

 **Source Reference:** 2026-04-09_Caro_Ann

 **Original File:**

20260409173932CarolAnnDesideriocdesiderio@CITYOFMALDENORGZaheerSameezsamee@CITYOFMALDENORG_132.eml

From: Carol Ann Desiderio

To: Zaheer Samee

Date: Thu, 09 Apr 2026 21:39:31 +0000

Subject: FW: OML Violation Complaint - FRT: Improper Notice - City Council Agenda 4-7-2026 - Paper 200-26

From: Bruce Friedman <Bruce@AmyAndBruce.com>

Sent: Thursday, April 9, 2026 5:31 PM

To: Amanda Linehan <alinehan@CITYOFMALDEN.ORG>; Carol Ann Desiderio <cdesiderio@CITYOFMALDEN.ORG>

Cc: Paul Condon <pcondon@CITYOFMALDEN.ORG>; Peg Crowe <pcrowe@CITYOFMALDEN.ORG>; Ryan O'Malley <romalley@CITYOFMALDEN.ORG>; Ari Taylor <ataylor@CITYOFMALDEN.ORG>; Stephen Winslow <swinslow@CITYOFMALDEN.ORG>; Chris Simonelli <csimonelli@CITYOFMALDEN.ORG>; Jadeane Sica <jsica@CITYOFMALDEN.ORG>; Michelle Luong <mluong@CITYOFMALDEN.ORG>; Karen Colón Hayes <kcolonhayes@CITYOFMALDEN.ORG>; Carey McDonald <cmcdonald@CITYOFMALDEN.ORG>; Alicia McNeil <amcneil@CITYOFMALDEN.ORG>; OpenMeeting (AGO) <openmeeting@mass.gov>

Subject: Re: OML Violation Complaint - FRT: Improper Notice - City Council Agenda 4-7-2026 - Paper 200-26

Importance: High

Greetings:

To augment the file, please find the attached transcript of the meeting in question of 4-7-2026, I have taken the liberty of highlighting some of the councilors direct comments that THEY, THEMSELVES do not understand what will be discussed in the Executive Session as docketed, thereby creating prima facie evidence that the docketing and entering of the executive sessions were direct and now willful violations of the Massachusetts Open Meeting Law for lack of detail and specificity designated under

OML-2011-44 where a reasonable member of the public could read the topic and understand what the nature of the public body's discussion will be.

Govern Yourselves Accordingly,

- Bruce Friedman
OpenCommonwealth.org

From: Bruce Friedman <Bruce@AmyAndBruce.com>
Date: Tuesday, April 7, 2026 at 9:53 PM
To: Amanda Linehan <alinehan@cityofmalden.org>, Carol Ann Desiderio <cdesiderio@CITYOFMALDEN.ORG>
Cc: Paul Condon <pcondon@cityofmalden.org>, Peg Crowe <pcrowe@cityofmalden.org>, Ryan O'Malley <romalley@cityofmalden.org>, Ari Taylor <ataylor@cityofmalden.org>, Stephen Winslow <swinslow@cityofmalden.org>, Chris Simonelli <csimonelli@cityofmalden.org>, Jadeane Sica <jsica@cityofmalden.org>, Michelle Luong <mluong@cityofmalden.org>, Karen Colón Hayes <kcolonhayes@cityofmalden.org>, Carey McDonald <cmcdonald@cityofmalden.org>, Alicia McNeil <amcneil@CITYOFMALDEN.ORG>, "OpenMeeting (AGO)" <openmeeting@mass.gov>
Subject: OML Violation Complaint - FRT: Improper Notice - City Council Agenda 4-7-2026 - Paper 200-26

Greetings:

Please find the attached OML violation complaint.

Govern Yourselves Accordingly,

Bruce Friedman

OpenCommonwealth.org

From: Bruce Friedman <Bruce@AmyAndBruce.com>

Date: Thursday, April 2, 2026 at 9:30 PM

To: Amanda Linehan <alinehan@cityofmalden.org>

Cc: Paul Condon <pcondon@cityofmalden.org>, Peg Crowe <pcrowe@cityofmalden.org>, Ryan O'Malley <romalley@cityofmalden.org>, Ari Taylor <ataylor@cityofmalden.org>, Stephen Winslow <swinslow@cityofmalden.org>, Chris Simonelli <csimonelli@cityofmalden.org>, Jadeane Sica <jsica@cityofmalden.org>, Michelle Luong <mluong@cityofmalden.org>, Karen Colón Hayes <kcolonhayes@cityofmalden.org>, Carey McDonald <cmcdonald@cityofmalden.org>, Alicia McNeil <amcneil@CITYOFMalden.org>

Subject: Improper Notice - City Council Agenda 4-7-2026 - Paper 200-26

Greetings Council President and Paper 200-26 sponsor:

I have attached the agenda, the substantive determination of the Massachusetts AGO's division of open government regarding the specificity requirements of notice to the public.

Your agenda item states:

"Order: That the City Council will vote whether to go into Executive Session with legal counsel for the City for the purpose of Exemption Three Massachusetts General Laws Chapter 30A Section 21(a)(3) for the purpose of discussing strategy as to possible future litigation related to budgetary constraints, where such discussion in open meeting may

have a detrimental effect on the litigation position of the City, if so declared by the chair. And if so allowed by the Body, to admit Special Assistant to the Mayor Maria Luise, Chief Strategy and Innovation Officer Ronald Hogan, and the Honorable Mayor Gary Christenson. (Roll Call Required)"

The substantive determination of the Massachusetts AGO's division of open government in OML-2011-44 states verbatim:

"The Open Meeting Law requires a public body to post a meeting notice 48 hours in advance of a meeting and include, a "listing of topics that the chair reasonably anticipates will be discussed at the meeting." G.L. c. 20, § 20(b). Public bodies are required to list topics in a meeting notice with "sufficient specificity to reasonably advise the public of the issues to be discussed at the meeting." 940 CMR 29.03. We generally consider a topic to include sufficient specificity when a reasonable member of the public could read the topic and understand what the nature of the public body's discussion will be."

Not a single person whom I have spoken to understands the nature of what will be discussed in this executive session, including multiple city councilors. To illustrate this point clearly, I have attached a recent discussion about this on the social media platform, Reddit, where clearly the bar established by the AGO has not been met here.

I am trying to avoid yet another OML violation complaint, however if you do not change this agenda item to include sufficient specificity where a reasonable member of the public could read the agenda item and understand what the nature of the public body's discussion will be, you will leave me no choice but to file a

complaint, and this notice will serve to further the argument that the violation is intentional.

Govern yourself accordingly,

- Bruce Friedman

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