



4 Laurel St. | Malden, MA 02148

September 8, 2025

City Councilor Stephen Winslow
215 Pleasant St., 4th Floor
Malden, MA 02148

RE: Trafton Park Permit

Dear Councilor Winslow:

Mystic Valley Regional Charter School requests a daytime, non-exclusive permit for Trafton Park at no fee, including age-appropriate playground use, on the same terms the City affords other public schools and consistent with Parkland Acquisitions and Renovations for Communities (PARC) Grant Program and Land and Water Conservation Fund (LWCF) Grant Program requirements. The terms outlined in your September 3 letter, and the City's current approach, are inconsistent with those standards and with City practice.

I received your September 3, 2025, letter addressed to Chairman George Warren. As the Assistant Superintendent of Finance and Operations, I am responsible for working with the City to resolve this. After our August 12 meeting, your August 21 email stated that Recreation Department Coordinator Joe Levine has authority to issue seasonal permits. I understood that direction and met with Mr. Levine at his office within days.

That meeting occurred despite the City's failure to complete its response to Mystic Valley's mid-July 2025 public records requests. To date, significant items remain outstanding. The City has ten days to produce records requests, particularly those simple in nature. Despite the lack of complete information, I offered Mr. Levine a practical interim solution: a \$250 fee per season, Fall and Spring, for six hours per day from 8:30 am to 2:30 pm, expressly including non-exclusive use of the playground. I also offered up the possibility of our students completing community service hours for park clean ups, as we have done for years prior to the closure and renovation.

Information the City has provided so far shows that some entities pay no permit fees despite having far fewer than 90 percent Malden residents and having access to artificial turf fields with lighting during prime hours each day for multiple seasons, including Spring, Summer, and Fall. In addition, the assertion that the City does not issue permits for playground use and that Malden schools rely only on on-site playgrounds is not accurate in practice. Salemwood and Linden Schools, both on Salem St. near our Maplewood campus, use adjacent City parks and City

playgrounds during school hours. On most days, those public schools use the playgrounds and equipment far more than Mystic Valley and actually exclude parents and grandparents with “activities that conflict with free play.” As an example, there is a sign currently posted on the Linden playground that states “For school use only during school hours”. To make clear, that playground is on the public park and not property of the Linden School. Our students in Grades 1 through 3 use the Trafton playground for free play at ages six through nine, which matches the ages the equipment was designed for in the City’s 2019-2020 PARC application. The maximum use per day on the playground is no more than 3 hours.

Given this information, it has become clear that Malden’s policy is not enforced equally as written regarding Malden entities, in terms of fees charged to public schools, entities with non-Malden residents, and in terms of allowing entities to use public parks without permits and in a non-exclusive manner. It appears that Mystic Valley has been singled out intentionally in the new fee policy, despite Malden receiving a Massachusetts PARC grant based on the representation that it would not charge fees. That conflicts with Massachusetts and federal rules and regulations, specifically:

1. Mystic Valley Regional Charter School is a Commonwealth of Massachusetts public school located in the City of Malden. It should be charged zero dollars and have access to public parks, including the playground for younger children, on the same terms the Malden Public Schools enjoy at comparable parks; for example, Salemwood at Roosevelt Park and Linden at Hunting Field and Park.
2. The U.S. Department of the Interior LWCF Grant Program prohibits discrimination based on residence, except that “reasonable” differences in admission and other fees may be maintained. Charging some entities no fee while telling others they will pay thousands of dollars is not “reasonable” and is not what the program intends.
3. Under LWCF guidance, fees charged to non-residents cannot exceed twice the amount charged to residents.
4. Malden did not follow the proper procedures and state regulations to change fees or access at a PARC grant site after project completion. See 301 CMR 5.07 Post-Completion Requirements:
 - a. 5.07(1) requires operation in accordance with the approved agreement and application. Malden has not done so since opening in June 2025, which constitutes a material misrepresentation made during application.
 - b. 5.07(3) requires nondiscrimination on the basis of residence.
5. The regulations state the Secretary of the Division of Conservation Services must approve or deny all proposed fee or access-limiting systems. Waivers will not be granted where inconsistent with the Federal Land and Water Conservation Fund Act. There is no written approval from the Secretary for the changes the City has adopted, nor are there recorded minutes of a Malden Parks Commission vote adopting such changes prior to August 2025, if at all.

Your September 3 letter proposes limiting any permit to 8:00 am to noon on school days only; imposing a \$2,500 per-season fee or, in the alternative, requiring an executed contract for aeration, re-seeding, and fertilization before issuance; expressly prohibiting use of the playground, picnic area, and dog park; applying standard rules; and applying these limits to

MVRCS and any program operators. It further states that if we do not affirm by noon on September 4, you will not advance a fee reduction to the September 9 Malden City Council docket. We cannot accept those proposed limits and fees for the reasons above, and because they are not consistent with the City's "Park Policies, Regulations and Permits Guide" including treatment of other public schools or with the purposes and conditions of PARC grant funding.

As of today, we are waiting on the Recreation Department for an answer to our offer. In the meantime, given our better understanding of what fees other entities have been charged or not for park use, our position is that the City should charge no fee during school-day hours. All other public schools located in the City of Malden are charged nothing, and other entities with below 90 percent Malden residents are charged zero fees for permits on turf fields with lights during prime after-school hours. While the City resolves this issue and completes its records production, Mystic Valley will continue to use Trafton Park during school hours in a non-exclusive manner, just as other schools do, both public and private, at other City parks.

Mystic Valley awaits the response from The Malden Recreation Department regarding the schools use of parks and is open to reasonable discussions on park schedules during its school day and other reasonable alternative solutions.

Sincerely,



Rick Veilleux
Assistant Superintendent – Finance & Operations

Cc: City Council President- Amanda Linehan
Entire City Council