



Stevens Memorial Library  
20 Memorial Drive  
Ashburnham, MA 01430  
978-827-4115 Fax 978-827-4116  
stevensmemoriallibrary@gmail.com  
[www.ashburnhamlibrary.org](http://www.ashburnhamlibrary.org)

Stevens Memorial Library  
Board of Trustees  
Summary of July 22, 2013 Meeting

Paula Dowd called meeting to order at 4:00 P.M.

By roll call vote Paula Dowd, Present, Margaret Donovan, Present, Paula St. Laurent Kuehl, Present, Debra Mercier, Present, Mary Kate Romano, Present, Joseph von Deck, Present

Paula Dowd stated the Board pursuant to Chapter 30A, Section 21, Subsection (a) (1) of the Massachusetts General Laws would be going into Executive Session.

Paula Dowd then stated to Cheryl Paul Bradley pursuant to Chapter 30A, Section 21, Subsection(a)(1) of the Massachusetts General Laws, you have the right to request this meeting be held in open session.

Cheryl Paul Bradley stated that she would like the meeting be held in open session.

Paula Dowd stated to the Trustees, Attorney's, Library Director, and residents in attendance that the Board would discuss the Investigator's report and the Directors response to that report. The Attorney for the Director will then have ten minutes to make a statement. The residents in attendance will have five minutes to make a statement. I feel it would be of the best interest to you the audience to choose a spokesperson for that statement.

Attorney Samuels stated that she strongly protested only having ten minutes to respond.

Again the Town Counsel stated that names could not be used when discussing the report.

Joe stated that these are public documents. According to the Open Meeting Laws all public documents are public record.

Attorney Moschos stated that he was the Board's attorney and was advising the Board because this is still an investigation. There are privacy laws that protect people from their names becoming public.

Kate stated that we received two reports last week. One had names and the other did not. She felt Joe's question was can we use the names from that report.

Attorney Moschos stated that he would advise even though the Director's Attorney put names in their report it would be in the best interest of all concern not to mention any names.

Joe asked if he could be first to speak in the proceedings.

Paula Dowd stated that Joe could proceed.

Joe had prepared a statement to read with his thoughts and comments on the task at hand (see attached statement).

Kate stated that she agreed with Joe that the bookkeeping is sloppy. However, she remembered the Board having a conversation with the Director at a meeting on 10/1/12 having to do with a leave request form for vacation. The dates requested were November 6, 7, and 9<sup>th</sup>. She found it hard to believe that, when signing the travel reimbursement form that date did not stick out in the Directors mind. She agreed with Joe's statement that after reading this report proving or disproving whether the Director attended these meetings is hard to do. She mentioned that, as a teacher, when she attends meetings she has to write in triplicate why, where, when these meetings are to take place. On return from the meeting she has to write a report. She did not think writing a date on the calendar, having coverage and leaving the building does not prove or disprove that one went to a meeting.

Paula Kuehl stated that she has not seen the Library by-laws so she does not know the regulations but with her background of being treasurer of the PTO for seven years, being an administrative assistant to a CEO, and having to do reimbursement forms, there always is paperwork attached to the expense request. She has never had a problem asking for information to back the request. Also there are always checks and balances for reimbursement request. She would go to the person putting in request if there was some sort of irregularities, not first go to the president of the company. The correct steps were clearly not taken here.

Deb stated that she agreed with Joe that the paper work was atrocious and must be dealt with. Also she felt the Director probably did go to these meetings but it is hard to say for sure.

Margaret stated that she had attended the January 6<sup>th</sup> meeting in Boston with Cheryl. That meeting was to explain the budget where the Town Administrator had put all departments Energy & Utilities as one line item. She also stated that she had been to several Library meeting where attendance was not taken and even when they had been preregistered their names were not on the attendance list. She knew of many times when Cheryl had used the Worcester Library computer because she had returned to speak of what she found available and would discuss other programs she had found there many times.

Paula asked what do we do now.

Kate stated that she had a question about a statement on page 8 of the investigators report. It was

a check written to a library employee for \$409.89 which she never recalls the Board approving.

Paula Dowd stated that she had questions about checks written from the trust fund account that had never been approved by the Board. She stated that she had just found them after going over the checkbook.

Paula Kuehl asked who signs checks.

Paula Dowd stated that she would get back to that. She then listed several checks that were written in 2012 to Verizon, Water Department, Light Company, BJ's, Wal-Mart, among others.

Paula Kuehl again asked who writes and signs the checks.

Paula Dowd stated that the treasurer did.

Paula Kuehl asked if the treasurer was the only one.

Paula Dowd stated that at that time yes. However this practice has since been changed.

Paula Kuehl stated that it was ludicrous to only have had one signature. She asked if Paula Dowd had spoken to the treasurer about these checks.

Paula Dowd stated that she had and that the treasurer said she had given the Director several blank checks upon request.

Paula Kuehl asked why these just came up now. Hadn't the board gotten a bank statement and seen what checks were written. She had never heard of such a thing, shame on this Board for letting this happen. Did the Board contact the treasurer and ask her why she just gave the Director blank checks?

Paula Dowd stated that she had. The treasurer had stated that the Director had asked for them.

Margaret stated that she could not believe a treasurer would just give someone blank checks. Also, in February Paula Dowd had asked the treasurer for a report. The treasurer had given the Board a balance and no questions were asked about any checks.

Joe stated that the treasurer should be here to answer questions. He asked what was to say that she had not written and mailed the checks in question.

Kate stated that her question still had not been answered.

Cheryl Paul Bradley stated that the employee had been paid out of the trust fund for preservation work which had previously been approved by the Board.

Paula Dowd stated that the board had been told that all payments had to go through payroll.

Deb stated that there were two points: the check should not have been written and the Director should not have asked.

Deb asked what the benefit of preregistration for these meeting was. Is there a fee involved? How many of these meeting had the Director not attended.

Cheryl Paul Bradley stated that there is preregistration for materials to be handed out. But there are always extra materials. She did not go to meetings if she did not have coverage or if it was something she felt will not help.

Deb asked why the Director had to go to Worcester to use their program and if it be cheaper to get the program for the Library's computer.

Cheryl stated that the grant program software costs about \$10,000.00 and the library computers are not compatible. Plus the Worcester Library has rows of books with information that is useful in writing and finding grants.

Kate stated that it again it got back to messy record keeping which is very troublesome.

Joe stated that this was all about procedures not being followed. The director had taken mileage from home to meetings, instead of from Ashburnham. However if the town followed the IRS rule then there was no issue.

Attorney Moschos stated that the IRS gives guidelines for travel reimbursement. That is not to say the town does not have its own policy.

Joe asked if the town had its own policy.

Attorney Mochos stated that the Board would have to ask the town.

Paula Dowd stated that the IRS ruling is for people who work from home.

Paula Kuehl stated that she knew that in the corporate world if one is going to a meeting at 8:00 A.M. but his or her work day starts at 9:00 A.M. Mileage is taken from home.

Kate stated that if your meeting is at 1:00 P.M., you're at work, so mileage is from work.

Deb stated that it is difficult to interpret this ruling. In the response report the Director stated that she was told mileage was from home. On a calendar page, it states remind Town Administrator to write memo. She asked if the Director had ever gotten that memo.

Cheryl Paul Bradley stated that she had not. She often requested memos. Because the Town Administrator is so busy, Cheryl would do a follow up. Sometimes the memos would be sent. She never received that memo.

Paula Dowd stated that in the investigators report page 7, paragraph 2 and 3 explain the town

policy on travel reimbursement.

Cheryl stated that she had never been informed about mileage from Ashburnham to meeting.

Paula Dowd stated that it came down to he said/she said. The Board faced two differing opinions. The attorney for the Director had stated this was a mistake of a difference of \$150.00. The town investigator claimed that it was much more than that.

Joe asked how much the town said the discrepancy was.

Paula Dowd stated that it was in the report.

Paula Kuehl stated that the difference from Troy to Worcester and Ashburnham to Worcester was \$209.00.

Cheryl Paul Bradley asked why she would jeopardize her job of 29 years over \$209.00. She said that she had had a volunteer look up the dates. The volunteer had given her the wrong dates. Cheryl had not checked them. It had been an honest mistake. When it was brought to her attention she had fixed it.

Paula Dowd stated that the issue came down to “he said; she said.”

Joe asked: “Who do you believe?”

Kate stated that she did not feel that there was verification on either side.

Margaret suggested that Cheryl and the town’s people be allowed to speak before the board made its decision.

Attorney Samuels stated that it was regretful that, after 29 years, Ms. Paul Bradley needed to hire a lawyer; and that the town’s lack of transparency threatened to ruin Ms. Paul Bradley’s career. She went on to say that the laws of the town say nothing about how to calculate mileage for reimbursement; it only references the IRS regulations (see Attorney Samuels report for explanation of regulations). After talking to several experts she had concluded that Ms. Paul Bradley had been calculating mileage correctly. Furthermore, Ms. Paul Bradley had only been reimbursed for nine Library related trips per year, when in fact she had traveled many more times on Library business and had not sought reimbursement, due to the Library’s limited funds. She stated that should be commended not condemned.

Attorney Samuels went on to say she felt the investigation was biased and that Town Counsel and the Investigator were only looking for evidence to incriminate her client. In no way had the investigation been neutral. Yes, Ms. Paul Bradley had been messy and she freely admitted it. However, the town and board had also been messy. They had no checks and balances in place.

Attorney Samuels stated that the allegations about misuse of trust funds should have been presented to her and Cheryl prior to the meeting. If in fact Ms. Paul Bradley had written these

checks Ms. Paul Bradley should have been allowed to come to the Library in order to get information on why these checks had been written. She called the issue of the checks triple hearsay evidence and remarked that if that didn't prove that this was a result oriented investigation, she did not know what did.

Attorney Samuels stated once again that this investigation was unnecessary and that after twenty nine years of service someone from the town should have spoken to Ms. Paul Bradley about her error.

Cheryl Paul Bradley spoke (see attached statement).

Attorney Moschos then reminded Paula Dowd that the Board was going to allow the residents in the audience a chance to speak.

Paula Dowd asked if the audience had chosen a spokesperson.

Barbara Brennan stated that many in the audience would like to speak.

Paula Dowd stated that each person would be allowed one minute.

Barbara Brennan stated that she was a member of the committee that made up the bylaws of the town. She stated that these bylaws do have checks and balances. In the bylaws it states that the Board of Selectmen is to be notified when any town employee is going to be put on administrated leave. She had called the chairman of the Board of Selectman and had been told that that was done.

Ms. Brennan stated that that had been an outright lie. She had then contacted the Town Administrator and asked him if he had had anything to do with this situation. She had been told that it was a library issue. She had then gone to a Selectman meeting and voiced her concern. She stated that this had been the third town employee that had served over 25 years that had been put through this. It was someone who had just started the job and decided to take money. She finished by stating that in the bylaws it states that if a town employee has a town vehicle and travels on town business they are paid their hourly rate. If a town employee travels for the town in their own vehicle they get paid from their home. If Cheryl left from her home then she should get paid from there.

Melanie Hyslop stated that the one thing that struck her was that although Cheryl's paperwork may have been sloppy she had been doing it that way for years. She commended the new accountant in her diligence, however if Cheryl had never been corrected in doing her paperwork over these years what would her incentive be to do it differently? She remarked that some people might think that Cheryl should have done it differently but asked why the town hadn't asked her to do it differently.

Paula Gorrell stated that there were only a few grant centers in the state of Massachusetts and they had invested hours and hours into these grant computers. It was not just something you could buy for your computer.

Anne Olivari stated that she had started at the Library 29 years ago with Cheryl. There was no doubt that Cheryl is messy. "Go into her office and just see." She said that she had moved to the Ashburnham Municipal Light Plant and has to travel. There is no where that she has seen that states where mileage is to be taken from. As far as going to meetings, she sometimes preregisters and sometimes does not. She said that she did not want to have to go around to 5 people there and ask them to sign a slip so she can get paid.

Bill Webber stated that he had heard today that the Library paid some bills they weren't suppose to and they had said that they would not do it again. He asked why the Board could not say to Cheryl "you did some things you shouldn't have. Don't do it again," and be done with this.

Jean Mountain stated that she had worked for Cheryl and had never seen anyone more dedicated to a job. Cheryl knows where every penny in the Library goes and if there is any discrepancy she does not rest until she solves the problem. If you look at Cheryl's track record over the past 29 years you will be hard pressed to find anything. She has never met anyone who loves her job more than Cheryl. Cheryl is very transparent so when she says she made a mistake then it was a mistake. She stated that she thought everyone had made mistakes in their checkbooks. We look and in twenty minutes we find that mistake problem solved. Cheryl should have had that chance. Finally, she said that she was ashamed at the moment to be a town resident wasting money paying people to do this.

Daryl Turek stated that Cheryl somehow had gotten him to volunteer without pay for 5 months along with many others. He didn't mind because Cheryl works so hard. He recalled Cheryl bringing work home on weekends to write grants and do paperwork. He repeated that Cheryl had gotten 5 million dollars in grants over the last 29 years.

Noel McGonigle stated that all of the moneys that had been discussed at the meeting, that may or may not have been misplaced, were relatively small, especially compared to the money that the town has spent on salaries, time, and lawyer fees on something that could have been sorted out in a conversation.

Louise Reid stated that she agreed with McGonigle. The taxpayers have been paying 4 months of administrated leave and got no work from it. They have an extremely good worker that has not been able to provide what she loves to do for the town of Ashburnham.

Reverend Elaine Bomford stated that she had been coming to these meetings since April. She felt very disrespected by the Chair and the Board at these meetings. It made her think of how Cheryl must feel after 29 years of tenure. Vast amounts of time and energy had been expended on such a small amount of money. She felt very disrespected as a person who values this library, a taxpayer and a person who was asked to vote for these trustees.

Paula Dowd asked if anyone else would like to speak. No one else in the audience asked to speak. She then called a 5 minute recess at 6:04 P.M.

At 6:10 P.M. Paula Dowd called the meeting back in session.

Paula Dowd stated that the Board would then have a discussion about what had been stated and what was in the reports.

Paula Dowd stated that before the Board had their discussion, she wanted to mention the treatment of the volunteer that helped the Librarian make out her report. She remarked that the previous week Ms Samuels stated that she had no shame in handing out her report and had nothing to hide, then had gone on to mention the volunteers' name.

Attorney Samuels stated that she had not mentioned the volunteer's name.

Paula Dowd stated that this poor volunteer had been mentioned in that day's Gardner News. That this was a person, who had been victimized by 9-11, our nation's greatest tragedy, and in her opinion, had been victimized again by the attorney. She stated that, in her opinion, it was a terrible misjudgment to relate, in public, the private medical issues of the volunteer.

Cheryl Paul Bradley stated that at the April 18<sup>th</sup> meeting she had explicitly ask that the volunteer not be contacted by anyone involved with the investigation because of her condition, but the town had ignored her plea.

Paula Dowd stated that they were back to square one. She asked if anyone had any comments.

Margaret stated that she felt the situation had been handled all wrong from the beginning. She mentioned that she had not been present at the March 11<sup>th</sup> meeting; however, she did feel that the Board should have had talked to Cheryl. They should have had talked about it among themselves and instituted some policies to correct the situation so it could not happen again. They should have given Cheryl an opportunity to write down the correct dates and explain what had happened. Then they could have gone to the selectman, town administrator, or whoever had started this and straighten it out. It could have saved the town, the Board, and more importantly Cheryl a lot of time, trouble and distress. She said that she believed that the Board should reinstate Cheryl and, going forward, have her show the Board all of the bills that need to be paid. This way, as a Board, they could discuss them with Cheryl and know what is being paid. She continued to say that obviously when she is going to travel she should come to the Board and tell them where she is going and why she is going. She said that she could write down a summary for the next meeting. She said that she really felt that after 29 years Cheryl would not take \$100.00, \$1000.00, or \$200.00 and jeopardize her job that she has put so much time and effort into.

Kate stated that she agreed with policy change. She said that she felt that when they had met as a Board it had been Attorney Higgins' recommendation and the town administrator's that this was the best way to clear it up. She stated that if they had known how long this was going to take they would have handled it differently. She went on to say that she did not believe any of the board members had meant ill will. She said that it was very difficult to be villainized multiple times when they had just been trying to do what was right. She admitted that they may have had gone about it the wrong way but that they had done their best given the situation.

Joe stated that the Board had not been allowed to follow procedures. They had not been allowed to talk to the individual charged. They had not been allowed to talk to the so called witnesses.

They had agreed to only talk about this among themselves, except they had never had anything to talk about. They had not been told anything.

Deb stated that she agreed with Joe. The Board had never been given any information. They had been told to either have the investigation or it would be brought to the selectman. They had been told that it would take two weeks not four months. If they were given an option then they could have entertained another idea.

Paula Dowd stated that she did not feel that there was enough information in the report to make a decision. She said that she still had strong feelings that this investigation had not been started by the Board. It had been started by the Chairman of Selectman, who had come to us along with the Town Administrator, and Town Counsel. She felt that this was a town issue and that the town should make the decision.

Kate stated that the Board needed to make the decision.

Margaret stated that that was passing the buck.

Paula Dowd stated that with the two reports, the Board could not make a decision.

Margaret stated that she thought they could.

Joe stated that he had a motion he wanted to make.

Joe moved that the board reinstate the director to her position with their apologies.

Margaret seconded the motion.

Margaret asked for a roll call vote.

Deb asked if the Board could discuss it first.

Attorney Moschos stated that the Chair must ask for discussion of any motion.

Paula Dowd asked Joe to make his motion again.

Joe stated that he would make my motion again. He would like to make a motion to reinstate Cheryl Paul Bradley in her position as director of this library with the Board's apologies.

Margaret seconded the motion.

Paula Dowd stated that the motion was open for discussion.

Deb stated that she agreed with the motion along with policies put in place. She said that it had obviously not been handled in the right way. Personally, she did not feel the need to apologize. She said that she was sorry that it happened; but, she did not feel that she had had a part in it. She

stated that she had been looking out for the library, which was what she had been elected to do.

Joe asked Margaret to withdraw her seconded to his motion.

Margaret withdrew her seconded to Joe's motion.

Joe made a motion to reinstate Cheryl Paul Bradley as director of the library.

Margaret seconded the motion.

Paula Dowd opened the motion for discussion.

Paula Kuehl stated that she agreed with what Deb said and what Margaret had said earlier. There should be policies instituted.

Paula Dowd stated that the Board had already started that.

Paula Kuehl stated that she understood that. However, she would have thought from the start that the Board would have signed off on all financial matters. As far as meetings attended, she said that she like the idea of the Board being informed beforehand and later presented with a summary of the meeting.

Deb stated that she felt that the policies should be in place before Cheryl was reinstated or at the time of reinstatement. She said that she felt that the record keeping was so poor that Cheryl should accept some of the blame for the mess.

Cheryl Paul Bradley stated that she accepted all of the blame for the mistake.

Deb stated that Paula Dowd had taken the brunt of this. When the Board was doing what they had been told they had to do.

Kate stated that the Board had been asked to do something; and they did it with the best of intentions. She said that there had been a lot of things that the Board had not been able to share because of the executive sessions. She said that she felt that the Board had been mistreated as a result. She stated that the Board had done what they had thought best for the library based on what they had had to work with.

Paula Dowd stated that she did not like how it had been painted as a personal vendetta. She said that this was not true. She went on to say that in March the Board had been given options; they had taken the one that they thought would be best for the library and director. They had been told at that time that there could be criminal charges. They had been trying to protect everyone.

Paula Kuehl asked if the Board could amend the motion to have the policy in it.

Kate stated that as a board they needed to have a policy revision as Margaret had stated. Including that all moneys and transportation requests come before the Board.

Kate made a motion to amend Joe's motion.

Paula Kuehl seconded the amendment.

Paula Dowd asked for a discussion of the amendment.

Margaret asked if they were going to amend the motion to put in that they were revising the policies that all moneys and transportation requests come in front of the Board for their ok.

Deb asked if this would include meetings that Cheryl wants to attend.

Paula Dowd stated that it would. Cheryl would have to get the Boards approval.

The amendment to the motion made by Joe was approved by roll call vote: Joseph von Deck, Yes, Mary Kate Romano, Yes, Paula St. Laurent Kuehl, Yes, Debra Mercier, Yes, Paula Dowd, Yes, Margaret Donovan, Yes

Paula Dowd called to move the question.

Joe made a motion to move the question.

Kate seconded the motion.

By roll call vote to move the question was approved: Joseph von Deck, Yes, Mary Kate Romano, Yes, Paula St. Laurent Kuehl, Yes, Debra Mercier, Yes, Paula Dowd, Yes, Margaret, Yes.

Paula Dowd called to for a vote to reinstate the librarian.

Joe made the motion to reinstate Cheryl Paul Bradley as Director.

Margaret seconded the motion.

By roll call vote the motion to reinstate Cheryl Paul Bradley was accepted: Joseph von Deck, Yes, Mary Kate Romano, Yes Paula St. Laurent Kuehl, Yes, Debra Mercier, Yes, Paula Dowd, Yes Margaret Donovan, Yes

Joe made a motion to accept the Boards revised policy.

Kate seconded the motion.

By roll call vote the motion to accept the revised policy was accepted: Joseph von Deck, Yes, Mary Kate Romano, Yes, Paula St. Laurent Kuehl, Yes, Debra Mercier, Yes, Paula Dowd, Yes, Margaret Donovan, Yes

Paula asked for a motion to adjourn.

Joe made a motion to adjourn. Paula Kuehl seconded. All were in favor.

Meeting ended at 6:35 P.M.

The residents attending the meeting requested their names be entered into the meeting minutes.

Please see attached list of names.

Attachments:

- A. Joseph vonDeck statement
- B. Cheryl Paul-Bradley statement
- C. List of residents in attendance

Minutes amended and accepted by the Board of Trustees on September 19, 2013