

James Kreidler

From: Jim Campanini <jcampanini@lowellsun.com>
Sent: Sunday, January 29, 2017 9:29 AM
To: Jim Kreidler
Subject: Re: Betterini

Jim,

I will take a look at the video. Chris Lisinski forwarded me a Townsend Truth Facebook link in which Mr. Shank says that I told him that The Sun's editorial was based on "facts" received from Selectman Gordie Clark. It's an outright lie. First, I would never give up the name of a source; second, the name or names of anyone I had spoken to prior to the editorial never came up in the course of the 4 minute conversation; third, Shank hung up the phone on me when I started asked him questioning as to why a police officer with 28 years on the force would resign abruptly from his job without seeking the assistance of his "union" or other civil service protections he might have at his disposal.

Lisa Lewand is also lying about our 2 minute conversation in which she talked the entire time about the greatness of the Townsend Police Dept. and how I am tearing it apart. I listened and then thanked her for her phone call and that was it.

My best,

Jim C

On 1/28/17, Jim Kreidler <jkreidler@townsend.ma.us> wrote:

> Jim
>
> I'm attaching a video clip for you to view. Graphic language.
>
> This is the likes of the people the Townsend recall crowd are now
> aligning with.
>
> It's a Facebook video and has been "liked" with thumbs up and smiley
> face emoticons by Lisa Lewand- recall leader, Robert Rebholtz-former
> Selectman, Linda Johansen- Recall leader, Kimberly Watson- the mother
> of Chief Eaton's secretary and wife of State Police Captain Watson,
> and new player to the game----Joe Shank.
>
> This is what we're dealing with. I'm at my wits end.
>
> Jim Kreidler
>
> Sent from Jim's iPhone
>
> Begin forwarded message:
>
>> From: Jim Kreidler <jkreidler@townsend.ma.us>
>> Date: January 28, 2017 at 4:43:51 PM EST
>> To: Carolyn Smart <csmart@townsend.ma.us>, Gordy Clark
>> <gnclark613@gmail.com>, selectmancindyking@gmail.com

>> Subject: Betterini

>>

>> This is a video claiming, among other things I fabricated my sons

>> cancer and am lying about my own cancer. It has been viewed by many

>> in Townsend's recall crowd and has been "liked" with thumbs up,

>> smiley face and laughing faces by the likes of Joe shank, Lisa

>> Lewand, Kimberly Watson, Robert Rebholtz, Jill Elizabeth and linda Johansen.

>>

>> Sent from Jim's iPhone

>

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Wednesday, January 18, 2017 1:33 PM
To: 'Basu, Malini (CMG-Boston)'
Subject: RE: Malini with FOX 25

Just left you a voicemail.....

-----Original Message-----

From: Basu, Malini (CMG-Boston) [<mailto:Malini.Basu@coxinc.com>]
Sent: Wednesday, January 18, 2017 12:23 PM
To: jkreidler@townsend.ma.us
Subject: Malini with FOX 25

James,

I'm trying to confirm the following: is it true confidential information has been released from your office to a local in town.

Also, we are hearing a Sgt. resigned, due to illegal background checks?

Please call or email me,
Cell: 781-708-3629

Also, would you be available to do a quick interview later this evening.

Thank you,
Malini

Sent from my Malini's iPad

James Kreidler

From: Jim Kreidler <jkreidler@townsend.ma.us>
Sent: Thursday, January 19, 2017 1:53 PM
To: Basu, Malini (CMG-Boston)
Subject: Re: Malini with FOX 25

Malini,

I've left several messages from last night and today.

Perhaps the number I've been dialing from this email below is incorrect.

Either way, please do call when you next can.

Thanks

Jim

Sent from Jim's iPhone

> On Jan 18, 2017, at 12:23 PM, Basu, Malini (CMG-Boston) <Malini.Basu@coxinc.com> wrote:
>
> James,
>
> I'm trying to confirm the following: is it true confidential information has been released from your office to a local in town.
>
> Also, we are hearing a Sgt. resigned, due to illegal background checks?
>
> Please call or email me,
> Cell: 781-708-3629
>
> Also, would you be available to do a quick interview later this evening.
>
> Thank you,
> Malini
>
>
> Sent from my Malini's iPad
>

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Wednesday, November 23, 2016 11:17 AM
To: 'Chris Lisinski'
Subject: Emailing - PRESS RELEASE-POLICE CHIEF EATON.pdf
Attachments: PRESS RELEASE-POLICE CHIEF EATON

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Tuesday, December 27, 2016 9:50 PM
To: 'Chris Lisinski'
Subject: Press Release
Attachments: PRESS RELEASE- 12.27.16.pdf

Chris,

Attached please find a press release issued this evening by the Board of Selectmen.

Best,

Jim

James M. Kreidler
Town Administrator
Town of Townsend
272 Main Street
Townsend, MA 01469
(978) 597-1700
jkreidler@townsend.ma.us

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James Kreidler

From: James Kreidler <jkreibler@townsend.ma.us>
Sent: Friday, December 30, 2016 12:15 PM
To: 'Chris Lisinski'
Cc: 'Jenkins, David'; 'Robert Eaton'; Carolyn Smart; gnclark613@gmail.com; James M. Kreidler (jkreibler@townsend.ma.us); Kelly Merrill; selectmancindyking@gmail.com
Subject: RE: Internal Affairs Reports Request

Dear Mr. Linski:

This correspondence shall serve as the Town of Townsend's response to your request for public documents dated December 29, 2016. You have requested to be provided with "copies of all internal affairs reports that your department has completed involving Sgt. Randy Girard." While there are documents that may fall into the category of documents requested, those documents are hereby withheld pursuant to the exemptions listed below.

Portions of the responsive records have been withheld pursuant to exemption (c) of the Public Records Law. Exemption (c) permits a custodian to withhold records that are:

"Personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy."

Exemption (c) contains two separate bases for non-disclosure. The documents contain personal information that may also be withheld pursuant to the second clause of exemption (c). The second clause of exemption (c) allows a records custodian to withhold records that "relat[e] to a specifically named individual, disclosure of which may constitute an unwarranted invasion of personal privacy." Exemption (c) has been interpreted to protect from disclosure "intimate details of a highly personal nature" such as marital status, legitimacy of children, paternity, medical condition, government assistance, substance abuse, family disputes and reputation. Attorney General v. Assistant Commissioner of the Real Property Department of Boston, 380 Mass. 623, 625, 626, n.2 (1980).

The Town has also withheld the records responsive to your request for Correspondence in accordance with Exemption (f). This exemption allows a custodian to withhold records that contain:

"Investigatory materials necessarily compiled out of the public view by law enforcement or other investigatory officials the disclosure of which material would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest."

One of the purposes of this exemption is to encourage people to come forward and cooperate with the police in matters under investigation. Globe Newspaper Company, 419 Mass. at 863; Bougas v. Chief of Police of Lexington, 371 Mass. 59 (1976). Exemption (f) permits the permanent withholding of any details that would tend to identify complainants and voluntary witnesses, even in those instances where an investigation has concluded. The responsive records are replete with details that would identify complainants, as well as witnesses that voluntarily provided information and cooperated with the investigation. The SJC has held that, "[t]he inquiry as to what constitutes identifying information regarding an individual ... must be considered not only from the viewpoint of the public, but also from the vantage of those who are familiar with the individual." Globe Newspaper Company v. Boston Retirement Board, 388 Mass. 427, 438 (1983). Considering

the content of the responsive records from the perspective of the public, as well as those who are familiar with the subject matter, the names and identifying details of the voluntary witnesses and complainants are inextricably intertwined with the remainder of the information contained in the report and certain related records. The identifying details cannot be redacted in such a way as to permit disclosure of the records without identifying the individuals involved. Accordingly, pursuant to this exemption, the Town has withheld portions of the records responsive to your request that tend to identify complainants and voluntary witnesses.

Lastly, the subject matter of the request remains unresolved at the present time.

Very truly yours,

James M. Kreidler, Jr.
Town Administrator

From: Chris Lisinski [<mailto:clisinski@lowellsun.com>]

Sent: Thursday, December 29, 2016 10:14 AM

To: Robert Eaton; Jim Kreidler

Subject: Internal Affairs Reports Request

Dear Chief Eaton,

The Sun requests you provide copies of all internal affairs reports that your department has completed involving Sgt. Randy Girard. Per our discussion, I am including Town Administrator Jim Kreidler on this email.

Please feel free to contact me with any questions via email or at (978) 970-4776.

Sincerely,
Chris Lisinski

--

Chris Lisinski

Reporter, Lowell Sun

(978) 970-4776 (o)

(631) 681-0115 (c)

[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Thursday, January 05, 2017 9:11 AM
To: 'Chris Lisinski'
Cc: 'jcampanini@lowellsun.com'; 'Robert Eaton'; Carolyn Smart; gnclark613@gmail.com; James M. Kreidler (jkreidler@townsend.ma.us); Kelly Merrill; selectmancindyking@gmail.com
Subject: RE: Public Records Request – Sgt. Randy Girard Separation Agreement

Dear Chris,

I have received your request below and will respond in detail promptly.

Regards,

Jim
James M. Kreidler
Town Administrator
Town of Townsend
272 Main Street
Townsend, MA 01469
(978) 597-1700
jkreidler@townsend.ma.us

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From: Chris Lisinski [<mailto:clisinski@lowellsun.com>]
Sent: Thursday, January 05, 2017 8:47 AM
To: Jim Kreidler
Cc: Robert Eaton
Subject: Public Records Request – Sgt. Randy Girard Separation Agreement

Dear Mr. Kreidler,

Please consider the attached document an official public records request. You can reach me at clisinski@lowellsun.com and (978) 970-4776 if you have any questions.

Thank you for your time.

Sincerely,
Chris Lisinski

--

Chris Lisinski

Reporter, Lowell Sun

(978) 970-4776 (o)

(631) 681-0115 (c)

Twitter | Facebook | LinkedIn

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Monday, January 09, 2017 9:16 AM
To: 'Chris Lisinski'
Cc: 'jcampanini@lowellsun.com'
Subject: RE: Girard Separation Agreement

Chris,

Mr. Girard would have been paid for all accrued time on the books as was required by law. I am aware that he received some payment in his last check but I am unaware of the exact amount.

Jim

From: Chris Lisinski [<mailto:clisinski@lowellsun.com>]
Sent: Monday, January 09, 2017 8:33 AM
To: Jim Kreidler
Subject: Re: Girard Separation Agreement

Hi Mr. Kreidler,

I have a quick question: under section 3 of this agreement, the fields for vacation time, personal time and longevity are blank. Does that indicate Sgt. Girard was not paid anything following execution of the agreement or is this document not the final version?

I appreciate any help you can give.

Best,
Chris

On Fri, Jan 6, 2017 at 2:46 PM, Jim Kreidler <jkreidler@townsend.ma.us> wrote:

Chris,

As requested.

Jim Kreidler.

Sent from Jim's iPhone

--
Chris Lisinski
Reporter, Lowell Sun

(978) 970-4776 (o)

(631) 681-0115 (c)

[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Monday, January 09, 2017 12:00 PM
To: 'Chris Lisinski'
Subject: FW: Public Records Request

As requested....

From: James Kreidler [mailto:jkreidler@townsend.ma.us]
Sent: Thursday, January 05, 2017 1:25 PM
To: 'Stephen Sheldon'; 'kellymkelly@comcast.net'
Cc: 'Carolyn Smart'; 'gnclark613@gmail.com'; 'Kelly Merrill'; 'selectmancindyking@gmail.com'
Subject: RE: Public Records Request

Mr. Sheldon,

- 1) There are no public record documents responsive to your request.
- 2) There are no public record documents responsive to your request.

While you've not asked this specific question, I'm getting the sense that you are interested in knowing what the town's process is for screening potential employees. If that is of interest to you I can tell you that since at least 2004, in the town's Personnel Policies and Procedures Manual, as adopted and executed by all elected boards and commissions, the process for recruitment can be found codified in Article 6-Recruitment and Selection. In this policy there is a sub-section entitled References. This sub-section reads as follows:

"The candidate's former employers, supervisors, and other references may be contacted as a part of the selection process. References and other background investigations shall be documented and made a part of the applicant's file. All reference checks and investigations shall be completed prior to the offer of employment."

While there are no requirements to conduct "background checks", as you inquire about, I can additionally offer the following. During the timeframe of your request there was one contract executed that had as one of its deliverables the provision of a background check. The town did not ultimately use that service. Specifically, the Town contracted with Badgequest for the recruitment of a new police chief in the fall of 2015. The town chose to utilize the services of the interim police chief, Rock Barrieau, to perform the background check for that process. If you would like a copy of that document I would be happy to provide it.

Additionally, I am aware that an additional level of effort, above that which is required in the town policy, is made in certain circumstances. For instance, I believe that Chief Eaton would be able to confirm for you that a more in depth background check is performed as a part of his process in recommending candidates for sworn police personnel.

Additionally again, while not required by the town's policy, in each of the recruitment/selections that I have been involved in since December of 2015 I have not only met the requirements of the town policy but have gone beyond its requirements and had Criminal Offender Record Information (CORI) checks performed. No person would be offered employment without a clean CORI.

For what it is worth, my Executive Assistant has been approved and certified by the Commonwealth to perform such CORI checks on behalf of the town.

Best Regards,

Jim

James M. Kreidler
Town Administrator
Town of Townsend
272 Main Street
Townsend, MA 01469
(978) 597-1700
jkreidler@townsend.ma.us

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From: Stephen Sheldon [<mailto:sjs488@comcast.net>]
Sent: Wednesday, January 04, 2017 12:02 PM
To: James Kreidler; kellymkelly@comcast.net
Cc: Carolyn Smart; gnclark613@gmail.com; Kelly Merrill; selectmancindyking@gmail.com
Subject: Public Records Request

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10). I request that I be provided with the following:

1) Please provide the contract of the company or companies the Town of Townsend uses to conduct personnel background checks on potential new hires for any department and or position.

2) Please provide the accounts payable invoices for all background checks conducted from 01/01/2015 to 12/31/2016

-

(please note that the request is NOT for the information in those background checks, only the date they were conducted)

I recognize that you may charge reasonable costs for copies, as well as for personnel time needed to comply with this request. Electronic copies instead of paper would be acceptable. If you need me to supply a thumb-drive, let me know.

If you expect costs to exceed \$10.00 each, please provide a detailed fee estimate for EACH request before proceeding.

The Public Records Law requires you to provide me with a written response within 10 calendar days. If you cannot comply with my request, you are statutorily required to provide an explanation in writing.

Please respond to this email when you receive it in your office so I may have a record of your receipt for my records.

Sincerely,

Stephen Sheldon
18 Horseshoe Drive
Townsend, MA 01474

From: "James Kreidler" <jkreidler@townsend.ma.us>
To: "Stephen Sheldon" <sjs488@comcast.net>
Cc: "Carolyn Smart" <csmart@townsend.ma.us>, gnclark613@gmail.com, "James M. Kreidler" <jkreidler@townsend.ma.us>, "Kelly Merrill" <kmerrill@townsend.ma.us>, selectmancindyking@gmail.com
Sent: Wednesday, January 4, 2017 10:55:11 AM
Subject: RE: Public Records Request

Mr. Sheldon,

- 1) There are no public record documents responsive to your request.
- 2) There are no public record documents responsive to your request.

As you may be aware, records custodians are not required to answer questions or to create new records to respond to a records request.

Regards,

Jim

James M. Kreidler
Town Administrator
Town of Townsend
272 Main Street
Townsend, MA 01469
(978) 597-1700

jkreidler@townsend.ma.us

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From: Stephen Sheldon [<mailto:sjs488@comcast.net>]

Sent: Tuesday, January 03, 2017 2:16 PM

To: jkreidler@townsend.ma.us

Cc: kellymkelly@comcast.net

Subject: Public Records Request

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10). I request that I be provided with the following:

1) Please provide the name of the company or companies the Town of Townsend uses to conduct personnel background checks on potential new hires for any department and or position.

2) Please provide the dates of all employment background check performed on any potential hires or hired personnel from 01/01/2015 to 12/31/2016.

(please note that the request is NOT for the information in those background checks, only the date they were conducted)

I recognize that you may charge reasonable costs for copies, as well as for personnel time needed to comply with this request. Electronic copies instead of paper would be acceptable. If you need me to supply a thumb-drive, let me know.

If you expect costs to exceed \$10.00 each, please provide a detailed fee estimate for EACH request before proceeding.

The Public Records Law requires you to provide me with a written response within 10 calendar days. If you cannot comply with my request, you are statutorily required to provide an explanation in writing.

Please respond to this email when you receive it in your office so I may have a record of your receipt for my records.

Sincerely,

Stephen Sheldon
18 Horseshoe Drive
Townsend, MA 01474

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Thursday, January 12, 2017 2:13 PM
To: 'Chris Lisinski'
Subject: Emailing - Digital Stakeout Invoice (2).pdf
Attachments: Digital Stakeout Invoice (2)

Chris,

Attached is the only document I can locate that is responsive to your request regarding digital stakeout.

Chief Eaton is currently researching the matter to determine why it was purchased.

What we do know is that it was approved for purchase by former Chief Marshall and ordered by former Dispatch Communications Director David Mazza. (see invoice) After reaching out to the company directly seeking a better understanding I was advised that, "Townsend Detective David Mazza was the only person trained but that he was known to have shared access with others in law enforcement."

Dave Mazza was never a Detective here in Townsend.

I have reached out to area chiefs to inquire about this software and many were unaware of it and what it is for while one said he is aware that the state has a copy of the software and will allow municipalities the opportunity to access it in a very controlled manner if needed. He found it extremely odd that a town of our size would have purchased such a subscription.

Based upon some very quick internet searches I have read a number of articles in which this type of software is described as presenting constitutional privacy issues. This is one article in particular that caught my eye.

<https://www.aclu.org/blog/speak-freely/why-government-use-social-media-monitoring-software-direct-threat-our-liberty-and>

Regards,

Jim

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Friday, January 13, 2017 3:39 PM
To: 'Chris Lisinski'
Cc: Carolyn Smart; gnclark613@gmail.com; James M. Kreidler (jkreidler@townsend.ma.us); Kelly Merrill; selectmancindyking@gmail.com
Subject: RE: Records request – Billingsgate Associates

Chris,

There are no documents responsive to your request.

Regards,

Jim
James M. Kreidler
Town Administrator
Town of Townsend
272 Main Street
Townsend, MA 01469
(978) 597-1700
jkreidler@townsend.ma.us

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From: Chris Lisinski [<mailto:clisinski@lowellsun.com>]
Sent: Friday, January 13, 2017 3:13 PM
To: Jim Kreidler
Subject: Records request – Billingsgate Associates

Dear Mr. Kreidler,

Please refer to the attachment included in this email for a public records request. As always, please do not hesitate to contact me via email or at (978) 970-4776 with any questions.

Sincerely,
Chris Lisinski

--

Chris Lisinski

Reporter, Lowell Sun

(978) 970-4776 (o)

(631) 681-0115 (c)

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James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Monday, January 30, 2017 3:50 PM
To: 'Chris Lisinski'
Subject: FW: Sgt. Badge #3

Chris,

As requested. I wanted to assure that badge numbers were public before sharing this with you.

Jim

From: Robert Eaton [<mailto:REaton@townsendpd.org>]
Sent: Monday, January 30, 2017 3:43 PM
To: James Kreidler
Subject: RE: Sgt. Badge #3

Yes, Officers are identified by their name and badge number. Badge numbers don't get reissued.

Robert M. Eaton, Jr.

Chief of Police
Townsend Police Department
70 Brookline Road
Townsend, MA 01469
(978) 597-6214 Ext. 101
(978) 597-1718 Fax



Go Green.
Print only if necessary.

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From: James Kreidler [mailto:jkreidler@townsend.ma.us]
Sent: Monday, January 30, 2017 3:39 PM
To: Robert Eaton <REaton@townsendpd.org>
Subject: RE: Sgt. Badge #3

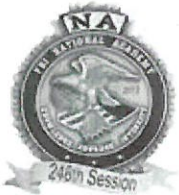
Thank you Chief. Is this public information?

From: Robert Eaton [mailto:REaton@townsendpd.org]
Sent: Monday, January 30, 2017 1:31 PM
To: James Kreidler
Subject: RE: Sgt. Badge #3

Retired Chief Erving Marshall was issued Sergeant badge number 3.

Robert M. Eaton, Jr.

Chief of Police
Townsend Police Department
70 Brookline Road
Townsend, MA 01469
(978) 597-6214 Ext. 101
(978) 597-1718 Fax



Go Green.
Print only if necessary.

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From: James Kreidler [mailto:jkreidler@townsend.ma.us]
Sent: Monday, January 30, 2017 11:50 AM
To: Robert Eaton <REaton@townsendpd.org>
Subject: Sgt. Badge #3

Chief,

I have been asked to whom Townsend Police Department Sgt. Badge #3 is, or has been, issued. Please advise.

Jim

James M. Kreidler
Town Administrator
Town of Townsend
272 Main Street
Townsend, MA 01469
(978) 597-1700
jkreidler@townsend.ma.us

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James Kreidler

From: James Kreidler <jkreibler@townsend.ma.us>
Sent: Wednesday, February 01, 2017 3:23 PM
To: 'Chris Lisinski'
Subject: FW: Records

Chris,

I have an electronic and a hard copy of Joe Shank's public records request documents. The file is too big to email so how would you like to proceed?

Also, the email below is the email I sent in response to his contention that I had released pages of confidential information.

Please advise,

Jim

From: James Kreidler [mailto:jkreibler@townsend.ma.us]
Sent: Friday, January 20, 2017 12:37 PM
To: 'joe@harborautobody.com'
Cc: Carolyn Smart; gnclark613@gmail.com; James M. Kreidler (jkreibler@townsend.ma.us); Kelly Merrill; selectmancindyking@gmail.com
Subject: Records

Dear Joe,

As you know, I reached out to you via telephone earlier this week to try to speak to you about what appear to be concerns of yours related to the public record request that you made last year regarding medical marijuana. You said you would call me back and as of yet you have not. I know that you are a busy person so I am sending along this email just to make sure you are aware of what it is that I was going to say to you.

The document that I originally came to your office to retrieve, and that we spoke about, is a public record email between Chief Eaton and me. I left with that document and was unaware that you had kept a copy. At that point in time that was the only document in question as I was unaware of the other unrelated documents in the packet. I wasn't made aware of those documents until Carolyn approached me the following week and told me about them. I initially said that couldn't be right and immediately went and got my copy of the packet. Then in front of two witnesses I saw the documents and was surprised and embarrassed that they had been included. My concern wasn't that they were confidential, as they were not, my concern was that it was a mistake that I had made and quite honestly I hate to make mistakes.

You appear to have expressed concerns that I did not come back to retrieve the documents that were erroneously given to you in your records request packet (town administrator's report, TEMA volunteer form and email regarding a police matter). You are correct that I did not seek to retrieve these documents once I was made aware that you had them the week after I handed them to you. What appears to me to be a point of misunderstanding is- why I did not seek to retrieve them?

Simply put---they were and are public documents. They are not confidential.

While my public report and the TEMA form are pretty obviously public documents, perhaps some of your concern surrounds the police matter email. Allow two points,

1. If it had been a confidential document, such a designation was broken when it was disseminated by the police staff person to a person outside of the organization, and more importantly
2. It was never a confidential document to begin with.

You need not take my word for it. This is per the Appeals Court of the Commonwealth of Massachusetts and the Secretary of State Supervisor of Public Records (see below):

“The Appeals Court of Massachusetts distinguished “personnel records” from “internal affairs” records. The Appeals Court held that materials in a police internal affairs investigation are different in kind from the ordinary evaluations, performance assessments and disciplinary determinations encompassed in the public records exemption for personnel files or information. The Appeals Court held that officers’ reports, witness interview summaries, and the internal affairs report itself do not fall within the personnel information exemption, as these documents relate to the workings and determinations of the internal affairs process whose quintessential purpose is to inspire public confidence.

Public employees have a diminished expectation of privacy in matters relating to their public employment. Consequently, the public will have greater access to information that relates to an individual’s public employment than to the same individual’s private activities.”

<http://www.sec.state.ma.us/pre/prepdf/guide.pdf>

In terms of FOX25, I was saddened by your suggestion that I had something to hide. I have absolutely nothing to hide, I have spoken with the reported about this/these matters and have made myself available to her for an on camera interview. Since then I have been advised in writing that they are not currently doing a story.

Joe, I am truly sorry that this issue, one that I had believed had been resolved when we last met and shook hands over a month ago, has surfaced again. I truly am.

I know that you love and support the police department and the men and women that work there. I know that you have a longstanding relationship with the department and have known many of the personnel for decades. Loyalty is rare these days and is admirable when expressed.

I do not have the same level of personal experience with the department as you do, as most town administrators wouldn’t, and I am unfortunately tasked with addressing matters of concern when they occur. To point, if I was aware of a matter that required an action, and I ignored tackling it because it would be unpopular, I would judge myself to be stealing from the town by taking a paycheck that I hadn’t fully earned. From what little I have come to know about you I feel confident that can understand and appreciate that point.

While I would love nothing more than to continue to develop a relationship with you as a longstanding a respected member of the community I will understand if that is not your wish.

Given the public attention that has been generated over the past week please understand my need to copy the Board of Selectmen, to whom I am responsible.

Regards,

Jim

James M. Kreidler
Town Administrator
Town of Townsend
272 Main Street
Townsend, MA 01469
(978) 597-1700
jkreidler@townsend.ma.us

If this email is received by a multi-member public board, commission or committee please take care to never "respond to all" as you may inadvertently create a violation of the open meeting law.

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. In Massachusetts, the term "public record" is broadly defined to include all documentary materials or data created or received by any officer or employee of any governmental unit, regardless of physical form or characteristics unless it falls under one of the statutory exemptions to the Public Records Law MGL Chapter 4, Section 7(26). Consequently, email is subject to the disclosure, retention and maintenance provisions as required by law. MGL Chapter 66

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Tuesday, February 21, 2017 5:14 PM
To: 'Chris Lisinski'
Subject: Emailing - Police Investigation Documents.pdf
Attachments: Police Investigation Documents

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Thursday, February 23, 2017 9:27 AM
To: 'Chris Lisinski'
Subject: Emailing - SKM_454e17022310260.pdf
Attachments: SKM_454e17022310260

My apologies....

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Friday, February 24, 2017 1:54 PM
To: 'Chris Lisinski'
Subject: Police Chief- Job Description 2015
Attachments: Police Chief- Job Description 2015.doc

Contract to follow

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Friday, February 24, 2017 1:55 PM
To: 'Chris Lisinski'
Subject: Emailing - R. Eaton Contract_5-1-2016-6-30-2019.pdf
Attachments: R. Eaton Contract_5-1-2016-6-30-2019

James Kreidler

From: James Kreidler <jkreidler@townsend.ma.us>
Sent: Wednesday, November 23, 2016 6:23 PM
To: 'Chris Lisinski'; 'jlcouture@cbs.com'
Subject: Emailing - PRESS RELEASE-POLICE CHIEF EATON 2.pdf
Attachments: PRESS RELEASE-POLICE CHIEF EATON 2

Please see the attached press release.....

James Kreidler

From: Jim Campanini <jcampanini@lowellsun.com>
Sent: Wednesday, January 04, 2017 12:12 PM
To: James Kreidler
Subject: lowell sun public records

Dear Mr. Kreidler,

I have read your response to reporter Chris Lisinski's request for public records concerning the recent resignation of a police sergeant and other personnel disciplinary matters and find your denial of the request, per order of town counsel, to be disatisfactory and disappointing.

First, you can forward the records and redact the "medical" and "personal" information that we never requested. I see this reason for denial an affront to the new open records law and to the basic tenets of open government.

Second, the sergeant has resigned, is no longer a public servant in Townsend, and his personnel jacket is a public document available for public inspection. Once again, you can redact medical and other information, like Social Security numbers, that we do not want nor did we request.

Third, I have one question: Did you make a settlement that involved taxpayers' money with the sergeant who resigned, a quid pro quo to keep this issue "sealed" from public inspection?

Lastly, I will give you time to reconsider delivering these documents, or we will refile under the new public records law that went into effect Jan. 1, 2017, and the onus will be on your office to convince the Secretary of state's Office and the Attorney General's Office why you have chosen to keep these public documents from the Townsend citizenry and the media.

Sincerely,

James H. Campanini
Editor, The Sun

James Kreidler

From: Jim Campanini <jcampanini@lowellsun.com>
Sent: Wednesday, January 04, 2017 2:32 PM
To: Jim Kreidler
Subject: Re: lowell sun public records

Mr. Kreidler,

Thank you for your prompt response. I know you have to be "cautious" but you also have to be fair and honest. Your town counsel, K&P, is notorious for misrepresenting the public records law. They urge municipalities to deny first, frustrate second, and suffer the consequences last when the Secretary of State's office overturns a public records request on appeal. But the game has changed. A municipality will now have to pick up the costs of a media challenge that goes to court. Is K&P going to pick up the cost for when we win this challenge? You have the authority to listen to counsel and also to make the right decision - even if it goes counter to what these biased attorneys might advise. You have my permission to share this with your town counsel, who has refused to return phone calls from our reporter. What kind of service is that to the town and the taxpayers? I can see another story - and editorial - taking shape.

Sincerely,

JHC

On 1/4/17, Jim Kreidler <jkreidler@townsend.ma.us> wrote:

> Dear Mr. Campiani,
>
> I am in receipt of yours below.
>
> As I'm sure you'd expect, out of an abundance of caution and in an
> effort at striking a balance between being both transparent for the
> benefit of the public and appropriately protective of the town, it's
> now former employees rights and it's taxpayers, I have been referring
> all queries on this matter to counsel.

>
> I will endeavor to get a more substantive answer to you shortly.

>
> Kind Regards,

>
> Jim Kreidler

>
>
>
>
> Sent from Jim's iPhone

>
>> On Jan 4, 2017, at 12:11 PM, Jim Campanini <jcampanini@lowellsun.com>
>> wrote:

>>
>> Dear Mr. Kreidler,
>>

>>

>> I have read your response to reporter Chris Lisinski's request for
>> public records concerning the recent resignation of a police sergeant
>> and other personnel disciplinary matters and find your denial of the
>> request, per order of town counsel, to be disatisfactory and
>> disappointing.

>>

>> First, you can forward the records and redact the "medical" and
>> "personal" information that we never requested. I see this reason for
>> denial an affront to the new open records law and to the basic tenets
>> of open government.

>>

>> Second, the sergeant has resigned, is no longer a public servant in
>> Townsend, and his personnel jacket is a public document available for
>> public inspection. Once again, you can redact medical and other
>> information, like Social Security numbers, that we do not want nor
>> did we request.

>>

>> Third, I have one question: Did you make a settlement that involved
>> taxpayers' money with the sergeant who resigned, a quid pro quo to
>> keep this issue "sealed" from public inspection?

>>

>> Lastly, I will give you time to reconsider delivering these
>> documents, or we will refile under the new public records law that
>> went into effect Jan. 1, 2017, and the onus will be on your office to
>> convince the Secretary of state's Office and the Attorney General's
>> Office why you have chosen to keep these public documents from the
>> Townsend citizenry and the media.

>>

>> Sincerely,

>>

>> James H. Campanini

>> Editor, The Sun

>>

>

>

Kelly Merrill

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Wednesday, January 04, 2017 9:22 AM
To: kmerrill@townsend.ma.us
Subject: Contact information for Boy Scouts

Hi Ms. Merrill,

Hope all is well on your end. Could you please send me contact information for those two Townsend Boy Scouts that were honored for their role in administering first aid after a car crash in Fitchburg? Looking to set something up with them as soon as possible for a story.

Thank you for your time.

Best,
Chris

--
Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Wednesday, December 28, 2016 9:03 AM
To: James Kreidler
Subject: Re: Emailing - PRESS RELEASE-POLICE CHIEF EATON.pdf

Hi Mr. Kreidler,

Thank you for sending this over last night. Could you give me a quick call about it when you get a minute? I'm a bit confused by the phrasing in the release and want to double-check the details to get them straight. I have a few follow-up questions as well.

You can reach me at (978) 970-4776 (my desk phone) or (631) 681-0115 (my cell phone).

Thank you for your time. Hope your holidays were pleasant and peaceful.

Best wishes,
Chris

On Wed, Nov 23, 2016 at 11:17 AM, James Kreidler <jkreidler@townsend.ma.us> wrote:

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Wednesday, December 28, 2016 9:18 AM
To: James Kreidler
Subject: Re: Press Release

Mr. Kreidler:

It occurs to me that I sent an email replying to a previous press release you sent and not the email you sent last night. I apologize for the error, and I've pasted the message below to try and keep this organized:

Hi Mr. Kreidler,

Thank you for sending this over last night. Could you give me a quick call about it when you get a minute? I'm a bit confused by the phrasing in the release and want to double-check the details to get them straight. I have a few follow-up questions as well.

You can reach me at (978) 970-4776 (my desk phone) or (631) 681-0115 (my cell phone).

Thank you for your time. Hope your holidays were pleasant and peaceful.

Best wishes,
Chris

On Tue, Dec 27, 2016 at 9:49 PM, James Kreidler <jkreidler@townsend.ma.us> wrote:

Chris,

Attached please find a press release issued this evening by the Board of Selectmen.

Best,

Jim

James M. Kreidler
Town Administrator
Town of Townsend

272 Main Street

Townsend, MA 01469

(978) 597-1700

jkreidler@townsend.ma.us

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Chris Lisinski

Reporter, Lowell Sun

(978) 970-4776 (o)

(631) 681-0115 (c)

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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, December 29, 2016 9:43 AM
To: Jim Kreidler
Subject: Executive session minutes?

Hi Mr. Kreidler,

Just want to follow up on our conversations yesterday. Have the minutes from Board of Selectmen executive sessions to discuss the police background checks been released? If so, can I please have copies of them?

Thank you for your help.

All the best,
Chris

--
Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, December 29, 2016 10:14 AM
To: Robert Eaton; Jim Kreidler
Subject: Internal Affairs Reports Request
Attachments: Internal Affairs Reports Request – Sgt. Randy Girard.pdf

Dear Chief Eaton,

The Sun requests you provide copies of all internal affairs reports that your department has completed involving Sgt. Randy Girard. Per our discussion, I am including Town Administrator Jim Kreidler on this email.

Please feel free to contact me with any questions via email or at (978) 970-4776.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Wednesday, January 04, 2017 11:54 AM
To: Jim Kreidler
Subject: Employees not paid raises as planned?

Hi Mr. Kreidler,

I'm working on a story based on Mr. Clark's comments during the Dec. 27 Board of Selectmen meeting about town employees — I believe he said dispatchers — not being paid raises that were allotted for them. Could you give me a call at your earliest convenience? You can reach me at (978) 970-4776 or (631) 681-0115.

Thank you for your time.

All the best,
Chris

--
Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, January 05, 2017 8:47 AM
To: Jim Kreidler
Cc: Robert Eaton
Subject: Public Records Request – Sgt. Randy Girard Separation Agreement
Attachments: Records Request – Sgt. Randy Girard Separation Agreement 010517.pdf

Dear Mr. Kreidler,

Please consider the attached document an official public records request. You can reach me at clisinski@lowellsun.com and (978) 970-4776 if you have any questions.

Thank you for your time.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Monday, January 09, 2017 8:33 AM
To: Jim Kreidler
Subject: Re: Girard Separation Agreement

Hi Mr. Kreidler,

I have a quick question: under section 3 of this agreement, the fields for vacation time, personal time and longevity are blank. Does that indicate Sgt. Girard was not paid anything following execution of the agreement or is this document not the final version?

I appreciate any help you can give.

Best,
Chris

On Fri, Jan 6, 2017 at 2:46 PM, Jim Kreidler <jkreidler@townsend.ma.us> wrote:

Chris,

As requested.

Jim Kreidler.

Sent from Jim's iPhone

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Monday, January 09, 2017 12:27 PM
To: Jim Kreidler
Subject: Re: One more quick question

My apologies — that should read "Mr. Kreidler."

On Mon, Jan 9, 2017 at 12:26 PM Chris Lisinski <clisinski@lowellsun.com> wrote:

Hi Mr. Keep left,

Just one more quick question: could you provide contact information for Mr. Girard's legal counsel (whichever counsel was involved in reaching the separation agreement)?

Thank you again for the time.

Best,
Chris

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, January 12, 2017 10:33 AM
To: Jim Kreidler
Subject: Records request – Digital Stakeout documents
Attachments: Records Request – Digital Stakeout Documents 011217.pdf

Dear Mr. Kreidler,

I am submitting the attached document as a public records request. Please feel free to contact me via email or at (978) 970-4776 if you have any questions. Thank you for your time.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, January 12, 2017 10:35 AM
To: Jim Kreidler
Subject: Records request – David Mazza employment records
Attachments: Records Request – David Mazza Employment Records 011217.pdf

Dear Mr. Kreidler,

I am submitting the attached document as a public records request. Please feel free to contact me via email or at (978) 970-4776 if you have any questions. Thank you for your time.

Sincerely,
Chris Lisinski

--
Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, January 12, 2017 10:36 AM
To: Jim Kreidler
Subject: Records request – Community Outreach Center
Attachments: Records Request – Community Outreach Center 011217.pdf

Dear Mr. Kreidler,

I am submitting the attached document as a public records request. Please feel free to contact me via email or at (978) 970-4776 if you have any questions. Thank you for your time.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, January 12, 2017 10:36 AM
To: Jim Kreidler
Subject: Records request – information on vehicles and equipment
Attachments: Records Request – Information on Vehicles and Equipment 011217 (1).pdf

Dear Mr. Kreidler,

I am submitting the attached document as a public records request. Please feel free to contact me via email or at (978) 970-4776 if you have any questions. Thank you for your time.

Sincerely,
Chris Lisinski

--
Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, January 12, 2017 2:23 PM
To: James Kreidler
Subject: Re: Emailing - Digital Stakeout Invoice (2).pdf

Mr. Kreidler,

Thank you for sending this information over. I see on the attached document that the subscription ran from November 2014 to November 2015. Does that indicate that the subscription was cancelled after a single year? I believe Selectman Smart inquired at the Dec. 13, 2016 meeting about the bill for Digital Stakeout, so was she referring to this bill or to something more recent?

Appreciate any clarification you can offer.

Best,
Chris

On Thu, Jan 12, 2017 at 2:13 PM, James Kreidler <jkreidler@townsend.ma.us> wrote:

Chris,

Attached is the only document I can locate that is responsive to your request regarding digital stakeout.

Chief Eaton is currently researching the matter to determine why it was purchased.

What we do know is that it was approved for purchase by former Chief Marshall and ordered by former Dispatch Communications Director David Mazza. (see invoice) After reaching out to the company directly seeking a better understanding I was advised that, "Townsend **Detective** David Mazza was the only person trained but that he was known to have shared access with others in law enforcement."

Dave Mazza was never a Detective here in Townsend.

I have reached out to area chiefs to inquire about this software and many were unaware of it and what it is for while one said he is aware that the state has a copy of the software and will allow municipalities the opportunity to access it in a very controlled manner if needed. He found it extremely odd that a town of our size would have purchased such a subscription.

Based upon some very quick internet searches I have read a number of articles in which this type of software is described as presenting constitutional privacy issues. This is one article in particular that caught my eye.

<https://www.aclu.org/blog/speak-freely/why-government-use-social-media-monitoring-software-direct-threat-our-liberty-and>

Regards,

Jim

--

Chris Lisinski

Reporter, Lowell Sun

(978) 970-4776 (o)

(631) 681-0115 (c)

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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Friday, January 13, 2017 3:13 PM
To: Jim Kreidler
Subject: Records request – Billingsgate Associates
Attachments: Records Request – Billingsgate Associates 011317.pdf

Dear Mr. Kreidler,

Please refer to the attachment included in this email for a public records request. As always, please do not hesitate to contact me via email or at (978) 970-4776 with any questions.

Sincerely,
Chris Lisinski

--
Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Wednesday, January 25, 2017 10:21 AM
To: Jim Kreidler
Subject: Records requests

Hi Mr. Kreidler,

Just want to check in on the status of some records requests I filed on Jan. 12. I received a response for the request on documents regarding Digital Stakeout, but I have not yet received any response on three other requests for documents regarding David Mazza's employment records, the police department's community outreach center and vehicles and equipment used by the department.

I appreciate any insight you can give as to when these requests will be filled.

Best,
Chris

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Monday, January 30, 2017 2:14 PM
To: Jim Kreidler
Subject: Civil and criminal forfeiture accounts

Hi Mr. Kreidler,

As we discussed on the phone earlier, I'm wondering whether Townsend keeps track of any funds acquired by civil or criminal forfeitures from drug-related arrests. I'm also interested in seeing what funds have been acquired by these means in the past five years.

Let me know if I can help clarify that in any way. I appreciate all of your time.

Best,
Chris

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Monday, January 30, 2017 2:19 PM
To: Jim Kreidler
Subject: Records request — Records provided to Joe Shank
Attachments: Records request – Records Provided to Joe Shank 013017.pdf

Dear Mr. Kreidler,

I have attached a records request for public information you provided to Joe Shank. Please let me know if you have any further questions.

All the best,
Chris

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Monday, January 30, 2017 3:53 PM
To: James Kreidler
Subject: Re: FW: Sgt. Badge #3

Mr. Kreidler,

One more question: did the badge belong to Erving Marshall Sr. or Erving Marshall Jr.?

Thank you,
Chris

On Mon, Jan 30, 2017 at 3:50 PM, James Kreidler <jkreidler@townsend.ma.us> wrote:

Chris,

As requested. I wanted to assure that badge numbers were public before sharing this with you.

Jim

From: Robert Eaton [mailto:REaton@townsendpd.org]
Sent: Monday, January 30, 2017 3:43 PM
To: James Kreidler
Subject: RE: Sgt. Badge #3

Yes, Officers are identified by their name and badge number. Badge numbers don't get reissued.

Robert M. Eaton, Jr.

Chief of Police

Townsend Police Department

70 Brookline Road

Townsend, MA 01469

(978) 597-6214 Ext. 101

(978) 597-1718 Fax



Go Green.
Print only if necessary.

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From: James Kreidler [<mailto:jkreidler@townsend.ma.us>]
Sent: Monday, January 30, 2017 3:39 PM
To: Robert Eaton <REaton@townsendpd.org>
Subject: RE: Sgt. Badge #3

Thank you Chief. Is this public information?

From: Robert Eaton [<mailto:REaton@townsendpd.org>]
Sent: Monday, January 30, 2017 1:31 PM

To: James Kreidler
Subject: RE: Sgt. Badge #3

Retired Chief Erving Marshall was issued Sergeant badge number 3.

Robert M. Eaton, Jr.

Chief of Police

Townsend Police Department

70 Brookline Road

Townsend, MA 01469

(978) 597-6214 Ext. 101

(978) 597-1718 Fax



Go Green.
Print only if necessary.

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From: James Kreidler [<mailto:jkreidler@townsend.ma.us>]
Sent: Monday, January 30, 2017 11:50 AM
To: Robert Eaton <REaton@townsendpd.org>
Subject: Sgt. Badge #3

Chief,

I have been asked to whom Townsend Police Department Sgt. Badge #3 is, or has been, issued. Please advise.

Jim

James M. Kreidler

Town Administrator

Town of Townsend

272 Main Street

Townsend, MA 01469

(978) 597-1700

jkreidler@townsend.ma.us

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Consequently, email is subject to the disclosure, retention and maintenance provisions as required by law.
MGL Chapter 66

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Chris Lisinski

Reporter, Lowell Sun

(978) 970-4776 (o)

(631) 681-0115 (c)

[Twitter](#) | [Facebook](#) | [LinkedIn](#)

James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, February 02, 2017 11:17 AM
To: Jim Kreidler
Subject: Records request – Vehicle towing and repair

Dear Mr. Kreidler,

Attached you will find a records request for copies of invoices for vehicle towing and repair solicited by the town and its police department. Please do not hesitate to contact me via email or at (978) 970-4776 if you have any questions.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, February 02, 2017 11:18 AM
To: James Kreidler
Subject: Re: FW: Records

Mr. Kreidler,

I'll be heading out to Townsend this afternoon, so I can stop at Town Hall to pick up the documents if that works. How does 1:45 sound?

Let me know if that works. As always, feel free to call me on my cell phone with any concerns.

Best,
Chris

On Wed, Feb 1, 2017 at 3:22 PM, James Kreidler <jkreidler@townsend.ma.us> wrote:

Chris,

I have an electronic and a hard copy of Joe Shank's public records request documents. The file is too big to email so how would you like to proceed?

Also, the email below is the email I sent in response to his contention that I had released pages of confidential information.

Please advise,

Jim

From: James Kreidler [<mailto:jkreidler@townsend.ma.us>]
Sent: Friday, January 20, 2017 12:37 PM
To: 'joe@harborautobody.com'
Cc: Carolyn Smart; gnclark613@gmail.com; James M. Kreidler (jkreidler@townsend.ma.us); Kelly Merrill; selectmancindyking@gmail.com
Subject: Records

Dear Joe,

As you know, I reached out to you via telephone earlier this week to try to speak to you about what appear to be concerns of yours related to the public record request that you made last year regarding medical marijuana. You said you would call me back and as of yet you have not. I know that you are a busy person so I am sending along this email just to make sure you are aware of what it is that I was going to say to you.

The document that I originally came to your office to retrieve, and that we spoke about, is a public record email between Chief Eaton and me. I left with that document and was unaware that you had kept a copy. At that point in time that was the only document in question as I was unaware of the other unrelated documents in the packet. I wasn't made aware of those documents until Carolyn approached me the following week and told me about them. I initially said that couldn't be right and immediately went and got my copy of the packet. Then in front of two witnesses I saw the documents and was surprised and embarrassed that they had been included. My concern wasn't that they were confidential, as they were not, my concern was that it was a mistake that I had made and quite honestly I hate to make mistakes.

You appear to have expressed concerns that I did not come back to retrieve the documents that were erroneously given to you in your records request packet (town administrator's report, TEMA volunteer form and email regarding a police matter). You are correct that I did not seek to retrieve these documents once I was made aware that you had them the week after I handed them to you. What appears to me to be a point of misunderstanding is- why I did not seek to retrieve them?

Simply put---they were and are public documents. They are not confidential.

While my public report and the TEMA form are pretty obviously public documents, perhaps some of your concern surrounds the police matter email. Allow two points,

1. If it had been a confidential document, such a designation was broken when it was disseminated by the police staff person to a person outside of the organization, and more importantly
2. It was never a confidential document to begin with.

You need not take my word for it. This is per the Appeals Court of the Commonwealth of Massachusetts and the Secretary of State Supervisor of Public Records (see below):

“The Appeals Court of Massachusetts distinguished “personnel records” from “internal affairs” records. The Appeals Court held that materials in a police internal affairs investigation are different in kind from the ordinary evaluations, performance assessments and disciplinary determinations encompassed in the public records exemption for personnel files or information. The Appeals Court held that officers’ reports, witness interview summaries, and the internal affairs report itself do not fall within the personnel information exemption, as these documents relate to the workings and determinations of the internal affairs process whose quintessential purpose is to inspire public confidence.

Public employees have a diminished expectation of privacy in matters relating to their public employment. Consequently, the public will have greater access to information that relates to an individual’s public employment than to the same individual’s private activities.”

<http://www.sec.state.ma.us/pre/prepdf/guide.pdf>

In terms of FOX25, I was saddened by your suggestion that I had something to hide. I have absolutely nothing to hide, I have spoken with the reporter about this/these matters and have made myself available to her for an on camera interview. Since then I have been advised in writing that they are not currently doing a story.

Joe, I am truly sorry that this issue, one that I had believed had been resolved when we last met and shook hands over a month ago, has surfaced again. I truly am.

I know that you love and support the police department and the men and women that work there. I know that you have a longstanding relationship with the department and have known many of the personnel for decades. Loyalty is rare these days and is admirable when expressed.

I do not have the same level of personal experience with the department as you do, as most town administrators wouldn’t, and I am unfortunately tasked with addressing matters of concern when they occur. To point, if I was aware of a matter that required an action, and I ignored tackling it because it would be unpopular, I would judge myself to be stealing from the town by taking a paycheck that I hadn’t fully earned. From what little I have come to know about you I feel confident that you can understand and appreciate that point.

While I would love nothing more than to continue to develop a relationship with you as a longstanding and respected member of the community I will understand if that is not your wish.

Given the public attention that has been generated over the past week please understand my need to copy the Board of Selectmen, to whom I am responsible.

Regards,

Jim

James M. Kreidler

Town Administrator

Town of Townsend

272 Main Street

Townsend, MA 01469

(978) 597-1700

jkreidler@townsend.ma.us

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Chris Lisinski

Reporter, Lowell Sun

(978) 970-4776 (o)

(631) 681-0115 (c)

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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, February 02, 2017 12:41 PM
To: Jim Kreidler
Subject: Re: Records request – Vehicle towing and repair
Attachments: Records Request – Vehicle Towing and Repairs 020217.pdf

My apologies — here it is.

On Thu, Feb 2, 2017 at 12:31 PM, Jim Kreidler <jkreidler@townsend.ma.us> wrote:
Nothing attached.

Sent from Jim's iPhone

On Feb 2, 2017, at 11:16 AM, Chris Lisinski <clisinski@lowellsun.com> wrote:

Dear Mr. Kreidler,

Attached you will find a records request for copies of invoices for vehicle towing and repair solicited by the town and its police department. Please do not hesitate to contact me via email or at [\(978\) 970-4776](tel:978-970-4776) if you have any questions.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
[\(978\) 970-4776](tel:978-970-4776) (o)
[\(631\) 681-0115](tel:631-681-0115) (c)
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--

Chris Lisinski
Reporter, Lowell Sun
[\(978\) 970-4776](tel:978-970-4776) (o)
[\(631\) 681-0115](tel:631-681-0115) (c)
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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Wednesday, February 08, 2017 9:59 AM
To: Jim Kreidler
Subject: Comment on police employee back at work

Hi Mr. Kreidler,

Do you or town counsel have an official comment on whether the police employee who was placed on administrative leave during the background-check investigation has returned to work? Chief Eaton told me that individual "has been cleared of all allegations and has been placed on his normal shift."

Thank you for your time.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Thursday, February 09, 2017 7:13 AM
To: Jim Kreidler; Robert Eaton
Subject: David Mazza salary

Dear Mr. Kreidler and Chief Eaton,

Could one of you please indicate what David Mazza's salary in Townsend was when he was the communications supervisor/IT manager?

Thank you for your help.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Wednesday, February 22, 2017 10:48 AM
To: Jim Kreidler
Subject: Records request — Fred Ryan executive coaching
Attachments: Records Request – Fred Ryan Executive Coaching 022217 (1).pdf

Dear Mr. Kreidler,

Please refer to the attached public records request. If you have any questions, do not hesitate to contact me at clisinski@lowellsun.com or (978) 970-4776.

Sincerely,
Chris Lisinski

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Wednesday, February 22, 2017 5:41 PM
To: Jim Kreidler
Subject: Re: Records request — Fred Ryan executive coaching

Mr. Kreidler:

As I'm looking through the documents you provided me to fill this records request, it appears that there are pages missing. Chief Ryan's report skips from page 1 to page 3, and I get the sense there were more pages after page 3 that were not included. Was material intentionally redacted or was this a technical error?

Appreciate any clarification you can give.

Sincerely,
Chris

On Wed, Feb 22, 2017 at 10:47 AM, Chris Lisinski <clisinski@lowellsun.com> wrote:
Dear Mr. Kreidler,

Please refer to the attached public records request. If you have any questions, do not hesitate to contact me at clisinski@lowellsun.com or (978) 970-4776.

Sincerely,
Chris Lisinski

--
Chris Lisinski
Reporter, Lowell Sun
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--
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James Kreidler

From: Chris Lisinski <clisinski@lowellsun.com>
Sent: Friday, February 24, 2017 1:50 PM
To: Jim Kreidler
Subject: Eaton contract and job description

Hi Mr. Kreidler,

Just wanted to check and see if it's possible to get a copy of Chief Eaton's contract and job description this afternoon. Appreciate any help you can give.

Best,
Chris

--

Chris Lisinski
Reporter, Lowell Sun
(978) 970-4776 (o)
(631) 681-0115 (c)
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Carolyn Smart

From: Carolyn Smart <csmart@townsend.ma.us>
Sent: Friday, December 30, 2016 2:53 PM
To: 'Anne O'Connor'
Subject: RE: question for article

Of course ☺

From: Anne O'Connor [mailto:aoconnor@nashobavalleyvoice.com]
Sent: Friday, December 30, 2016 1:04 PM
To: Carolyn Smart <csmart@townsend.ma.us>
Subject: Re: question for article

PUPPY!!!!

And of course you'll post.

On Fri, Dec 30, 2016 at 12:37 PM, Carolyn Smart <csmart@townsend.ma.us> wrote:

Hi Anne: I am sure that would be fine. I will check with Kathy, see if I can take a longer lunch.

Have a great weekend, stay safe

Carolyn

PS I am getting a puppy in a few weeks – so excited. She's 5 weeks old now, so it will be soon ☺

From: Anne O'Connor [mailto:aoconnor@nashobavalleyvoice.com]
Sent: Friday, December 30, 2016 12:20 PM
To: Carolyn Smart <csmart@townsend.ma.us>
Subject: Re: question for article

Hi Carolyn,

Thank you and the best of holidays to you also.

I do have your cell, but will be done by 4.

How does Tuesday afternoon look?

Thanks!

On Fri, Dec 30, 2016 at 11:53 AM, Carolyn Smart <csmart@townsend.ma.us> wrote:

Hi Anne: I hope you had a nice Christmas! And wishes for a Happy New Year.

Sure I will contribute, do you still have my cell? I leave at about 4PM.

Carolyn

From: Anne O'Connor [mailto:aoconnor@nashobavalleyvoice.com]

Sent: Friday, December 30, 2016 10:38 AM

To: Carolyn Smart <csmart@townsend.ma.us>

Subject: question for article

Hi Carolyn,

I'm doing a story and asking each of the chairs of the boards of selectmen what the most important thing for the town that could happen in 2017 would be.

Would you like to contribute?

Thank you,

Anne

--

Anne O'Connor

Nashoba Valley Voice

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