

Everett schools chief placed on probation

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The superintendent of Everett's public schools, Frederick Foresteire, was placed on one year of probation and ordered to pay \$2,090 in court fees after a Middlesex Superior Court judge agreed yesterday to dismiss a criminal indictment that accused him of using two school air conditioners in his home.

On what was to have been Foresteire's first day on trial, Judge A. Paul Chernoff continued the case without a finding, meaning that the two counts of receiving stolen property valued over \$250 will be dismissed if Foresteire does not get into trouble for the next year.

Foresteire's lawyer, Frank Mondano , said the superintendent maintains his innocence.

Foresteire was among 11 people from eight different communities indicted in 2004 by Attorney General Thomas F. Reilly after an investigation revealed evidence of bid-rigging and illegal kickbacks on school construction and maintenance contracts. Although Foresteire was not suspected in the bid-rigging scheme, prosecutors charged him with receiving two air conditioners for his home that were purchased with city money and meant to be installed in two schools.

Chernoff rejected a request by the attorney general's office to have Foresteire pay a \$500 fine plus restitution for the two air conditioners, according to Reilly's spokeswoman, Beth Stone .

``Mr. Foresteire abused his position of power and the public trust. We are pleased he acknowledged the evidence against him was sufficient for a guilty finding in this case," Stone said in a statement. ``We disagree with the judge's decision to not follow our recommendation for a guilty finding and repayment to the City of Everett for the air conditioners that investigators found in Mr. Foresteire's home."

Foresteire, who attended yesterday's court proceeding with his wife, did not return a later phone call seeking comment.

Shortly after Foresteire's indictment two years ago, the Everett School Committee voted unanimously to allow him to continue working despite a request by David Ragucci, then mayor, to place him on leave.

According to a statement read in court by Assistant Attorney General Beth Merachnik , the Commonwealth had evidence that Foresteire had installed in his home a \$1,229.58 Friedrich air conditioner originally meant for the Parlin School , and a \$629.95 Panasonic unit meant for Everett High School .

One of the main figures at the center of the bid-rigging scheme, school department maintenance manager Lona T. DeFeo , pleaded guilty last year to multiple charges and was sentenced to five years probation and 100 hours of community service. Louis Grande , an independent contractor from Reading, who state officials alleged received the majority of the contracts, died last year, according to the Office of the Inspector General.

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