

[00:12:37.22]

The council will come to order.

[00:12:39.19]

All rise and salute the flag.

[00:12:42.14]

I pledge allegiance to the flag
of the United States of America.

[00:12:45.55]

And to the Republic for which it stands,
one nation under God, indivisible,

[00:12:51.19]

with liberty and justice for all.

[00:12:53.48]

Please remain standing for a moment
of silence in honor of our veterans,

[00:12:57.00]

service members, and those who have
given the ultimate sacrifice.

[00:13:04.38]

The clerk will now call the roll.

[00:13:09.48]

Councilor Colon-Hayes.
Here.

[00:13:11.26]

Councilor Condon.
Here.

[00:13:12.43]

Councilor Crowe?
Here.

[00:13:13.58]

Councilor LaWong?
Here.

[00:13:15.10]

Councilor McDonald?
Here.

[00:13:16.46]

Councilor O'Malley?
Here.

[00:13:17.58]

Councilor Cicco?
Here.

[00:13:19.19]

Councilor Simonelli?
Here.

[00:13:21.00]
Councilor Taylor?
Here.

[00:13:22.26]
Councilor Winslow?
Here.

[00:13:23.38]
Council President Linehan?
Here.

[00:13:27.43]
Okay, under the provisions of the open
meeting law,

[00:13:30.05]
for those of you in attendance,
please be informed

[00:13:32.21]
that UMAA Urban Media Arts
will be recording this evening's meeting.

[00:13:36.19]
We've also been notified
that Malden News Network will also be

[00:13:39.41]
recording this evening, so just be aware
There will be audio and video

[00:13:43.36]
recordings of tonight's meeting.

[00:13:45.36]
First order of business:
Mayor Gary Christianson will appear before

[00:13:50.26]
the council to provide an update
on the fiscal year 2027 budget.

[00:13:55.48]
All rise to recognize the mayor.

[00:14:02.14]
Mayor, you have the floor.

[00:14:09.36]
As you know,
a week ago tonight, Malden residents voted

[00:14:13.43]

down an increase in property taxes
to help stabilize city finances

[00:14:19.29]
and maintain city services.

[00:14:22.38]
Although Question 1A was defeated
by a narrow margin of 124 votes,

[00:14:28.53]
the community has spoken,
and I respect the outcome.

[00:14:33.19]
There is no interest in revisiting
the past,

[00:14:36.46]
only a continued commitment to building
a stable and sustainable

[00:14:41.55]
financial foundation for Malden.

[00:14:45.02]
I remain hopeful that we can set aside our
differences and work together

[00:14:50.22]
in the best interest of our community.

[00:14:53.38]
Our team is now working
on a proposed fiscal year 2027 budget.

[00:14:59.43]
There has been some discussion about
the need to revise the net school spending

[00:15:04.34]
number for fiscal year 2025,
and I'll comment more on that later.

[00:15:10.12]
But let me assure you this:
any representation

[00:15:14.46]
that the budget situation is significantly
better than what was presented

[00:15:20.07]
is simply unsubstantiated by the facts.

[00:15:24.17]
As I have stated,

The greatest challenge in municipal

[00:15:28.10]
budgeting, especially ours,
is that the most significant line items

[00:15:33.50]
are moving targets and continue to be,

[00:15:37.43]
even as we undertook extensive efforts

[00:15:40.55]
to educate the community about
the financial challenges we were facing.

[00:15:46.58]
For example,
our anticipated savings from our

[00:15:50.24]
transition to the GIC
have always been estimates

[00:15:55.17]
and will not be finalized
until enrollment concludes in early May.

[00:16:02.02]
We also did not know that Malden would
experience a reduction of more than \$5

[00:16:07.34]
million in state education aid

[00:16:11.00]
from fiscal year 2026 to fiscal year 2027.

[00:16:16.17]
Additionally,
our Northeast Voc enrollment increased

[00:16:20.14]
significantly requiring a higher
contribution than last year.

[00:16:26.43]
None of these factors were known
at the outset, yet each materially affects

[00:16:32.43]
the city's financial outlook.

[00:16:35.26]
This is, unfortunately,
an inherently imprecise process,

[00:16:41.24]

and again, one that remains
a moving target.

[00:16:45.29]

Regarding the net school spending deficit
as another one of those many variables,

[00:16:51.48]

The previously issued fiscal year 2025
end-of-year report

[00:16:57.29]

will require an amendment to accurately
reflect healthcare costs for school

[00:17:03.12]

employees, which were
unintentionally understated.

[00:17:08.29]

This was a regrettable but honest human
error,

[00:17:13.02]

and we are reviewing additional internal
controls to prevent similar

[00:17:17.41]

issues in the future.

[00:17:20.10]

It is also important to note
that the year-end report is a highly

[00:17:25.14]

detailed document drawing from multiple
data sources,

[00:17:30.22]

much of which is manually compiled
into Excel spreadsheets and put together

[00:17:37.05]

in a compressed timeframe.

[00:17:39.50]

While I acknowledged a change to one
of the many variables discussed

[00:17:44.14]

in the public meetings,
It did not result in new revenue.

[00:17:49.31]

Rather, it just shifted the expense
from the city side to the school side.

[00:17:55.29]

But the overall structural deficit remains the same.

[00:18:00.22]

Let me repeat that.

[00:18:02.00]

The overall structural deficit remains the same.

[00:18:06.26]

As I mentioned, our team is working diligently

[00:18:10.10]

on a proposed budget
Eliminating the structural deficit was

[00:18:14.34]

the purpose of the proposed override, and it remains

[00:18:18.46]

the challenge before us now.

[00:18:21.34]

We are working with department heads to address the cuts

[00:18:25.24]

that will need to be made.

[00:18:27.58]

Ultimately, the extent of those cuts will depend largely on how much

[00:18:34.24]

the city utilizes in reserves.

[00:18:37.36]

—an unsustainable practice we must move away from in this budget.

[00:18:44.36]

It is my goal to submit a proposed budget earlier than

[00:18:49.00]

past years to allow for meaningful collaboration and input.

[00:18:54.34]

I look forward to working together to strike the right balance for Malden.

[00:19:00.12]

Make no mistake about it,
there are no easy answers this year

[00:19:05.12]

or in the years ahead.

[00:19:07.26]

With less state aid and reduced federal
support, inaction is not an option.

[00:19:15.02]

I am committed to addressing these
challenges head-on

[00:19:18.46]

and to make decisions that strengthen this
city for the long term,

[00:19:23.31]

rather than deferring them to the future.

[00:19:27.12]

Thank you.

[00:19:38.14]

Well, I want to thank
the mayor for joining us.

[00:19:41.29]

Um, it's been my understanding that
while the mayor is not able to join us

[00:19:46.22]

to answer questions from the council,
of course we will have an opportunity

[00:19:49.53]

to do that as our budget
gets started in the next couple of weeks.

[00:19:54.46]

And of course, that doesn't mean that we
can't have a discussion amongst ourselves.

[00:19:59.07]

And I do have some lights on.

[00:20:00.24]

I'm going to take Councilor Winslow first.
Mr. Hurst.

[00:20:03.31]

Yeah, I appreciate the mayor coming.

[00:20:05.05]

I mean, I think certainly we all want

to know a bit more about how the, um,

[00:20:10.00]

you know, the \$1.6 million related to school department healthcare, um, that,

[00:20:16.12]

that mistake was made,
um, you know, who,

[00:20:19.00]

what staff was involved, and what steps are going to be done

[00:20:22.12]

to make sure that does not happen.

[00:20:23.39]

I mean, that's a pretty significant mistake, and, uh,

[00:20:26.17]

you know, and I, I can understand it can be hard to work with Excel spreadsheets,

[00:20:31.24]

and I don't know if someone was relying on a past year or whatever, but, you know,

[00:20:34.50]

really to get to the bottom of it, and so that we have, you know, multiple,

[00:20:39.02]

you know, key people double-checking the numbers is really important.

[00:20:42.38]

And, um, you know, it just really does make it hard.

[00:20:45.22]

And,
um, you know, I do too will respect

[00:20:48.29]

the will of the voters as we go forward and consider the budget.

[00:20:52.19]

I mean, one of the things we all have to realize is that

[00:20:55.24]

there's not any true winners.

[00:20:58.26]

There's going to be people who survive,
and there's going to be people

[00:21:01.41]
whose lives are significantly changed.

[00:21:05.41]
I was laid off
from the Redevelopment Authority back

[00:21:08.10]
after the dot-com bust, so I
certainly know

[00:21:11.10]
that my career took a little bit
of a while to get back on track,

[00:21:14.26]
but certainly it changes the course
of people's lives, and that's what we're

[00:21:19.14]
all— will weigh on us And
that's, that's what we have

[00:21:23.17]
to deal with the next few months.

[00:21:24.48]
But the voters have spoken, and that's up
to us now and the mayor to deal with that.

[00:21:30.05]
So thank you.

[00:21:31.50]
Thank you, Councilor Winslow.
Councilor O'Malley.

[00:21:36.10]
Thank you.

[00:21:36.36]
So yeah,
my question

[00:21:38.31]
to the mayor and the administration would
be,

[00:21:41.58]
when was the miscalculation first known?

[00:21:45.00]
I think that's a really important number.

[00:21:47.48]

Based on what I guess was talked about
last night at the school committee,

[00:21:51.46]

it sounds like it was in March.

[00:21:53.14]

So just finding out when
that happened would be helpful.

[00:21:56.48]

And I can understand how finding out
something like that would be

[00:22:01.38]

concerning about how do you, like,
how do you reveal that information?

[00:22:05.05]

But I think that, you know, I think we all
as a council as well as the community

[00:22:09.12]

deserve to know that information,
at least to understand it better.

[00:22:12.53]

I think the optics are challenging.

[00:22:16.29]

And the other question I would ask is,
I'm having a hard time understanding how

[00:22:22.17]

insurance rates would impact this number,
because I would just assume it would be

[00:22:28.12]

how much did you spend in total
or in part on insurance last year.

[00:22:33.07]

So, like, I just don't understand
how the rates come into play.

[00:22:36.48]

But I am also looking
forward to learning more.

[00:22:39.10]

About this issue and others.
Thanks.

[00:22:42.12]

Thank you, Councilor O'Malley.
Councilor McDonald.

[00:22:45.14]

Yeah, I also want to thank the mayor
for coming in and giving us

[00:22:48.50]

some basic information here.

[00:22:51.02]

There has been obviously
a memo that folks have seen that we've all

[00:22:55.22]

received that outlines the specifics here.

[00:22:58.24]

You know, when I received this,
my two questions were, so what is, what

[00:23:01.46]

is the impact on the choices before us?

[00:23:04.14]

I'm glad that at least this is an error
that works in our favor

[00:23:07.58]

as opposed to against it.

[00:23:10.36]

But what I heard from the comments
at the school committee and what I

[00:23:14.00]

understand about all of the structural
problems that have created our budget

[00:23:18.48]

deficit is that all those things continue.

[00:23:22.19]

We don't have this catch-up payment.

[00:23:24.24]

All those things continue
and they are greater than even had

[00:23:28.07]

the voters chosen to pass the 1B,
we still would have been facing cuts.

[00:23:32.55]

It doesn't change that reality either.

[00:23:34.46]

So I think the big picture
from my perspective remains the same.

[00:23:40.07]

And certainly this council has
a role in financial oversight.

[00:23:44.02]

That's a big part of what we're here
to do, not just to approve the budget.

[00:23:46.58]

And I am glad that the mayor took
responsibility for the team,

[00:23:51.07]

however that error was made.

[00:23:54.29]

And I am glad to hear there's a plan to
make sure that doesn't happen again.

[00:23:58.48]

And I just will want to know what that is.

[00:24:00.34]

I will want to make sure that we have some
real clarity about how that— we're

[00:24:04.07]

going to avoid that in the future.

[00:24:05.19]

Because this is, you know,
an honest mistake that is not about money

[00:24:11.34]

moving in places or not being found.

[00:24:13.43]

It's not an accounting issue,
it's a reporting issue.

[00:24:16.36]

But reporting issues are still important.

[00:24:18.19]

So I just want to let folks know we will
be meeting in the Finance Committee next

[00:24:22.31]

week to scope out the many different
conversations we need to have.

[00:24:26.46]

Now that we've heard some setup
from the mayor, that's going to be a great

[00:24:30.58]

time for folks to also bring the—
what are the questions that you want

[00:24:34.26]
to make sure we spend time talking about?

[00:24:37.22]
No one of us at the council
table makes decisions.

[00:24:39.50]
We're all responsible
for doing that together.

[00:24:41.39]
So we want— I want to make sure that we
are scoping out those conversations early

[00:24:46.36]
so that we have time.

[00:24:47.22]
I'm glad to hear we'll have a little bit
more time than the typical mid- May

[00:24:52.19]
presentation of the budget.

[00:24:54.48]
And I would,
I would just echo

[00:24:59.31]
my colleagues' reflections that it
is going to be a tough budget.

[00:25:03.53]
People are going to lose their jobs.

[00:25:06.02]
This is why it was so important
for the voters to weigh in.

[00:25:09.43]
And now we know
what the challenge is ahead of us.

[00:25:14.24]
So we'll have to have a lot
more conversations like this.

[00:25:18.36]
And do what we can to mitigate those
losses without just getting ourselves back

[00:25:22.43]
into a structural

hole that we cannot get out of.

[00:25:25.55]

So we'll talk a lot more next week,
I'm sure, about this process.

[00:25:30.48]

Thank you, Councilor McDonald.

[00:25:31.55]

Councilor Colon-Hayes.

[00:25:33.12]

Thank you very much.

[00:25:36.02]

So yeah, now we know where we stand
after this vote,

[00:25:40.07]

and I appreciate the mayor showing up.

[00:25:42.31]

I do wish he would have
stayed for some questions.

[00:25:45.00]

I understand there's probably not a lot
of answers right now, but at least to

[00:25:49.00]

answer some questions that I had,
so I'll save those for another time.

[00:25:53.05]

But we definitely need to
obviously figure out what happened here.

[00:25:57.50]

Nobody wants to
beat someone when they make an error.

[00:26:03.05]

We've all done that before,
but we definitely need to know where it

[00:26:06.10]

came from to be sure that it
doesn't happen again.

[00:26:08.58]

And one of the things that I love to hear—
I listened to the school committee.

[00:26:12.29]

I tried to make it, but I couldn't,
but I did listen to it, and They did pass

[00:26:16.58]

an audit, the same audit that we
had passed here, a DLS audit.

[00:26:21.36]

So that made me very happy that they're
going to do an audit as well.

[00:26:26.02]

So the both of us looking into it
is definitely a good thing.

[00:26:31.10]

And also that we're going to be meeting
earlier because there's going to be

[00:26:34.28]

a lot of stuff that we need to discuss.

[00:26:36.19]

And I'm glad to hear
that we're meeting earlier.

[00:26:38.38]

I think it's going to be very helpful.

[00:26:40.12]

Finance team is going to be very busy.

[00:26:41.48]

We're all going to be very busy.

[00:26:43.41]

We should be showing up
definitely as a team and trying to get

[00:26:47.12]

through this because you're right,
there are going to be layoffs.

[00:26:50.22]

It's hard.

[00:26:50.58]

I'm sure we've all been through a layoff
at some time in our life.

[00:26:53.53]

It's not easy,
but we need to hold each other accountable

[00:26:57.05]

and we need to figure out what happened
here to build trust back up that I

[00:27:00.26]

believe we lost during this process.
Thank you.

[00:27:04.17]
Thank you, Councilor Colon-Hayes.
Councilor Simonelli.

[00:27:08.24]
Thank you, Madam President.
I mean, most of us spoke already.

[00:27:12.02]
I was just going to— if I had gotten
the mic a little earlier,

[00:27:14.26]
I would have just said maybe we should
just wait and talk about these things

[00:27:19.53]
as we grow into them.

[00:27:21.34]
No doubt about it that we've got some
serious work ahead of us,

[00:27:24.24]
and we've all got to kind of roll up our
sleeves now and do our due diligence

[00:27:28.12]
to make sure, because we're
all in this thing together.

[00:27:30.29]
So the bill didn't pass.

[00:27:34.48]
So now we've got to kind of like,
you know, figure out what

[00:27:37.22]
we're going to do here.

[00:27:38.19]
And without a doubt, there's
going to be some layoffs here.

[00:27:40.46]
And I know there's some, you know,
money can come from revenue reserve.

[00:27:43.50]
I've reached out to a couple of councilors
already and let them know what my ideas

[00:27:48.41]

were on being able to
make up some shortfalls.

[00:27:55.19]

Pretty much a one-time thing,
so it'll get us through another year,

[00:27:58.22]

hopefully, if it works out.

[00:28:00.50]

So we all got to start to, you know,
look around and see how we can all work

[00:28:04.34]

this thing out together,
because that's where we are.

[00:28:06.34]

We're all in this thing together.

[00:28:08.24]

I wish the mayor would have
stayed around a little bit longer.

[00:28:10.03]

I don't know if Marie is
the point person tonight to talk about any

[00:28:14.53]

of these things, and that's why I would
just say that I think we should just wait

[00:28:18.07]

until we start to take things up in your
committee, Councilor McDonald,

[00:28:23.48]

in the Finance Committee,
so that we do have some of these questions

[00:28:27.12]

and answers tonight,
because it's just it makes no sense for us

[00:28:31.12]

to bring them up now if the mayor's
not here to answer them.

[00:28:33.55]

So I mean, let's— like I said,
unless Maria, if you're going to answer

[00:28:36.55]

some of these questions that some of these
councilors have, I would just say we have

[00:28:40.19]

a full docket tonight, so we should probably get on to the docket.

[00:28:44.41]

And, uh, just to let the citizens know that we all should be working together

[00:28:48.31]

on this thing along with the mayor's office,

[00:28:51.24]

uh, on seeing if we can roll up our sleeves and see if we can get as few

[00:28:55.22]

of layoffs as possible and few of cuts as possible and can think out of the box

[00:29:00.19]

on ways of generating some new revenue and some maybe even long-term revenue.

[00:29:05.29]

And we've done this before, I've done this before on some other budget

[00:29:08.28]

crunches, so, you know, I'd like to try and do it again.

[00:29:11.05]

Like I said, I've reached out to some of the councilors.

[00:29:13.19]

It would have never made it because we would have needed a home rule petition

[00:29:17.22]

to do it before the ballot question for March 31st, but now we do have time

[00:29:23.19]

enough to get it for next year's budget.

[00:29:26.17]

As you can hear the mayor say, that it's going to be a multi-tier

[00:29:30.55]

type of years coming up on the budget as far as being able to be fiscally

[00:29:35.36]

responsible and watching our pocketbook.

[00:29:38.53]

So again, you know, I wish I would have spoke a little bit sooner.

[00:29:43.48]

It's just the way it falls, right?

[00:29:46.00]

But I think that where we have a full agenda tonight, I think it's probably

[00:29:50.07]

important for us to get to that agenda than to be talking about, uh, things that

[00:29:55.12]

we don't have any answers for right now.

[00:29:57.10]

And I'm sure we will find them in your budget committees

[00:30:01.31]

and joint committees as well.

[00:30:03.17]

Thank you, Madam President.

[00:30:04.43]

Thank you, Councilor Simonelli.

[00:30:06.00]

Councilor Luong.
Thank you so much.

[00:30:09.02]

I just, you know, I echo what everybody else has said, but I didn't— so not

[00:30:12.34]

to recap, but I did want to bring up two things that I hope that we will be

[00:30:16.50]

looking at at the financial Finance Committee, one would be our

[00:30:21.17]

municipal audit company that we have.

[00:30:23.34]

You know, why wasn't this type of error found during our audit?

[00:30:28.26]

Other things, what's the path?

[00:30:30.14]

How do we do things?

[00:30:32.24]

We have checks and balances in this city,
and how did that all break down?

[00:30:36.31]

And I hope we spend some
time to really look at that.

[00:30:38.58]

Because, you know,
to hear about a \$1.6 million you know,

[00:30:44.50]

mistake or whatever you want to call it,
2 days after the vote and then

[00:30:48.07]

I find out on Facebook.

[00:30:51.29]

Wasn't fun, obviously.

[00:30:53.38]

But I really look forward to delving
into those things as we go next week.

[00:30:58.46]

And, you know,
we have a lot of work to do

[00:31:02.10]

and we've all said this.

[00:31:04.10]

The public does not trust us.

[00:31:05.26]

They don't trust our processes.

[00:31:06.43]

They don't trust what we say.

[00:31:08.36]

And we need to really do a lot
of work to bring that back.

[00:31:12.00]

You know, I do have to say, you know,
the mayor and his team have applied

[00:31:16.17]

for the DLS financial review.

[00:31:19.41]

That did include the Malden Public Schools
as part of that review.

[00:31:23.00]

It was approved.

[00:31:23.46]

It's docketed, or queued,
I think they call it.

[00:31:26.17]

Queued, right?
They queued it in for the fall.

[00:31:29.22]

So, and that's by the state.
That's not us.

[00:31:31.36]

We asked for it as soon as possible,
and that's what they gave us.

[00:31:34.07]

So I think going through the budget
process, seeing where our process are,

[00:31:38.05]

and then letting them come in
and, and do their thing.

[00:31:40.50]

I think it's going to go a long
way to hopefully that repairs.

[00:31:44.53]

Thanks.

[00:31:47.12]

Thank you.

[00:31:47.41]

Oh, I see Councilor O'Malley
for a second time.

[00:31:50.46]

Yeah, I just wanted to,
to ask my fellow councilors if,

[00:31:53.58]

if my understanding of this was correct,
because I know that we had the two

[00:31:57.34]

different ballot question numbers.

[00:31:59.53]

One was the 5.4
and one was the \$8.2 million.

[00:32:04.36]
And so my understanding was that \$8.2
million took into consideration the,

[00:32:11.38]
in part, this \$1.6 million
that we had to spend above and beyond

[00:32:17.50]
the normal net school spending,
'cause it was like, air quotes, a penalty.

[00:32:21.50]
And so I do think that
this is \$1.6 million that we're

[00:32:25.50]
not having to spend more.

[00:32:27.34]
So it's a savings.

[00:32:29.46]
But it's a savings from our free cash,
from our savings account, the \$22 million.

[00:32:35.00]
So the circumstances are not great.

[00:32:38.07]
They bring up a lot of questions.

[00:32:39.36]
But as has been cited,
I think it is a \$1.6 million savings

[00:32:44.46]
from what we were expecting to spend.

[00:32:47.14]
That's just my understanding.

[00:32:49.10]
And if I'm wrong,
it would just be helpful.

[00:32:51.46]
But I think I heard something different.

[00:32:54.05]
And I just want to make sure I understand
it correctly so the public also does.

[00:32:58.24]

Okay, I see a light by Councilor McDonald.

[00:33:01.36]

Yeah, I think that I heard two things that you were asking about, Councilor O'Malley.

[00:33:06.12]

My understanding is that yes, this does improve the situation, right?

[00:33:09.48]

It works in our favor.

[00:33:11.17]

And the place that it improves it to is still, you know, \$9 million.

[00:33:18.07]

I mean, that's to be expected because all of the structural factors that created

[00:33:24.00]

an \$8.5 million deficit this year are still in place and without taking

[00:33:29.22]

that \$1.6 million into account.

[00:33:30.48]

So it's, you know,

[00:33:36.07]

I think this is a liability of the,

[00:33:39.05]

if we don't spend this, we get billed by the state.

[00:33:41.17]

So we avoid this bill that we would have had to pay for either

[00:33:45.05]

out of reserves or out of operating funds and income.

[00:33:49.55]

I don't know where that would have come from.

[00:33:52.19]

We hadn't gotten that far yet.

[00:33:55.02]

But I do want to be clear that when we talked about this

[00:33:58.29]
in the Finance Committee,
that was part of why we— it was definitely

[00:34:02.07]
one of the factors we used in talking
about why a second tier

[00:34:05.34]
was important to raise with voters.

[00:34:07.58]
And we talked about other factors too.

[00:34:09.39]
We talked about
the increase in net school spending

[00:34:14.05]
requirement for the future, not the look
back, but what do we expect in the future?

[00:34:18.38]
and we said we don't know
how bad that's going to be.

[00:34:20.15]
Well, that got significantly worse when we
got the numbers from the state,

[00:34:24.10]
and I will just speak for myself that part
of the reason I thought it was important

[00:34:27.19]
to have a second tier was the uncertainty
that went along with all of these figures.

[00:34:32.26]
So there were some that we had good
estimates, that we thought we had good

[00:34:35.19]
estimates about,
and there were some that we thought we had

[00:34:37.40]
less good estimates about,
but I think that the—

[00:34:42.07]
I just really want to state again,
yeah, this helps, Maybe it would have been

[00:34:46.02]
a \$10.5 million
gap instead of a \$9 million gap

[00:34:50.07]
if this hadn't— if we hadn't
been able to find this error.

[00:34:55.50]
And I'm very glad that we did.

[00:34:58.36]
And we, you know, we will talk,
I'm sure, more about that entire process.

[00:35:03.22]
So it improves.

[00:35:04.41]
The place it improves to is still worse.

[00:35:07.10]
I don't know how we would have funded
that additional piece because

[00:35:09.12]
we hadn't gotten there yet.

[00:35:10.43]
And again, I think the reason that the
numbers had been created,

[00:35:15.55]
the different steps had been created,
had multiple inputs

[00:35:20.41]
because there was so much uncertainty
around many of these factors that we were—

[00:35:24.50]
that we knew we had to consider.

[00:35:26.17]
So that's my understanding.

[00:35:28.41]
Thank you, Councilor McDonald.

[00:35:29.51]
Councilor Colon-Hayes,
for the second time.

[00:35:32.29]
Yeah, thank you very much.

[00:35:33.27]
So I just wanted to respond
to the question because I think it was

[00:35:36.48]

actually— I think I made that motion
in finance for the second question.

[00:35:42.10]

And so for me,
that's exactly what it was based on.

[00:35:45.19]

So once we heard there was a shortfall,
\$1.6 shortfall, plus a penalty,

[00:35:49.22]

what they call it, you know,
we added that up along with other numbers

[00:35:53.19]

that Councilor McDonnell just said,
and we thought this is what

[00:35:56.53]

we're looking at, right?

[00:35:57.46]

So we should,
instead of coming back,

[00:36:00.53]

like just passing the shorter one,
the lower one,

[00:36:04.00]

and come back again because we're still
going to need it with these numbers,

[00:36:08.02]

we decided to put
the second number on there.

[00:36:11.24]

You know, obviously now in hindsight,
which, you know, we didn't know then,

[00:36:16.05]

it would have made it probably easier
because the lower amount

[00:36:20.05]

did better in the vote.

[00:36:22.38]

So I don't know,
maybe that if people didn't hear us say,

[00:36:26.50]

oh no, we found this 1.6,
maybe more trust in passing the other one.

[00:36:31.29]

But I mean, we'll never know that.
But that was my thought.

[00:36:34.02]

Thought process
of adding that other question.

[00:36:37.22]

It was definitely based on those
numbers that are now not right.

[00:36:41.17]

So that's not great,
but that's where we are.

[00:36:45.46]

But thank you for asking that.

[00:36:47.41]

Thank you, Councilor Colon-Hayes.

[00:36:49.02]

Councilor Luong for the second time.

[00:36:51.17]

Quick question.
This is to Councilor McDonald.

[00:36:54.22]

Not sure if you know the answer.

[00:36:56.02]

But when we didn't spend the over \$1.6
million and we we received a penalty.

[00:37:02.22]

Do you know if we were
charged the penalty?

[00:37:05.00]

And if so, would we still be
charged a penalty of \$62,000?

[00:37:09.34]

Do you know that?

[00:37:10.43]

Yeah, so I think that goes into the
calculations of what we owe for next year.

[00:37:14.58]

We need to make that up.
So we hadn't gotten to making it up yet.

[00:37:18.50]

Right, we hadn't got there.

[00:37:20.03]

And I want to actually be clear,
there's another piece of this whole

[00:37:23.14]

calculation that is the penalty, which is
the underspending relative to the target.

[00:37:28.17]

Of how far away we are
from the dream scenario that the state has

[00:37:32.22]

for us for how much
local money we can spend.

[00:37:34.00]

So we talked about both of those things
in the Finance Committee,

[00:37:37.50]

and so we hadn't paid it yet.

[00:37:42.10]

This is a kind of retrospective report
that takes effect for the following year,

[00:37:47.17]

and so in checking these numbers over,
I think my understanding is that's

[00:37:51.41]

how the error was discovered.
So we're going to figure that out more.

[00:37:54.02]

How do we make sure that we
catch these things earlier?

[00:37:56.36]

How do we make sure that we have
the people in place who are going to be

[00:37:59.36]

able to reliably generate these reports?

[00:38:01.10]

All of those questions,
those are the process questions.

[00:38:05.07]

But I don't think this changes
the money out the door.

[00:38:07.03]

And also to your earlier point,

[00:38:09.31]

I'm curious what the auditors will say,

[00:38:14.29]

but I don't believe this is an accounting issue because no money moved.

[00:38:18.02]

It's a reporting issue that the state would have sent us a bill for.

[00:38:21.34]

But because no money moved or was expected to move at this point,

[00:38:24.48]

it's not the kind of thing that auditors would even be taking a look at because

[00:38:29.41]

they're not looking at our state reporting, they're

[00:38:31.19]

looking at our accounts.

[00:38:32.53]

So that would be my understanding.

[00:38:36.17]

I'd love to know if that is correct.

[00:38:38.50]

But I do want to also just note that, I mean,

[00:38:41.48]

we have a lot of conversations about trust at this table, and trust is a big word

[00:38:45.50]

that means a lot of different things to a lot of people.

[00:38:48.03]

But to me, what it means is keeping your promises and being trustworthy.

[00:38:54.05]

And I think we all have a role in trying to promote enough,

[00:38:56.29]

enough trust that we can have basic conversations about the trade-offs we

[00:38:59.43]
actually have to make,
and that we do not use

[00:39:03.26]
shredding trust to avoid the hard
conversations and make it seem

[00:39:08.48]
like we don't have to make choices.
We do.

[00:39:10.38]
The voters chose,
and now we have to grapple with that.

[00:39:14.05]
So I hope whatever we need to,
whatever questions we want to put

[00:39:17.48]
on the table, that we as city leaders
are doing that in a way that helps, yes,

[00:39:22.07]
us build trust and be trustworthy and,
and raise those questions in good faith.

[00:39:27.10]
I certainly hear us trying to do
that tonight, but we all know

[00:39:29.53]
that that has not always been the case.

[00:39:31.50]
I think that's the only way that we're
going to be able to make it through

[00:39:33.50]
this difficult set of choices.

[00:39:35.38]
So I just wanted to offer that.

[00:39:39.05]
Thank you both for that.

[00:39:40.17]
I just want to say from the chair,
to echo some of the things that have been

[00:39:42.43]
said, I
I think all of us are feeling a little bit

[00:39:46.19]

challenged by this because this has been a really— this has been a tough week.

[00:39:49.55]

You know, a lot of us have given up most of our free time with our families

[00:39:54.02]

to try to educate the community on what's been a very difficult vote.

[00:39:59.10]

You know, we now have a budget that's a lot more difficult than we

[00:40:01.43]

were hoping it was going to be.

[00:40:03.24]

I think we're working as hard as we can to accelerate the timeline and to work

[00:40:08.05]

a lot earlier than we typically do.

[00:40:10.19]

With harder circumstances to be able to make decisions that none of us

[00:40:14.50]

want to be up here having to make.

[00:40:17.17]

And this is certainly not information that any of us wanted to be receiving,

[00:40:20.36]

certainly not right after an election.

[00:40:23.00]

And having to communicate this to the community is,

[00:40:27.26]

I will say personally, was really, really difficult.

[00:40:30.36]

You know, some folks have mentioned finding out on social media.

[00:40:33.24]

That's not how anybody wants to find out something certainly not

[00:40:35.58]

something this difficult.

[00:40:37.41]

And I think to the extent that we can all
row in the same direction and try to

[00:40:43.10]

promote that trust, I think is what
we have to focus on moving ahead.

[00:40:47.10]

I'm certainly committed to that.

[00:40:48.24]

I've had— I mean,
I feel like I'm in constant

[00:40:50.07]

communication with the mayor's office.

[00:40:51.55]

This is just going to be a tremendously
difficult spring and summer as

[00:40:55.36]

we move into this budget cycle.

[00:40:57.50]

I'm working as hard as I can.

[00:41:00.10]

I know Councilor McDonald and I also speak
so frequently about how we're going to

[00:41:04.36]

be transparent and make these
meetings accessible to the public.

[00:41:09.17]

That's something that we're trying to make
a commitment to and to bring our

[00:41:13.07]

colleagues in and make sure that this
meeting process is something that

[00:41:16.58]

everybody can feel invested in.

[00:41:18.38]

I will say that folks have been very,
very communicative with me.

[00:41:22.22]

The ideas that folks have shared already,
I mean, you know, even just the morning

[00:41:26.31]
after the vote failed,
folks picked up the phone and, you know,

[00:41:31.14]
we're all at work the next day trying
to get back to our regular life and

[00:41:34.53]
people are brainstorming what can we do,
how can we mitigate the impact of this,

[00:41:39.02]
how can we do everything we can to make
sure the community is as safe and healthy

[00:41:42.53]
as possible and I want to appreciate
that publicly because I want folks

[00:41:47.17]
in the community to hear how
hard everybody up here is working to try

[00:41:50.48]
to come up with solutions in this hard
set of circumstances that we face.

[00:41:56.26]
So I want to thank everybody
for the comments tonight.

[00:41:59.17]
Obviously this is not the conversation
that we all wanted to be having having.

[00:42:02.38]
I do appreciate that the mayor came in.

[00:42:04.26]
I do wish that we could have asked
questions, but I also recognize we may not

[00:42:08.07]
have answers to all the questions
that we want at this juncture.

[00:42:11.41]
I know that there's going to be plenty
of opportunities for us

[00:42:13.50]
to convene in committee.

[00:42:15.24]
I hope that we can really dig into things.

[00:42:17.22]

Um, I know it's not going to be easy,
but I hope that we can get to that

[00:42:20.38]

when we start those budget meetings.

[00:42:22.41]

So seeing no other lights,
I'm going to say that we can move

[00:42:25.48]

on to our next order of business.

[00:42:27.29]

And I appreciate all the dialog
that we had here, so thank you.

[00:42:31.50]

Next order of business is public comment.

[00:42:35.22]

Public comment is allowed
under council rules.

[00:42:38.19]

Each speaker is limited to the subject
matter relevant to this evening's agenda,

[00:42:42.10]

and speakers must keep their
comments to 2 minutes or less.

[00:42:45.05]

Clerk, do we have anybody signed
up for public comment this evening?

[00:42:48.02]

We actually do.
Muhammad Ubata.

[00:42:51.53]

Oh, let me put the podium light on.

[00:42:56.12]

Mohammed Abutaha, you have the floor.
190 Mountain Avenue.

[00:42:59.26]

Yes, thank you.
190 Mountain Avenue.

[00:43:04.29]

My name is Mohammed Abutaha.

[00:43:06.36]

I live at 190 Mountain Avenue.

[00:43:11.05]

Like many residents, I voted no
on the tax override,

[00:43:15.12]

not because I don't support the services
of the city or the school,

[00:43:19.12]

but because many families in our community
are already struggling to keep

[00:43:22.53]

up with the rising costs.

[00:43:24.48]

For them, another tax increase right
now would have been a real burden.

[00:43:30.17]

The voters have spoken clearly.

[00:43:32.26]

Now responsibility shifts to all of us,
the city leaders and residents,

[00:43:37.17]

to work together on real solutions.

[00:43:40.29]

We need transparency,
we need accountability, and most

[00:43:44.05]

importantly, we need a clear plan.

[00:43:47.26]

Residents want to understand
what went wrong on the budget.

[00:43:51.14]

What steps are being taken to fix it
and how we will move forward without

[00:43:55.24]

placing more pressure on working families.

[00:43:59.07]

This is not about blame.

[00:44:01.12]

This is about trust, responsibility,
and leadership.

[00:44:04.55]

Thank you for your time

and thank you for your service.

[00:44:07.36]

Thank you.

Thank you.

[00:44:10.26]

Clerk, did we receive any items by email?

We did.

[00:44:13.43]

So we have a comment that was submitted by Brian Delacey.

[00:44:16.48]

Of 1 Earl Street.

[00:44:18.41]

Regarding agenda item number 4, the clerk received a written public

[00:44:22.53]

comment from Brian DeLacey of Malden News Network,

[00:44:25.29]

accompanied by a full written statement containing 16 numbered questions.

[00:44:29.38]

The submitter asks that the full document be entered into the record

[00:44:32.22]

and that the mayor be asked to respond to each question on the record tonight or

[00:44:35.53]

in writing within a reasonable and publicly stated time frame,

[00:44:39.02]

and that the following be read: the submission documents

[00:44:42.17]

the following timeline.

[00:44:43.17]

September 2025, mayor proposes a \$5.4 million override.

[00:44:48.14]

December 2025, the mayor arrives unannounced with his

[00:44:51.02]

full financial team, introduces a new \$1.6 million school spending crisis,

[00:44:56.31]
and the override jumps to \$8.2 million.

[00:44:59.43]
March 2026, both questions fail.

[00:45:02.12]
April 2026, 2 days after the election,
a memo revises the \$1.6

[00:45:06.24]
million shortfall to \$62,730.

[00:45:10.29]
A reporting error.

[00:45:12.00]
Fixable with the journal entry,
no voter authorization required.

[00:45:15.50]
The 16 questions fall into 4 categories.

[00:45:18.31]
On the books,
when was the error identified

[00:45:20.28]
and who found it and who verified the \$1.6 million before it went on the ballot?

[00:45:25.02]
On the disclosure,
why were the full council, the press,

[00:45:27.15]
and the public the last to know?

[00:45:29.14]
On the audit,
have corrected entries been made?

[00:45:31.43]
Has the external auditor been informed?

[00:45:33.58]
On the budget going forward,
the finance chair now projects

[00:45:36.33]
a gap north of \$9 million.

[00:45:39.31]
What is driving that number?

[00:45:41.02]

Was it known in December?

[00:45:42.53]

The central question is this: if the error had been found before March 31st,

[00:45:46.19]

would the second ballot question to raise their taxes by \$8.2

[00:45:49.58]

million have existed at all?

[00:45:52.22]

The full written statement is in the record.

[00:45:54.22]

The submitter asks that the mayor respond to all 16 questions on the record.

[00:45:58.00]

Thank you.

Brian DeLacy, Malden News Network.

[00:46:03.50]

Thank you.

Okay, next order of business.

[00:46:06.26]

Next order of business is the consent agenda.

[00:46:08.29]

This evening's consent agenda consists of meeting minutes to be approved and 10

[00:46:12.36]

petitions to be referred to the License Committee.

[00:46:15.10]

Does any councilor have a desire to remove any of these items from the consent agenda

[00:46:18.45]

for the purpose of further discussion?

[00:46:21.55]

Okay,

hearing none and seeing none,

[00:46:24.14]

I have a motion to approve the consent agenda by Councilor Seconded

[00:46:28.05]
by Councilor Winslow.
All in favor?

[00:46:30.38]
Aye.

[00:46:32.05]
Any opposed?
Seeing none, the agenda is approved.

[00:46:35.00]
Next order of business,
Paper 196-26,

[00:46:38.34]
order that the Finance Committee engage
in discussions regarding the city's

[00:46:42.05]
current self-insured status and consider
possible options for a comprehensive

[00:46:47.10]
insurance policy.

[00:46:48.50]
The discussions shall include
cost involved, cash reserves needed,

[00:46:53.14]
and procedures required for any
Updates to our current status.

[00:46:56.34]
And this was sponsored
by Councilor Colon-Hayes.

[00:46:58.48]
Okay, Councilor Colon-Hayes for the paper.
Thank you very much.

[00:47:02.22]
So a couple of weeks ago, I had noticed

[00:47:08.58]
there was a lot of questions about our

[00:47:10.48]
insurance policies and what we've,
you know, what we do here for the city.

[00:47:15.29]
And we went,
I put in an original paper, so

[00:47:20.07]
we went back and forth with language with
Mr. Rannigan and Mr. Hogan.

[00:47:24.50]
And I'd like to—
I can talk about it a little bit,

[00:47:27.43]
but I also wanted to make it a change,

[00:47:30.22]
ask for a vote to amend the wording.

[00:47:35.46]
So basically what we're looking for,
we are— yeah, we're, we're self-insured

[00:47:42.43]
on, let's say, our automobiles.

[00:47:45.26]
We have different
insurance for other things.

[00:47:47.34]
So rather than just hold
the conversation to just a limited view.

[00:47:53.34]
We wanted to open it up, hear from our

[00:47:57.10]
insurance agent from the city,

[00:48:01.10]
our finance people, our city solicitor,
have them all present and discuss,

[00:48:08.02]
learn about what we have,
and then discuss possible ways, if any,

[00:48:11.36]
that we can move forward with other
insurances that might, you know,

[00:48:15.31]
work better for us.

[00:48:17.12]
Than being self-insured.

[00:48:18.12]
So the wording that, um, Mr. Hogan had,
uh, worked with me on to change— so this

[00:48:24.17]

is what I would like to ask, um,
to suggest it be changed to—

[00:48:29.05]

did we read in the original one?
We did, yes.

[00:48:31.43]

Okay,
so the suggested change is that

[00:48:34.26]

the Finance Committee engage
in discussions with the city's finance

[00:48:38.36]

and legal team,
as well as a representative

[00:48:41.50]

from the insurance to discuss
the city's current insurance policy.

[00:48:46.34]

So it's broader because we didn't want
to limit it, and,

[00:48:50.53]

you know, because if something comes up
that we want to talk about,

[00:48:53.17]

we wanted to have in that.

[00:48:54.19]

I also talked to our finance chair,
our council president,

[00:48:58.19]

before putting this forward.

[00:48:59.29]

So, okay, so you're
making a motion to amend?

[00:49:03.19]

I'll second.

[00:49:05.05]

Okay, so we have a motion to amend as
stated by Councilor Colon-Hayes,

[00:49:08.26]

seconded by Councilor Siegel.
Good.

[00:49:09.43]

Does everybody understand
what the amendment entails?

[00:49:12.36]

Okay, all in favor?
Aye.

[00:49:15.00]

Any opposed?

[00:49:16.50]

Okay.

[00:49:17.22]

Could you email me that exact
language because you read it so fast?

[00:49:21.22]

Thank you.
Okay, so we'll email the language to the—

[00:49:23.43]

New York, when it came out.

[00:49:25.41]

Okay, are you all set with introducing?

[00:49:28.53]

Okay, so I'm going to take some
lights with questions on the paper.

[00:49:31.02]

Councilor Winslow?

[00:49:32.38]

Yeah, actually, uh, you know,
one of the things I did after I was laid

[00:49:35.36]

off for the redevelopment
of the authority, actually set up a law

[00:49:38.03]

practice where
part of my practice was dealing with

[00:49:41.36]

municipal liability issues like this.

[00:49:44.19]

And
one of the things that—

[00:49:46.17]

Mass Municipal Association has a program
called MIA, which is an insurance

[00:49:51.22]
program for municipalities.

[00:49:54.19]
And one of the things I learned
at that time was

[00:49:58.07]
basically it did not cover cities over,
I think, 60,000 or whatever.

[00:50:02.55]
Malden could not qualify.

[00:50:04.38]
Lynn or Somerville could not qualify.

[00:50:06.12]
It's really set up for,
you know, towns that have smaller,

[00:50:11.00]
you know, legal staffs,
or maybe not much at all.

[00:50:15.17]
Just a lot of towns and even some
cities just have outside legal counsel.

[00:50:19.17]
They don't have staff attorneys.

[00:50:23.07]
And it was also very interesting to get
the perspective of where public

[00:50:27.50]
entities entities look at insurance.

[00:50:30.36]
So one key and one role our legal
department does,

[00:50:34.46]
it's not just about lawsuits.

[00:50:37.29]
A big thing they do is risk management.

[00:50:40.38]
So an entity like the MBTA actually has
someone called a risk manager

[00:50:46.12]
in addition to their legal staff.

[00:50:47.41]

So it's just something that is complex.

[00:50:51.02]

And then when I worked in Somerville
and was looking at getting— they didn't

[00:50:54.58]

have an admissible insurance policy.

[00:50:57.46]

And the difficulty is sometimes you can
kind of get one-off policies

[00:51:01.31]

for an issue that you have.

[00:51:05.12]

But when you look at— and this is what we
can talk about with our insurance agency—

[00:51:08.53]

when you get an all-in insurance policy,
you know, there's a question

[00:51:13.53]

of cost and value.

[00:51:14.55]

I mean, you are
ultimately— insurance policy at the heart

[00:51:17.55]

of it is just a guarantee to be able
to hire outside legal counsel to pay

[00:51:22.07]

your bills to defend something sometimes.

[00:51:24.19]

So,
so that is— and then there's also

[00:51:28.00]

liability limits of how
much that insurance covers.

[00:51:30.22]

So it's a complex thing to see
whether it is worth it or not.

[00:51:34.43]

So that's the type of thing it might seem,
but because municipalities, it's,

[00:51:40.14]

it's not, uh, you're not making like,

you know, they're not like millions

[00:51:44.24]

of people, like homes
in cars that, that balances out.

[00:51:49.48]

It's very specific, so it's,
it's more complicated than

[00:51:53.14]

you signing up for an auto insurance
policy or something like that.

[00:51:56.05]

So that's just something I'd
be happy to sit in on those.

[00:51:58.36]

So, but, you know, let's look at it.
Doesn't hurt.

[00:52:01.48]

I'd be good to get an update
and hear what that is.

[00:52:03.55]

I mean, something I dealt
a little bit of the MRA too.

[00:52:06.38]

So thank you.

[00:52:08.10]

Okay, thank you, Councilor Wenzel.

[00:52:09.50]

Uh, Councilor McDonald.

[00:52:12.05]

Thanks.

[00:52:12.29]

I just wanted to clarify for the public
what I know from our exchange earlier,

[00:52:17.05]

but this paper is not
about health insurance,

[00:52:21.43]

because some folks had asked me, well,
aren't we moving away

[00:52:26.12]

from being self-insured?

[00:52:27.43]

Which we are,
for the health insurance pool.

[00:52:30.29]

This is actually about property
and casualty insurance,

[00:52:34.53]

general liability insurance,
directors and officers insurance,

[00:52:37.34]

those kinds of other types of insurance
products, cybersecurity insurance,

[00:52:42.22]

that you can carry.

[00:52:43.53]

And so I'm happy to have us
have some discussion about it.

[00:52:48.17]

I know the city does carry some limited
policies, and also we,

[00:52:52.12]

as Councilor Winslow was saying,
it can be challenging for municipalities

[00:52:55.17]

to carry the kind of insurance
that private businesses and organizations

[00:52:58.38]

are able to buy on the open
market for a range of reasons.

[00:53:02.05]

So I'm happy to have us talk about
that in the Finance Committee.

[00:53:05.02]

I just want to make sure folks knew that
we've already made choices

[00:53:08.24]

about the health insurance.
They're not revisiting that.

[00:53:11.14]

but we are talking about this,
whether purchasing additional insurance

[00:53:14.55]

coverage, basically,

as I understand the question,

[00:53:17.22]

is a good use of resources
and worth it at the moment.

[00:53:20.12]

And so, um,
look forward to talking about that.

[00:53:24.36]

Thank you, Councilor McDonald.
Uh, Councilor O'Malley.

[00:53:28.22]

Uh, thank you.

[00:53:28.51]

Yeah, I think I'd like to thank Councilor
Colon-Hayes for bringing this forward.

[00:53:32.31]

Um, you know, my understanding in my time
on the council is that we were

[00:53:36.19]

self-insured across the board.

[00:53:38.58]

So I wasn't actually aware that we
had any insurance policies.

[00:53:43.02]

I was under the impression that we were,
like I said, self-insured for our health

[00:53:46.53]

insurance, that we were self-insured for
auto, that we were

[00:53:50.22]

self-insured for everything.

[00:53:52.17]

So to hear that there are
insurance policies was news to me.

[00:53:57.29]

And so I think it is helpful for us
to better do a deep dive into this,

[00:54:01.24]

like what insurance policies do we have
and does it make sense for us to have

[00:54:05.53]

more, whether it's, you know,

I think maybe the ones we have might be

[00:54:09.36]

property insurance,
but does it make sense to have

[00:54:12.48]

liabilities, errors and omissions,
an umbrella policy if something happens?

[00:54:17.34]

I don't know.

[00:54:18.46]

As Councilor Winslow had identified,
it really has to do with a cost-benefit

[00:54:23.29]

analysis,
but I don't think that's going to be

[00:54:25.26]

a very hard cost-benefit analysis to do.

[00:54:27.53]

You just look back the last 10 years,
how much money did you spend in lawsuits?

[00:54:31.12]

And how much
is an insurance premium gonna cost.

[00:54:34.29]

I think it kind of helps us decide,
does it make sense for us to get insurance

[00:54:38.26]

so that we don't have
to pay out of pocket?

[00:54:40.29]

And the benefit,
as Councilor Winslow identified,

[00:54:44.17]

is that you're not using the resources
of our local council in-house.

[00:54:48.55]

'Cause the insurance company has a really
big incentive to not pay that claim,

[00:54:53.00]

and so they're gonna
defend you tooth and nail.

[00:54:55.00]

That's the whole way
that they keep their money.

[00:54:57.10]

They cover you and they try not to have
to pay out any claims

[00:54:59.50]

that you might be liable for.

[00:55:03.14]

That's all they do.

[00:55:04.19]

They don't have to worry about all of the
myriad things that our in-house

[00:55:08.29]

legal counsel has to do.

[00:55:10.14]

I don't know if it's going to pan out
in the end, but having

[00:55:12.38]

the conversation is really helpful.
Thank you, Councilor Colon-Hayes.

[00:55:16.00]

Thank you, Councilor O'Malley.

[00:55:17.58]

Councilor Colon-Hayes again.

[00:55:19.48]

Thank you.

[00:55:20.07]

Just quickly, yeah, I should have probably
mentioned that to those listening,

[00:55:23.24]

it's not health insurance.

[00:55:24.31]

But also, um,
the reason why we didn't put all

[00:55:28.00]

the specifics that you're bringing up
about insurance is

[00:55:31.31]

just because this is an open conversation.

[00:55:33.46]

We didn't want to make sure like things

weren't, um, left out,

[00:55:36.55]

um, and that we did learn.

[00:55:39.36]

It's going to be a learning experience
about exactly what we have

[00:55:42.24]

and then what we need.

[00:55:43.36]

And it is, um, to Councilor Winslow's
point, we know it's complicated.

[00:55:48.14]

That's why we're having our solicitor,
our, you know,

[00:55:52.10]

the people who deal with this come before
us to give us an overview before we get

[00:55:55.50]

into any discussions,
because we are going to be learning.

[00:55:59.19]

You know, I talked to— we're small
business owners,

[00:56:01.29]

my husband and I,
and I spoke with him and he was talking

[00:56:04.50]

about how the reason why they get a big
liability insurance for exactly what

[00:56:09.36]

Councilor O'Malley was saying,
so that when something happens— he's

[00:56:12.50]

an architect firm, so like
big major mistakes can happen there.

[00:56:16.58]

They're not fighting it, hiring a lawyer.

[00:56:19.14]

Um, they pay so that other people can
fight that for them, and, um,

[00:56:23.26]

and it works out well.

But it might not work out for us.

[00:56:26.14]

That's the whole point
of we're having a conversation.

[00:56:27.55]

So thank you.

[00:56:30.05]

Okay, thank you.
So we will be looking for a voice vote.

[00:56:33.24]

Or you want to refer this
to Finance Committee, is that right?

[00:56:35.51]

Okay,
so on a motion by Councilor Colon-Hayes,

[00:56:38.31]

seconded by Councilor Sika, all in favor?
Aye.

[00:56:41.53]

Any opposed?

[00:56:42.58]

That is referred to Finance.

[00:56:44.24]

Next order of business.

[00:56:45.36]

Paper 197-26.

[00:56:47.29]

Be it ordained by the Malden City Council
that the code of the city of Malden,

[00:56:51.41]

6.08.070(c)(2),
licensing of marijuana establishments,

[00:56:57.48]

is hereby amended by inserting,
provided that no fewer than 5 marijuana

[00:57:02.10]

retail licenses shall be made available,
after Mass.

[00:57:05.53]

General Law Chapter 138, Section 15.

[00:57:08.24]

Also sponsored by Councilor Colon-Hayes.

[00:57:10.17]

Okay, Councilor Colon-Hayes for the paper.

[00:57:12.53]

Thank you very much.

[00:57:13.41]

I won't be changing any wording in this one.

[00:57:16.12]

So a while back, um, I had noticed while I was doing some research on the city

[00:57:19.41]

website that there was a number, um, the cannabis license number that usually

[00:57:24.00]

said 5, um, for the amount of licenses we had, had changed to 4.

[00:57:28.07]

Um, so I reached out to Mr. Hogan, um, to understand how that happened,

[00:57:33.46]

when it happened, um, and why weren't we aware of that.

[00:57:37.26]

And, um, so our ordinance states that, um,

[00:57:43.34]

it's based on our— so our amount

[00:57:45.48]

of cannabis licenses is based on the amount of liquor,

[00:57:49.48]

um, licenses that we have.

[00:57:52.12]

And the liquor licenses in Malden dropped below to a point where it affected our,

[00:57:58.58]

um, cannabis licenses to to 4, and, and we just didn't hear about that.

[00:58:05.24]

I guess, um, there's not a clear way of letting us know when that happened

[00:58:08.36]

because I had reached out
to council president also.

[00:58:10.55]

We— none of us were aware.

[00:58:12.14]

So we were talking about ways to clarify
that, and the language, um,

[00:58:17.07]

suggested— so that
we don't want to keep having to pay

[00:58:21.07]

attention to when liquor license can
go up and down, they can fluctuate.

[00:58:24.29]

And so rather than, um,
keep a constant eye on that to keep our 5,

[00:58:30.00]

we figured to put in the wording that says
provided that— so still going by the

[00:58:35.58]

alcohol licenses, liquor license,
but providing that no fewer than 5

[00:58:40.24]

marijuana licenses shall be made available
so we don't run into that problem.

[00:58:44.29]

Thank you.
Okay, thank you, Councilor Colon-Hayes.

[00:58:47.07]

I see a light from Councilor Simonelli.

[00:58:50.05]

Thank you, Madam President.

[00:58:51.46]

I actually support that.

[00:58:53.22]

And I think that we should be made aware

[00:58:57.48]

of when the licenses drop or go up,

[00:59:01.12]

indicating whether or not we have how many
liquor stores in the geographical area.

[00:59:07.02]

I'll give you an example.

[00:59:08.03]

In my neighborhood alone,
I got like 4 liquor stores,

[00:59:10.00]

but I can't have one,
not to go back to this thing again,

[00:59:13.58]

but I don't have one marijuana shop in my
neighborhood, but I have 4 liquor stores.

[00:59:18.46]

So I don't know how that all works out.

[00:59:20.41]

But I think that, that all being said,
I think it's a good paper.

[00:59:23.58]

I will support that paper.

[00:59:25.29]

I think that we should be made aware of,
especially right now,

[00:59:28.31]

and I know that the marijuana sales,
I mean, I haven't seen the numbers,

[00:59:33.05]

but according to what everybody tells me,
that the numbers haven't,

[00:59:38.12]

you know, aren't what they were supposed
to be or what they want them to be.

[00:59:43.50]

Nevertheless, They still are numbers.

[00:59:46.22]

So under these trying times, uh,
we should make sure that we're aware

[00:59:51.36]

of when those numbers go up or go down,
uh, just so we're aware of it.

[00:59:55.34]

I don't know how that even helps us.

[00:59:57.14]

I don't know how that helps
or hurt us with a lawsuit too.

[01:00:00.46]

We've got— I think we've got another one
coming in too from the other one,

[01:00:03.36]

from the, uh, one on Taylor Street,
the corner of Taylor.

[01:00:07.14]

Not to, you know, I don't want to mention
any more about that,

[01:00:09.29]

but I think— I'm sure it's coming in.

[01:00:11.24]

Uh, so I don't know how that affects us,
uh, that way.

[01:00:15.12]

Uh, you know, again, very confusing,
but we should be made aware of it.

[01:00:20.05]

How we do that— I—
what is it, the clack board?

[01:00:22.31]

Clack, the clack, clack, clack board.

[01:00:25.34]

I mean, they should just let our license,
uh, committee chairman, uh, know, um,

[01:00:31.38]

when those things go up and down.

[01:00:33.03]

And, you know, uh,
Council Seeker can advise us.

[01:00:36.26]

Uh, on occasion when they go up and down,
I don't think that's a big thing to ask.

[01:00:41.07]

Why you?
No, I'm just saying.

[01:00:44.24]

Well, because she's
the chairman at the time.

[01:00:45.55]

If it's Mickey Mouse next year,
then it's Mickey Mouse.

[01:00:48.19]
But I'm saying for now it's J.D. and Sika.

[01:00:50.17]
So I'm just saying she should be the one.

[01:00:53.24]
She's in charge of the
license for us, right?

[01:00:55.03]
Why not?
Just to keep it up to speed.

[01:00:58.43]
Thank you, Councilor Simonelli.

[01:01:00.12]
Thank you, Councilor O'Malley.

[01:01:03.00]
Can I just say something?
Oh, yeah, yeah, sure.

[01:01:04.48]
You want to respond?
That's fine.

[01:01:06.17]
That's fine.
Apologize.

[01:01:07.31]
Okay.

[01:01:08.14]
So really quickly, I'm not quite sure
that falls under the purview

[01:01:13.41]
of my license committee.

[01:01:15.36]
I think that that number probably changed
because it, it's direct— it, it's directly

[01:01:22.00]
comes down from how many, how many
package stores we have in the city.

[01:01:25.55]
So if the package storage
If the package stores fluctuate,

[01:01:30.55]

then I would assume the cannabis
licenses would also fluctuate.

[01:01:34.41]

So if we don't have the exact amount
that we need, then it would go down.

[01:01:40.48]

So if— I'm pretty sure it went from 5 to 4
because package licenses went down.

[01:01:47.31]

When we were discussing this in 2018,
I think we were going back and forth

[01:01:51.05]

between 4 and 5,
and we were at— 4.5,

[01:01:55.10]

based on the— if I remember,
based on the amount of package stores we

[01:01:59.53]

had, we were at 4.5. So we as the council
could have chose to go

[01:02:03.46]

to 4 or chose to go to 5.

[01:02:05.50]

We, we got to pick,
um, and I think at that time we went to 5,

[01:02:10.19]

but since then it's been several years.

[01:02:12.48]

Maybe the package stores declined
and hence why it went from 5 to 4.

[01:02:17.31]

That,
um,

[01:02:20.19]

And so I don't necessarily think that I
should be made aware as

[01:02:25.02]

the chair of license.

[01:02:25.53]

I think it would be nice for the council
to— I mean, I did know that that happened,

[01:02:30.12]

but I'm in constant contact with,
you know, the clerk, with this,

[01:02:36.07]

all different stuff going on.

[01:02:37.41]

So I, um, I was aware that that changed
because our package stores went down.

[01:02:43.10]

So maybe just, you know, moving on,
if We can just ask them if it was to ever

[01:02:47.58]

happen again, if our package stores
keep decreasing and it decreases more.

[01:02:52.02]

But if we're going to have 4,
it's not like we're going

[01:02:55.34]

to go down to 3 when we have 4.

[01:02:57.00]

We're going to keep it at the 4.
Am I correct?

[01:02:59.29]

If we ended up getting 5 licenses
and our package stores keep declining,

[01:03:04.46]

we're not going to change it from the 5.

[01:03:07.02]

We can't decrease it from the 5
when we currently have 5.

[01:03:09.46]

Am I correct, Nelson?
Does that sound right?

[01:03:12.14]

Okay, all right.
So yeah, so thank you.

[01:03:14.41]

Sorry.
Thank you, Councilor Sika.

[01:03:17.24]

Councilor O'Malley,
oh, you got to— you, you want to respond?

[01:03:21.43]

Councilor O'Malley, are you okay?

Okay, you're welcome.

[01:03:24.02]

Thanks.

Thank you.

[01:03:24.46]

Again, good information.

I have no problem with it.

[01:03:27.50]

I'm just saying that would be a—

that's where I think it would go for us is

[01:03:31.41]

the License Committee so we

can be informed about it.

[01:03:33.46]

It's probably simple as just a memo

letting us know, but right now,

[01:03:36.38]

like I said, under these trying times I

mean, just what, what, uh,

[01:03:39.58]

Councilor Sika just said, and she— I

know she's been on top of this stuff.

[01:03:44.02]

It's confusing.

[01:03:44.50]

And when people are asking for answers

right now from us,

[01:03:47.10]

and we're talking about, you know, uh,

being transparent with people,

[01:03:51.38]

and they expecting 5 licenses and then

we're down to 4, we want to be

[01:03:54.48]

able to have the answers for them.

[01:03:56.05]

That's all I'm saying is,

so I think that we— when things like this

[01:03:59.10]

do happen,

there should be a mechanism to allow this

[01:04:02.22]

council to be aware of when,
you know, the liquor store

[01:04:07.29]

formula increases, decreases,
so that changes the outcome from the

[01:04:11.53]

marijuana status and stuff like that.

[01:04:14.17]

We should, we should have that information
because, you know, when people ask us out

[01:04:17.36]

there like, oh,
what are they doing with the, with the,

[01:04:20.07]

with the proceeds that they're getting
for the marijuana sales and stuff?

[01:04:23.43]

I mean, as a city council,
you should have the ability to be

[01:04:26.41]

able to answer those questions.

[01:04:28.00]

I think that's a, a good way of,
of knowing about it.

[01:04:30.50]

And again, it just seemed like there was
a situation just a few minutes ago on us

[01:04:35.19]

not being able to get this information,
uh, and I thought that that was

[01:04:39.26]

just a good way of doing it.

[01:04:40.39]

If that's not the right mechanism,
then fine, let's figure out another one.

[01:04:44.24]

But we should be
made aware of when the formula changes

[01:04:48.12]

to see if the license is going to go
from 5 to 4, from 5 to 6, from 4 to 3.

[01:04:53.55]

Who knows?

[01:04:55.05]

But I think we should be made aware of it.
That's all.

[01:04:57.58]

Thank you, Council President.

[01:04:59.14]

And I hear you, and I think I can make
sure to work with the clerk so

[01:05:01.53]

that we can get the information.

[01:05:03.19]

I'm— I think Councilor Sika is doing her
due diligence and has

[01:05:07.00]

packet stores and an overlay and probably,
you know, a little bit more incentive

[01:05:10.14]

to stay on top of it as well.

[01:05:12.00]

But we can make sure to get
that information so everybody has it.

[01:05:14.39]

I don't think we need a paper
to necessarily do that.

[01:05:17.43]

Okay, um, Councilor O'Malley,
thank you for your patience.

[01:05:21.00]

You have the Yeah, I think, I think it
was good, a good dialog and discussion.

[01:05:25.10]

And I think if I understand correctly what
Councilor Colonies

[01:05:28.38]

is stating is that she would like to move
it away from a purely percentage-based

[01:05:33.46]

formula to a fixed number so
that there's not this ambiguity.

[01:05:39.14]

What I would say is that works for it going down, but it

[01:05:42.26]

doesn't work for going up.

[01:05:43.58]

So we have to have at least 20%.

[01:05:45.12]

So what I would say is probably what the language should be is 5 or 20%,

[01:05:50.24]

whichever is greater, something like that, so that there's a floor but not a ceiling.

[01:05:55.00]

Because if we end up having a ton of package stores that open up,

[01:05:58.10]

probably not going to happen, but it could,

[01:06:00.53]

that would require maybe more than 5.

[01:06:04.05]

So I appreciate that.

[01:06:05.36]

The reason why I was putting my light on, though,

[01:06:08.14]

is that one of the things I'd asked the council president and our legal

[01:06:12.46]

department is to give us an update on Driss and on Benevolent.

[01:06:16.43]

Um, without going into anything, you know, privileged, um, on March 25th, um,

[01:06:21.29]

there was a status conference with DRIS, um, and then Benevolent tuned in.

[01:06:27.34]

And, um, I've requested the transcript and audio.

[01:06:30.53]

Councilor O'Malley, I don't think this is relevant or appropriate to talk

[01:06:34.14]
about on this paper though.

[01:06:35.34]
Yeah, I mean, I'm going to explain why it's relevant, because—

[01:06:38.19]
can you do that very quickly?

[01:06:39.31]
Because I fear it's not really relevant.

[01:06:41.12]
Oh yeah, no, it has to do with our marijuana ordinance.

[01:06:43.31]
So, so basically I requested the transcript in audio.

[01:06:46.34]
I found the transcript as part of a legal filing,

[01:06:50.00]
but I think the audio is really important for y'all to hear what's

[01:06:52.45]
going on in, in reality.

[01:06:55.29]
Basically,
the, the judge has serious concerns about

[01:06:59.34]
what we're doing in terms of how we're handling the rewriting of our— I don't

[01:07:03.34]
think this is appropriate—
of our ordinance.

[01:07:07.43]
You know, it's just because we're talking about rewriting the ordinance,

[01:07:11.58]
and I'm just saying about numbers, though.

[01:07:14.10]
No, correct.

[01:07:16.38]

We're not talking about
the Driss suit right now.

[01:07:19.19]

This is not docketed.

[01:07:22.31]

Correct.

[01:07:24.00]

Councilor O'Malley, can you put in a paper
and we can talk about this next week?

[01:07:29.00]

Which is my next thing.

[01:07:30.46]

We have to respond by April 20th.
Second.

[01:07:34.17]

And so I would ask— we don't have
to respond to anything that we don't

[01:07:36.58]

have a legal communication about.

[01:07:39.46]

Yeah, so we have to respond as a city
by April 22nd, and I would ask that next

[01:07:44.48]

week we have a meeting to discuss
the fact that something in our

[01:07:48.41]

name has to be filed on April 22nd.

[01:07:50.50]

So I just want to be really clear
that you're talking about something

[01:07:53.29]

that our legal department has received,
not that this council has received.

[01:07:57.24]

The city of Malden must respond to But
what you're saying right now makes it seem

[01:08:02.43]

to the public like the council is
in receipt of something that necessitates

[01:08:06.53]

us to hold a meeting.

[01:08:08.38]

We— that is, that is true.

[01:08:10.10]

That is not correct,
or we would have scheduled a meeting.

[01:08:14.07]

My understanding is that the city,
through our legal department,

[01:08:19.14]

has to come to us
based on what was represented in court

[01:08:23.17]

for guidance about what
will happen on April 22nd.

[01:08:26.38]

Thank you.

[01:08:27.31]

So as we're rewriting our zoning—

[01:08:30.24]

okay, I, I'm, I'm— we are not going
to discuss this particular issue any

[01:08:34.00]

further, but I— if it's appropriate and if
we do need to take action on it,

[01:08:37.29]

we either need a paper or we need
for legal to speak to me about it.

[01:08:42.00]

So I'm not going to allow further
discussion on Driss right now,

[01:08:45.58]

but I don't want us to
talk about this anymore.

[01:08:49.29]

I would move—understood.

[01:08:50.50]

It just had to do with the
rewriting of the ordinance.

[01:08:53.14]

But I don't, I actually don't think it's
pertinent or appropriate because we're not

[01:08:56.43]
talking about— Right,
it's two separate things.

[01:08:59.55]
I don't want to stifle debate on this,
and we have other lights,

[01:09:04.22]
and if we want to talk about this,
we need to have it properly before us.

[01:09:07.17]
Okay, so then I'm going to,
just so I understand,

[01:09:09.00]
through the chair and the clerk,
I'm going to ask that we put

[01:09:12.17]
that on the agenda next week.

[01:09:13.58]
I will copy and paste
a similar posting from a prior one.

[01:09:18.55]
And I will please communicate to legal
and myself and the clerk,

[01:09:23.22]
and we can handle that offline tomorrow.
Thank you so much.

[01:09:26.53]
Okay, so I have two other lights,
and then I do want to take the vote

[01:09:30.36]
to refer this to ordinance.
Councilor Winslow?

[01:09:33.43]
Yeah, just a couple things.

[01:09:34.51]
Um, yeah, I mean, this was, uh, this is,
you know, about 7 or 8 years ago when,

[01:09:39.58]
uh, this is really offered
by Councilor Matheson at that time.

[01:09:43.26]
So, and we knew what, like,
as exactly what Councilor Sika said.

[01:09:46.48]

It was like we're at 4.5 at that time,
and everybody kind of understood that,

[01:09:51.22]

that it might be 5.

[01:09:53.14]

So, um, so I think it is,
you know, now that we— I always thought it

[01:09:57.14]

was tied to how many we could have
and how many we actually had.

[01:10:00.38]

So I didn't think that it was something
that would actually go down,

[01:10:03.31]

but I guess it does the way it works.

[01:10:05.26]

So, um, so, so that is one of the things.

[01:10:08.38]

So it makes sense to make it clear that,
you know, so we kind of had set a floor

[01:10:12.19]

and not have kind of this
weird fluctuation.

[01:10:15.26]

But it was sort of the intent
of the council we might have up to 5

[01:10:18.36]

at that time when
Councilor Matheson proposed this.

[01:10:21.24]

And I think that passed.

[01:10:22.50]

It was sort of one of the first things we
took and related to,

[01:10:25.29]

you know, recreational cannabis.

[01:10:26.51]

The— yes, the other thing is like we do
have coming out of rules and ordinance

[01:10:31.50]

the papers related to the zoning and,
and this section, uh,

[01:10:36.41]
of just the regular code, you know,
Section 12, Section 12 related

[01:10:40.12]
to cannabis and cannabis establishments.

[01:10:42.07]
So, um,
I, you know, I don't know whether we, um,

[01:10:46.22]
I guess it's some of the timing of that is
something we got to think about, is like

[01:10:50.34]
obviously something on zoning has to go
to a joint Rules and Ordinance Committee

[01:10:55.26]
and planning.

[01:10:57.38]
And the, you know, there are actually some
of the something that's coming out

[01:11:01.05]
of ordinance is actually
related to this section too.

[01:11:02.55]
So I don't know whether— I know
Councilor Colon-Hayes

[01:11:05.31]
reached out to me and said how to do this,
and as I said, put it on— we weren't going

[01:11:08.45]
to amend what was coming out of—
it just has made sense to have it

[01:11:13.14]
different than what's coming
out of rules and ordinance.

[01:11:15.53]
So, but we should sync them up.

[01:11:17.14]
We should probably end
up— I mean, I don't know.

[01:11:20.12]

I mean, my intent in rules and ordinance,
if it gets referred,

[01:11:23.14]
is that we would ultimately sync up
and, you know, do

[01:11:27.48]
go through the process of of getting
the hearings for this Section 12 zoning

[01:11:32.48]
changes for the related to the, um,
you know, what we need to do to update our

[01:11:37.53]
zoning because of the, um, beneficial,

[01:11:42.19]
uh, benevolent botanicals decision.

[01:11:47.24]
And then a vote, you know,
sort of at the same time on Section

[01:11:52.24]
12 changes and Section 6 changes.

[01:11:54.24]
So that's— that would be just let you
know what the process I see going ahead.

[01:11:58.05]
So, all right, thank you.

[01:11:59.22]
Okay, thank you, Councilor Winslow.

[01:12:01.12]
Um, Councilor Simonelli.

[01:12:02.19]
Thank you, uh, Madam President.

[01:12:04.58]
You know, I just, uh,
I agree with Councilor Winslow.

[01:12:07.58]
I think we should take that paper up
again, but I think that, you know,

[01:12:10.27]
the paper has already been taken up.

[01:12:12.46]
I think it may have died in committee, uh,

and I think it was, uh, Council President,

[01:12:17.48]

uh, Amanda Lenahan's paper originally,
because I know that when we We were

[01:12:21.10]

discussing this thing when I first got on,
and there was talk about Drizz opening up

[01:12:26.07]

on Taylor Street, so I kinda went through
that thing, and we went back

[01:12:29.24]

and forth for a little while.

[01:12:30.53]

No, no, I'm just saying,
I'm saying I think that,

[01:12:33.14]

I'm saying that I think that if that's
what he wants to do is

[01:12:37.29]

resurrect that paper,
move it forward for the future so we can

[01:12:41.02]

start working on that,
if that's what he wants to do.

[01:12:43.07]

We really can't talk about Drizz.

[01:12:46.41]

Please.

Okay, I'll second it.

[01:12:48.43]

I will second her motion.

[01:12:51.10]

Thank you.

[01:12:53.48]

All right, on a motion
by Councilor Colon-Hayes, seconded

[01:12:56.07]

by Councilor Sika, to refer to ordinance.
All in favor?

[01:12:59.19]

Aye.

[01:12:59.58]
Any opposed?

[01:13:01.43]
Okay, that is referred.

[01:13:02.50]
Next order of business, Paper 198-26.

[01:13:05.41]
Be it ordained by the Malden City Council
that the Code of the City of Malden

[01:13:08.53]
12.12.030, Use Regulations,
is hereby amended as follows: to update

[01:13:14.17]
the existing table of use regulations
by striking the N designation

[01:13:17.53]
for self-storage facilities
in Industrial 1 and Industrial 2 zoning

[01:13:21.43]
districts and inserting in place
thereof the SP designation.

[01:13:25.58]
This amendment shall restore the status
of such use of self-storage facilities

[01:13:29.50]
to its state prior to the 2023 amendment,
as was ordained with Paper 198,

[01:13:34.29]
Series of 2023, and shall take effect upon
its passage Following the completion

[01:13:38.53]
of the public hearing process as
required by MGL Chapter 48, Section 5.

[01:13:43.34]
Councilor Sika is the sponsor.

[01:13:45.55]
Okay, Councilor Sika for the paper.

[01:13:48.12]
Thank you, Council President.

[01:13:49.55]
So really quickly, I'm,
I'm going to just briefly

[01:13:53.34]

talk about why this paper is
on the agenda, and then I'm

[01:13:55.46]

hoping to refer it to committee.

[01:13:57.31]

I did ask our building commissioner Nelson
to come to the meeting tonight just

[01:14:01.50]

in case anybody had any questions before
before we refer it,

[01:14:04.55]

but it's been brought to my attention
that we have two public—

[01:14:10.12]

two self-storage units that are currently
operating in the City of Malden.

[01:14:15.14]

One is on Easton Ave at the old Hostess,
the U-Haul, and one is in Mywood up on

[01:14:21.46]

Route 1 on Linehurst behind the Cappy's.

[01:14:25.55]

They are both looking currently to expand
their business,

[01:14:31.14]

and the zoning that we changed a few
years back prevents them from doing that.

[01:14:37.53]

So I'm hoping to maybe
make some provisions to

[01:14:43.22]

what we voted on before to allow,
you know,

[01:14:47.50]

self-storage units that are currently
already in business in the City of Malden

[01:14:52.43]

to be able to come before the planning
board for a special permit

[01:14:57.29]

to expand what they currently have.

[01:15:01.22]

In no way, shape,
or form am I looking to change, you know,

[01:15:04.58]

the, the way you guys voted years ago.

[01:15:07.26]

I, I think I might have been the lone
person who voted against it,

[01:15:10.46]

but it is what it is.

[01:15:12.02]

I'm okay being that lone
person on that island.

[01:15:14.41]

But I do, um, I don't want to hinder two
businesses that we currently have

[01:15:19.36]

operating here in the city, especially
the one in my ward on Linehurst.

[01:15:24.17]

No one even knows it's in Malding.

[01:15:25.46]

It's the perfect place for a
self-storage unit to be put.

[01:15:30.24]

Can I have Nelson come up and just throw
some two cents in before

[01:15:33.29]

you take questions?

[01:15:34.50]

Sure, Nelson.
Come on up, Nelson.

[01:15:36.31]

You can say that so
much better than I can.

[01:15:43.50]

And they— I have not heard from anybody.

[01:15:46.43]

They actually contacted the building
office, so he'll be able to—

[01:15:50.17]

Okay, Nelson, can you introduce yourself?

[01:15:52.24]

Hi, Nelson Miller, building commissioner.
Thank you.

[01:15:55.53]

Yeah, so when the change was made a few
years back which prohibited, you know,

[01:16:02.38]

storage facilities in the city,
the way our zoning works,

[01:16:05.31]

when you prohibit a use entirely, you
also prohibit the expansion of that use.

[01:16:10.31]

That's the way our zoning reads.

[01:16:12.02]

So just as an example,
if you have a storage facility and it were

[01:16:16.26]

completely destroyed, let's say in a fire,
you could get a special permit

[01:16:20.02]

to build it back the way it was.

[01:16:22.02]

But in this case with these two facilities
where they have existing

[01:16:26.10]

buildings they want to make larger,
our zoning doesn't allow— there's no

[01:16:29.31]

mechanism to move forward
and make them larger.

[01:16:32.55]

So Councilor Sika, you know,
asked about how to sort of alter our

[01:16:38.22]

our zoning to allow the expansion.

[01:16:40.12]

Then we also had the discussion about,
you know, allowing them— allowing

[01:16:43.43]

new ones in other places.

[01:16:45.41]

You don't have to do both.

[01:16:46.55]

You could craft this ordinance
if you didn't want to allow

[01:16:50.53]

the new ones in new locations.

[01:16:53.14]

You could craft it to just allow
the existing ones to expand, you know,

[01:16:56.55]

through a special permitting process
through the planning board or through the

[01:16:59.19]

city council, however you want to do it.

[01:17:02.41]

Thank you.
Okay.

[01:17:04.36]

Well, I have a lot of lights.

[01:17:06.22]

Okay, I'm gonna go
to Councilor Winslow first.

[01:17:09.12]

Yeah, I mean, this,
uh, you know, I appreciate that some

[01:17:13.17]

of the thought behind this,
but, you know, it's just back

[01:17:16.22]

in 2023 where we had a discussion.

[01:17:18.26]

So, um,
and, you know, at that time, I mean,

[01:17:21.26]

you know, we, we, we,
you know, we had just in Ward 6,

[01:17:27.19]

we had just had a pretty big property
a storage thing, and one of the things

[01:17:33.00]

that really concerned me about
that business was sitting here and hearing

[01:17:38.10]
the businesses joke about
they're in the business of death,

[01:17:43.12]
displacement, and divorce,
and displacement is really

[01:17:45.31]
about when people get evicted.

[01:17:48.24]
And I thought,
is this the type of businesses we

[01:17:51.19]
should be really to encourage expanding?

[01:17:54.02]
And that was really, you know, Hey,
we got the new one.

[01:17:57.36]
But I think it is the type of thing of,
you know, we are planning

[01:18:01.17]
to do a master plan.

[01:18:02.58]
And we now do have an economic
development committee.

[01:18:05.58]
So I think it's the type of thing of
these, you know, whether this really

[01:18:11.22]
fits into the plan for the master plan.

[01:18:13.14]
Like, I am a bit concerned about the one,
you know, the U-Hauls next to the trail.

[01:18:17.43]
They're good, you know, tenants there.

[01:18:19.41]
They help out with the,
fridge and stuff like that.

[01:18:23.17]
But another storage building on
Eastern Avenue is exactly, I think,

[01:18:29.50]
what we didn't want to see.

[01:18:31.31]
So, and a bigger one.

[01:18:33.50]
These are, you know,
I think that's the type of thing.

[01:18:38.10]
We are missing potential.

[01:18:39.43]
So I really think it's,
that's kind of my view.

[01:18:42.22]
I think maybe,
I think it's, we got to think about

[01:18:45.43]
it a little bit more as a council.

[01:18:47.10]
So my suggestion was,
and I reached out to Councilor Sikow,

[01:18:50.17]
maybe having
the Economic Development Committee look

[01:18:52.50]
to make some decision about what we do.

[01:18:55.05]
I mean, we're trying to get some more tax
revenue, so this is, you know,

[01:18:58.53]
the reality is this is where, you know,
the only things people might be building

[01:19:03.22]
besides data centers
or something like that.

[01:19:05.07]
So, but I would sort of put that to
the Economic Development Committee

[01:19:09.38]
to weigh, you know, what do we do in the
short term and what What do we hold off?

[01:19:15.00]

I mean, one part of a master plan is
to say there's going to be some different

[01:19:18.41]
things that are going to happen.

[01:19:20.10]
So that's really, you know,
just my concern that we are on this track

[01:19:23.36]
to get high-quality commercial
development that is more valuable.

[01:19:28.14]
I mean, talking about hotels and other
type of things that not only generate

[01:19:31.38]
property tax, but generate other things.

[01:19:33.41]
So it's something that that's part of what
we didn't want to see Baldwin become.

[01:19:39.14]
you know,
all this, you know,

[01:19:40.46]
have the storage places that are getting
forced out of Cambridge and Somerville

[01:19:43.58]
because they're doing great
development come here.

[01:19:46.07]
So it is the type of thing we have
to think about, and that's why we voted

[01:19:50.02]
on— so, but, you know, I, I want to,
you know, have the council consider

[01:19:53.43]
that before we put it on a joint rules
and ordinance and,

[01:19:57.34]
and planning board committee, because I,
I'd rather have the discussion before,

[01:20:01.43]
you know, dragging
the planning board into this.

[01:20:03.31]

Thank you.
Great.

[01:20:04.34]

Thank Thank you, Councilor Winslow.

[01:20:07.41]

Councilor O'Malley.

[01:20:08.55]

Councilor Winslow did a pretty good job
of highlighting kind

[01:20:11.07]

of where I'm feeling on this.

[01:20:13.12]

You know, these are very
predatory business models.

[01:20:17.26]

People put their things in here,
as he was stating, death,

[01:20:22.10]

you know, divorce,
displacement,

[01:20:25.10]

and people put their stuff in there
thinking that it's going to be temporary,

[01:20:28.36]

and then it gets so
onerous and difficult difficult to move

[01:20:31.14]

their stuff out that it
stays there for a long time.

[01:20:34.50]

And oftentimes people lose
stuff because of that.

[01:20:37.48]

Because if you miss a month's payment,
then they sell your stuff.

[01:20:43.12]

It's just not the type of business that I
think— and I know people who have lost

[01:20:47.10]

like family heirlooms through this.

[01:20:49.10]

And so it's just not the type of business model that I think we

[01:20:51.29]
want to have in Malden.

[01:20:53.43]
It is the lowest and worst use in my opinion.

[01:20:56.55]
Higher and better uses would be commercial properties that bring jobs,

[01:21:00.50]
housing, high-quality development.

[01:21:03.36]
And the other thing is like, let's say you miss a payment and you want

[01:21:05.48]
to try to like correct it, they never have anyone there.

[01:21:09.02]
There's never anyone on site.

[01:21:10.46]
It's like if you actually want to try to pay your bill,

[01:21:13.29]
or if you actually want to try to do anything,

[01:21:15.43]
trying to get a hold of someone is, they intentionally make it almost impossible.

[01:21:20.38]
So I can't support doing this But I can definitely support

[01:21:23.38]
having the conversation.

[01:21:24.41]
I wouldn't want to prevent having this conversation.

[01:21:27.17]
I just could not support expanding anything like this because I think

[01:21:31.46]
my hope would be some of these uses would

turn over in the future to something

[01:21:35.36]

that's actually bringing jobs and real tax revenue to the City of Malden.

[01:21:41.10]

But I would never stifle the ability to have that conversation.

[01:21:45.34]

Thank you, Councilor O'Malley.

[01:21:47.12]

Councilor Taylor.

[01:21:49.19]

Thank you.

[01:21:50.53]

So I had a chance to discuss this a little bit with Nelson earlier and

[01:21:59.02]

did some thinking on it as the chair of Economic Development just to see

[01:22:03.29]

what made sense.

[01:22:04.41]

And while I'm not okay with more storage units

[01:22:09.17]

and that being the only business that we have, I do think we really need to take

[01:22:12.45]

a look at at how to manage the businesses that we have

[01:22:17.36]

and what's coming in and what we're getting for commercial taxes and if

[01:22:24.34]

there's a way to increase that using this.

[01:22:26.24]

So I would like to see more of a conversation with this,

[01:22:29.19]

whether it goes to ordinance and then to the planning board in that joint

[01:22:32.28]

committee or at economic development.

[01:22:35.34]

But

I don't think this is something that we

[01:22:38.00]

want to just shoot down right away without looking at it further.

[01:22:45.05]

Thank you, Councilor Taylor.

Councilor Leung.

[01:22:48.22]

Thank you.

[01:22:49.43]

I look at this maybe a little bit on both sides, not to just be

[01:22:53.31]

in middle of the road.

[01:22:54.50]

And I agree that we don't want more storage units, but both of these companies

[01:23:00.14]

have been in— they're in our business, they're in our city,

[01:23:03.50]

they pay taxes, they have have, you know, large amounts of property,

[01:23:07.58]

and I feel like if they want to— if we have the ability to let them expand

[01:23:12.41]

their business,

then I think it needs to be looked

[01:23:15.48]

at before we say no and then we lose them.

[01:23:19.02]

Exactly.

[01:23:20.19]

I would love to lose them.

[01:23:22.53]

I mean, you would like to, but I think economically right now we

[01:23:26.17]

can't afford to lose that tax revenue.

[01:23:29.10]

So do I think I have the floor.

[01:23:35.53]

My point is we should— I mean,
I'm not thrilled to have more storage

[01:23:39.48]

facilities, but I think we need to,
you know, need to keep what we have.

[01:23:45.58]

Thank you, Councilor LeWong.

[01:23:47.36]

And I'm sorry I talked over you as well.
Councilor Crowe.

[01:23:50.24]

Thank you.

[01:23:52.34]

And, um, you know, one of the businesses
had reached out to me,

[01:23:56.38]

and that's why asked Nelson Mothax
if they were a business.

[01:23:59.46]

And I do agree that we don't want,
maybe not new ones, but as Mr. Miller just

[01:24:03.50]

had mentioned it, we can craft it in a way
they are businesses that are already

[01:24:07.55]

here that want to do some expansion.

[01:24:11.48]

Do we limit that in some way?

[01:24:14.07]

I think we can do that.

[01:24:15.17]

You know, maybe we don't want a lot
of more big ones, but people that are,

[01:24:20.05]

we do want to keep these businesses,
and if we can grow some of their business

[01:24:24.48]
for tax base, then we need
to at least have those conversations.

[01:24:28.22]
But just saying absolutely no
when, again, we don't want them to be

[01:24:33.10]
leaving the city and then we'll
just have an empty building.

[01:24:36.12]
The,
you know, it is

[01:24:38.24]
a conversation to look at to actually try
to keep businesses in Malden and growing.

[01:24:45.31]
Thank you, Councilor Crowe.
Councilor McDonald.

[01:24:49.05]
Oh, I have the same flavor of comment
on the same thing, but

[01:24:53.24]
I would just say I do think that it is,
it's hard to dislodge storage facilities.

[01:24:59.07]
The whole point is they're a room full
of people's stuff, so it's like

[01:25:02.29]
I don't worry about them leaving.

[01:25:04.29]
That's the problem actually,
is it's very difficult to get them

[01:25:06.58]
to leave because it's an easy business
model, and it is somewhat predatory,

[01:25:12.36]
and it doesn't create jobs,
but it does create some taxes.

[01:25:15.34]
So I just think they're good points.

[01:25:17.26]
I'm open to the conversation about this.

I haven't made up my mind.

[01:25:20.24]

I do think, you know, Councilwoman Moser,
your point about the U-Haul is a good

[01:25:25.22]

example of a property
that's in a corridor that we are

[01:25:28.10]

likely targeting for development.

[01:25:30.02]

And I think it's important to not make
the problem worse, again, because

[01:25:33.53]

it is hard to dislodge a storage facility.

[01:25:37.19]

And that may be different
for other parts of the city.

[01:25:40.31]

Where the zoning is different,
where the thinking is different

[01:25:43.31]

about what we hope to see.

[01:25:45.02]

So, yeah, open to the conversation,
trying to be fair to our businesses here.

[01:25:50.48]

Thank you, Councilor McDonald.
Councilor Simonelli.

[01:25:53.36]

Thank you, Madam President.

[01:25:55.41]

Listen, you know, I'll be fair, I'll let
it go to committee and I'll listen to it.

[01:25:58.55]

And I feel the same way
that Councilor Winslow

[01:26:01.53]

and several other councilors,
Councilor O'Malley feel about the same

[01:26:04.45]

thing, is that, you know,
I just think that once again, you know,

[01:26:09.38]

Malden always wants to sell itself short
because it's the only game in town.

[01:26:15.50]

You know, I've got— I haven't got—
you know, nobody sat and talked to me.

[01:26:19.10]

I like when the councilors up here sit
and talk about like

[01:26:22.19]

how they get aggravated when other
councilors poke their noses

[01:26:26.05]

into their wards and stuff.

[01:26:27.19]

It's been like a thing
going on for like 100 years.

[01:26:29.53]

I take it with a grain of salt because
You know, it's good for some

[01:26:33.05]

but not good for others.
Holsters happens to be in my ward.

[01:26:36.53]

I actually got like 3 of them in my ward.

[01:26:41.07]

So, and in a short corridor of Route 60.

[01:26:45.38]

So, I don't know where
they'd be able to expand to.

[01:26:48.55]

I mean, they'd have to build up,
and I don't know if I really want to build

[01:26:52.12]

up high stories for storage facilities.
They don't bring any jobs.

[01:26:57.43]

Jobs.

[01:26:58.07]

I think they got like one person
that works one shift, uh,

[01:27:02.19]

maybe two shifts out of the day.
That's about it.

[01:27:05.26]

Uh, so they don't bring any— I mean,
it's warehouse rate revenue of tax base

[01:27:09.36]

that we're bringing in,
not the commercial or,

[01:27:13.17]

uh, uh, highway business type of, uh,
tax base that we're looking

[01:27:17.24]

to bring in to solve this problem.

[01:27:19.17]

I don't know how many there are
in Melrose, but I know there's

[01:27:21.22]

not as many as there is in Malden.

[01:27:23.43]

So, you know, like I said, I'll sit, I'll,
you know, I'll talk about it because,

[01:27:27.50]

you know, and I, and I do, you know,
I feel for Councilor Cicco a little bit

[01:27:31.26]

because she does have a large corridor
on Broadway,

[01:27:34.19]

and I think she kind of missed the boat
a little bit with the construction.

[01:27:37.12]

Not her fault, but, you know,
because of construction that went on over

[01:27:40.26]

there, that it would have probably been
a good area over there for a storage

[01:27:45.07]

facility over there.

[01:27:46.05]

But as far as I'm concerned,
for my constituents in my neighborhood,

[01:27:49.07]

I'd have to fight this thing tooth
and nail and say absolutely not.

[01:27:51.43]

Because my neighborhood don't want it.

[01:27:54.36]

They've had enough.
It brings nothing to the community.

[01:27:57.12]

And I've been looking at the Route 60
corridor and I said that

[01:28:00.50]

for 16 years I've been in office,
I have been talking about Route 60 being

[01:28:05.05]

the new mecca of businesses,
being for people to be, because people

[01:28:08.50]

want easy access on and access off.

[01:28:12.26]

All right, they don't want
to come to Malden Square no more.

[01:28:14.24]

I mean, you The businesses that are there,
the restaurants, they do okay,

[01:28:17.24]

but you hear it all the time
about parking and inconvenience.

[01:28:21.00]

So they want a place like a Route 60
that they can come off and on

[01:28:26.02]

and be able to do some things.

[01:28:27.36]

So I'm looking to do some
serious development over there.

[01:28:32.07]

And been talking with a lot of people
that own a lot of buildings over there.

[01:28:35.50]

From where the storage unit is across
from where Honeydew is,

[01:28:41.22]

all the way down to the police station.

[01:28:42.53]

And we're talking about doing some,
like, you know, affordable housing,

[01:28:48.12]

affordable home ownership,
multi-dwelling type of lofts,

[01:28:53.24]

and things like that,
which I'd rather see something like

[01:28:56.14]

that come in than just to have some open
space that anybody from any city can come

[01:28:59.58]

in and just store their stuff there and
brings nothing to the neighborhoods.

[01:29:04.12]

So, you know, again, you know, I will,
you know,

[01:29:08.41]

I'll be fair and I'll listen
to my colleagues and hear what

[01:29:11.38]

they have to say about it.

[01:29:12.41]

But like I said, you know,
there's no room, uh, in,

[01:29:15.50]

in my neighborhood for it to go up higher.

[01:29:17.38]

And I'm going to tell you something,
you know, the gloves are going to start

[01:29:20.14]

to come off soon because
I'm going to start going into other

[01:29:23.12]

people's neighborhoods where they're
having meetings and they have

[01:29:26.12]

a controversial issue,
and I'm going to step in on that

[01:29:28.48]

and see how they feel real soon.

[01:29:31.31]

So thank you, Council President.

Thank you.

[01:29:34.38]

Can I just— Don't do it.

[01:29:36.29]

No, I'm going to, Councilor Simelli,
because I am not going into your ward,

[01:29:43.02]

and I apologize if you think that I am.

[01:29:45.58]

But did you hear me mention
the old Hostess on Eastern Ave

[01:29:50.50]

and Linehurst Road in Ward 8
on the highway, on Bennett Highway?

[01:29:55.50]

I never mentioned anything about Route 60.

[01:29:58.58]

Hostess isn't your ward.

[01:30:01.34]

I thought it was— okay, let's not—
my apologies, I thought it was Ward 5.

[01:30:09.55]

Councilor Crowe, would you like to speak?
I would.

[01:30:12.46]

It was— well, because Councilor Simonelli,
I would have called you.

[01:30:18.38]

I am actually— I did reach out
to Councilor Taylor because I—

[01:30:23.31]

you told me it was—

[01:30:24.19]

I thought it was in Ward 5,
and I said, you know, it's the hostess.

[01:30:27.02]

So just to kind of let her know.

[01:30:29.22]

So if I had known it was in Ward 7, seems—

[01:30:32.48]

I'm going to call the vote if we
don't stop yelling over each other.

[01:30:35.36]

We're, we're literally yelling about—
refer it to committee.

[01:30:38.17]

Refer it to committee.

[01:30:39.15]

I make a motion to refer
it to ordinance, please.

[01:30:42.31]

I have to speak.

[01:30:45.05]

I want to speak.
Yeah, me too.

[01:30:46.31]

All right, let's keep it really brief.

[01:30:47.55]

Councilor Condon,
thank you for your patience.

[01:30:49.39]

Oh, thank you.

[01:30:53.50]

To be honest with you,
this conversation is ridiculous, okay?

[01:30:58.26]

Because the people that brought
it up, they are run by like one person,

[01:31:05.53]

all right?

[01:31:06.12]

You get no jobs,
they draw in rodents, okay?

[01:31:12.36]

And if you ever had one in your ward,
you know what I'm talking about.

[01:31:17.17]

But just look at the size
of that building on Eastern Ave.

[01:31:21.41]

and try to picture what could be there
and how many jobs it could create,

[01:31:27.43]

you're looking at— you're
being short-sighted, people.

[01:31:34.24]

You know, you really don't want those
kind of businesses in your ward.

[01:31:39.10]

You're not going to throw them out,
but I mean, if I have a neighbor about it.

[01:31:45.17]

I know I went through it with Peg
at the old Marlboro News, and we just

[01:31:51.00]

didn't want it in the ward, you know.

[01:31:53.17]

So, and if you do put it in your ward,

[01:31:58.00]

believe me, you'll pay.

[01:32:03.46]

You will pay the price
because people do not want it.

[01:32:10.10]

Okay, that's all.
Thank you, Councilor Condon.

[01:32:12.55]

Okay, Councilor Colon-Hayes,
this is going to be our, our—

[01:32:15.46]

this going to be quick.
Yeah, no problem.

[01:32:18.14]

Um, I was going to say that I would
just to,

[01:32:22.38]

um,
repeat that this was not talking about

[01:32:25.31]

anything new, so everybody
just— anything new.

[01:32:29.29]

And then if we refer it someplace else,
I'd love to talk more just

[01:32:33.05]

to see what we're talking about.

[01:32:34.07]

Like, I don't even know how big
of an expansion, where it is.

[01:32:37.31]

I was I'm trying to look up where you said
the address just to see, because

[01:32:41.36]

if we do talk about, like, allowing this,

[01:32:47.02]

obviously nothing about new ones.
It would be by special permit.

[01:32:51.24]

That's what I was going to say.
By special permit.

[01:32:54.02]

I was just typing that down.

[01:32:55.05]

You said by special permit,
and then maybe if we could make sure

[01:32:58.12]

that it also follows certain rules,
like maybe expansion no bigger than blah,

[01:33:04.48]

blah, blah, or, you know.
Yeah, exactly.

[01:33:06.50]

So I'm fine with passing that on.

[01:33:09.10]

I want to hear more about that.

[01:33:10.22]

And just to make sure that it's not new, I
just want to clarify that with everybody.

[01:33:14.41]

Okay.
Thank you.

[01:33:14.58]

Okay.

[01:33:15.17]

So I heard two different proposals, though.

[01:33:17.10]

Someone had said— Nelson had his hand up.

[01:33:18.43]

Oh, I'm sorry, Nelson.
I didn't see that.

[01:33:20.50]

I just wanted to clarify because from some of the comments I heard,

[01:33:24.36]

I get the impression that maybe everyone feels like I'm a member

[01:33:27.50]

of the Self Storage Facility Society of America or something like that.

[01:33:32.29]

I'm just here to answer zoning questions.

[01:33:34.24]

So we brought up Melrose for some reason, I don't know, but I'm

[01:33:40.24]

not advocating for this.

[01:33:41.38]

I'm just here to answer questions.
That's all.

[01:33:44.02]

And we appreciate it.

[01:33:47.34]

Motion to refer this to ordinance.

[01:33:50.50]

Okay, so I did hear a proposal to send this to Economic Development though.

[01:33:54.34]

Are we sending this to ordinance or Economic Development?

[01:33:57.10]

To send it to ordinance.

[01:33:58.29]

Okay, do I have a second
to send it to ordinance?

[01:34:01.02]

Okay, on a motion by Councilor Sika,
seconded by Councilor Simonelli,

[01:34:05.00]

to send it to ordinance committee.
All in favor?

[01:34:08.46]

Aye.

[01:34:09.43]

Any opposed?
No.

[01:34:16.07]

Was that two people that said no?

[01:34:21.36]

I'm actually going to vote no as
Do we need to revote that?

[01:34:26.43]

Isn't we good?

[01:34:27.58]

Winslow, Condon, and Linehan are no,
and it's not joint planning,

[01:34:34.46]

it's just ordinance.

[01:34:38.07]

So that would be an 8-3 vote.

[01:34:40.05]

It was referred to ordinance.
Thank you.

[01:34:42.46]

Next order of business,
199-26 committee report.

[01:34:46.29]

The Standing Committee on Finance— to whom
was referred paper 160 series of 2026.

[01:34:51.05]

Having considered the same,
make the following report: committee

[01:34:54.19]

recommends this paper out
favorably to the full council.

[01:34:57.29]

Okay, on a motion by Councilor McDonald,
seconded by Councilor Taylor,

[01:35:00.26]

to receive the committee report.

All in favor?

[01:35:03.12]

Aye.

[01:35:04.00]

Committee report is received.

[01:35:06.36]

Paper 160-26, order that \$398,674.25

[01:35:13.31]

is appropriated from available water sewer

[01:35:15.26]

enterprise fund retained earnings to fund
principal-only debt payments

[01:35:19.29]

due to the MWRA in May 2026.

[01:35:23.34]

Okay, Councilor McDonald for the—
for the committee report.

[01:35:27.48]

Yes, this is an appropriation
to pay the bills that we owe.

[01:35:33.50]

We have in the past regularly authorized
loans and lines of credit from

[01:35:39.29]

the Massachusetts Water
Resources Water Authority.

[01:35:42.02]

They are the ones, of course,
who supply our water.

[01:35:45.24]

Most of this appropriation is for
all kinds of just standard water

[01:35:51.12]

replacement work that has to happen,
and a subset of it is for

[01:35:56.14]

lead pipe replacement.

[01:35:57.17]

As folks may remember,
we have a specific lead service line loan

[01:36:01.19]

that is zero interest and great terms.

[01:36:03.34]

So there's a portion of this that is
lead service lines.

[01:36:07.00]

But that's not the majority.

[01:36:08.43]

So it's to pay,
it's to authorize the payment of the loans

[01:36:12.34]

that we had already authorized
us to take out from the fund.

[01:36:18.12]

This does not clean out the fund.

[01:36:19.17]

There's still a few hundred thousand
dollars left in the

[01:36:21.12]

Water Sewer Enterprise Fund.

[01:36:23.34]

And so we had a quick and easy discussion
about this in the Finance Committee

[01:36:27.43]

and unanimously recommended
approval of this order.

[01:36:31.26]

Okay, any questions?
I see Councilor O'Malley.

[01:36:35.14]

I just wanted to confirm,
so this doesn't have to do anything

[01:36:38.24]

with paying the Tufts situation?

[01:36:40.53]

This is not related
to the Tufts situation.

[01:36:44.10]

But does this replace,
so this is a completely separate thing

[01:36:47.53]

that we would have had to pay regardless?

[01:36:51.05]

Yes, that's correct.

[01:36:51.53]

I mean,
we use the earnings from the Water Steward

[01:36:55.43]

Enterprise Fund for multiple purposes.

[01:36:58.07]

This is one we have,
historically often done

[01:37:02.14]

is borrow money at a good rate
from the MWRA,

[01:37:05.36]

use it to finance capital improvements,
and pay it back

[01:37:08.38]

with the retained earnings in the fund.

[01:37:11.07]

And is there a reason why
this isn't appropriated during the annual

[01:37:15.12]

budget, but we're doing it mid-year?

[01:37:19.55]

There are timings of when these payments
are due, and also it doesn't

[01:37:25.00]

impact the city's bottom line.

[01:37:26.43]

So it's not something that I would expect
to need to consider as

[01:37:29.00]

part of the annual budget.

[01:37:30.26]

It's not an operating expense.

[01:37:33.00]

But we do know when it would come
in regularly, like these are—

[01:37:36.55]

You know, we didn't ask that question.

[01:37:38.19]

I didn't hear anybody ask that question
in the Finance Committee about like,

[01:37:41.03]

well, when were the invoices incurred?

[01:37:44.10]

It's been a normal in the course
of business kind of appropriation

[01:37:47.29]

and payment in the past because it's
from a restricted fund that is

[01:37:50.58]

restricted for this purpose.

[01:37:53.29]

And so there were no
concerns about the timing.

[01:37:56.24]

As I said, it's not an operating expense.

[01:37:58.03]

It's a one-time capital kind of expense
to pay back loans we already authorized.

[01:38:03.26]

And I appreciate you
answering the questions.

[01:38:05.50]

I just think it's just something that we
need to start now asking, like,

[01:38:09.12]

how many times are we expecting to see
this payment come in every year?

[01:38:14.00]

And then I think we should be able to,
like, say, okay, if we expect to see it

[01:38:16.57]

every quarter, then, you know,
during the annual budget,

[01:38:20.26]

we should be knowing that we're

appropriating the appropriate amount.

[01:38:23.43]

It could be a cash flow issue.

[01:38:25.36]

Maybe it's that we don't have the money
in the water and sewer account when we're

[01:38:29.31]

doing the annual budget to actually
appropriate it that far in advance,

[01:38:33.12]

and we need to wait for people
to pay their water rates.

[01:38:35.22]

That could be the reason why.

[01:38:38.14]

My understanding from the controller is
that the reason that we don't appropriate

[01:38:42.31]

it is because we don't
know how much to pay.

[01:38:44.46]

And we don't want to give
a blanket authorization to pay.

[01:38:46.46]

We wait until we get the invoices,
then we authorize payment of the invoices.

[01:38:49.43]

Great, I appreciate you
talking me through this.

[01:38:52.17]

Okay, thank you, Councilor O'Malley.
I'll second.

[01:38:54.50]

Any other questions?

[01:38:55.48]

Okay, seeing no other lights,
we have a motion by Councilor McDonald,

[01:38:58.28]

seconded by Councilor Simonelli,
to adopt the order.

[01:39:03.50]

And we need a roll call.

[01:39:06.10]
Councilor Colon-Hayes?
Yes.

[01:39:07.50]
Councilor Condon?
Yes.

[01:39:09.12]
Councilor Crowe?
Yes.

[01:39:10.12]
Councilor LaWong.
Yes.

[01:39:11.41]
Councilor McDonald.
Yes.

[01:39:12.53]
Councilor O'Malley.
Yes.

[01:39:14.05]
Councilor Sika.
Yes.

[01:39:15.14]
Councilor Simonelli.
Yes.

[01:39:17.12]
Councilor Taylor.
Yes.

[01:39:18.36]
Councilor Winslow.
Yes.

[01:39:19.58]
Council President Linehan.
Yes.

[01:39:21.24]
That order has been adopted
by a unanimous vote.

[01:39:24.41]
Okay, next order of business,
Paper 200-26, order that the City Council

[01:39:31.31]
will vote whether to go into executive
session with legal counsel for the city

[01:39:35.55]

For the purpose of exemption 3,
Massachusetts General Law Chapter 30A,

[01:39:40.02]

Section 21A(3),
for the purpose of discussing strategy as

[01:39:44.55]

to possible future litigation related
to budgetary constraints,

[01:39:48.26]

with such discussion in open meeting may
have a detrimental effect

[01:39:51.55]

on the litigation position of the city,
if so declared by the chair.

[01:39:56.34]

And if so allowed by the body,
to admit Special Assistant

[01:39:59.22]

to the Mayor Mary Louise,
Chief Strategy

[01:40:01.53]

and Innovation Officer Ronald Hogan,
And the Honorable Mayor Gary Christianson.

[01:40:07.43]

Okay, I see a couple of lights.

[01:40:09.31]

Do we have questions on this?

[01:40:12.00]

All right, Councilor— oh,
I have a lot of lights.

[01:40:13.38]

Councilor Sika.

[01:40:15.24]

Thank you, Council President.

[01:40:16.41]

So, um, after hearing
a bunch of back and forth on this

[01:40:20.41]

particular agenda item,
out of abundance of caution,

[01:40:24.38]

I am asking that we table this paper
until we dot our i's and cross our t's

[01:40:29.24]
to make sure that the wording of it is
appropriate for, for what we need to do.

[01:40:35.31]
So I'm making a motion to table
executive session for this evening.

[01:40:39.22]
Okay, that takes precedence.

[01:40:40.48]
Can we take— we can't take
discussion, or we can?

[01:40:43.07]
You can take discussion, but okay,
it takes precedence over any other motion.

[01:40:46.10]
Okay, I'll take Councilor Winslow next.

[01:40:48.34]
Yeah, I mean, I just— in addition to that,
what Councilor Sika has raised,

[01:40:53.38]
I think we should also think I mean,
the question I would have is to,

[01:40:59.05]
even if we get the language,
I would want to know that either there's

[01:41:04.41]
some sort of correspondence we've had
received related to potential litigation,

[01:41:10.34]
or someone is filing
a notice of a lawsuit.

[01:41:15.34]
The voters just voted
against raising taxes.

[01:41:20.50]
and we really need to make sure
we're transparent and build trust.

[01:41:27.12]
And to have maybe the first discussions
being in executive session,

[01:41:31.31]

I don't know if that really sits well.

[01:41:33.34]

So I, I'm kind of almost leaning not to have this discussion in executive session.

[01:41:38.17]

So it's something we have to think about.

[01:41:40.07]

Um, so that, that's my concern, that we, we actually need to work with our,

[01:41:46.12]

you know, the mayor
our staff through their unions,

[01:41:50.22]

but we need to make sure that the public has a view of that.

[01:41:55.46]

They just, just the situation this city is in,

[01:42:00.29]

they're looking over our shoulders,
and trust is something that came up

[01:42:06.22]

several times as we were talking about,
you know, the mayor being

[01:42:10.41]

presented and Mohammed presenting.

[01:42:13.00]

Trust, building trust,
we may need to have these discussions

[01:42:17.41]

out in the open so people do not think that there's something

[01:42:21.22]

happening behind the thing.

[01:42:22.34]

So that's just,
so that's my comment that it's something

[01:42:25.12]

that, you know, when this comes back up next week or whatever, we should be

[01:42:28.41]

able to hear those answers of that.

[01:42:31.12]

I just,
you know, we can make up reasons to try

[01:42:34.17]

to have these discussions
outside of a public session.

[01:42:39.14]

We may not want to.

[01:42:41.38]

That's an option, and we may
not want to as a council.

[01:42:45.10]

Thank you, Greg.
Thank you, Councilor Winslow.

[01:42:47.22]

Councilor O'Malley.

[01:42:50.10]

Yeah, it's a delicate balancing act.

[01:42:53.41]

What Councilor Winslow is referring to
is if we are defending against litigation.

[01:42:59.22]

It gets a little bit more complicated if
we're talking about initiating litigation.

[01:43:02.41]

I know we've in the past talked about,
It's not fair with Chapter 70,

[01:43:06.17]

should we be suing DESE, like,
is there a proposal to sue the unions?

[01:43:10.14]

I have no idea what this is about.

[01:43:12.10]

And I would like to know
going in at least some basic information

[01:43:16.29]

so I can prepare
and at least be able to field some

[01:43:19.43]

questions that people are asking.

[01:43:21.29]

And so I don't know what this is about.

[01:43:23.05]

It's very broad.

[01:43:24.46]

And obviously we have to be careful what we broadcast, but I think there's a way

[01:43:28.50]

to add a little bit more information.

[01:43:30.31]

We know roughly what we're going in to talk about, or at least

[01:43:35.41]

roughly what it has to do with.

[01:43:37.50]

I'm not saying to air litigation strategy, but I think everyone knows that I don't

[01:43:42.26]

think we would be upset to sue DESE. That's not a secret.

[01:43:45.10]

I think DESE knows that.

[01:43:46.50]

Thank you.

[01:43:48.31]

Thank you, Councilor O'Malley.
Councilor Colon-Hayes.

[01:43:51.17]

Oh, thank you.

[01:43:53.26]

Yeah, so I had similar questions.

[01:43:54.48]

I had reached out to the council president.

[01:43:57.26]

Clerk, and I was already saying I was going to vote no

[01:44:01.10]

to go into executive session just because I don't know what we're talking about.

[01:44:05.48]

Um, and without more information,
I don't know whether or not it

[01:44:10.10]
deserves to go into executive session.

[01:44:11.53]
I was told, so I give it,
that we have done this in the past,

[01:44:14.10]
so I'm going to give that up.

[01:44:15.12]
We had, um,
done this— I can't even say what it

[01:44:18.24]
was about, but we did go in the past.
I almost said it.

[01:44:21.07]
Um, we did go into executive session
with similar wording,

[01:44:25.29]
but I question that now for the exact
reasons that I'm hearing

[01:44:28.24]
my counselors too.

[01:44:29.48]
It's— at the time,
maybe I thought that was okay.

[01:44:32.05]
I don't think that's okay now.

[01:44:34.17]
And so without— for our conversations need
to be held in public, before the public,

[01:44:39.46]
as much as possible.

[01:44:41.05]
So I did second a tabling vote, but I
don't know what, what happened there.

[01:44:45.43]
So we'll just— we'll take
it up after discussion.

[01:44:47.48]
Okay, thank you.
Thank you, Councilor Councilor McDonald.

[01:44:52.46]

I certainly, of course, agree.

[01:44:54.26]

We need to have budget discussions in public.

[01:44:55.53]

I don't think this is a budgeting discussion.

[01:44:58.10]

It's a litigation discussion, and I also don't know what it is, which

[01:45:01.48]

frankly, I would like to go into executive session to hear what it is, the topic.

[01:45:06.29]

We have a chicken and egg problem.

[01:45:07.50]

We can't talk about the thing, we can't talk about it,

[01:45:09.48]

but we can't talk about talking about it either because we're not

[01:45:12.07]

in executive session.

[01:45:12.55]

So I just want to know what we're talking about.

[01:45:15.43]

I think if we could go into executive session, then we could talk about it,

[01:45:19.07]

And then if we were like, we should do this in open session,

[01:45:21.41]

we could adjourn executive session and come back and do it in open session,

[01:45:25.50]

and that would be our judgment.

[01:45:26.48]

But right now, I feel like we're having an argument

[01:45:29.04]
with phantoms
because we can't go into executive session

[01:45:32.05]
and hear what it is
that the administration wants

[01:45:34.09]
to bring to our attention.

[01:45:35.53]
So I would, I'm in favor of at least
hearing what the topic is

[01:45:39.10]
and then deciding if we want to proceed.

[01:45:41.38]
We have a tabling motion.

[01:45:42.41]
We have a tabling motion, so
I will vote against tabling

[01:45:45.38]
right now because I would like to know
what the topic is,

[01:45:49.00]
and then we— it's not a motion.

[01:45:51.14]
I can't make a motion because
tabling takes precedence.

[01:45:54.19]
If the tabling motion fails,
then we could have the opportunity to hear

[01:45:58.24]
what the topic is and decide whether we
would like to discuss

[01:46:00.55]
it in executive session.

[01:46:02.34]
If we table it, I don't,
I don't know where that leaves us.

[01:46:06.14]
I guess trying to further get more info,
get more info, except that if we

[01:46:12.55]
can't get more info because it's

appropriate for executive session,

[01:46:17.38]

we will be right back here in a week.
Reword it.

[01:46:20.14]

So I don't know that rewording—
my perspective is rewording this because

[01:46:24.38]

people are concerned about the docketing
of this,

[01:46:27.12]

if we've already done this before,
do— can I— is it okay if I ask our legal?

[01:46:31.55]

Yeah, the language comes from legal,
but I'm happy to explain.

[01:46:34.55]

Can I ask our legal representative,
do you have any concerns about

[01:46:37.50]

the docketing of this, because—
They did docket it.

[01:46:40.41]

You did docket it.

[01:46:42.26]

Has anything changed your judgment about
whether this is

[01:46:45.26]

an appropriately docketed item?

[01:46:48.07]

Because if the docketing
is the problem, yes, we should fix it.

[01:46:51.36]

But if the issue is we don't know whether
this issue is appropriate for executive

[01:46:54.19]

session, I don't know how we find that out
until we go into executive session.

[01:46:56.55]

Thank you, Ali.
Can you introduce yourself?

[01:46:58.27]

Yes, I'm Alicia McNeil,
the city solicitor.

[01:47:01.38]
I didn't hear the entire, um, discussion.

[01:47:04.36]
I was in the back, so I'm sorry.

[01:47:06.48]
My question was just,
I know that the legal

[01:47:09.02]
department docketed this issue.

[01:47:11.12]
Since you docketed it,
do you— have you had any concerns about

[01:47:15.02]
whether we should be revising it, or does
it still seem properly docketed to you?

[01:47:20.24]
It seems properly docketed to me.

[01:47:22.14]
Okay,
so that's not a thing we can fix because

[01:47:24.36]
it's not a problem
because it's properly documented.

[01:47:28.22]
So anyways, that's what I think.

[01:47:30.02]
We, um, Solicitor McNeil,
we have a motion on the floor to table

[01:47:33.53]
this item because the councilors have
asked if the description is

[01:47:37.31]
sufficiently specific enough.

[01:47:39.55]
And I've explained that this—
the clerk and I have

[01:47:43.31]
received this from the mayor's office,
and that this

[01:47:47.05]

language has undergone review from your office, and that it's identical to

[01:47:52.58]

similar litigation discussions that we've undertaken in the past year when—

[01:48:00.14]

I mean, I think we've been as specific as we can related to

[01:48:06.00]

future potential litigation.
Yes.

[01:48:08.07]

It's not related to discussing the budget.

[01:48:10.50]

Yes.

[01:48:11.15]

And I've checked
with determinations with the Secretary

[01:48:15.53]

of State, and I'm comfortable
with the language that we proposed.

[01:48:20.41]

And that if we
—do not discuss—if we convene in executive

[01:48:25.38]

session
and we—to Councilor McDonald's

[01:48:29.05]

question—and we
decide that it's information that we would

[01:48:32.58]

prefer to discuss in open session,
may we do that, or

[01:48:36.43]

is that something that we would have
to determine once we're in executive

[01:48:39.34]

session if that's appropriate or not?

[01:48:41.38]

I don't actually know the answer to that.
Okay.

[01:48:44.10]

I don't actually know the answer to that.

[01:48:46.19]

Okay, that's helpful.

[01:48:50.41]

We could re-docket it for next week.

[01:48:52.55]

Okay.

[01:48:55.19]

Okay.

[01:48:59.00]

We have— we actually still have a lot of lights to get through before we can

[01:49:02.43]

take the vote on the tabling motion.

[01:49:05.07]

Thank you for answering those.

[01:49:06.53]

I'm going to take Councilor Condon.

[01:49:11.38]

Thank you, Madam President.

[01:49:14.00]

Uh, does anybody think that it's right

[01:49:19.48]

that Revere

[01:49:21.58]

and Everett should get \$20 million more than the city of Malden, Chapter 70?

[01:49:30.05]

No.

[01:49:33.12]

No.

[01:49:34.00]

No.

Is this related to the tabling motion?

[01:49:36.43]

Well, I'd like to— I'd like to tell you I'd like to tell you, because

[01:49:42.07]

I don't think it's fair either.

[01:49:44.48]

And we've talked about the city

[01:49:49.07]

of Marlborough getting screwed by those

[01:49:52.53]

reps and senators up in the statehouse.

[01:49:59.12]

And we all know that the formula
is messed up, really messed up.

[01:50:04.55]

But nobody wants to admit it.

[01:50:07.24]

Nobody wants to point fingers
at the higher-ups.

[01:50:13.02]

So,
you know, we're gonna just go down a road

[01:50:16.14]

that if we're not willing to fight or push
forward and let people know

[01:50:21.55]

that it's wrong, and it is wrong,
then we get nothing.

[01:50:28.46]

So.

[01:50:30.10]

I'm in favor of it,
any way you want to talk about it,

[01:50:34.46]

because everybody says, yeah,
I know the formula is wrong.

[01:50:41.12]

Well, no one wants
to do anything about it.

[01:50:44.43]

We're the losers.

[01:50:50.22]

You really can't say that.
What?

[01:50:55.55]

I'm asking Councilor Simonelli

to keep it down.

[01:50:58.53]

Okay.

[01:50:59.48]

Sorry, Paul.

[01:51:03.26]

Are you all set?

Yeah.

[01:51:04.36]

Okay, thank you, Councilor Condon.

[01:51:06.34]

Councilor O'Malley for the second time.

[01:51:08.38]

Yeah, and I agree with Councilor Condon.

[01:51:10.34]

I want to have that conversation anywhere,
and if we're talking about suing DESI,

[01:51:14.48]

I think we can talk about that out here.

[01:51:16.53]

Obviously we shouldn't be talking about
litigation strategy specifically,

[01:51:20.10]

but it's not a secret that the City
of Malden is pissed and wants to sue DESE.

[01:51:24.36]

So I don't know what we could possibly say
that would hurt our litigation strategy,

[01:51:28.36]

having that conversation in public.

[01:51:30.14]

And I think it would actually
build a lot of trust

[01:51:33.31]

and a lot of confidence that we're doing
something as a city rather than

[01:51:36.43]

having it behind the scenes.

[01:51:38.34]

So in hindsight, Councilor Sika,
I probably won't support the tabling

[01:51:42.31]
motion, but I would vote not to go
into executive session with the hopes

[01:51:46.17]
of having that conversation
here in open session.

[01:51:47.46]
Session.

[01:51:48.26]
Thank you.

[01:51:49.34]
Thank you, Councilor O'Malley.
Councilor Simonelli.

[01:51:51.58]
Hang on one second.
You're all set?

[01:51:53.55]
Okay.
Councilor Winslow.

[01:51:56.19]
Yeah, no, I just,
I don't know if Solicitor McNeil heard

[01:51:59.55]
the questions that I was raising about
my kind of confusion about what's here.

[01:52:06.02]
So, you know,
specifically why I asked was,

[01:52:11.46]
have we received either any correspondence
for notice saying that there may be

[01:52:18.24]
potential litigation against the city

[01:52:20.29]
because of the future litigation
due to budget constraints?

[01:52:26.46]
Has that something—
has anybody communicated to your office,

[01:52:30.02]
the mayor's office, and is that why we're
meeting, or is it a proactive thing?

[01:52:33.10]
I guess that's just to me,
that is the type of thing that, you know,

[01:52:38.48]
what is— is this just something we're
thinking of, or is it something

[01:52:42.19]
we're having to react to?

[01:52:44.02]
And what is the, I mean,
likelihood of that happening?

[01:52:47.34]
I mean, is there actually
been a lawsuit filed?

[01:52:49.24]
I mean, that's the type of thing of,
you know, it's speculative.

[01:52:54.12]
That's the thing that gets me.

[01:52:55.46]
So that's— is that something
you feel like you can answer?

[01:52:59.46]
Oh, did you turn your light off?
Hang on.

[01:53:01.36]
Sorry.
Okay.

[01:53:02.05]
So there has been no communication
from my office to anyone.

[01:53:07.17]
I I can't speak for the mayor's office.

[01:53:10.36]
I guess if you all didn't receive any
communication, then there hasn't been any.

[01:53:15.34]
But has anybody— oops,
sorry, go ahead, Steve.

[01:53:17.53]
Has anybody communicated to you
or the mayor, like any union

[01:53:25.46]
or other entity,
communicated a threat of litigation

[01:53:30.24]
or filed any written thing?

[01:53:32.17]
I mean, that's what I'm
trying to figure out.

[01:53:33.12]
Figure out, is this something that we're
anticipating litigation?

[01:53:38.02]
Are we reacting?
Are we being proactive?

[01:53:40.43]
That's— I just— that is what I'm asking.

[01:53:50.48]
Let me see if I can answer
that question without—

[01:53:58.02]
it's— we're being proactive.

[01:53:59.48]
Proactive, not reactive.

[01:54:05.38]
Are you all set?
Okay.

[01:54:07.10]
Okay.

[01:54:07.53]
I have Councilor Luong,
last but not least.

[01:54:11.36]
I'm just going to echo what,
you know, Councilor McDonald said.

[01:54:15.55]
I think it's not a matter
of trust to the public.

[01:54:18.29]
I think it's in any potential litigation
on our part, being proactive or reactive,

[01:54:24.17]

I think as a council we should step out,
find out what it's about, decide what

[01:54:29.05]
we want to do, and then come back out.

[01:54:30.53]
It's not time for being secret.

[01:54:33.07]
It's just, I don't think it's a correct
pers— what's the word I want to use?

[01:54:41.00]
Precedent to set to just
to decide if we don't know.

[01:54:44.41]
I have no idea what we're
going to talk about.

[01:54:46.48]
So I'd like to go back,
find out what we're going to talk about,

[01:54:49.02]
and then decide should
it be for the public.

[01:54:51.19]
You know, let's talk
about it in public or not.

[01:54:55.07]
Thank you, Councilor Leung.

[01:54:56.24]
And I'll just say from the chair,
this is in an attempt to be respectful

[01:55:00.05]
of folks' repeated requests that we
have more executive session and that we

[01:55:05.22]
are involved in as much decision-making
process as possible

[01:55:10.26]
with respect to litigation,
and that sometimes

[01:55:13.38]
the language here is necessarily
not as descriptive as folks might like,

[01:55:18.22]

but again, modeled after
many other instances where we've had to

[01:55:23.02]
just be as specific as we can.

[01:55:24.48]
And it's— you find out more when you get
into the session, and then that's

[01:55:28.43]
the intent of the executive session.

[01:55:30.48]
Um, the clerk and I, again, not to,
you know, be repetitive,

[01:55:34.14]
but went over this many,
many times over the weekend, and, um,

[01:55:37.29]
I'm comfortable with the
language as it stands.

[01:55:39.12]
But we do have a motion to table.

[01:55:41.36]
Uh, that motion was
made by Councilor Sika.

[01:55:44.58]
Do we have a second?

[01:55:46.36]
Councilor Colon-Hayes.

[01:55:48.12]
So we need to call the roll
for that on the motion to table.

[01:55:52.41]
Councilor Colon-Hayes?
Yes.

[01:55:54.10]
Yes.

[01:55:54.55]
Councilor Condon?
No.

[01:55:56.31]
No.

[01:55:57.19]

Councilor Crowe?
No.

[01:55:58.38]
No.
Councilor LeWong?

[01:56:00.00]
No.
No.

[01:56:01.17]
Councilor McDonald?
No.

[01:56:02.48]
No.

[01:56:03.41]
Councilor O'Malley?

[01:56:05.00]
No.

[01:56:05.43]
No.
Councilor Sika?

[01:56:07.17]
Yes.
Yes.

[01:56:08.26]
Councilor Simonelli?
No.

[01:56:10.14]
No.

[01:56:11.10]
Councilor Taylor?
No.

[01:56:12.53]
No.
Councilor Winslow?

[01:56:14.34]
Yes.
Yes.

[01:56:15.38]
Council President Linehan?
No.

[01:56:18.05]
No.

Okay, so the paper has not been tabled.

[01:56:21.43]

Okay, so therefore,
citing Exemption 3

[01:56:24.31]

on Mass General Law Chapter 38,
Section 21A,

[01:56:28.38]

wherein discussing Paper 200-26 in open
meeting would have a detrimental effect

[01:56:35.29]

on the city's Litigating position.

[01:56:38.12]

I'm looking for a motion
to enter executive session.

[01:56:42.34]

So moved by Councilor Taylor,
seconded by Councilor Luong.

[01:56:45.58]

The clerk will now call the roll.

[01:56:49.36]

Councilor Colon-Hayes?
No.

[01:56:51.17]

No.
Councilor Condon?

[01:56:53.02]

Yes.
Yes.

[01:56:53.55]

Councilor Crowe?
Yes.

[01:56:55.10]

Yes.
Councilor Luong?

[01:56:56.26]

Yes.
Yes.

[01:56:57.10]

Councilor McDonald?
Yes.

[01:56:58.31]

Yes.
Councilor O'Malley?

[01:56:59.50]
No.

[01:57:00.29]
No.

[01:57:01.22]
Councilor Sika?
No.

[01:57:02.53]
No.
Councilor Simonelli?

[01:57:04.34]
Yes.

[01:57:05.14]
Yes.
Councilor Taylor?

[01:57:06.46]
Yes.

[01:57:07.29]
Yes.
Councilor Winslow?

[01:57:09.17]
No.

[01:57:10.29]
No.
Council President Linehan?

[01:57:12.14]
Yes.

[01:57:13.50]
Yes.

[01:57:14.22]
So the, um, order to enter
into executive session has passed.

[01:57:20.43]
Okay, by 7 to 4 vote.

[01:57:22.53]
Passes 7 to 4, so we will
enter executive session.

[01:57:25.48]
Do we want to have personal privilege

prior to entering executive session.

[01:57:34.02]

Okay, I see Councilor Winslow.

[01:57:36.50]

Um, yeah, I'm just going to hand out, um, Maplewood Fest.

[01:57:40.10]

I have the initial flyer here, Saturday, May 16th.

[01:57:42.48]

So just encouraging people, we have more, uh, crafters that are coming in,

[01:57:47.36]

and we're going to have a puppy parade, we're going to have a couple local bands.

[01:57:50.31]

So, uh, just want to spread that word.

[01:57:52.58]

Um, so I'll hand this out to everybody as we're going into executive session.

[01:57:56.29]

Thanks.

[01:57:57.17]

Great, thank you, Councilor Winslow.

[01:57:58.53]

Councilor O'Malley, um, I just want to announce that, um,

[01:58:06.31]

Saturday, April 18th, um, there's going to be a cleanup

[01:58:10.29]

at Waites Mount with the Great Malden Outdoors and myself.

[01:58:13.46]

Um, this is something we do annually, and it's going to be at 10:00 a.

[01:58:17.43]

m.
Um, hopefully the weather will be great.

[01:58:19.22]

It's rain or shine.

[01:58:20.48]

Um, you know, cleaning,
doing park cleanups and planting trees is,

[01:58:24.14]

you know, one of my most
favorite things, genuinely.

[01:58:27.14]

And so we're going to be doing both.

[01:58:28.31]

Um,
additionally, I just want to address

[01:58:31.53]

earlier in the night there was some talk
about, um, you know, rewriting the Chapter

[01:58:37.02]

6 portion of our marijuana ordinance.

[01:58:39.34]

And I just wanted to clarify,
the reason why Dris was coming up was

[01:58:42.38]

because that 5th license, I believe,
is the license that is being

[01:58:46.43]

proposed to be taken away from DRIS.

[01:58:48.53]

So I think the reason why we were talking
about that is because

[01:58:52.14]

it has to do with DRIS.

[01:58:54.14]

And I apologize if I went over the line,
but I, as mentioned, will send everything

[01:59:00.22]

I can to yourself, legal, and the clerk.
Thank you.

[01:59:03.19]

Thank you, Councilor O'Malley.
Councilor Taylor.

[01:59:05.53]

Thank you.

[01:59:06.24]

Really quickly,

April 25th is the citywide yard sale.

[01:59:11.12]

We have almost 50 people signed up
in over 3 locations— uh, sorry,

[01:59:18.14]

uh, over 35 locations.

[01:59:19.58]

So 3 of them being,
um, multiple people at the Forestdale

[01:59:24.05]

School, the BB School, and the ELC.

[01:59:26.53]

Um, and then at individual cities—
uh, individual houses.

[01:59:30.36]

Sorry, it's late.

[01:59:32.00]

Um, I've got too many words in my head.

[01:59:36.05]

Um, so we hope that you'll
join us between 8 and 2.

[01:59:39.43]

The coffee cart will be at BB,
I believe, between 7:30 and 1.

[01:59:44.17]

So you can start there,
make your way across the city.

[01:59:46.31]

There'll be lots of great finds.

[01:59:49.43]

And there is an extensive
map and detailed list on Facebook,

[01:59:56.31]

and also will be getting posted.

[01:59:58.10]

And I need to just say that
this is something that I help with,

[02:00:02.58]

But really, it's been my constituent
Marlene Gala who has put this all

[02:00:08.26]

together, taken on the brunt of it.

[02:00:10.07]

She has done an amazing job
from starting this last year in Ward 5.

[02:00:14.07]

And I'm so excited to see—
go to every location this year

[02:00:19.38]

and hopefully not come home
with more than what I need.

[02:00:24.34]

So book yourself a donation
truck to come pick it up.

[02:00:29.02]

The next day, that's what I'm doing.

[02:00:32.26]

Well, from the chair, I'll wrap us up.

[02:00:34.53]

I am so honored to be announcing that our
very own Diana Fajardo,

[02:00:38.53]

our elections administrator from the city
clerk's office,

[02:00:42.00]

is going to be honored at this year's
North Shore Hispanic Association,

[02:00:45.41]

um, 2026 Americans Making
a Difference Gala on April 30th,

[02:00:49.19]

which Councilor Colon-Hayes
had updated us on last week.

[02:00:53.05]

So just a little bit about Diana prior
to accepting a full-time position as

[02:00:56.36]

the elections administrator for the city.

[02:00:58.58]

She served the voters of Malden for 7
years running elections as the precinct

[02:01:02.58]

warden at the Ferryway School.

[02:01:05.02]

Last year, Dina was recipient of the 2025 Latino Excellence Award sponsored by

[02:01:10.38]

the Black and Latino Legislative Caucus, and she's helped lead the clerk's office

[02:01:14.58]

in earning consecutive A ratings on Malden's bilingual

[02:01:18.22]

voting rights report card.

[02:01:20.07]

In both 2024 and 2025's election cycles.

[02:01:24.17]

Dinah is an essential member of our clerk's team, and I am so happy to take

[02:01:27.41]

this opportunity to highlight the great work that she does

[02:01:30.10]

for Malden's constituency.

[02:01:35.36]

So with that, the council will now enter into executive session,

[02:01:39.50]

and the body will not reconvene for any further business this evening.

[02:01:43.29]

So we will adjourn directly from executive session.

[02:01:46.07]

Thank you and good evening.

[02:02:12.10]

8:54 PM.