

September 2, 2026

Via email to: info@opencommonwealth.org

Bruce Friedman

OpenCommonwealth.org

8 Marvin Street

Malden, MA 02148

Re: Open Meeting Law Complaint – Bruce Friedman v. Malden School Committee
Date of Violation: December 7, 2020 and continuing
Date of Complaint: August 16, 2026

Dear Mr. Friedman,

Please be advised that this office represents the Malden School Committee. This correspondence is written to you in response to the Open Meeting Law (OML) Complaint you filed against the School Committee (Committee) on August 16, 2026 (Complaint). Pursuant to G.L. c. 30A, §23(b) a copy of the Complaint is included with this response. I am responding on behalf of the Committee based upon a vote of the Committee in a duly noticed meeting held on August 31, 2026.

Facts and Allegations:

The Complaint states that it is a continuation of allegations raised in your OML Complaint dated June 25, 2026 to which the Committee responded by correspondence dated August 4, 2026. The Committee reiterates and attaches its response to those particular allegations that are repeated within your current Complaint. In particular, the Committee directs you to page 3 of the response discussing the Committee's option to proceed under G.L. c. 30A, § 21(a)(3) ("Purpose 3") to discuss pending litigation. The Committee also notes that a public body may enter executive session under G.L. c. 30A, § 21(a)(1) (Purpose 1) to review Open Meeting Law complaints against the body. See OML 2024-191;¹ OML 2024-108; OML 2023-109. An "Open Meeting Law complaint is by its nature a "complaint[] ... brought against[] a public officer," namely, the members of the public body. See OML 2021-194; OML 2012-119.

It is my understanding that the new allegations in your current Complaint focus on the following contentions:

¹ Open Meeting Law determinations are publicly available and may be accessed at <https://massago.hylandcloud.com/231publicaccess2/oml.html>

1. You allege that the unredacted executive session minutes for November 8, 2021, made publicly available on August 7, 2026,² contained a discussion previously redacted that was not included in the public notice of the meeting which you allege is a violation of the OML and that you further claim is evidence of a conspiracy and cover-up of the Committee to deny public access to the Committee's activities. The challenged discussion appears following Item 3 in the executive session minutes, after the vote to approve the MOA for SEIU Local 888, and states:

Ms. Spadafora made a motion to suspend the School Committee rules to ask about an update about the FOIA request litigation. Mr. Iovino seconded. . . . School Committee Clerk, Shirley Dorai informed the School Committee that the defendant has counter sued for emails from other requests that are still pending and that these are being reviewed to ensure that redactions are done before they are released. Ms. Dorai continued that Attorney Vasudevan has indicated that she would be attending the next School Committee meeting in order to provide updates on the litigation.

2. You generally allege that the Committee's executive session minutes lack specificity and in particular that the executive session minutes for the newly released unredacted portion of the November 8, 2021 executive session minutes lacks specificity in violation of the OML, and that such failure is also evidence of a conspiracy and cover-up of the Committee to deny public access to the Committee's activities.

3. You generally allege that the Committee's use of the attorney-client privilege to justify withholding or redacting executive session minutes is a violation of the OML, is not made in good faith, and is not subject to review. In particular, you contend that the Committee's use of the attorney-client privilege did not properly apply to the previously redacted portion of executive session minutes for November 8, 2021 which you also claim is evidence of a conspiracy and cover-up of the Committee to deny public access to the Committee's activities.

4. You allege that the Committee released draft unredacted executive session minutes for November 8, 2021 rather than final unredacted executive session minutes which you claim is further evidence of a conspiracy and cover-up of the Committee to deny public access to the Committee's activities.

Discussion and Analysis:

The Open Meeting Law ("OML"), G.L. c. 30A, §§ 18-25, "is designed "to eliminate much of the secrecy surrounding deliberations and decisions on which public policy is based." City of Revere v. Mass. Gaming Comm'n, 476 Mass. 591, 610 (2017), quoting Ghigliione v. School Comm. of Southbridge, 376 Mass. 70, 72 (1978). As stated in the Attorney General's

² The unredacted executive session minutes for November 8, 2021 are publicly available here: <https://resources.finalsite.net/images/v1786119355/maldenpsorg/qr2sfv1q014gxbod9kqw/DRAFTNovember82021ExecutiveSessionMinutesdocx.pdf>

Open Meeting Law Guide³, “[t]he purpose of the Open Meeting Law is to ensure transparency in the deliberations on which public policy is based . . . [i]t also seeks to balance the public’s interest in witnessing the deliberations of public officials with the government’s need to manage its operations efficiently.” Guide, p. 5

The OML defines a “meeting” as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” G.L. c. 30A, § 18. The OML defines “deliberation” broadly as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction; provided, however, that ‘deliberation’ shall not include the distribution of other procedural meeting [sic] or the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed.” Id.

1. Unanticipated Topic:

Under the Open Meeting Law, executive session topics must be described, both in the meeting notice and in the announcement during open session, in as much detail as possible without compromising the purpose for which the executive session was called. See G.L. c. 30A, § 21(b)(3); see also District Attorney for the N. Dist. v. Sch. Comm. of Wayland, 455 Mass. 561, 567 (2009) (“A precise statement of the reason for convening in executive session is necessary under the open meeting law because that is the only notification given to the public that the [public body] would conduct business in private, and the only way the public would know if the reason for doing so was proper or improper.”). OML 2024-111. Nevertheless, a public body may consider a topic that was not listed in a meeting notice if it was not anticipated by the chair 48 hours prior to the meeting. G.L. c. 30A, § 20(b); OML 2013-13; OML 2012-3. The Attorney General recommends that public bodies, as a matter of best practice, table discussion of topics that might be of significant interest to the public in order to include such topics on a meeting notice for a subsequent meeting if the topic can wait until a subsequent meeting. See OML 2019-131.

Here, during the November 8, 2021 executive session, a Committee member other than the Chair asked about the status of pending FOIA/public records litigation. A staff member who was not a Committee member answered the question and indicated that the attorney handling the litigation would appear at the following Committee meeting. The topic was then tabled. The topic was not listed on the public notice and was not anticipated by the Chair. The unredacted minutes support that the topic was introduced unexpectedly by a Committee member other than the Chair and the response provided by the Clerk who was not a member of the Committee. See OML 2022-65 (Board member other than Chair asked question about the status of repairs, staff member answered, topic not anticipated by chair, no OML violation). In addition, discussion of the topic was tabled and included on the agenda as an executive session item for the following Committee meeting on December 6, 2026. As such, there was no OML violation with respect to the FOIA/public records litigation mentioned in the executive session minutes because the topic was not anticipated by the Chair 48 hours in advance of the meeting, the topic was appropriate for executive session, the Clerk who was not a Committee member provided information, there

³ The Attorney General’s Open Meeting Law Guide and Educational Materials, June 2025, available and accessed at <https://www.mass.gov/doc/open-meeting-law-guide-5/download>

were no deliberations, and the topic was tabled to the following Committee meeting. OML 2022-65; contrast OML 2024-219 (violation found where unanticipated topic was not appropriate for executive session).

2. Sufficiency of the November 8, 2021 Executive Session Minutes:

The Open Meeting Law requires that a public body “create and maintain accurate minutes of all meetings, including executive sessions.” G.L. c. 30A, § 22(a). Meeting minutes must include “the date, time and place [of the meeting], the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes.” *Id.* When reviewing minutes for compliance with the Open Meeting Law, we look for substantial compliance with the accuracy requirement. See OML 2016-105; OML 2013-64. By substantial compliance, we mean that the minutes should contain enough detail and accuracy so that a member of the public who did not attend the meeting could read the minutes and have a clear understanding of what occurred. See OML 2012-106. While minutes must include a summary of the discussion on each topic, a transcript is not required, and the minutes do not need to include every remark or opinion presented. See OML 2024-204; OML 2012-29; OML 2011-55.

In this case, the executive session minutes for November 8, 2021 included the date, time and place of the meeting, the members present and absent, the decisions made and actions taken at the meeting, including all votes, and sufficiently and accurately summarized the discussions on each subject, including the unanticipated topic, such that a member of the public could read the minutes and have a clear understanding of what occurred.

3. Prior Redaction of November 8, 2021 Executive Session Minutes:

“Confidential communications between public officers and employees and governmental entities and their legal counsel undertaken for the purpose of obtaining legal advice or assistance are protected under the normal rules of the attorney-client privilege.” Suffolk Constr. Co. v. Div. of Capital Asset Mgmt., 449 Mass. 444, 449-450 (2007). As the court explains, “[b]y encourag[ing] full and frank communication between attorneys and their clients, the attorney-client privilege ‘promote[s] broader public interests in the observance of law and administration of justice.’ Paradoxically, this is so even though the attorney-client privilege may impede access to relevant facts.” *Id.* at 449 (internal citations omitted) The privilege extends to all communications made to an attorney or counsellor with a view to obtain their advice and opinion in matters of law, in relation to legal rights, duties and obligations, whether with a view to the prosecution or defense of a suit, or other lawful object. In Matter of a John Doe Grand Jury Investigation, 408 Mass. 480, 482 (1990). The attorney-client privilege survives even death and communications cannot be disclosed at any future time absent a waiver of the privilege by the client. *Id.* at 483.

Here, prior to the recent disclosure, the executive session minutes of the unanticipated topic of the pending FOIA litigation had been redacted arguably consistent with the attorney-client privilege as the discussion involved pending litigation and included seeking information, input, and advice from legal counsel regarding the pending litigation. Nevertheless, on further

review of the executive session minutes and in light of the passage of time, the portion previously redacted based on attorney-client privilege was released to the public.

In addition, the Committee notes that any assertion of the attorney-client privilege is not unreviewable as the Complaint alleges, but rather is reviewable under the Massachusetts Public Records Law, G.L. c. 66, § 10A(a) and 10(d)(2); 950 CMR 32.08(4). To the extent redactions are made on the basis of the attorney-client privilege or an exemption to the Public Records Law, review of such redactions falls outside the purview of the Division and should be addressed to the Supervisor of Records in the Secretary of the Commonwealth's office. See OML 2022-195; OML 2021-143. The Committee has submitted executive session minutes withheld pursuant to the attorney-client privilege to the Supervisor of Public Records for review pursuant to the established process in the past. See SPR 25/0231.⁴ The Committee denies that it misuses or abuses the attorney-client privilege to withhold information from the public as alleged in the Complaint.

4. Unredacted Executive Session Minutes for November 8, 2021:

The unredacted executive session minutes for November 8, 2021 were not “mysteriously released” as the Complaint alleges, but rather were released to the public on August 7, 2026 in response to a Public Records Request from Malden News Network. The Committee's response to this public records request, dated August 6, 2026, is attached. Other than being fully unredacted, the posted executive session minutes are identical to the previously posted approved and redacted minutes except for the portion now unredacted. The executive session minutes for November 8, 2021 were approved at the Committee's next scheduled meeting on December 6, 2021. As such, the posted executive session minutes have been approved notwithstanding the indication of “draft” in the URL of the posted pdf. See OML 2021-169 (initial approval of executive session minutes is to approve the minutes as an accurate record of what occurred at a particular executive session and does not mean that the minutes are approved for release to the public)⁵ Here, the circumstance that unredacted executive session minutes were released and posted after redacted minutes were approved and released does not constitute evidence of evasion of the OML or Public Records Law, but rather is consistent with both, and provides greater transparency for the Committee's activities.

5. Additional Generalized Allegations:

The Division should decline to consider the additional generalized allegations of violations, conspiracy and cover-up alleged in the Complaint. Complaints must allege violations with a degree of specificity, as the Division of Open Government will not conduct broad audits of public bodies based on generalized allegations. See OML 2024-110; OML 2021-133; OML Declination 3-20-12 (Wilmington Board of Assessors).

⁴ Supervisor of Public Records determination are publicly available and may be accessed at, <https://www.sec.state.ma.us/AppealsWeb/AppealsStatus.aspx>

⁵ The Open Meeting Law does not require that a public body approve executive session minutes in a timely manner, but rather that the executive session minutes be “create[d] and maintain[ed]” and “review[ed]” “at reasonable intervals” to determine whether continued nondisclosure is warranted, and to announce that determination at the next meeting following the review. G.L. c. 30A, §§ 22(a), (g)(1). See OML 2025-57

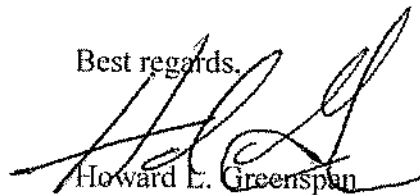
The Complaint alleges broad generalized violations regarding the misuse of redactions involving all redactions made to the Committee's executive session minutes since 2016 and a lack of specificity in executive session minutes over the same ten-year period, including those that have been the subject of repeated requests under the OML and Public Records Law, and subsequent complaints and appeals. Here, the Complaint seeks precisely the kind of broad audit that the Division of Open Government has consistently declined to perform. OML 2024-204

However, should the Division of Open Government choose to address the additional allegations, the Committee denies the additional allegations and accusations contained in the Complaint.

Conclusion:

Based on the above, the School Committee did not violate the Open Meeting Law as alleged in the Complaint.

Best regards,



Howard L. Greenspan

Enclosures: Complaint with attachments

8.4.26 Response to 6.25.26 Friedman OML Complaint

8.6.26 Response to Malden News Network Public Records Request

cc: Office of the Attorney General, Division of Open Government by email:
openmeeting@state.ma.us (with enclosures)

August 4, 2026

Via email to: info@opencommonwealth.org

Bruce Friedman

OpenCommonwealth.org

8 Marvin Street

Malden, MA 02148

Re: Open Meeting Law Complaint – Bruce Friedman v. Malden School Committee

Date of Violation: December 7, 2020

Date of Complaint: June 25, 2026

Dear Mr. Friedman,

Please be advised that this office represents the Malden School Committee. This correspondence is written to you in response to the Open Meeting Law Complaint you filed against the School Committee (Committee) on June 25, 2026 (Complaint). Pursuant to G.L. c. 30A, §23(b) a copy of the Complaint is included with this response. I am responding on behalf of the Committee based upon a vote of the Committee in a duly noticed special meeting held on August 3, 2026.

The Committee notes that although the Complaint was sent to the Chair of the Committee on June 25, 2026, the Complaint was not filed with the Municipal Clerk as required pursuant to 940 C.M.R. 29.05(3) causing a delay in processing. In addition, there has been no scheduled regular meeting of the School Committee since June 25, 2026 requiring a special meeting to be noticed and held to discuss the Complaint. I apologize for the delay in responding to your Complaint.

Facts and Allegations:

The Complaint alleges that the Committee chair, Mayor Gary Christenson, who is a licensed attorney, “discussed the reputation, character, physical conditions and mental health,” of specific unnamed individuals while in executive sessions under the litigation exemption involving “Malden v. Supervisor of Public Records, et al” including executive sessions where the required specificity is missing such as the executive session of December 7, 2020. The Complaint alleges that the specific individuals discussed were not notified in writing prior to the executive sessions in accordance with G.L. c. 30A, sec. 21(a)(1) and were denied their rights under the statute to be present, to counsel and representation at the session, to speak on their own behalf, and to cause an independent record to be created. The Complaint further alleges that the violations were intentional. The Complaint notes that you became aware of the violations within

the 21 days prior to your Complaint and that you did not bring the Complaint within 30 days of the alleged violations because the alleged violations occurred in executive session and the minutes from the executive sessions remain fully redacted as to the specific individuals discussed. The Complaint seeks to nullify any action taken at a meeting where the alleged violations occurred, civil penalties and publication of the executive session minutes without redaction.

Discussion and Analysis:

1. The Complaint is Not Timely:

As an initial matter, the Committee contends that the Complaint is not timely. To be considered timely, an Open Meeting Law complaint must be filed with the public body within 30 days of the alleged violation, or, if the alleged violation could not reasonably have been known at the time it occurred, then within 30 days of the date it should reasonably have been discovered. G.L. c. 30A, § 23(b); 940 CMR 29.05(4). The timeliness of a complaint is reviewed in relation to when the action that is alleged to have violated the Open Meeting Law was reasonably discoverable, not when an individual complainant became aware of the action or of the requirements of the Open Meeting Law. OML2024-204¹, see OML 2022-188; OML Declination 2-8-22 (Milton Select Board); OML Declination 12-18-20 (Pembroke Board of Health). An allegation regarding the sufficiency of executive session meeting minutes must be raised within 30 days of the date that such minutes are made available to the public. See OML Declination 6-2-2022 (Marblehead Board of Selectmen); OML Declination 9-5-2024 (Milford School Committee).

In this case, the agenda for the December 7, 2020 Committee meeting, including the regular and executive sessions, was posted prior to the meeting as required by statute. The executive session minutes for the meeting on December 7, 2020 were approved during the regular session Committee meeting on January 11, 2021 and posted shortly thereafter. Therefore, the executive session minutes have been publicly available and accessible since January 2021, a period of over five years before the date of your complaint. Any issues regarding the sufficiency of the School Committee agenda or executive session minutes for December 7, 2020 have been discoverable since they were posted and made publicly available on the Committee's website at: <https://www.maldenps.org/district-information/school-committee/school-committee-meetings>. You did not previously raise any issue with regard to insufficient detail contained in the meeting notice or executive session minutes for December 7, 2020 although you had the opportunity to do so. In addition, as evidenced in the duly posted agenda for subsequent Committee meetings, the Committee has not discussed any pending litigation in executive session within the last six (6) months. As such, the Complaint filed with the Committee on June 25, 2026 regarding executive sessions discussing pending litigation is not timely.

Nevertheless, without waiving its objection that the present Complaint is untimely, the Committee responds below to the substance of your complaint and maintains that the Open

¹ Open Meeting Law determinations are publicly available and may be accessed at <https://massago.hylandcloud.com/231publicaccess2/oml.html>

Meeting Law did not require notice to specific individuals prior to discussing pending litigation in executive session.

2. The Committee Properly Conducted the December 7, 2020 Executive Session Under Purpose 3:

The Open Meeting Law was enacted "to eliminate much of the secrecy surrounding the deliberations and decisions on which public policy is based." Ghiglione v. School Committee of Southbridge, 376 Mass. 70, 72 (1978). The Open Meeting Law requires that meetings of a public body be open to the public, unless an executive session is convened. G.L. c. 30A, §§ 20(a)-(b), 21. Public bodies may enter a closed, executive session for any of ten purposes enumerated in the Open Meeting Law. G.L. c. 30A, § 21(a). One such purpose is to "discuss the reputation, character, physical condition or mental health . . . 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." G.L. c. 30A, § 21(a)(1) ("Purpose 1"). When a public body plans to convene in executive session pursuant to Purpose 1, the individual who is the subject of the discussion must "be notified in writing by the public body at least 48 hours prior to the proposed executive session," and may cause the discussion to be held in open session rather than executive session. *Id.* The individual also has certain rights, including the right to be present during the executive session; to have counsel or another representative present; to speak on their own behalf; and to cause an independent record of the executive session to be created. *Id.* Another permissible reason to convene in executive session is "[t]o discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares." G.L. c. 30A, § 21(a)(3) ("Purpose 3"). OML 2026-63 This purpose offers the opportunity to discuss strategy with respect to litigation that is pending or clearly and imminently threatened or otherwise demonstrably likely; the mere possibility of litigation is not sufficient to invoke Purpose 3. OML 2026-63; see Doherty v. Sch. Comm. of Boston, 386 Mass. 643, 648 (1982); Perryman v. Sch. Comm. of Boston, 17 Mass. App. Ct. 346, 352 (1983); OML 2012-5 Discussions of litigation strategy, including discussions of settlement, are permitted in executive session under Purpose 3. OML 2024-111 When a discussion may properly be held under multiple executive session purposes, a public body may choose which executive session purpose or purposes to cite. OML 2026-63; see OML 2019-164; OML 2012-53.

Here, the agenda and the executive session minutes for the Committee meeting on December 7, 2020 identifies one of the subjects of the executive session as "pending litigation." As noted above, when a discussion may properly be held under multiple executive session purposes, a public body may choose which executive session purpose or purposes to cite. If a discussion may properly be held under Purpose 1 or Purpose 3, a public body may choose to hold the discussion under Purpose 3 in which case the subject of the discussion does not have the rights afforded under Purpose 1. OML 2026-63; See OML 2020-76; OML 2019-164; OML 2012-53. In this case, the discussions held in executive session on December 7, 2020 were appropriately held under Purpose 3. In addition, any subsequent discussions that the Committee held in executive session regarding "pending litigation" and identified as such in the meeting agenda and executive session minutes were properly held under Purpose 3.

Under the circumstances presented here, the Committee properly held the executive sessions as specifically permitted under Purpose 3 to discuss pending litigation. The Committee,

therefore, was not required to give notice under Purpose 1 to individuals who were mentioned or referenced during the discussions.

3. Remedial Action:

Under the Open Meeting Law, executive session topics must be described, both in the meeting notice and in the announcement during open session, in as much detail as possible without compromising the purpose for which the executive session was called. See G.L. c. 30A, § 21(b)(3); see also District Attorney for the N. Dist. v. Sch. Comm. of Wayland, 455 Mass. 561, 567 (2009) (“A precise statement of the reason for convening in executive session is necessary under the open meeting law because that is the only notification given to the public that the [public body] would conduct business in private, and the only way the public would know if the reason for doing so was proper or improper.”). OML 2024-111. When convening in executive session under Purpose 3 to discuss litigation strategy, both the meeting notice and the announcement before entering into executive generally must identify the litigation matter to be discussed, if doing so will not compromise the executive session purpose. See OML 2020-47; OML 2014-50. Whether the inclusion of such information would compromise the purpose for an executive session, a public body must be able to demonstrate a reasonable basis for that claim if challenged. OML 2024-111; OML 2016-146. Identifying the parties to the litigation is sufficient. OML 2024-111; see OML 2017-43 (finding a meeting notice sufficient where it identified the parties but not the case docket number).

To the extent the Complaint alleges that the notice and executive session minutes for December 7, 2020 lacked specificity with regard to the pending litigation, the Committee identifies the “pending litigation” discussed as an arbitration case between the Committee and the Malden Education Association. The case was not “Malden v. Supervisor of Public Records, et als” as identified in your Complaint. The Committee recognizes that greater specificity in the meeting notice would have prevented this error. During the December 7, 2020 executive session, the Committee discussed with counsel whether to propose settlement of an arbitration decision in favor of the Malden Education Association or to appeal the case to the Superior Court. The Committee claims attorney-client privilege for the continued non-disclosure of the executive session minutes for December 7, 2020 discussing the pending litigation.²

The Committee further notes that since July 2021, the Committee has identified pending litigation to be discussed in executive session with greater specificity in accordance with the Open Meeting Law citing Purpose 3 and including the litigation matter to be discussed. For example, see School Committee agenda July 29, 2021 (“M.G.L. c. 30A, § 21(a)(3) “to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares” (“Purpose 3”) – Malden v. Supervisor of Public Records, et. al.”); August 9, 2021 (“M.G.L. c. 30A, § 21(a)(3) “to discuss strategy with respect to collective bargaining or litigation

² To the extent redactions are made on the basis of the attorney-client privilege or an exemption to the Public Records Law, review of such redactions falls outside the purview of the Division and should be addressed to the Supervisor of Records in the Secretary of the Commonwealth’s office. See OML 2022-195; OML 2021-143.

if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares" ("Purpose 3") – Amaral v. Malden, et. al.")

4. Additional Allegations of July 29, 2026:

The Committee is aware that you made further allegations and assertions in an email to the Division of Open Government on July 29, 2026 that were not raised in your Complaint dated June 25, 2026. The Division should decline to consider these additional allegations which could have been made at the time of the original Complaint. OML 2012-92; OML 2024-119.

However, should the Division of Open Government choose to address the additional allegations, the Committee denies the additional allegations and accusations contained in your email of July 29, 2026.

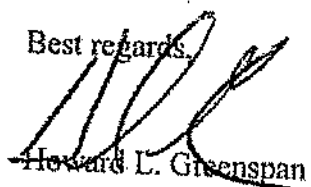
Conclusion:

Based on the above, the Division of Open Government should decline to review the Complaint dated June 25, 2026 because it is untimely. Any issues regarding the executive session regarding "pending litigation" held on December 7, 2020 or thereafter, noticed on the agenda and noted in publicly available minutes, were discoverable for well over 30 days before the Complaint was filed.

Furthermore, the School Committee did not violate the Open Meeting Law as alleged in the Complaint by failing to give individuals notice under Purpose 1 where it permissibly discussed pending litigation under Purpose 3.

Finally, the School Committee acknowledges its duty under the Open Meeting Law to identify and describe pending litigation to be discussed under Purpose 3 with specificity in meeting notices and has done so since July 2021.

Best regards,



Howard L. Greenspan

Enclosure: Complaint

cc: Office of the Attorney General, Division of Open Government by email:
openmeeting@state.ma.us

August 6, 2026

Via email to: malddennewsnetwork@gmail.com
Malden News Network

Re: Public Records Request

Dear Malden News Network:

Please be advised that this office represents the Malden School Committee (Committee). This correspondence is written to you in response to your request under the Massachusetts Public Records Law.

Your request seeks unredacted executive session minutes of the Committee for the following dates:

June 7, 2021
November 8, 2021
November 13, 2023
December 4, 2023

The request also seeks all records of the Committee's compliance with the periodic review requirement under the Open Meeting Law since November 1, 2024.

It is the Committee's understanding that the Public Records Law includes, G.L. c. 66, § 6A; G.L. c. 66, § 10; G.L. c. 4, § 7(26)(definition of "public records" and exemptions), and 950 C.M.R. 32.00. The Public Records Law broadly defines "public records" to include "all books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee" of any Massachusetts governmental entity. Regional school districts fall under the definition of municipality. There are exemptions, defined in G.L. c. 4, § 7(26), to the broad definition of "public records", and common law privileges, such as the attorney-client privilege, that can be used to exclude requested records. G. L. c. 4, § 7(26) defines "public records" as materials which have already been "made or received" by a public entity such that the custodian is not obliged to create a record in response to a request for information. See also 32 Op. Att'y Gen. 157, 165 (May 18, 1977)¹

¹ A Guide to the Massachusetts Public Records Law, published by the Office of the Secretary of the Commonwealth, rev. Dec. 2022, p. 8 and footnote 16; accessible at <https://www.sec.state.ma.us/divisions/public-records/download/guide.pdf>

Under the Public Records Law the required disclosure is to any member of the public. “The purpose of the request has no bearing on the public status of the record. All requestors must be treated the same with respect to the response to their requests.”² Therefore, even though the requestor may have personal information or special interest in the records included in the request, the response and analysis is whether the requested records may be disclosed to any member of the public that requests such records.

Executive Session Minutes:

The requested executive session minutes are publicly available and accessible at the Committee’s website address <https://www.maldenps.org/district-information/school-committee/school-committee-meetings>. The executive session minutes on the website are independently searchable by keyword and may be downloaded.

The executive session minutes requested are redacted consistent with the Open Meeting Law (OML) and Public Records Law (PRL) for the following reasons:

I. Executive Session Minutes for November 13, 2023 and December 4, 2023

The executive session minutes requested for November 13, 2023 and December 4, 2023 remain redacted under the attorney-client privilege and in accordance with specific determinations and decisions of the Attorney General and Supervisor of Public Records under the OML and PRL that address prior requests for these minutes.

In a determination dated November 14, 2024, the Division of Open Government ordered:

the Committee to release the minutes of its November 13 and December 4 executive sessions without redaction of the portions related to contract negotiations with the former superintendent of schools, collective bargaining Unit A, or the SEIU Local 888 Clerical Unit grievance matter, unless the attorney-client privilege or an exemption to the Public Records Law allows for continued redaction. See OML 2024-219³.

Thereafter, in a decision dated March 10, 2025, the Supervisor of Public Records, following *in camera* review of the Committee’s executive session minutes for November 13, 2023; December 4, 2023; and January 18, 2024, found that, except with respect to discussion regarding the “collective bargaining SEIU Local 888 Clerical Unit grievance” (Agenda Item 2 on December 4, 2023), “the School has met its burden to redact the records pursuant to the attorney-client privilege.” See SPR 25/0231⁴ The Supervisor of Public Records thereafter reviewed the

² *Id.* at p. 6.

³ Open Meeting Law determinations are publicly available and may be accessed at the Attorney General’s website, <https://massago.hylandcloud.com/231publicaccess2/oml.html>

⁴ Supervisor of Public Records determination are publicly available and may be accessed at, <https://www.sec.state.ma.us/AppealsWeb/AppealsStatus.aspx>

decision and confirmed that the Committee had complied with the previous order in a decision dated March 28, 2025. See SPR 25/0713

2. Executive Session Minutes for June 7, 2021

Under G.L. c. 30A, § 22(f), the minutes of any executive session, the notes, recordings or other materials used in the preparation of such minutes and all documents and exhibits used at the session, may be withheld from disclosure to the public in their entirety under subclause (a) of clause Twenty-sixth of section 7 of chapter 4, as long as publication may defeat the lawful purposes of the executive session, but no longer; . . .”

G.L. c. 30A, § 22(f) continues:

When the purpose for which a valid executive session was held has been served, the minutes, preparatory materials and documents and exhibits of the session shall be disclosed unless the attorney-client privilege or 1 or more of the exemptions under said clause Twenty-sixth of said section 7 of said chapter 4 apply to withhold these records, or any portion thereof, from disclosure.

In addition, “confidential communications between public officers and employees and governmental entities and their legal counsel undertaken for the purpose of obtaining legal advice or assistance are protected under the normal rules of the attorney-client privilege.” Suffolk Constr. Co. v. Div. of Capital Asset Mgmt., 449 Mass. 444, 449-450 (2007).

The redactions in the executive session minutes dated June 7, 2021 relate to public records litigation and remain redacted in accordance with attorney-client privilege. Legal counsel attended the executive session on June 7, 2021 and upon request provided confidential legal advice and assistance to the Committee and Committee members on the issues presented. Accordingly, these exchanges have been redacted from the executive session minutes to preserve the attorney-client privilege, and applies to all redacted portions of the executive session minutes.

3. Executive Session Minutes for November 8, 2021

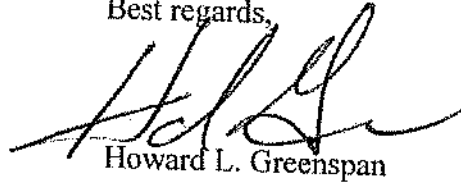
Unredacted executive session minutes for November 8, 2021 meeting of the Committee are publicly available and accessible at the Committee website address
<https://www.maldenps.org/district-information/school-committee/school-committee-meetings>

Periodic Review of Executive Session Minutes

Records related to the periodic review of executive session minutes since November 1, 2024 are publicly available and accessible at the Committee’s website address
<https://www.maldenps.org/district-information/school-committee/school-committee-meetings>.

Please be advised that you may appeal this response to the Supervisor of Public Records within 90 days hereof pursuant to 950 CMR 32.08(1)(c). You may also seek judicial review of this response by commencing a civil action in the Superior Court under G.L. c. 66, § 10A(c).

Best regards,

A handwritten signature in black ink, appearing to read 'H. L. Greenspan', written over a horizontal line.

Howard L. Greenspan

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, November 8, 2021
Meeting Room #113 - 215 Pleasant Street
And Virtual Meeting

Mayor Christenson called the meeting to order at 7:37 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Absent
Mr. Froio	Present
Mr. Gray	Present
Mr. Iovino	Present
Ms. Luong	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Mr. Weldai	Present
Attorney Greenspan	Present
Superintendent Noriega-Murphy	Present
Assistant Superintendent Mertz	Present
Clerk	Present

1. Approval of Executive Session Minutes of October 4, 2021

Mr. Iovino made the motion to approve the minutes for the October 4th, 2021 Executive Session of the School Committee. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey ABSENT

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor and 1 absent.

2. Purpose 2 – To conduct strategy sessions in preparation for negotiations with Unit C because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.

Attorney Greenspan said that Unit C asked about retroactive salary increases for Unit C members who completed the entire year and retired before the Memorandum of Agreement was signed. Assistant Superintendent Mertz said that at least for the past decade, employees who retire before a memorandum is signed do not receive the salary increase retroactively. Attorney

Greenspan said that the amount of money involved is minimal and not granting this request could give rise to wage complaint issues.

Mr. Iovino made a motion to approve the 3% pay increase for the 2020-2021 school year for 6 paraprofessionals from Unit C who retired this 2021-2022 school year. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey ABSENT

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor and 1 absent.

3. **Purpose 2 – To conduct strategy sessions in preparation for negotiations with SEIU Local 888 Clerical Unit because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Attorney Greenspan said that a counter offer was received from the SEIU Local 888 Clerical Unit and that the offer was accepted as it fell within the directions received from the School Committee at the October 4th School Committee meeting. However the Memorandum of Agreement (MOA) has not yet been ratified by the Clerical Unit as their union representative was making typographical changes to the MOA.

Attorney Greenspan continued that this two year Clerical Unit MOA would be in sync with all the other bargaining units at Malden Public Schools. The MOA stipulated a 2.5% salary increase for 2020-2021 and a 3% salary increase for 2021-2022. Other changes include a slight increase in the sick leave buyback, longevity payments, removing Step 1 Salary Level and awarding a one-time pandemic relief payment of \$1,000.

Ms. Spadafora made the motion to approve the MOA for SEIU Local 888 Clerical Unit contingent upon ratification by the union. Mr. Weldai seconded.

Mr. Drummey ABSENT

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor and 1 absent.

Ms. Spadafora made a motion to suspend the School Committee rules to ask about an update about the FOIA request litigation. Mr. Iovino seconded.

Mr. Drummey ABSENT
Mr. Froio voted YES
Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed with 8 votes in favor and 1 absent.

School Committee Clerk, Shirley Dorai informed the School Committee that the defendant has counter sued for emails from other requests that are still pending and that these are being reviewed to ensure that redactions are done before they are released. Ms. Dorai continued that Attorney Vasudevan has indicated that she would be attending the next School Committee meeting in order to provide updates on the litigation.

Adjournment

Ms. Spadafora made the motion to adjourn Executive Session at 7:58 p.m. Mr. Iovino seconded. A roll call vote was taken.
Mr. Drummey ABSENT
Mr. Froio voted YES
Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed with 8 votes in favor and 1 absent.

The committee reconvened to the Regular Session at 8:00 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.

Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, November 8, 2021
Meeting Room #113 - 215 Pleasant Street
And Virtual Meeting

Mayor Christenson called the meeting to order at 7:37 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Absent
Mr. Froio	Present
Mr. Gray	Present
Mr. Iovino	Present
Ms. Luong	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Mr. Weldai	Present
Attorney Greenspan	Present
Superintendent Noriega-Murphy	Present
Assistant Superintendent Mertz	Present
Clerk	Present

1. Approval of Executive Session Minutes of October 4, 2021

Mr. Iovino made the motion to approve the minutes for the October 4th, 2021 Executive Session of the School Committee. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey ABSENT

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor and 1 absent.

2. Purpose 2 – To conduct strategy sessions in preparation for negotiations with Unit C because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.

Attorney Greenspan said that Unit C asked about retroactive salary increases for Unit C members who completed the entire year and retired before the Memorandum of Agreement was signed.

Assistant Superintendent Mertz said that at least for the past decade, employees who retire before a memorandum is signed do not receive the salary increase retroactively. Attorney

Greenspan said that the amount of money involved is minimal and not granting this request could give rise to wage complaint issues.

Mr. Iovino made a motion to approve the 3% pay increase for the 2020-2021 school year for 6 paraprofessionals from Unit C who retired this 2021-2022 school year. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey ABSENT

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor and 1 absent.

3. **Purpose 2 – To conduct strategy sessions in preparation for negotiations with SEIU Local 888 Clerical Unit because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Attorney Greenspan said that a counter offer was received from the SEIU Local 888 Clerical Unit and that the offer was accepted as it fell within the directions received from the School Committee at the October 4th School Committee meeting. However the Memorandum of Agreement (MOA) has not yet been ratified by the Clerical Unit as their union representative was making typographical changes to the MOA.

Attorney Greenspan continued that this two year Clerical Unit MOA would be in sync with all the other bargaining units at Malden Public Schools. The MOA stipulated a 2.5% salary increase for 2020-2021 and a 3% salary increase for 2021-2022. Other changes include a slight increase in the sick leave buyback, longevity payments, removing Step 1 Salary Level and awarding a one-time pandemic relief payment of \$1,000.

Ms. Spadafora made the motion to approve the MOA for SEIU Local 888 Clerical Unit contingent upon ratification by the union. Mr. Weldai seconded.

Mr. Drummey ABSENT

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor and 1 absent.

[REDACTED]

[REDACTED]

Adjournment

Ms. Spadafora made the motion to adjourn Executive Session at 7:58 p.m. Mr. Iovino seconded. A roll call vote was taken.

Mr. Drummey ABSENT

Mr. Frolo voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

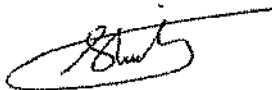
Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor and 1 absent.

The committee reconvened to the Regular Session at 8:00 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.



Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, August 24, 2020
Online Meeting

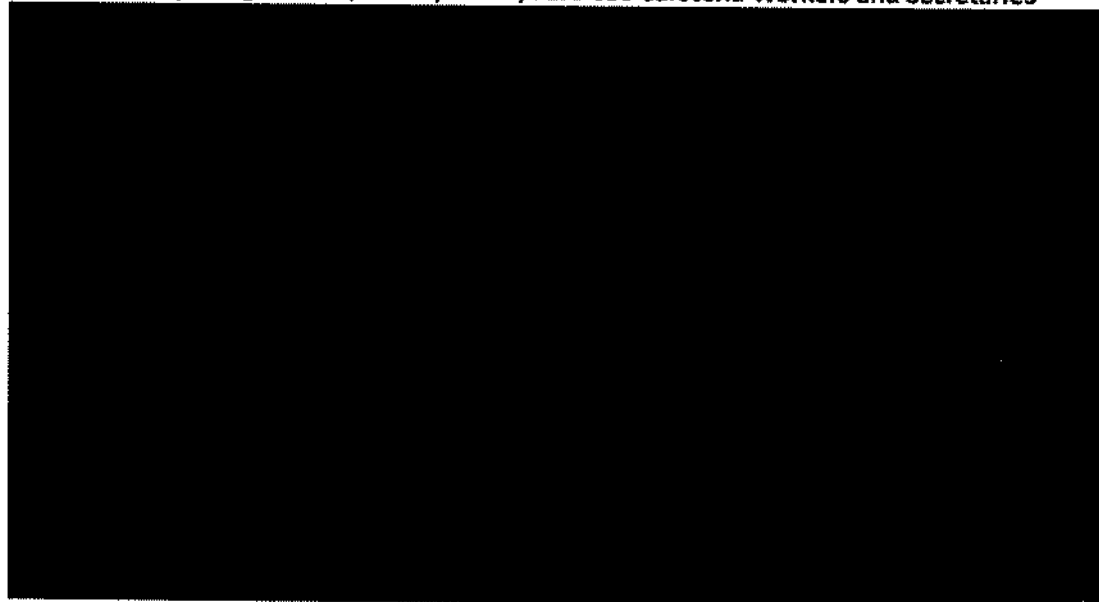
Mayor Christenson called the meeting to order at 7:32 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. Frolo	Present
Mr. Gray	Present
Mr. Iovino	Present
Ms. Luong	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Mr. Weldai	Present
Superintendent Oteri	Present
Attorney Greenspan	Present
Business Manager Mertz	Present
Human Resource Manager Ashley Pierre	Present
Clerk	Present

1. Collective Bargaining - Unit A, Unit B, Unit C, SEIU 888 Cafeteria Workers and Secretaries



The district will be hiring the services of a Heating, Ventilation, and Air Conditioning (HVAC) contractor to do a study of the air quality amongst other things in the school buildings. Attorney Greenspan said that this is very important in order to have the teaching staff back in the schools. In response to Mr. Iovino, Attorney Greenspan said that the buildings need not be occupied in order for the contractor to do the study as the study will be based on a number of levels from

no occupancy to full occupancy. Business Manager, Ms. Toni Mertz said that there is a grant to cover the cost and that the grant would most likely be awarded to the district. In response to Ms. Spadafora, Superintendent Oteri said that the study might take about a week or more. In response to Ms. Spadafora's question about cost estimates, Ms. Mertz said that the district is awaiting approval for a grant for all HVAC related work amounting to about \$100,000 - \$150,000 and that a portion of this grant can be used for the study.

As for cafeteria workers, Ms. Mertz said that once school starts, all cafeteria employees need to be paid. Ms. Mertz said that since cafeteria has a revolving account, it is difficult to keep everyone on salary when there is no work and no income from student lunches. Ms. Mertz recommended that 74 cafeteria employees and 14 table washers who are all part-time and without benefits be laid off. Ms. Mertz also recommended that 6 cafeteria helpers be furloughed whereby they will receive no paycheck but will receive health insurance. Ms. Mertz added that about 20 cafeteria employees will continue to be employed through the year. When questioned, Human Resource Director, Ms. Ashley Pierre commented that she supports the recommendation. Ms. Spadafora also supported the recommendation. Mayor Christenson said that notice of this decision should be communicated to all those affected as tactfully and humanely as possible.

In response to Mr. Froio, Ms. Mertz said that these employees can get unemployment as well as the \$400 additional unemployment benefits through the state. In response to Mr. McCarthy, Ms. Mertz said that if the school system changes to the hybrid or in-person mode and workers are recalled, it will be based on seniority. Ms. Spadafora commented that this measure will save \$900,000 in salaries to help ease the shortfall in the budget. In response to Mr. Weldai, Ms. Pierre said that everyone being laid off will receive a letter with the unemployment benefits brochure. Attorney Greenspan commented that since the money to pay the employees comes from a revolving account, the School Committee will have to subsidize if the employees remain on the payroll.

Ms. Spadafora made the motion to cut 74 part-time cafeteria employee positions and 14 part-time table washer positions from the budget as well as furlough 6 cafeteria helper positions whereby they will receive no paycheck but will receive health insurance. Mr. Iovino seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Frolo voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed unanimously.

In response to the question raised about the expectation for secretaries when school starts in terms of taking attendance and paperwork, Superintendent Oteri said that the first few weeks usually entail a lot of work but beyond that, it will depend on the population of students in the building.

When questioned about the status of the Early Learning Center (ELC), Superintendent Oteri said that there are deficits as the ELC is a revolving account and a decision will need to be made. Superintendent Oteri added that it is unrealistic to expect parents to pay for their preschooler to sit in front of a computer at home for a few hours a day with a caregiver by their side. Ms. Mertz recommended that 8 teachers and 17 paraprofessionals at the ELC be reassigned to other positions within the school district. Ms. Mertz emphasized that no one from the ELC will be laid off but that about 4 - 5 new paraprofessionals who were just hired will have their offer letters rescinded so as to enable the paraprofessionals from the ELC to be reassigned. Ms. Pierre commented that the 8 teachers and 17 paraprofessionals who will be reassigned based on seniority to jobs that best matches their area of certification. Ms. Spadafora said that the ELC will still be offering an integrated remote class tuition-free. Ms. Spadafora said this is the best option. In response to Mr. Froio, Ms. Pierre said that no Unit A members will be laid off. However, Ms. Pierre added that 6 offer letters given to new teachers will be rescinded. In response to Ms. Luong, Mr. Weldai said it is difficult to gauge when students can be taught in a hybrid or in-person mode but that it is highly unlikely to happen before December or January. Mayor Christenson said that it will cost the district \$1.3 million if the teachers and paraprofessionals at the ELC are allowed to stay at the ELC when there are no funds coming in from fee-based students.

Ms. Spadafora made the motion to reassign 8 teachers and 17 paraprofessionals from the ELC to other positions within the school district as well as offer an integrated remote class tuition-free for PreK. Mr. Drummey seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed unanimously.

In response to Ms. Luong, Ms. Mertz said that the reassigned positions are for the full school year but if more students enroll, more positions will be posted and the reassigned teachers and paraprofessionals can apply for the positions. Ms. Pierre said that the entire process was planned thoughtfully. Attorney Greenspan advised that the School Committee need not vote on this matter in the regular session.

In response to a question about building monitors, Mayor Christenson suggested that they be re-purposed to some other area where there is a need. This matter will be revisited if required.

2. School Attendance Officer Contract

Superintendent Oteri informed the School Committee that Mr. John Parcellin, the School Attendance Officer has asked for a two-year contract. His previous contract expired just prior to the end of the 2019-2020 school year. Superintendent Oteri recommended that Mr. Parcellin's contract be renewed for one year with a review in the spring. Mr. Parcellin indicated his willingness to train someone else for this position.

Mr. Iovino made the motion to renew the School Attendance Officer, Mr. John Parcellin's contract for 2020-2021 with a review in May 2021. Mr. Weldai seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed unanimously.

In response to Ms. Spadafora, Superintendent Oteri said that the contract will not include a salary increase.

3. Principal's Contracts

[REDACTED]

[REDACTED]

Mr. Iovino made the motion to restore the Principals' 3% salary increase for the 2020-2021 year. Mr. Weldai seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed unanimously.

4. Assistant Superintendent and Business Manager Contracts

Mr. Weldai said that with the salary increases the principals just received, some of them will be making more or very close to that received by the Assistant Superintendent for Curriculum, Instruction, and Assessment as well as the Business Manager. Mr. Weldai continued that both Dr. Chase and Ms. Mertz have contributed a lot of effort and time to the school district

especially during the pandemic. They have also applied for grants that have brought around \$3 million for the district.

Mr. Weldai suggested a 3% salary increase for 2 years for both of them. The 3% increase for both of them for one year would total \$8,846.00. A counter suggestion was made to offer them a 4% salary increase retroactive to July 1, 2019. Mayor Christenson said that the 4% has already been accounted for in the budget.

Mr. Weldai made the motion to approve a salary increase of 4% to Dr. Kelly Chase, Assistant Superintendent for Curriculum, Instruction, and Assessment as well as Ms. Toni Mertz, Business Manager, retroactive to July 1, 2019. Mr. Iovino seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed unanimously.

Adjournment

Ms. Spadafora made the motion to adjourn Executive Session at 8:52 p.m. Mr. Drummey seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed unanimously.

The committee reconvened to the Regular Session at 9:00 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.



Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, September 14, 2020
Online Meeting

Mayor Christenson called the meeting to order at 7:30 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. Froio	Present
Mr. Gray	Present
Mr. Iovino	Present
Ms. Luong	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Mr. Weldai	Present
Superintendent Oteri	Present
Attorney Greenspan	Present
Human Resource Manager Ashley Pierre	Present
Clerk	Present

- 1. Collective Bargaining - Unit A, Unit B, Unit C, SEIU 888 Cafeteria Workers and Secretaries**
Attorney Greenspan informed the School Committee that the negotiation process which started with the Malden Education Association (MEA) in July ended on Friday, September 11, 2020 with a Memorandum of Agreement (MOA). Attorney Greenspan provided a brief summary of the contents of the MOA which includes establishing a Health and Safety Joint Labor-Management Committee (JLMC) to look at safety and health issues as well as safety protocols for student and staff. The committee will be looking at different metrics before recommending moving through different stages of learning. Pending a recommendation by the JLMC, all members of Units A, B, and C will report to their assigned worksites on September 28, 2020 to work remotely in the building. On October 13, 2020, it is planned that all special needs students in sub-separate classrooms, for whom it is determined safe and appropriate to be in the building, will begin a hybrid learning model which includes up to four (4) days a week of in-person learning opportunities. Attorney Greenspan added that there were some changes to evaluations as well. Superintendent Oteri said that with the help of principals, school schedules were developed.

In response to questions from School Committee members, Superintendent Oteri said any teacher who wants to do remote teaching from the schools are welcome to enter the buildings. Superintendent Oteri continued that October 13, 2020 is the date on the MOA for the identified special education students to begin in-person classes contingent upon the recommendation of the JLMC and health metrics.

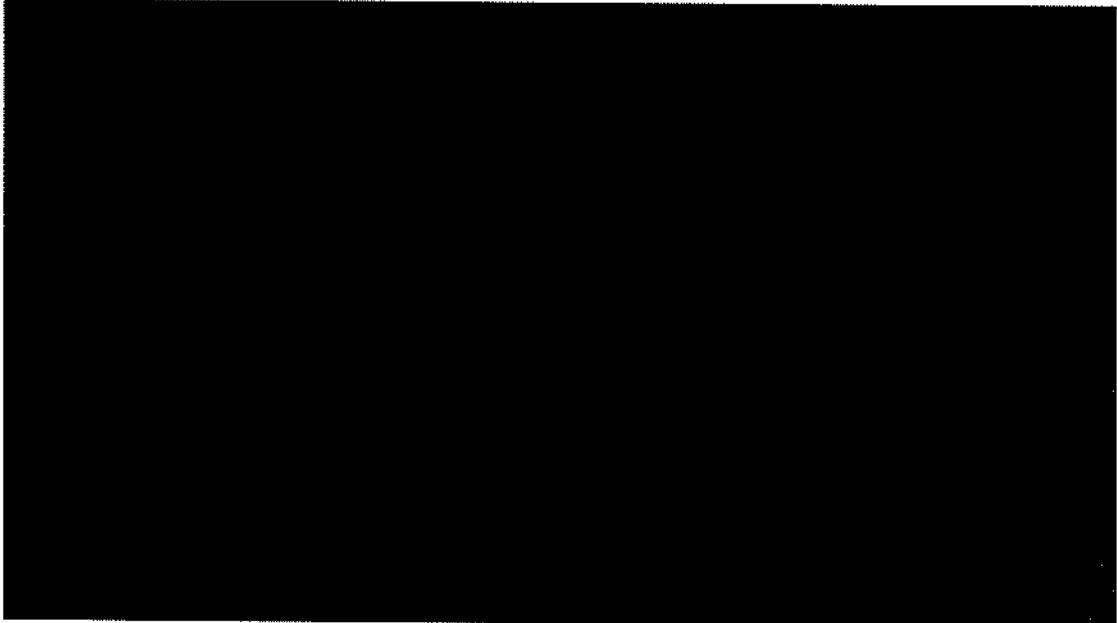
Mr. Weldai made the motion to adopt the MOA pending ratification by the MEA. Mr. Iovino seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Froio voted YES

Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed unanimously.

2. Assistant Superintendent, Student Services, Contract



Mr. Iovino made the motion to appoint Ms. Pamela MacDonald for the position of Assistant Superintendent, Student Services. Mr. Froio seconded. A roll call vote was taken.
Mr. Drummey voted YES
Mr. Froio voted YES
Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong voted NO
Mr. McCarthy voted YES

Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed with 8 votes in favor and 1 against.

Adjournment

Mr. Iovino made the motion to adjourn Executive Session at 7:40p.m. Mr. Weldai seconded. A roll call vote was taken.

Mr. Drummey voted YES
Mr. Froio voted YES
Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed unanimously.

The committee reconvened to the Regular Session at 7:41 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.



Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, December 7, 2020
Online Meeting

Mayor Christenson called the meeting to order at 7:54 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Absent
Mr. Froio	Present
Mr. Gray	Present
Mr. Iovino	Present
Ms. Luong	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Mr. Weldai	Present
Superintendent Oteri	Present
Attorney Greenspan	Present
Assistant Superintendent Chase	Present
Assistant Superintendent MacDonald	Present
Business Manager Mertz	Present
Human Resource Director Pierre	Present
Clerk	Present

1. **Collective Bargaining - Unit A, Unit B and Unit C**

[REDACTED]

[REDACTED]

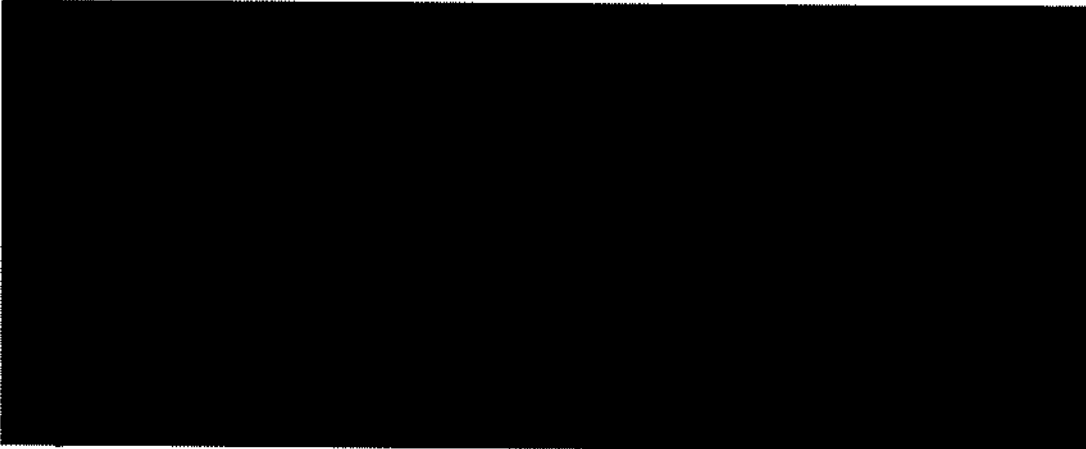
[REDACTED]



2. Principal Contracts

Superintendent Oteri said that Principal Sepulveda, Principal Mastrangelo and Principal Van's contracts were up for renewal at the end of this school year. Superintendent Oteri strongly recommended a three year contract renewal. Attorney Greenspan advised that the hiring of principals was solely the responsibility of the Superintendent and that the School Committee's role in the matter was to oversee any budget implications brought upon by the hiring. In response to Mayor Christenson, Superintendent Oteri said that there were no grievances that were brought against any of the principals. In response to Ms. Spadafora, Attorney Greenspan said he will look into the contract to see the number of days notice required for principals who wish to resign.

3. Pending Litigation



Adjournment

Ms. Spadafora made the motion to adjourn Executive Session at 8:53 p.m. Ms. Luong seconded and it was so VOTED. Motion passed unanimously.

The committee reconvened to the Regular Session at 8:55 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.

A handwritten signature in black ink, appearing to read 'Shirley Dorai', written over a horizontal line.

Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, February 1, 2021
Online Meeting

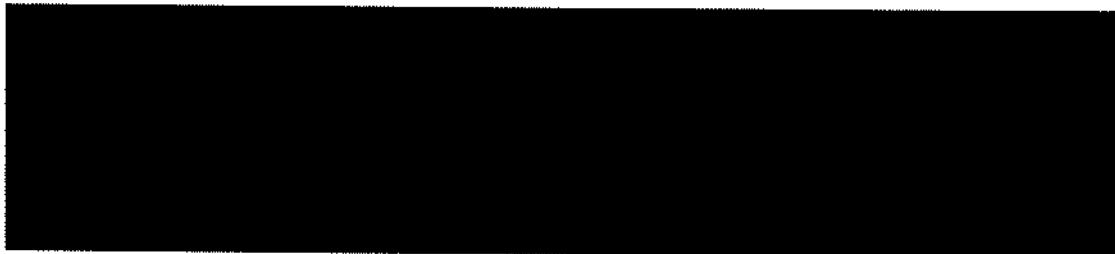
Mayor Christenson called the meeting to order at 7:34 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. Froio	Present
Mr. Gray	Present
Mr. Iovino	Present
Ms. Luong	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Mr. Weldai	Present
Superintendent Oteri	Present
Attorney Greenspan	Present
Attorney St. Florian	Present
Attorney Vasudevan	Present
Assistant Superintendent Chase	Present
Assistant Superintendent MacDonald	Present
Business Manager Mertz	Present
Human Resource Director Pierre	Present
Clerk	Present

1. **Counsel for the School Committee requests a meeting in Executive Session for purposes of Exemption 3: to discuss strategy with respect to litigation because discussion in open meeting may have a detrimental effect on the litigating position of the School Committee as declared by the Chair – RE: Friedman v. Malden Public Schools.**



2. **Collective Bargaining - Unit A, Unit B and Unit C**

Attorney Greenspan said that the administration team worked with teachers and parents to make all the necessary arrangements for PreK-2 students to start the hybrid mode of learning.

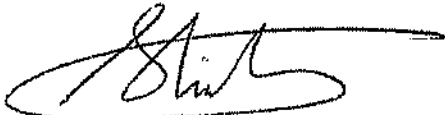
Discussion ensued about why the district is only offering 3 days of instruction instead of 5 days for students without IEPs at the Early Learning Center (ELC). The School Committee members requested more information on the number of families affected by this decision.

Adjournment

Mr. Drummey made the motion to adjourn Executive Session at 8:00 p.m. Mr. Frolo seconded and it was so VOTED. Motion passed unanimously.

The committee reconvened to the Regular Session at 8:01 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.



Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Thursday, July 29, 2021
Online Meeting

Mayor Christenson called the meeting to order at 6:15 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. Froio	Present
Mr. Gray	Present
Mr. Iovino	Present
Ms. Luong	Absent
Mr. McCarthy	Present
Ms. Spadafora	Present
Mr. Weldai	Present
Superintendent Noriega-Murphy	Present
Attorney Greenspan	Present
Attorney Vasudevan	Present
Attorney Freytag	Present
Clerk	Present

1. M.G.L. c. 30A, § 21(a)(3) "to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares" ("Purpose 3") – Malden v. Supervisor of Public Records, et. al.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2. M.G.L. c. 30A, § 21(a)(7) "to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements" ("Purpose 7"); Open Meeting Law, G.L. c. 30A, §§ 22(f), (g) review of executive session minutes from 2015, 2016, April 13, 2017, December 4, 2017 and April 6, 2020

Attorney Greenspan had reviewed the following minutes and advised the School Committee that the minutes can be released:

- 1) April 6, 2015
- 2) May 4, 2015
- 3) June 1, 2015
- 4) June 22, 2015
- 5) August 31, 2015
- 6) September 21, 2015
- 7) June 8, 2016
- 8) June 30, 2016
- 9) August 29/2016
- 10) October 17, 2016
- 11) April 13, 2017
- 12) December 4, 2017
- 13) April 6, 2020

Mr. Iovino made the motion to release the executive session minutes for April 6, 2015, May 4, 2015, June 1, 2015, June 22, 2015, August 31, 2015, September 21, 2015, June 8, 2016, June 30, 2016, August 29/2016, October 17, 2016, April 13, 2017, December 4, 2017 and April 6, 2020.

Ms. Spadafora seconded. A roll call vote was taken.

Mr. Drummey YES

Mr. Froio voted YES
Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong ABSENT
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed with 8 votes in favor and 1 absence.

3. **Purpose 2 – To conduct strategy sessions in preparation for negotiations with paraprofessionals because an open meeting will have a detrimental effect on the bargaining position and the chair so declares**

At this point, Mr. Drummey recused himself from this portion of the meeting due to a conflict of interest.

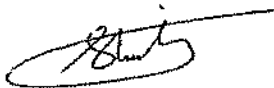
Attorney Greenspan informed the School Committee of the new proposal received from Unit C paraprofessional members. Superintendent Noriega-Murphy wanted to further analyze the budget, benefits and working conditions as well as opportunities for furthering their education. Superintendent Noriega-Murphy will work with Attorney Greenspan to review this matter.

Adjournment

Mr. Weldai made the motion to adjourn Executive Session at 6:58 p.m. Mr. Iovino seconded. A roll call vote was taken.

Mr. Drummey YES
Mr. Froio voted YES
Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong ABSENT
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed with 8 votes in favor and 1 absence.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.



Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, August 9, 2021
Online Meeting

Mayor Christenson called the meeting to order at 6:10 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. Froio	Present
Mr. Gray	Present
Mr. Iovino	Present
Ms. Luong	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Mr. Weldai	Present
Superintendent Noriega-Murphy	Absent
Attorney Greenspan	Present
Attorney Fallon	Present
Clerk	Present

1. M.G.L. c. 30A, § 21(a)(3) "to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares" ("Purpose 3") – Amaral v. Malden, et. al.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2. **Approval of Executive Session Minutes of June 7, 2021, July 1, 2021 and July 29, 2021**

Mr. Drummey made the motion to approve the minutes for the June 7th, July 1st and July 29th, 2021 Executive Session of the School Committee. Mr. Iovino seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Froio voted YES

Mr. Gray voted YES

Mr. Iovino voted YES

Ms. Luong voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Mr. Weldai voted YES

Mayor Christenson voted YES

Motion passed unanimously.

3. **M.G.L. c. 30A, § 21(a)(7) "to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements" ("Purpose 7"); Open Meeting Law, G.L. c. 30A, §§ 22(f), (g) review of executive session minutes from January 27, 2021, February 8, 2021, February 9, 2021, February 10, 2021, February 11, 2021, June 7, 2021, July 1, 2021 and July 29, 2021.**

Ms. Spadafora made a motion to release executive minutes as redacted from July 29, 2021, July 1, 2021, June 7, 2021, February 11, 2021, February 10, 2021, February 9, 2021, and February 8, 2021. Mr. Drummey seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. Froio voted YES

Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed unanimously.

Mr. Iovino made a motion to withhold the executive session minutes of January 27, 2021. Mr. Drummey seconded. A roll call vote was taken.

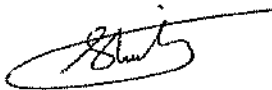
Mr. Drummey voted YES
Mr. Froio voted YES
Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed unanimously.

Adjournment

Mr. McCarthy made the motion to adjourn Executive Session at 6:53 p.m. Mr. Drummey seconded. A roll call vote was taken.

Mr. Drummey voted YES
Mr. Froio voted YES
Mr. Gray voted YES
Mr. Iovino voted YES
Ms. Luong voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Mr. Weldai voted YES
Mayor Christenson voted YES
Motion passed unanimously.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.



Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, September 12, 2022
Meeting Room 3 #113 - 215 Pleasant Street
And Virtual Meeting

Mayor Christenson called the meeting to order at 7:58 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Ms. Macklin	Present
Mr. Weldai	Present
Mr. Gray	Present
Mr. Bernard	Present
Ms. Rose-Zeiberg	Present
Attorney Greenspan	Present
Superintendent Noriega-Murphy	Present
Assistant Superintendent Mertz	Present
Clerk	Present

1. Approval of Executive Session Minutes of May 2, 2022

Mr. Drummey made the motion to approve the minutes for the May 2, 2022 Executive Session of the School Committee. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

2. M.G.L. c. 30A, § 21(a)(1) ("Purpose 1") to discuss an Open Meeting Law complaint received September 6, 2022, filed by Amy Friedman against the members of the Malden Public Schools' School Committee regarding the June 21, 2022 and July 27, 2022 Negotiations Subcommittee that occurred without proper notification or posting.

Attorney Greenspan advised the School Committee to request Murphy, Hesse, Toomey & Lehan, LLP to handle this matter as they have handled past complaints.

Mr. Drummey made a motion to hire Murphy, Hesse, Toomey & Lehane, LLP to handle the Open Meeting law complaint filed by Ms. Amy Friedman on September 6, 2022. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

3. **Purpose 3 – To conduct strategy sessions in preparation for negotiations with Units A, B and C because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]

[REDACTED]

4. **Purpose 3 – To conduct strategy sessions in preparation for negotiations with SEIU Local 888 Clerical, Custodial and Cafeteria Units because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

[REDACTED]
[REDACTED]

5. **Purpose 2 - To conduct strategy sessions in preparation for negotiations with Non-Union Personnel - Supervisor of Attendance because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Superintendent Noriega-Murphy proposed that Mr. Julio Perez be offered the position of Attendance Officer based on how the candidates were rated by the interview team. Superintendent Noriega-Murphy said that he also has the relevant experience. Mr. McCarthy mentioned that Mr. Stephen Freker was also a very capable candidate.

Ms. Spadafora made a motion to appoint Mr. Julio Perez for the position of Attendance Officer. Mr. Bernard seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted NO

Ms. Spadafora voted YES

Ms. Macklin voted YES
Mr. Weldai voted YES
Mr. Gray voted YES
Mr. Bernard voted YES
Ms. Rose-Zeiberg voted YES
Mayor Christenson voted YES
Motion passed with 8 votes in favor and 1 against.

6. **M.G.L. c. 30A, § 21(a)(7) "[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements" ("Purpose 7"); Open Meeting Law, G.L. c. 30A, §§ 22(f), (g) review of School Committee executive session minutes from January 10, 2022 to present.**

Attorney Greenspan advised that the January 10, 2022 and May 2, 2022 executive minutes can be released in full but that the February 7, 2022 and April 4, 2022 executive minutes can be released with specified redactions.

Mr. McCarthy made a motion to release the January 10, 2022 and May 2, 2022 executive session can be released in full whereas the February 7, 2022 and April 4, 2022 executive minutes can be released with specified redactions. Mr. Weldai seconded. A roll call vote was taken.

Mr. Drummey voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Ms. Macklin voted YES
Mr. Weldai voted YES
Mr. Gray voted YES
Mr. Bernard voted YES
Ms. Rose-Zeiberg voted YES
Mayor Christenson voted YES
Motion passed with 8 votes in favor and 1 against.

The Clerk, Ms. Dorai recused herself and left the meeting. The minutes for this portion of the meeting was taken by Mayor Christenson.

7. **Purpose 2 – Non-Union Salary Review for Welcome Center Manager and Executive Assistant to the Superintendent.**

This matter was tabled.

Adjournment

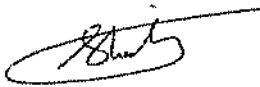
Mr. Bernard made the motion to adjourn Executive Session at 9:45 p.m. Ms. Rose-Zeiberg seconded. A roll call vote was taken.

Mr. Drummey voted YES
Mr. McCarthy voted YES

Ms. Spadafora voted YES
Ms. Macklin voted YES
Mr. Weldai voted YES
Mr. Gray voted YES
Mr. Bernard voted YES
Ms. Rose-Zeiberg voted YES
Mayor Christenson voted YES
Motion passed unanimously.

The committee reconvened to the Regular Session at 9:47 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.

A handwritten signature in black ink, appearing to read "Shirley Dorai", written over a horizontal line.

Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, October 3, 2022
Meeting Room 3 #113 - 215 Pleasant Street
And Virtual Meeting

Mayor Christenson called the meeting to order at 7:29 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Ms. Macklin	Present
Mr. Weldai	Present
Mr. Gray	Absent
Mr. Bernard	Present
Ms. Rose-Zeiberg	Present
Attorney Greenspan	Present
Superintendent Noriega-Murphy	Present
Assistant Superintendent Mertz	Present
Clerk	Absent

1. Purpose 3 – To conduct strategy sessions in preparation for negotiations with Units A, B and C because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
2. **Purpose 3 – To conduct strategy sessions in preparation for negotiations with SEIU Local 888 Custodial and Cafeteria Units because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Attorney Greenspan presented a Memorandum of Agreement for the SEIU Local 888 Custodial Union with a three year agreement. The Memorandum of Agreement contains a COLA of 4% in 2022, 3% in 2023, and 3% in 2024 with some minor changes to longevity, added Juneteenth as a holiday and a minor change to vacation carryover. Attorney Greenspan stated that the Union had not yet ratified so the Committee should approve contingent upon Union ratification.

Ms. Spadafora made a motion to approve the Memorandum of Agreement contingent on Union ratification. Mr. Weldai seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray ABSENT

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor 1 absent.

Attorney Greenspan updated the Committee on a three year Memorandum of Agreement with the Malden Cafeteria Employees SEIU Local 888. A wage schedule was presented as well as some changes to statutory leave for jury duty, minor changes for part-time employees for pro rata personal and sick leave, added Juneteenth, and a change to the work day as well as some minor changes to the Collective Bargaining Agreement.

Ms. Spadafora made a motion to approve the agreement contingent on Local 888 ratification.

Mr. Weldai seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray ABSENT
Mr. Bernard voted YES
Ms. Rose-Zeiberg voted YES
Mayor Christenson voted YES
Motion passed with 8 votes in favor 1 absent.

Adjournment

Ms. Spadafora made the motion to adjourn Executive Session at 8:19 p.m. Seconded by Mr. Weldai. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray ABSENT

Mr. Bernard voted YES

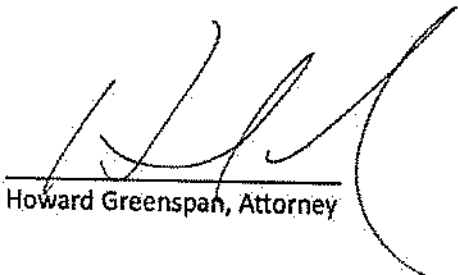
Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed with 8 votes in favor 1 absent.

The committee reconvened to the Regular Session at 8:23 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.



Howard Greenspan, Attorney

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, October 17, 2022
Virtual Meeting

Mayor Christenson called the meeting to order at 6:49 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Ms. Macklin	Present
Mr. Weldai	Present
Mr. Gray	Present
Mr. Bernard	Present
Ms. Rose-Zeiberg	Present
Attorney Greenspan	Present
Superintendent Noriega-Murphy	Present
Assistant Superintendent Peña	Present
Assistant Superintendent Mertz	Present
Special Assistant to Mayor, Ms. Maria Luise	Present
Clerk	Present

1. **Purpose 3 – To conduct strategy sessions in preparation for negotiations with Units A, B and C because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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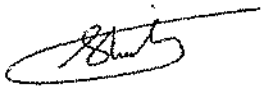
Adjournment

Ms. Spadafora made the motion to adjourn Executive Session at 6:49 p.m. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Ms. Macklin voted YES
Mr. Weldai voted YES
Mr. Gray voted YES
Mr. Bernard voted YES
Ms. Rose-Zeiberg voted YES
Mayor Christenson voted YES
Motion passed unanimously.

The committee reconvened to the Regular Session at 6:51 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.

A handwritten signature in black ink, appearing to read "Shirley Dorai", is written over a horizontal line.

Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, October 21, 2022
Virtual Meeting

Mayor Christenson called the meeting to order at 6:07 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Ms. Macklin	Present
Mr. Weldai	Present
Mr. Gray	Present
Mr. Bernard	Present
Ms. Rose-Zeiberg	Present
Attorney Greenspan	Present
Superintendent Noriega-Murphy	Present
Assistant Superintendent Mertz	Present
Clerk	Present

1. Purpose 3 – To conduct strategy sessions in preparation for negotiations with Units A, B and C because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Drummey rejoined the meeting and Mayor Christenson left the meeting.

Attorney Greenspan provided a summary of the proposed Unit A Memorandum of Agreement which included the salary increases of 3% retroactive to September 1, 2022, 2% on 92nd school day of the 2022-2023 school year, 3% for SY 2024 and 2% for SY 2025. Attorney Greenspan mentioned other matters that were included in the proposed agreement.

Mr. Weldai made a motion to accept and adopt the Unit A Memorandum of Agreement. Mr. Drummey seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson RECUSED

Motion passed with 8 votes in favor and 1 recusal.

Mayor Christenson rejoined the meeting.

2. **Purpose 3 - To conduct strategy sessions in preparation for negotiations with SEIU custodians because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Attorney Greenspan said that the proposed contract for the custodians is a three year contract with salary increases of 4% for FY 2023, 3% for FY 2024 and 3% for FY 2025. Attorney Greenspan proceeded to provide a summary of the proposal.

Mr. Weldai made a motion to accept the proposed custodians contract contingent upon ratification by the union. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

3. **Purpose 3 - To conduct strategy sessions in preparation for negotiations with SEIU cafeteria because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Attorney Greenspan provided a summary of the proposed contract for cafeteria workers. Attorney Greenspan also mentioned about an additional allocation for the senior utility workers.

Ms. Spadafora made a motion to accept the proposed cafeteria contract contingent upon ratification by the union. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

4. **M.G.L. c. 30A, § 21(a)(1) ("Purpose 1") to discuss an Open Meeting Law complaint received September 14, 2022, filed by OpenCommonwealth.org /s/ Bruce Friedman against the members of the Malden Public Schools'.**

Attorney Greenspan recommended hiring Murphy, Hesse, Toomey & Lehane, LLP to respond to this Open Meeting Law complaint.

Mr. Bernard made a motion to hire Murphy, Hesse, Toomey & Lehane, LLP to respond to this Open Meeting Law complaint. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

5. **M.G.L. c. 30A, § 21(a)(1) ("Purpose 1") to discuss an Open Meeting Law complaint received October 10, 2022, filed by Amy Friedman against the members of the Malden Public Schools'.**

Attorney Greenspan recommended hiring Murphy, Hesse, Toomey & Lehane, LLP to respond to this Open Meeting Law complaint as well.

Mr. Bernard made a motion to hire Murphy, Hesse, Toomey & Lehane, LLP to respond to this Open Meeting Law complaint. Mr. Drummey seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

Adjournment

Mr. Drummey made the motion to adjourn Executive Session at 6:58 p.m. Mr. Bernard seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

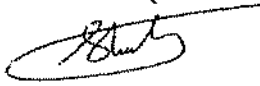
Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

The committee reconvened to the Special Session at 7:00 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.

A handwritten signature in black ink, appearing to read 'Shirley', is written over a horizontal line.

Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, January 9, 2023
Meeting Room 3 #113 - 215 Pleasant Street
And Virtual Meeting

Mayor Christenson called the meeting to order at 8:30 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Ms. Macklin	Present
Mr. Weldai	Present
Mr. Gray	Present
Mr. Bernard	Present
Ms. Rose-Zeiberg	Present
Superintendent Noriega-Murphy	Present
Clerk	Present

1. Approval of Executive Session Minutes of December 5, 2022

Mr. Drummey made the motion to approve the minutes for the December 5, 2022 Executive Session of the School Committee. Ms. Spadafora seconded. A roll call vote was taken.

Mr. Drummey voted YES
Mr. McCarthy voted YES
Ms. Spadafora voted YES
Ms. Macklin voted YES
Mr. Weldai voted YES
Mr. Gray voted YES
Mr. Bernard voted YES
Ms. Rose-Zeiberg voted YES
Mayor Christenson voted YES
Motion passed unanimously.

2. Purpose 2 - To conduct strategy sessions in preparation for negotiations with Non-Union Personnel - Supervisor of Attendance, Mr. Parcellin, because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.

Superintendent Noriega-Murphy said that Supervisor of Attendance, Mr. Parcellin, has requested an extension of his contract from January 31, 2023 to February 24, 2023 because he

needs some more time to train Mr. Julio Perez. Superintendent Noriega-Murphy added that this cost can be absorbed into the budget.

Mr. McCarthy made a motion to approve the extension of the Supervisor of Attendance, Mr. Parcellin's contract from January 31, 2023 to February 24, 2023. Mr. Bernard seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

3. **Purpose 2 - To conduct strategy sessions in preparation for negotiations with Non-Union Personnel – Assistant Superintendent of Student Services, Ms. MacDonald, because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

[REDACTED]

4. **Purpose 2 - To conduct strategy sessions in preparation for negotiations with Non-Union Personnel – Assistant Superintendent of Diversity, Equity and Engagement, Ms. Doherty, because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Superintendent Noriega-Murphy informed the School Committee that Assistant Superintendent for Diversity, Equity and Engagement, Ms. Laryssa Doherty provided notice that she will be resigning on June 30, 2023.

5. **Purpose 3 – To conduct strategy sessions in preparation for negotiations with SEIU Local 888 Clerical Unit because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Attorney Greenspan said that the SEIU Local 888 Clerical Unit are still negotiating but that they will be ready to have the contract signed by the next School Committee meeting.

Adjournment

Mr. Drummey made the motion to adjourn Executive Session at 8:56 p.m. Mr. McCarthy seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

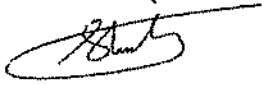
Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

The committee reconvened to the Regular Session at 8:57 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.

A handwritten signature in black ink, appearing to read 'Shirley Dorai', is written over a horizontal line.

Shirley Dorai, Clerk

MINUTES OF THE EXECUTIVE SESSION
OF THE MALDEN SCHOOL COMMITTEE
Monday, March 6, 2023
Meeting Room 3 #113 - 215 Pleasant Street
And Virtual Meeting

Mayor Christenson called the meeting to order at 8:46 p.m.

Roll Call

The following attendance was taken:

Mayor Christenson	Present
Mr. Drummey	Present
Mr. McCarthy	Present
Ms. Spadafora	Present
Ms. Macklin	Present
Mr. Weldai	Present
Mr. Gray	Present
Mr. Bernard	Present
Ms. Rose-Zeiberg	Present
Attorney Greenspan	Absent
Attorney Vasudevan	Present
Director of Finance and Operations Mertz	Present
Superintendent Noriega-Murphy	Present
Clerk	Present

1. Approval of Executive Session Minutes of February 6, 2023

Ms. Spadafora made the motion to approve the minutes for the February 6, 2023 Executive Session of the School Committee. Mr. Drummey seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

2. M.G.L. c. 30A, § 21(a)(3) "to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares" ("Purpose 3") – Malden v. Supervisor of Public Records, et. Al.

[REDACTED]

3. Purpose 2 - To conduct strategy sessions in preparation for negotiations with Non-Union Personnel – Assistant Superintendent of Student Services, Ms. MacDonald, because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

4. **Purpose 2 - To conduct strategy sessions in preparation for negotiations with Non-Union Personnel – Assistant Business Manager/Financial Analyst, Ms. Janell Summers, because an open meeting will have a detrimental effect on the bargaining position and the chair so declares.**

Ms. Mertz informed the School Committee that Ms. Summers accepted the offer of a salary increase to \$105,000 effective February 6, 2023 even though she received a higher counter-offer by a neighboring district.

Adjournment

Mr. Drummey made the motion to adjourn Executive Session at 9:02 p.m. Mr. Bernard seconded. A roll call vote was taken.

Mr. Drummey voted YES

Mr. McCarthy voted YES

Ms. Spadafora voted YES

Ms. Macklin voted YES

Mr. Weldai voted YES

Mr. Gray voted YES

Mr. Bernard voted YES

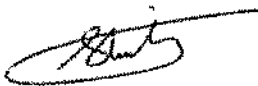
Ms. Rose-Zeiberg voted YES

Mayor Christenson voted YES

Motion passed unanimously.

The committee reconvened to the Regular Session at 9:05 p.m.

I certify that a notice of this meeting was filed with the Clerk of the City of Malden in the manner provided under Chapter 39, Section 23A of the General Laws.



Shirley Dorai, Clerk