

April 2, 2018

Joan Landers, Superintendent
North Middlesex Regional High School
Main Street
Townsend, MA 01469

Dear Superintendent Landers:

I am writing in my personal capacity to register my formal complaint regarding what I judge to have been the illegal, unethical and defamatory actions taken against me by several employees of the North Middlesex Regional School District.

I'd like to begin by acknowledging the timely response that I have received from you in this matter. In less than twenty-four hours of having received the copies of the employee's defamatory writings, writings that you apparently were aware of before me, you arranged to meet with me. In that meeting were Carolyn Smart, your Business Manager Nancy Haines, you and me. In that meeting you told us that you "had been up all night about this," that it had made you feel "sick to your stomach" and that were "mortified" and "embarrassed." You further stated that what these employees had done was not only "interfering with education and the workplace" but also "unacceptable," "wrong" and a "violation of district policies and my rights."

You then stated that you would be making a public statement regarding the matter in which you would convey all of the above. I did not seek such a statement. You freely offered it. You have since told me that you are no longer going to issue any statement.

Now, to the substance of my complaint, Mrs. Jennifer Reidy, a special education teacher at Varnum Brook Elementary School led a coordinated campaign to defame and libel me. The following district employees, at a minimum, Ms. Jessica Law, Ms. Michelle Chapel, Ms. Kerry McCarthy and Ms. Elizabeth Carbone and Ms. Kristen St. Amand also conspired with Mrs. Reidy.

This campaign involved spreading letters and email correspondence to fellow employees of the school district, to parents of children in the school district, to citizens of the town of Townsend and beyond, and even more egregiously to several law enforcement agencies such as the District Attorney's office and the Office of the Attorney General.

It is very worthy of noting that Mrs. Reidy clearly knew or should have known that the defamatory statements that she was peddling were unfounded because in one of her emails she even wrote that the “DA and AG ‘want nothing to do with it.’ They just call it ‘small town politics’ or ‘legal issues’ and give that as an excuse as to why they will do nothing.” If there was truly illegal activity taking place, as she was asserting, they surely would not have responded in that fashion, but that did not stop her from continuing her campaign of lies.

Apparently even Boston Mayor Marty Walsh was reached out to and the Mass Bar Association was additionally contacted under the heading of “Seeking Legal Assistance for Police Officer.”

As if the damage caused by those actions wasn’t significant and injurious enough, they also sent these lies to members of the local print and Boston investigative news media.

A further concern is found in the fact that when dealing with the local print media, Mrs. Reidy and Ms. St. Amand appear to have leveraged the fact that Ms. St. Amand has a familial relationship with the then current editor of the Fitchburg Sentinel, her father Mr. Charles St. Amand. This usefulness of this relationship is highlighted in one writing from Mrs. Reidy to Mr. St. Amand in which she discloses that she is “understands that he has helped in the past and that she will not abuse that relationship.”

All of these actions are made all the more inappropriate given the fact that these employees utilized school district resources, time, equipment, official school email addresses and servers to conduct this campaign.

One district employee, Ms. Elizabeth Carbone, even wrote that she had “just said OH MY GOD out loud in front of her class!!! This is CRAZY.”

In speaking about my service to the Town of Townsend they characterize me and or refer to my actions globally as:

- Being corrupt,
- Running a self-serving dictatorship
- Being underhanded
- Participating in significant corruption
- Creating a travesty of justice
- Representing an unabashed abuse of power
- Dismantling and defaming town departments
- Driven by vendetta
- Persecution
- Using intimidation to citizens and the media.
- Venomous
- Harassment and lying

More specifically about me they state as fact:

WINCHENDON-

- That illegal dealing with a solar company got me fired from a prior Town Management position.
 - This is false.
 - This all occurred in 2010-2012.
 - I have never been fired from any job. Ever.
 - When I left my position in Winchendon I did so at my choosing and there are public records from my Board of Selectmen at the time of my separation praising me for my service.
 - As relates to my involvement in the solar industry.
 - I have a private solar consultancy that was approved by my former board.
 - Relying on a provision in the state procurement law that exempted energy consulting service contracts from formal procurement I contracted with 9 communities to solicit proposals for energy purchases from solar development on their land. The Inspector General, or IG, requested a meeting to discuss the contracts that I had with the towns.
 - The IG took the position that the contracts were not exempt and that they should have been bid. Additionally, they believed that the 10% commission I was slated to receive over a 30 year period was too much money for me to make.
 - I presented my legal research, emphatically disagreed with their interpretation but told them I would abide by the determination they reached.
 - They held to their position and I walked away from my municipal clients and transitioned my business focus to private land owners.
 - My municipal client communities were very upset about the IG's pressure to stop this procurement.
 - The following are excerpts from a news article in the Winchendon Courier- "Business Deals through Muni-Sun frozen after IG letter" from 4/16/2011.

"We could have never done this without Jim. The [IG] is costing us. I knew he was going to make money. God bless him, I hope he makes a ton. If he makes a ton we make 10 times a ton. Everyone thinks we were taken advantage of? I hope our town gets taken advantage of maybe once a year in such a fashion."

---Tom Moylan, Ashby Project Coordinator

"Every town knew what Kreidler would be making. It would be worth it for us to save hundreds of thousands of dollars on energy. We were cheated out of something that we thought was good for our town."

---Pat Kennedy, Palmer Town Manager

- Within a year of having walked away from the procurement project the Massachusetts Supreme Judicial Court (SJC) took up the case Northeast Energy Partners vs. Mahar Regional School District. The argument put forth by Northeast Energy Partners (NEP) was the same argument that I had made to the IG and in

fact relied in large part on my research which NEP's attorney asked if I'd be willing to share. <http://masscases.com/cases/sjc/462/462mass687.html>.

- In the end, the SJC ruled that the contracts for services of energy consultants, exactly like the ones I had with the 9 towns, were in fact exempt from procurement under the exact interpretation of the state procurement law that I had argued to the IG the year before.
- The following are excerpts from an article from The Gardner News- "Rulings from court, IG's office have impact on local energy deals" 12/10/2012

"Representatives with the IG's office declined to comment on the SJC ruling. The IG's argument that energy brokers are not exempt from the state procurement law is what drove James Kreidler's Muni Sun LLC to drop its potential solar energy contracts with several communities.

'As a result of the IG's ruling, I am no longer contracted to municipalities,' Kreidler said.

He does not see that position changing even now that the IG's opinion has been overturned by the SJC."

- Accordingly, not only was I never fired, my actions in this matter were neither "illegal nor unethical," in fact, after the SJC ruling it was determined that my actions and interpretation of the procurement statute had been correct all along.
- That the FBI is reportedly investigating me regarding a land development project despite investment money that was given to me.
 - This too is false.
 - While it is impossible to prove a negative, I can say that I have never been the subject of an investigation by the FBI.
 - I have never had investment money, or money of any kind, given to me for a land project.
- A former Police Chief who was terminated in a community in which I once worked received a \$770,000 lawsuit payment, a portion of which was punitive damages.
 - This too is false.
 - The issue goes back to 2002.
 - It is true that I terminated a Police Chief sixteen years ago in a community I formerly worked in.

- This action was taken only after votes of “No Confidence” in the Chief presented by both the Police and Dispatch unions and with a unanimous vote of the Board of Selectmen.
 - His removal from the position of Chief was upheld by the Civil Service Commission who ruled that he be demoted to patrol officer with no back pay.
 - While the Civil Service case was under appeal by the Town, he filed a civil case.
 - In the civil case the jury presented a verdict of \$770,000, a portion of which was for punitive damages.
 - Instead of entering the verdict, the Judge in the case ordered mediation and directed the Chief’s counsel and the town’s insurance counsel to settle the matter.
 - The town’s insurance company settled the case for \$500,000, to represent 6 years of back pay, with no punitive damages and the Chief relinquished any right to work for the town again.
- That I keep a “Jar of Souls” of people I have fired on my desk as a testament to my goals and ideals.
 - This too is false.
 - Over twenty years ago I was given a gag gift by a former employee of mine.
 - It was a piece of pottery the size of a coffee mug that said, “Ashes of Problem Employees” on it.
 - For a brief period of time around 2001-2002, I had the piece on a high barrister shelf off to the side in a very large office when I was early in my tenure in a prior town.
 - As I rearranged my office I replaced a number of pieces including that one and placed them in storage where they have now been for more than 15 years.
 - The former Police Chief in that community testified in his civil rights case that having seen it caused him great stress and pain.

It is worth noting that my contract of employment was renewed three separate times after these issues and my evaluations always came in at “exceeds expectations.”

TOWNSEND-

- That I released confidential police information regarding an ongoing police investigation.
 - This too is false.
 - Former Townsend Chief Eaton investigated this claim when it was made by the two leaders of the recall movement and issued a letter stating that the information that I was accused of having released had been released prior to my even being involved in Townsend.
- That I was heard to say I would systematically dismantle the police department.
 - This too is false.
 - I have never once said such a thing but trying prove a negative is impossible.

- That I (or the Board and I) even got the local priest removed for supporting the Chief.
 - This too is false.
 - Not only have I never sought to have the local priest removed from his parish, but, to my understanding he is still seated there.

In summary, these statements by Mrs. Reidy and others are **all categorically false** and I expect, at a minimum, a written and public apology and statement from the employees and the school district confirming as much.

In my opinion, the actions of these district employees fall under two different standards.

1. Their actions are libelous and defamatory and have created significant civil liability for themselves and the school district; and
2. Their actions have violated MGL C.268A, the Conflict of Interest Law and also violated a minimum of ten (10) district (MASC) policies.
 - a. Access to Electronic Media,
 - b. Email Policy,
 - c. Bullying,
 - d. News Media Relations,
 - e. Discrimination and Harassment,
 - f. School Goals and Objectives (#6),
 - g. Staff Ethics/Conflict of Interest,
 - h. Staff Conduct,
 - i. Conduct Form and
 - j. Social Networking.

It is noteworthy that Mrs. Reidy demonstrated that she clearly knew that her actions were not allowable. She wrote as much to you when seeking a letter of support for her husband related to the position of School Resource Officer (SRO) and relaying that “George [was being] placed under scrutiny with current admin. I will spare you my thoughts on that. I understand we cannot all enter into political forays.”

I can appreciate that Mrs. Reidy may well have been acting out of a misguided, but legitimate, concern for her husband. We all love our families and do our best to support them. To point, I love my family and I do my best to support them, but it is inarguable that my ability to do so is severely and negatively impacted by the actions of Mrs. Reidy and her fellow district staff members.

My professional reputation is significantly and negatively impacted as a direct result of their writings and the widespread dissemination of their lies.

I recognize that the bar for a defamation claim is set higher for a public official than for a non-public person. The key is to be able to make the case that the writer either knew the statements were false or that the writer showed reckless disregard as to whether the statements were true or false. I am confident in being able to demonstrate at a minimum the later if not in fact the former.

As a direct result of the actions of your employees, my professional viability has been damaged and with it my ability to continue to provide for my family. To adopt a quote from one of Mrs. Reidy's missives sent using her school email address and from your email servers, this damage has been done by your employees, or as Mrs. Reidy writes, "some assholes systematically dismantling my character!"

It is unacceptable and must be addressed. I understand that you may undertake to address this as a personnel matter and I want to be clear that I am not looking to be a party to that proceeding.

In accordance with NMRSD Policy Discrimination and Grievance Reporting (File: ACF) and/or NMRSD Discrimination and Harassment Grievance Procedures (ACF-R), I am respectfully requesting a meeting with the full School Committee as soon as possible to be heard on this very concerning matter.

Respectfully,

Jim Kreidler