

Presentation: To the select board at their Feb. 28th, 2011 meeting

Assertion: **I ASSERT THAT**
My name was removed from the town election ballot with prejudice

Petition: **+ PETITION**
The select board for their support in reinstating my name to the town ballot as candidate for member-at-large on the budget committee.

Explanation:

My explanation is prepared in writing and I ask that I be permitted to complete my explanation without interruption.

I filled out and submitted my application form at the town clerk's office within the prescribed deadline and proper time of day.

The town clerk accepted my application without question or comment.

The application form stated two qualifying requirements: (1) Domiciled in Carroll, and (2) Name on the checklist. At that time my name was not on the checklist.

I studied RSA 32:15 covering the budget committee before I applied. PARA V governs qualifications and states, "Every member-at-large shall be domiciled in the town or district adopting this subdivision (of the RSA)..." Since the RSA states no requirement to be on the check list, and that the application form is generic, and that the town clerk did not state differently, I concluded that the requirement to be on the check list did not apply for budget committee membership. Nothing further was said to me.

Last Tuesday, while at the clerk's office, I asked to register to vote and the clerk became frenzied. At first I was taken by her chicken-little ramblings and finally realized she was talking about removing my name from the election ballot. She muttered something about having not checked for my name on the check list and having to call the Sec'y of State's office.

Additionally, I was told by both the town clerk and the deputy town clerk that I could not register to vote at that time. I would have to wait until the Saturday following between 11:00am and 11:30am to register, or that I could register at the time I voted. Upon questioning, they both said that the state sets the rules and it was out of their hands.

I cite RSA 654:8, Application to town or city clerk for General Voter Registration, paragraph III states, and I quote, "Such application shall be made during the regular office hours of the town clerk". I was there during regular office hours.

Though I was never notified directly that my name was removed from the ballot, I did learn later that my name was taken off the ballot less than an hour after my visit to the town clerk's office.

The next day I received a call from a very unrepentant town clerk stating that I could come in and register at any time; that I did not have to wait until Saturday. She stated to the effect that she was not thinking clearly the day before: like a fox forgets it's a predator during the hunt.

In talking to the Under Secretary of State, Mr. Dave Scanlon, it was explained to me that while not a part of the RSA's, the requirement for a persons name to be on the check list was added to the application as a convenience for the town clerks to have a positive method of establishing domicile. As such, it becomes a de facto requirement.

However, in concert with checking the register, a clerk properly executing his/her fiduciary responsibility can solve the problem on the spot by registering a known applicant.

Further, Mr. Scanlon said that that is what clerks are trained to do, and any clerk not carrying out this fiduciary responsibility is remiss in his/her duty.

Every law can be had for good or evil. The requirement to be on the check list is an immediately rectifiable safety check, it was not meant to be a weapon of mass destruction.

The state writes the RSA's and establishes legal precedent. The state does not administer, nor is it interested in administering local government; nor do they sign the paychecks

As this problem has come to this point tonight as a result of mistakes made by the Carroll town clerks, it is fully within the purview of the select board to prevail upon the town clerk to correct her mistakes and reinstate my name on the town ballot for budget committee member-at-large.

My name was removed from the ballot in less than an hour. It can be restored in less than an hour. You break it here, you fix it here.

Further, since this is not the first time the town clerk's actions have been called into question, both the town clerk and the deputy town clerk should be censured for subverting the democratic process and be formally reprimanded.

As egregious as this situation is, the clerk's office is not the real problem, but a symptom of the problem. The clerk's office is monkey see, monkey do.

The real problem is the thread of mafia mentality that exists within the select board. In the 21 years that I have been a business owner and resident of this town, never have I seen such mean-spirited and nefarious conduct as has existed in and around the town hall over the past few years.

Enough is enough. This trickle-down rascality and chicanery must cease immediately and permanently.

The letter of the law exists in the wording of the RSAs, the spirit of the law exists in hearts and minds of those who execute those laws. So, to the select board I say; It's time to lead by positive and appropriate example and do the will of the majority. Town government leadership begins within and emanates from the select board. It is meant to be government by the will of the people, not government by the will of those governing.

We need town government for the people and by the people, not on top of the people.

We are fortunate to be located in the most scenic part of New England. This area is a four season global attraction. We are the western gateway to the Presidential Range of the White Mountain National Forest. No other town can say that. Our businesses and employment survive on tourists dollars

But in reality, one by one, businesses are closing in this town. Our tax base is shrinking. We are slowly becoming the town that time forgot. We need to focus our collective efforts on vitalizing and revitalizing our town economy, not on building fiefdoms and piling tax burden on the backs of the tax payers.

Difficult decisions with far reaching consequences lie ahead. We need to encourage the best of our citizens to step forward and participate in that decision making process, and support them when they do.

I'll close by saying; This hour, this instant, the line is drawn in the sand. As a select board I ask you on which side of the line do you stand? This is your shining moment. Demonstrate to the community that elected you the side on which you stand.

Speaking in behalf of a growing number of citizens of this town, a new tomorrow is dawning. And as Thomas Paine said: Lead, Follow, or Get Out of the Way.

Thank you for your time and attention.

I do ask that my comments to this point be included in their entirety in the minutes of this meeting.

Jack Catalano