



The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place
Boston, Massachusetts 02108

OPEN MEETING LAW COMPLAINT FORM

Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

Instructions for filing a complaint:

- o Fill out the attached two-page form completely. Sign and date the second page. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
 - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
 - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
 - o Complaints may be filed by mail, by email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address the allegations in the complaint. At the same time, the body must send the Attorney General a copy of the complaint and a copy of the response. The public body may delegate this responsibility to an individual member of the public body, its counsel, or a staff member, but only after the public body has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

Once the public body has responded to the complaint:

- o If you are not satisfied with the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, by email, or by hand, but only once you have waited for 30 days after filing the complaint with the public body. Mail may be sent to: The Division of Open Government, Office of the Attorney General, One Ashburton Place - 20th Floor, Boston, MA 02108. Emails may be sent to: openmeeting@state.ma.us.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by email at openmeeting@state.ma.us.



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: _____ Last Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Ext. _____

Email: _____

Organization or Media Affiliation (if any): _____

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☐ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

☐ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/
town, county or region, if applicable): _____

Specific person(s), if any, you allege
committed the violation: _____

Date of alleged violation: _____

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: _____

Date: _____

*For Use By Public Body
Date Received by Public Body:*

*For Use By AGO
Date Received by AGO:*



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Agenda - Final City Council

Council President Amanda Linehan
Councillor at Large Karen Colon Hayes
Councillor Paul Condon
Councillor Peg Crowe
Councillor at Large Michelle Luong
Councillor at Large Carey McDonald
Councillor Ryan O'Malley
Councillor Jadeane Sica
Councillor Chris Simonelli
Councillor Ari Taylor
Councillor Stephen Winslow

Tuesday, January 20, 2026

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

Watch the meeting with Teams: <https://tinyurl.com/4a7dxkdz>

This emergency meeting of the Malden City Council is being posted as soon as was reasonably possible in conjunction with M.G.L. c. 30A, 20(b) to take up such business that was unknown to the Body 48 hours prior.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICE MEMBERS

3. ROLL CALL

4. EXECUTIVE SESSION

[39-26](#)

Order: That the City Council will vote whether to go into Executive Session with legal counsel for the City regarding the matter of Tufts Construction, Inc., v. The City of Malden, Middlesex Superior Court Docket #2181CV01248, for the purpose of Exemption Three Massachusetts General Laws Chapter 30A Section 21(a)(3) for an update on recent developments regarding a tentative resolution to the civil action, where such discussion in open meeting may have a detrimental effect on the litigation position of the City, if so declared by the chair.

And if so allowed by the Body, to admit Maria Luise, Special Assistant to the Mayor.

(Roll Call Required)

Sponsors:

Amanda Linehan

5. ADJOURNMENT






CAROL ANN DESIDERIO, CITY CLERK

If you would like to request a reasonable accommodation, please contact Maria Luise, ADA Compliance Coordinator at mluise@cityofmaiden.org or 781-397-7000 Ext. 2005

For instructions on enabling live translated captions in Teams, please visit:
www.cityofmaiden.org/captions

Access Massachusetts Court Cases

2181CV01248 Tufts, Peter et al vs. City Of Malden et al

01/15/2026	Defendants City Of Malden, Yem Lip's Motion in limine to Admit Business Records of Hayner Swanson, Inc.	73	 Image
01/15/2026	Defendants City Of Malden, Yem Lip's Motion in limine to Admit Malden Police Report as Business/Public Record	74	 Image
01/15/2026	Plaintiff, Defendants Peter Tufts, Yem Lip, City Of Malden's Motion in limine for Joint Proposed Description of Case to Jury Venire.	75	 Image
01/15/2026	Plaintiffs, Defendants Peter Tufts, Tufts Construction Inc., City Of Malden, Yem Lip's Motion in limine for List of Currently Pending Motions.	76	 Image
01/15/2026	Plaintiffs, Defendants Peter Tufts, Tufts Construction Inc., City Of Malden, Yem Lip's Motion in limine for Joint Witness List.	77	 Image
01/16/2026	Event Result:: Final Trial Conference scheduled on: 01/16/2026 11:00 AM Has been: Held as Scheduled Hon. Michael Pineault, Presiding Appeared: Plaintiff India Lanni Minchoff, Esq., Stephen J Kuzma, Esq., Private Counsel Defendant Zaheer Samee, Esq., Private Counsel Prasanna V Rajasekaran, Esq., Jeffrey T Blake, Esq., Private Counsel Staff: Arthur T DeGuglielmo, Assistant Clerk Magistrate		
01/20/2026	Event Result:: Jury Trial scheduled on: 01/20/2026 09:00 AM Has been: Not Held For the following reason: Case Settled Comments: Reported settled in open Court. Nisi order to issue. Hon. Michael Pineault, Presiding Appeared: Plaintiff India Lanni Minchoff, Esq., Stephen J Kuzma, Esq., Private Counsel Defendant Mark E Rumley, Esq., City / Town Counsel Zaheer Samee, Esq., Private Counsel Alicia Ann McNeil, Esq., City / Town Counsel Prasanna V Rajasekaran, Esq., Jeffrey T Blake, Esq., Private Counsel Staff: Arthur T DeGuglielmo, Assistant Clerk Magistrate		

Case Disposition		
◆ Disposition	◆ Date	◆ Case Judge
Pending		

[00:00:00.00]

With the Council of Underwater.

[00:00:02.04]

All right. Let's go to the next.

[00:00:05.09]

I'm going to be pleased. I'm going to be pleased to be the President of United States of America, and to the Republic for which it stands, one nation under God, individual, liberty, and justice for all.

[00:00:17.03]

Please remain silent for a moment of silence in honor of our veteran service members and those who have given an ultimate sacrifice. We honor and acknowledge the Massachusetts, Penacope, and Patuket peoples, whose ancestral lands we now call home and on which we gather today. We express gratitude to the indigenous peoples who have cared for this land for generations, for their heritage colonization, and continuing to the present. Moving forward, we are committed to ensuring that the history, voices, and contributions of Indigenous peoples are recognized and respected in the life of our city.

[00:00:52.09]

Corky is responsible. Council Cohnkame. Here. Council Cohn. Here. Council Thur. Here. Council McDonald. Here. Council McDonald. Here. Council McDonald. Here. Council Almanz. Here.

[00:01:06.05]

Council Sears. Here. Council McDonald.

[00:01:08.11]

Here.

[00:01:09.09]

Council Sears. Here.

[00:01:10.05]

Council Ms. Williams. Here. Council Cohnkame.

[00:01:12.13]

Here. Council for Naya I'm sorry. Did you have an additional moment of silence or something for the earlier part of the agenda? No. Okay, no problem.

[00:01:23.08]

So moving on to the conditions of the meeting off.

[00:01:26.14]

For those of you in extended sense, be informed that the open part of Concade, here. Council of This meeting is being streamed live on Microsoft Teams. So just be aware there will be audio and video recordings of this meeting. First order of business. Okay.

[00:01:38.01]

39,26. The order that the city council will vote, let us go into the decade's session. Would legal counsel for the city regarding It is a matter of cost constructions, be incorporated, be the city of Malden, North Texas, superior Court, 12181, CB 01248 for the purpose of exemption 3, Massachusetts General Log, Chapter 38, Section 21, day 3, for an update on recent developments regarding the tentative resolution to the civil action. With such discussion in open meeting may have a detrimental effect on the location of the city, if so, declared by the chair, and if so, allowed by the body to admit Maria Louise's special assistance you may have a role call required.

[00:02:19.01]

Thank you to the clerk. Okay, so signing an exemption free of Master General Chapter Survey, Section 21A. We're in discussion paper 39-26. In open meeting would have a detrimental effect on the city So we're going to be in the position. Do I have a motion to enter into the executive session? No. Okay. I have a motion by Councilor Sika, seconded by Council Louwam, and I do have a light on by Councilor O'Malley. Can I just ask, is anybody in the chamber in the chamber in the Okay. I just want to make note that we do have one member in the public recording. Councilor O'Malley.

[00:02:51.05]

Yeah. So obviously this was posted yesterday morning, this morning. I don't remember when. And I object to this. I don't think it complies with the open meeting law. I don't think it was an emergency. I believe it was known to the city and to members of the council. This is already been reported in open session that there's a settlement that was announced in court today. I think we should take this out in Milton because settling potentially in violation of the open meeting law and having millions of dollars expended because of the behavior of our legal department, I think is appropriate. So I'll be objecting to this.

[00:03:31.06]

Thank you. Okay. Thank you, Councilor O'Neill. Okay. So we do have a motion on the second on the floor. The clerk, call it roll.

[00:03:39.00]

Seeing no otherwise, we call it roll. Council is on the page. Yes.

[00:03:42.08]

Council is on it.

[00:03:45.00]

Yes. Council Pro. Yes. Council Alon. Yes. Council McDonald.

[00:03:50.00]

Yes.

[00:03:50.08]

Council O'Malley. Council O'Malley, would you like to go on record with your vote? Council O'Malley said that he does not wish to go on record with his vote. Council Seca. Yes. Council Seminali. Yes. Council Taylor? Yes. Council Winslow?

[00:04:11.09]

Yes.

[00:04:12.04]

Council President Wendell?

[00:04:13.11]

Yes.

[00:04:15.04]

Okay, so that order has been adopted to enter into executive session.

[00:04:19.10]

Okay, so the council will enter into executive session. The council will now enter into executive session. The body will not reach the need for any further business this evening.

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COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT
Civil No. 2181CV01248

PETER TUFTS and TUFTS CONSTRUCTION, INC.

v.

CITY OF MALDEN and YEM LIP

ORDER FOR ENTRY OF DISMISSAL NISI

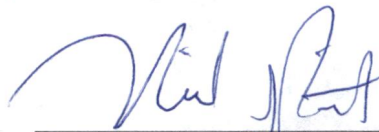
The above-captioned action came before the Court for the first day of trial and was thereupon reported to be resolved, counsel of record informing the Assistant Clerk that the parties had agreed upon all material terms of a binding settlement. Accordingly, the parties are directed to file an Agreement for Judgment or Stipulation of Dismissal in the Clerk's Office no later than February 19, 2026.

If no Agreement for Judgment or Stipulation of Dismissal is filed by said date, the Clerk is hereby directed to prepare, sign and enter a Judgment dismissing the action, and all claims thereof and related thereto, without prejudice and without statutory costs.

The Court may, in its discretion, enlarge the nisi period. Barring unusual circumstances beyond the control of the parties, however, this case will not be returned to the active trial list. Failing the timely filing of an Agreement for Judgment or Stipulation of Dismissal, the parties are free to enforce their settlement agreement either in this Court by way of motion during the *nisi* period, or in a separately filed action for breach of contract.

SO ORDERED.

Dated: January 20, 2026



Michael J. Pineault
Associate Justice of the Superior Court