



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final Personnel/Appointments Committee

*Councillor Amanda Linehan, Chair*  
*Councillor Chris Simonelli, Vice-Chair*  
*Councillor at Large Carey McDonald*  
*Councillor Paul Condon*  
*Councillor Jadeane Sica*

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Tuesday, March 14, 2023

6:00 PM

City Hall, Room #108  
215 Pleasant Street

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### Roll Call

**Present:** 3 - Councillor Amanda Linehan, Carey McDonald and Jadeane Sica

**Absent:** 2 - Councillor Chris Simonelli and Paul Condon

*Also Present: Councillors Murphy, Crowe, O'Malley and Winslow*  
*Maria Luise-Mayor's Office*  
*Carol Ann Desiderio-City Clerk*

*Councillor Linehan called the meeting to order at 6:05 PM.*

### Minutes to be Approved

[95-23](#)

Minutes of February 21, 2023 to be approved.

**A motion was made by Councillor at Large McDonald, seconded by Councillor Sica, that the Committee Minutes of February 21, 2023 be approved. The motion carried by a unanimous vote.**

### Business

[33-23](#)

Order: That the Personnel and Appointments Committee will meet to discuss resource requirements to comply with ongoing Freedom of Information Act (FOIA) requests.

**Sponsors:** Barbara Murphy

*The committee had a discussion on resource requirements to comply with ongoing FOIA requests. Greg Lucey, former City Clerk, Attorney John McNaught, City Solicitor and Anthony Chiccuarelli, HR Director were in attendance for the discussion. Councillor Linehan explains the committee has a position that they need to have a description for and put into the budget and have an understanding of the duties involved and where it reports to. He explains that the FOIA requests come in bunches. There is sometimes a need for people to know certain information that has occurred for particular reasons. Some information is protected and some is not and that is why the legal office worked closely with Karen Anderson and Greg Lucey fulfilling these requests. Councillor O'Malley noted FOIA requests don't apply to states and municipal. We receive Public Record Requests but we use the FOIA Direct system. Attorney McNaught said they are*

*misnamed when they come to us. Attorney McNaught researched Medford, Chelsea and Melrose to see what their volume and procedures were. Medford's legal department was frequently asked about requests and they were handled in the City Clerk's office. Melrose doesn't have many requests and the City Clerk's office handles them. Chelsea stated that their volume varies and they do take a lot of time to complete. Greg Lucey explained he feels someone should have responsibility for the Public Records requests and he doesn't feel it needs to be a full-time position. Karen Anderson took over the Public Records requests because the volume was overwhelming. Once she took over, she got the City caught up with answering the outstanding requests. Presently, Karen is unable to continue this task and Greg is answering the requests in the interim till a new person is hired. He doesn't feel that they will get behind with the requests but there is an election coming up and it's hard to predict what the numbers will be. He also said it is important to get someone who understands what information needs to be redacted and how to handle the response to the request. Councillor Linehan asked if we charge for frequent submitters. This could be a way to help pay for the PT position. Greg said you could charge a nickel a page or the state only allows you to charge \$25/hr for the time it takes to fulfill the request, but the person filling the position would be paid more than that amount. You need someone to manage the system daily because you have ten business days to answer the request and you do not want to get behind. The City Clerk is the keeper of records however, not all of the records requested are in the City Clerk's office. Councillor McDonald said it feels like this should be a part-time position and wonders if the hours could vary depending on the workload. Anthony said Karen was putting in for 20 hrs/wk but was putting in more hours with the workload. Maria explains that emails are the time consuming requests. Councillor Murphy said we need to think about what are the qualifications that this job description needs and what type of a salary scale would we be able to cast the net. Councillor Linehan agrees we may get someone retired with the knowledge but they don't want the full time. Anthony said its a unique position in that you need someone with some sort of legal mind or experience with PRR 's but also someone who is very familiar with the City of Malden with our ordinances and Charter. Karen knew what to get and where to get it. Councillor Linehan asked who is listed as the designated records officer at this moment. Councillor O'Malley said it used to be the City Solicitor until 2017 then was shifted to the City Clerk at that time. Greg said you need a point of contact who then delegates which department the information comes from and then they follow up to make sure the request is completed in a timely manner. You do need a point person. Greg feels that presently the job could be anywhere from 7-10 hrs/wk, however if there is an up tick it would be more hours. Carol Ann mentioned last time there was a Presidential Election they are required to archive the documents for 22 months before they can destroy them. They were receiving PRR up to the 22nd month then they stopped because they no longer had to keep the records. Greg feels that a part time position would be fine and that we will never get behind like we did previously. He would be willing to train a new employee if they needed him to. Councillor McDonald feels we would need someone who was in the office at least a couple of days a week. He would also like to reflect in the minutes he thinks we should be in the habit of paying people for the hours they work even if its more hours than we anticipate. The public should know what this is costing. He is not hearing this is a full time position but would be willing to come back to the plate if they had to. Councillor Murphy said when we say adding a position we could add a position as a specialist to the Legal or City Clerk Department without an ordinance. As long as we have a job title in the budget we wouldn't need an ordinance. In this years budget we recommend that the Legal or City Clerk's office add a specialist. Motion to ask the Legal Department to work with the Mayor's Office and Human Resources to bring a recommendation for a position was made by Councillor McDonald and seconded by Councillor Sica. All were in favor.*

Greg Lucey, (former City Clerk), Attorney John McNaught, City Solicitor and Anthony Chiccuarelli, HR Director will be in attendance for this discussion.

### **Other Business**

### **Adjournment**

**Motion was made by Councillor at Large McDonald, seconded by Councillor Sica, that this meeting be adjourned at 6:15 PM. The motion carried unanimously.**