELECTIVE OFFICE (10-1)
- CONFLICTS OF INTEREST (C10-2)
- DISQUALIFICATION FROM DECISION MAKING PROCESS(C10-3)
- PRIVATE USE OF CITY PROPERTY (C10-4)
- ACCEPTANCE OF GIFTS AND GRATUITIES (C10-5)
- DISPOSITION OF FEES (C10-6)
- MISUSE OF INFORMATION (C10-7)
- FUTURE EMPLOYMENT (C10-10)

#### CHAPTER 22 OF THE CITY CODE

- CONFLICTS OF INTEREST (22-2)
- REPRESENTATION OF PRIVATE INTERESTS BEFORE CITY AGENCIES(22-3)
- REQUIRED DISCLOSURE BY COUNCIL MEMBERS; RECUSAL (22-4)
- REQUIRED DISCLOSURE BY OFFICERS AND EMPLOYEES; RECUSAL (22-5)
- GIFTS (22-6)
- DISCLOSURE OF CONFIDENTIAL INFORMATION (22-7)
- INVESTMENTS IN CONFLICT WITH OFFICIAL DUTIES (22-8)
- INCOMPATIBLE EMPLOYMENT(22-9)
- FUTURE EMPLOYMENT (22-10)

*If your complaint alleges some form of misconduct that does not fall within the jurisdiction of the Ethics Commission, then your complaint will be forwarded to the City Manager, the Police Department or the City Council for processing.*

Description of Facts.

Provide a specific description of the facts constituting the alleged violation(s), including dates or approximate dates.

*Please see attached letter.*

Witness Information.

Provide the name(s), business address(es) and telephone number(s) of person(s) you believe may have information that would assist the Commission in its evaluation of this complaint. Also, describe the information that you believe each of the persons listed can provide to support the allegations stated in this complaint.

*Dover School Board members  
City Council members  
City manager  
Team Bliss / Bradner  
BALDWIN LOUSHMAN*

Documentation.

Attach copies of any documents in your possession that relate to the allegations stated in this complaint. In addition, indicate below whether there are other records, not in your possession, that you believe may assist the Commission in its evaluation of this complaint.

*See attached letter-  
City of Dover charter  
City of Dover code  
LOUSHMAN report  
School Board meeting minutes*

*Nov 5 2012  
Dec 7 2012  
Dec 10 2012  
Dec 17 2012*

Additional Information.

Provide any additional information that you believe may assist the Ethics Commission in its evaluation of this complaint.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CERTIFICATIONS: (Please initial each certification)

- I CERTIFY THAT I AM A RESIDENT OF THE CITY OF DOVER, A PROPERTY OWNER IN DOVER OR I AM A VENDOR WHO HAS RESPONDED TO A BID SOLITICATION \_\_\_\_\_ (initials)
- THIS ETHICS COMPLAINT IS A PUBLIC DOCUMENT. I UNDERSTAND THAT I SHOULD HAVE NO EXPECTATION OF PRIVACY REGARDING THIS DOCUMENT OR THE PROCEEDINGS OF THE ETHICS COMMISSION. me (initials)
- I UNDERSTAND THAT KNOWINGLY MAKING WRITTEN FALSE STATEMENTS WHICH I DO NOT BELIEVE TO BE TRUE MAY SUBJECT ME TO CRIMINAL SANCTIONS PURSUANT TO RSA 641:3. me (initials)

DATE: 11/18/2013

Jeffrey T. Clay  
Signature

NOW COMES Jeffrey T. Clay who after being duly sworn states that the above statements are true and accurate.

Susan M. Mistretta

Notary Public

SUSAN M. MISTRETТА, Notary Public  
My Commission Expires September 18, 2018

-----OFFICIAL USE ONLY-----

Received by the City Clerk's office 11/18/2013 - 10:16 A.M

Received by the Ethics Commission emailed 11/18 c  
response back

-----

Completed form should be returned to:

City of Dover Ethics Commission  
c/o City Clerk  
288 Central Avenue  
Dover, NH 03820

Jeffrey T. Clay  
53 Mallard Dr.  
Alton, NH 03809  
November 18, 2013

Dover, NH Ethics Commission  
C/O Dover, NH City Clerk  
Dover, NH 03820

Re:Ethics violation complaint

Dear Ethics Commission:

Please accept this letter as my formal ethics violation complaint against former Dover School Board Chairman, Rocky D'Andrea, current School Board members, Amanda Russell and Betsy Andrews Parker, and former School Board Superintendent, Jean Briggs Badger.

It's my belief that the individuals named above violated multiple provisions the City of Dover's code of ethics by engaging in unethical and illegal behavior for personal gain and to influence the outcome of an election, all while serving in their official capacities as elected officials.

These individuals caused an investigation (funded by tax dollars) into the personal writings and opinions expressed by a sitting City of Dover Councilor while writing and speaking as a private citizen; as well as the opinions expressed by a sitting School Board member in the performance of her duties; both of whom ran for reelection in 2013. In support of my allegations I submit the following for your consideration:

On November 5, 2012, at what Strafford Superior Court has determined was an illegal nonpublic meeting, former School Board Chairman, Mr. D'Andrea, along with Ms. Andrew Parker, brought a request to the Board to fund an independent investigation (which was approved) to conduct a third party independent review of the allegations made by City Councilors toward "the Superintendent and School Board Chair."

While the minutes of this meeting indicate "significant discussion of the process" there are virtually no details provided, further casting suspicion over the "process."

This action is a clear violation of Chapter 22-2 of the Dover Code of Ethics which states: No elected or appointed officer or employee shall appear on behalf of private interests before any city board, commission, committee, subcommittee or authority and Chapter 22-4 which states: A Councilor with a conflict of interest shall recuse himself or herself from further participation in the matter and Chapter 22-5 which states:Appointed officers and employees with a conflict of interest shall recuse themselves from further participation in the matter.

The minutes of the December 10, 2012 Dover School Board non public meeting indicate the Board discussed the investigative report submitted by the investigator, Attorney Barbara Loughman. Neither the Chairman of the Board or Superintendent recused themselves from this meeting.

The minutes of the December 17, 2012 Dover School Board non public meeting indicate the Board again discussed the investigative report. Neither the Chairman of the Board or Superintendent recused themselves from this meeting.

The minutes of the January 14, 2013 Dover School Board non public meeting indicate the Board discussed the investigative report. Again, Neither the Chairman of the Board or Superintendent recused themselves from this meeting.

The Board also violated these same codes of ethics by voting to reimburse (at taxpayers expense) the Superintendent of Schools, Jean Briggs Badger, nearly one thousand dollars for he personal attorney expenses related to this investigation.

Additionally, the School Board violated RSA 641:7 I,II, and III by voting to authorize the investigating attorney to alter the original report which had already been submitted on December 7, 2012 and was in fact a public document.

Thank you for your assistance in this matter.

Sincerely,



Jeffrey T. Clay