

Save Forest Lake

From: saveforestlake@yahoo.com

To: John Formella

Cc: John McCormick, Selectmen, Admin Assistant, DOJ-Election Law, Richard Tracy and 21 more...

Fri, Oct 18 at 9:47 AM ☆

Good Morning Attorney General Formella:

I write to you and the NHDOJ as I continue to "connect the dots", relative to Casella Waste Systems and its ongoing efforts to influence political affairs and outcomes in Dalton, so as to remove potential obstacles and pave the way for its proposed Granite State Landfill project.

I believe we are now witness to actual crimes being committed by two elected officials in Dalton, Selectman Tom Dubreuil and Selectboard Chair Eric Moore, on behalf of Casella Waste Systems of Rutland, Vermont and its proposed Granite State Landfill project.

Both men are in office and control the town selectboard as a direct result of the "alleged illegal campaign activity" of Casella Waste Systems in 2023 and 2024, all of which has been shared with your office (Mr. Moore won by 2 votes in the 2024 town election, FYI). I have attached a copy of your August 21, 2024 response letter. I would add that both selectmen are believed to be in the employ of or compensated by Casella, just as former town selectman Vic StCyr admitted to being a "paid consultant" in social media posts and in a Boston Globe article. If true, this has not been disclosed to the public.

On October 15, 2024, during the most recent town selectboard meeting and while conducting town business, the two men, who have been accused of illegally meeting numerous times outside of public meetings to conduct town business, motioned and approved awarding a solid waste contract to Casella Waste Systems. I believe this is potentially in violation(s) of RSA 95:1, RSA 21-G:22, RSA 640:2, RSA 640:6, and RSA 629:3, should either or both of these men be in the employ of Casella Waste Systems or receive some form of undisclosed compensation. As you will see in the linked video excerpt of that meeting, they ultimately rescinded that motion, due to citizen outcry in the meeting. Awarding the town waste disposal contract to Casella for waste disposal at NCES Landfill makes no sense on several levels, particularly due to its scheduled closure by 2026. Unless, of course, re-establishing relations with Casella is their goal.

Furthermore, during the same meeting, both men approved sending the Casella Host Community Agreement (HCA) contract to the town legal department to begin the process of entering into a contractual relationship with Casella Waste Systems, in order to advance the Casella Granite State Landfill project, estimated to be worth over \$1 billion in tipping fees alone to the company.

I have provided links to videos from the October 15, 2024 Town of Dalton Selectboard meeting, which I feel substantiate my claim that these two elected officials have engaged in a conspiracy to influence the outcome of the proposed Granite State Landfill development project in conjunction with Casella Waste Systems and its agents in Dalton, primarily Pam Kathan, also believed to be in the employ of, or compensated in unknown fashion by Casella Waste Systems. If you remember, Pam Kathan was the person who provided Casella with access to the Gilman Senior Center in Vermont, the conduit for the free heating fuel assistance to Dalton-only residents in order to influence the outcome of both elections in order to establish control of the town selectboard. How many little old ladies in Dalton received free heating fuel oil and were perhaps persuaded to vote for Pam Kathan's preferred candidates? You can also see Pam Kathan in the meeting video, weighing in to support both measures before the town board.

Video excerpt of 10/15/24 Selectboard meeting, NCES Landfill contract

<https://youtu.be/tYk6hjlXOHU>

Video excerpt of 10/15/2024 Selectboard meeting, Granite State Landfill HCA "discussion" and approval to send to town legal

<https://youtu.be/mrWoh93G4f4>

I have also provided below the applicable statutes. Perhaps there are more not cited?

RSA 640:2 Bribery in Official and Political Matters

I. A person is guilty of a class B felony if:

(a) He promises, offers, or gives any pecuniary benefit to another with the purpose of **influencing the other's action, decision, opinion, recommendation, vote**, nomination, or other exercise of discretion as a public servant, party official, or voter; or

(b) **Being a public servant**, party official, candidate for electoral office, or voter, he solicits, accepts or agrees to accept any **pecuniary benefit** from another knowing or believing the other's purpose to be as described in subparagraph I(a), or fails to report to a law enforcement officer that he has been offered or promised a pecuniary benefit in violation of subparagraph I(a).

RSA 640:6 Compensation for Services

A person is guilty of a misdemeanor if:

I. Being a public servant, he solicits, accepts, or agrees to accept any **pecuniary benefit** in return for advice or other assistance in preparing or promoting a bill, **contract**, claim, or **other transaction or proposal as to which he knows that he has or is likely to have an official discretion to exercise**

RSA 629:3 Conspiracy. –

I. A person is guilty of conspiracy if, with a purpose that a crime defined by statute be committed, he agrees **with one or more persons to commit or cause the commission of such crime**, and an overt act is committed by one of the conspirators in furtherance of the conspiracy.

RSA 95:1 - Public Officials Barred From Certain Private Dealings

No person holding a public office, as such, in state or any political subdivision governmental service shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the state or political subdivision under which he holds his public office.

RSA 21-G:22 - Conflict of Interest

Executive branch officials and classified employees shall avoid conflicts of interest. Executive branch officials and classified employees shall not participate in any matter in which they, or their spouse or dependents, have a private interest which may directly or indirectly affect or influence the performance of their duties.

I do hope your office will take this matter seriously and investigate further. I have submitted a 91-A RTK request to the Town of Dalton for documents and communications relative to this matter, see attached. I would note that both selectmen have not complied with past 91-A requests, in direct conflict with 91-A RTK law. I am certain that NHDOJ and/or the FBI Boston office, whom I have also contacted, can access the information needed to determine the level to which the law has potentially been violated. I also believe there may be Hobbs Act/RICO statute violations that apply here, due to the interstate commerce associated with the proposed landfill development project, which is at the heart of this matter.

Please, connect the dots. Everything I have warned would happen, is happening. It's not fair, it's not right, and I don't believe it's legal.

In order to not get sued a third time by Casella, I need you to understand that all of this is my opinion, based on my research and experience.

Thank you!

Jon Swan
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