

December 19, 2023

Attending: Susan Coburn, Pat Adams, Maripaul McGinn, Rob Michaud, Jen Brown, Yvonne Cosgrove

Town Counsel: Jane Friedman

Open Session/Executive Session

Introductions were made by the Town Counsel and Library Trustees.

The rules of order/conduct were explained by Susan Coburn, Trustee Chair.

Executive Session pursuant to Open Meeting Law (Chapter 30A Section 21 (a)(1)- to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. Open Session to follow.

Executive Session pursuant to Open Meeting Law (Chapter 30A Section 21 (a)(3)- to discuss strategy with respect to litigation if an open meeting may have detrimental effect on the litigating position of the public body and the chair so declares.

Mr. Kolifrath asked to make a statement. He stated that a co-worker, Tracy Shaw, had pursued Mrs. Kolifrath and not vice versa following a conversation, and that Mrs. Kolifrath was the victim of workplace harassment.

Mrs. Kolifrath did not attend the meeting, but requested an open session.

Ms. Friedman stated that the purpose of the meeting is to determine if discipline is appropriate and what that should be.

Ms. Friedman had received copies of the independent investigator's report and the hearing officer's report and provided these to the trustees.

Pat stated that both reports from the hearing officer and the independent investigator came to the same conclusion, i.e., a five-day suspension without pay. Susan, Maripaul, Jen, and Rob agreed with this statement.

Taking an Employment Discrimination Training course prior to returning to work was also discussed.

Maripaul made a motion to suspend Ms. Kolifrath without pay for five days. This motion was withdrawn and amended by Maripaul to include both a five-day suspension and Employment Discrimination Training prior to returning to work. The motion was seconded by Pat and unanimously approved.

Mr. Kolifrath wanted it noted that we are requiring Mrs. Kolifrath to take discrimination training when she is the one being discriminated against.

Susan noted that Mrs. Kolifrath had been offered a discrimination training course at the Merrimac Police Station, but opted not to take this.

Pat stated that we have to go with the reports we've received from two sources.

Ms. Friedman stated that she will draft a letter to Mrs. Kolifrath about the course and when she can come back as an employee at the Merrimac Library. An on-line course is offered 1/17/24. Ms. Friedman will attempt to go through the insurance company to pay for the course.

This open-session was closed.

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A motion to go into Executive Session was made by Pat and seconded by Maripaul. A roll call vote indicated six votes in favor: Susan, Pat, Maripaul, Jen, Rob, and Yvonne

*Yvonne Cosgrove, Secretary*