



Randolph Town Council

DRAFT Meeting Minutes

Meeting Date: Monday, February 6, 2023 at 6:00 p.m., Remote Meeting via Zoom

Call to Order: Council Vice President Brewer called the meeting to order.

Roll Call – Council Members Present: Christos Alexopoulos, Richard Brewer, James Burgess, Natacha Clerger, Jesse Gordon, Katrina Huff-Larmond, Kevin O’Connell.

Pledge of Allegiance: Pledge of Allegiance led by Councillor O’Connell.

Moment of Silent Prayer: Moment of Silent Prayer held in remembrance of Valaree Crawford who volunteered on many Town of Randolph official committees, and also worked diligently with Randolph public school committee members.

Approval of Minutes:

1. Minutes of Town Council Meeting January 23, 2023

Councillor Burgess: The portion of the meeting minutes under the Public Hearing for 16 Fencourt Ave is worded weirdly and I just want to make sure that we are protected so the applicant doesn’t receive the permit by constructive default. I’m concerned that we don’t have something from the applicant agreeing to the continued hearing date because legally it has to be continued to a date and time certain. Town Attorney Christine Griffin: We can certainly follow up with Attorney Kevin Reilly and confirm, in writing, his agreement to the continued Public Hearing date for April 3, 2023 at 6:15 PM.

The meeting minutes of Town Council Meeting January 23, 2023 will be revised and resubmitted to the Council.

Public Hearings:

1. 6:15 PM: Council Orders 2022-054 and 2022-054A: Amendment of Section 12-1(C)(1) of the General Ordinances of the Town of Randolph Concerning Redemption of Tax Title Real Estate

Council Vice President Brewer introduced Council Order 2022-054, which has attached a proposed amended version of the Council Order, which is Council Order 2022-054A. The Council Clerk read the legal notice that was published in the Patriot Ledger on February 1, 2023.

Town Manager Howard gave a brief introduction regarding the purpose of this Council Order. We’ve had a few residents reach out and ask us to take a look at the original ordinance that was written in 2006 so we’ve asked the Treasurer Collector and Finance Director to do some research. I think we’re looking to create some additional flexibility for them to do what’s necessary with an appropriate balance on folks who may have fallen behind on tax payments and are looking at the issue of a tax title.

Town Finance Director: What leads to this Ordinance are the real estate taxes. Once they become past the due date and have additional fees put on, the Town's practice has been that after a year if they remain unpaid we remove them from the category of being an unpaid bill to what's called "Tax Title Status." With that, we record the lien at the Registry of Deeds so that any time a payment is made, the Town is protected and we can collect the taxes. For the people that are in Tax Title, most commonly they are more than one year behind and accumulating quite a bit of debt owed to the Town in past due taxes.

Treasurer/Collector Ellie Perez-Baczkowski: We are trying to help people who are already in a financial hardship not continue to fall behind and that's why we'd like to change the language of the ordinance as it is currently placed.

Council Vice President Brewer opened the public comments portion of the public hearing.

Joe Burke, Hills Street: What part are we deleting? Town Account Janine Smith: We're removing the ten year requirement so that any tax title, even if it's older than ten years, can approach the Treasurer/Collector and discuss entering a payment agreement. We are also adjusting the language so that residents will pay 60 equal (monthly) installments instead of yearly payments because we find it may be easier to make smaller payments than to save on an annual basis and make one large payment. We felt that might help the taxpayer stay successful because part of this agreement is that the taxpayer will sign a legal document saying that they agree to the terms of the payment plan. If they do not, then the Town can proceed, through the tax-title process, and actually foreclose on the property and become the owner. Mr. Burke: Why can't we just eliminate the interest? Treasurer/Collector Ellie Perez-Baczkowski: We spoke about eliminating the interest but we have to follow the state statute and we unfortunately cannot do that. Town Manager Howard: We want to make sure that we work with residents because we want to keep people in their homes, but we have to make sure that the cash flow continues for the people that do make on time payments. So not only is this the law, but I also think it's the right balance. Mr. Burke: Don't we have a contingent fund that people could apply for? Are these people entitled to that? Town Manager: They can certainly apply for the Randolph Resiliency Fund. They have to meet the economic guidelines of it.

Council Vice President Brewer: Do we know how many people may be eligible for this?

Treasurer/Collector Ellie Perez-Baczkowski: There are currently 237 properties that are in Tax Title.

Council Vice President Brewer closed the public comments portion of the public hearing.

Councillor Burgess: Do you believe that this language will give you the tools you need to help our residents? Treasurer/Collector Ellie Perez-Baczkowski: I do. It is more flexible having a monthly payment, rather than three large payments on a yearly basis. It's easier. Councillor Burgess: I remember seeing somewhere that it's a 12% interest rate if you don't pay your bill. Treasurer/Collector Ellie Perez-Baczkowski: The 12% is just for late payments. When it's at Tax-Title, the interest rate is at 16%. Councillor Burgess: Why do we have to set the interest rate at 16%? Why does it have to be so high? Town Finance Director/Accountant Janine Smith: Those percentages are set by the state and should be the same across all cities and towns in Massachusetts. Councillor Burgess: Maybe we should ask our legislature to change that. If we want to help our homeowners and they're trying to get back on their feet then we should try to change it so that you can facilitate the deal you feel is appropriate with the homeowner but a 16% interest rate seems excessive.

Councillor Huff-Larmond: Is that change possible? Have we been able to utilize the Resiliency Fund and do people know about the Resiliency Fund to assist them in hardship? Town Manager Howard: We've had over 600 applicants and they're already out of funds for this year's Resiliency Fund. We can

certainly look into adding additional funds as we have done previously. There will be a quarterly report with the specific uses of the funds.

Councillor Gordon: I'd like to talk about the language. I'm taking your word for it that this is helping out the people of Randolph because I can't read what is written here since the legalistic language is very heavy. Can you please elaborate on some of the terms and the language in this Council Order? How is this helping people? Town Finance Director/Accountant: To define the term of redemption, that means that when the tax title account that is due to the Town is paid off, then there is a legal document that releases the lien at the registry of deeds. It lets everyone know that the debt has been paid off. The terms of the ordinance being updated we feel allows for more flexibility whereas it used to be 25% down, only tax-title accounts within ten years, and an annual payment for three installments. We're broadening the language, within Massachusetts General Laws since that is what is restricting us. We feel we're providing more flexibility to residents interested in opening up an agreement. The 25% down, we don't have any wiggle room on so we can change that. Councillor Gordon: The part that is not clear to me is "The Town has not filed a petition to foreclose the rights of redemption." Town Finance Director/Accountant: That means that after a certain amount of time, if an unpaid bill is then classified as tax title, by law, the town of Randolph could choose to then petition the Housing and Land Court to foreclose on the property for non-payment of taxes. The Town then becomes the legal owner of the property and can auction it off for sale.

Motion to approve Council Order 2022-054A by Councillor Burgess, seconded by Councillor C. Alexopoulos. Discussion was held. Councillor Burgess requested that the Town Finance Director/Accountant and Town Attorney draft a Home Rule Petition that would allow us to reduce the interest rate.

Roll Call Vote: 7-0-0 (Absent: W. Alexopoulos & Egan)
Motion Passes.

2. 6:15 PM: Council Order 2023-005: Approval of Cable License Agreement with Verizon New England, Inc.

Council Vice President Brewer opened the public hearing on this matter. The Town Council Clerk read the legal notice that was published in the Patriot Ledger on January 20, 2023 and January 27, 2023.

It has been requested that the Town Council continue this public hearing while the contract is finalized. Council Vice President Brewer requested a motion to continue this public hearing.

Motion to continue the Public Hearing on this matter to February 27, 2023 at 6:15 PM made by Councillor Burgess, seconded by Councillor O'Connell.

Roll Call Vote: 7-0-0 (Absent: W. Alexopoulos & Egan)
Motion Passes.

3. 6:15 PM: Council Order 2023-006: Grant of Location to Massachusetts Electric Company to Install One New Solely-Owned Utility Pole Within the Town of Randolph

Council Vice President Brewer opened the public hearing on this matter. The Town Council Clerk read the legal notice that was published in the Patriot Ledger on January 28, 2023.

Tim Lyford presented on behalf of National Grid. National Grid is petitioning to install one new jointly owned pole on Canton Street, directly across the street from existing Pole 36. This is to replace an existing support wire which is currently in an existing rotting tree on a resident's property.

Council Vice President Brewer opened the public comments portion of the public hearing. There were no public comments. Council Vice President Brewer closed the public comments portion of the public hearing.

Councillor Burgess: Are there any guy wires attached to this pole? Mr. Lyford: There will be a sidewalk fixture on the backside on the pole. The pole is proposed to be installed closer to the curb of the streets. There are two existing pole locations pretty close to where this pole is going to go that were installed the same way. Councillor Burgess: Will snow removal be an issue? Mr. Lyford: It should be fine. They've been able to get around similar poles on the same street. Council Vice President Brewer: Yes, we've had no issues on Canton Street. Councillor Burgess: We have multiple pole issues located around the Town and we have a wire issue on Fairmount Street that is hanging and has been picked up by different trash trucks. It's been like that for three years. When are we going to start seeing some movement regarding some of the ongoing issues in Town? Mr. Lyford: I can have a conversation with your community liaison for National Grid and with the Town's Engineer and we can reach out tomorrow and look into it immediately. Councillor Burgess: After you look into it, when can we expect movement on that? Mr. Lyford: I can only answer the first part of the question. We can look at each location and go from there as to exactly how long each location will actually take to get fixed. Council Vice President Brewer: Councillor Burgess, if you have a list, maybe you can send it to the Town Engineer and then he can send it to National Grid. Councillor Burgess: I have a list. I would be more than happy to send him the list that I have.

Councillor O'Connell: Is the tree acting as support for the wire directly. Mr. Lyford: Yes, it used to be common practice to install guy wires into trees located nearby. It is no longer common practice to do that. Councillor O'Connell: Is National Grid going to remove the rotted tree? Mr. Lyford: I would have to speak to our arborist and look into that.

Councillor Burgess: I think a lot of times homeowners, when they have a guy wire attached to their tree, they don't think there's anything they can do about it because National Grid has had a wire attached to it. There should be a mechanism for rotting trees to be removed. Maybe you can talk to our liaison and see if they can come up with a plan.

Motion to approve Council Order 2023-006 made by Councillor Clerger, seconded by Councillor C. Alexopoulos. Councillor Burgess moved to amend the Motion and add a condition that any underground pipes being installed are made of Galvalume steel instead of PVC. The Amendment to the motion was accepted by the maker of the Motion. The amended motion was made by Councillor Clerger, seconded by Councillor C. Alexopoulos.

Roll Call Vote: 7-0-0 (Absent: W. Alexopoulos & Egan)

Motion Passes.

Council President Alexopoulos entered the meeting at approximately 6:50 PM.

4. 6:15 PM: Council Order 2022-056: Request for the Town Council to Initiate An Amendment to Randolph Zoning Ordinance - Chapter 200 of the General Code of the Town of Randolph - Concerning Front Yard Setbacks As They Relate to Adjacent Historic Structures Pursuant to M.G.L. ch. 40A, sec. 5

Council President Alexopoulos opened the public hearing on this matter. The Town Council Clerk read the legal notice that was published in the Patriot Ledger on January 18, 2023 and January 25, 2023.

Council President Alexopoulos read correspondence from the Planning Board recommending the amendment to the Zoning Ordinance. This Council Order has been referred to the Planning Board and the Ordinance Subcommittee for their review and recommendation.

Council President Alexopoulos opened the public comments portion of the hearing. There were no public comments. The public comments portion of the hearing will remain open.

Councillor Burgess: Can you please tell me exactly what this does? Town Attorney Griffin: My understanding is that if you have a building that is not a historic structure but you are next door to a historic structure then you are getting relief from whatever the default front yard setback is in your district and you would be able to reduce your front yard setback to either equal to the historic structure that is next to you or to ten feet. Councillor Burgess: So, if I have a lot and I abut a lot with a historic structure, is that historic structure as how we define it in the historic district bylaw? If I have a house that was built in the 1600's that is a historic structure by my definition and the lot next to is residential- would that qualify under this bylaw? Town Attorney Griffin: That's a very good question. I also asked some questions about some of the definitions and I think that the Planning Board will be discussing this. I think the intention of this is that a historic structure is considered a historic structure if it is recognized by the Historic Commission. Councillor Burgess: What is listed in the Historic Bylaw is different from the Historic District so I just want to make sure we're on the same page.

Councillor Huff-Larmond: How do we get a message to the Planning Board about what we would like to see? Or what would be helpful for us so next time this comes in front of us there would be some clarity? Town Attorney Griffin: If there are any specific comments or questions, you can email them to the Planning Director before tomorrow's meeting or if there's anything you would like to direct Natalie or I to communicate to the Planning Director on the Council's behalf, we are happy to do that as well.

Councillor Burgess: What is the section of the bylaw for historic buildings?

The Public Hearing on this matter will be continued to March 13, 2023 at 6:15 PM.

Public Comments:

1. Joe Herosy, 14 Jackson Street, Quincy, MA: I am coming to you as a representative of Randolph Tenants United and Rosemont Square Tenant Association. My primary purpose is to request that you raise corporate fines in Randolph. Right now I understand it's only on trash removal, but we are seeing loss of hot water, pipes bursting, people who have no heat for days in the middle of winter, and rodent infestations that have continued for years. We request that you increase fines for the health and safety of the residents. Mr. Herosy read a letter from South Shore Tenant Association which was submitted to the Town Council.
2. Pamela Kelly: I'm a widow, a senior citizen, a VA- my husband was a veteran, and I live at Woodview in Randolph. One of my neighbors is also here, her name is Cassy Robinson. We are here to talk about the tremendous rent increases in Randolph and we have been told that there is no law that stops landlords from increasing rent. That violates the eighth amendment which says cruel and unusual punishment and excessive charges is discrimination. We have no legal rights so we come to you as constituents to see what you can do to help the rent increase. Town Manager Howard: We've had over 600 applications for the Randolph Resiliency fund and there are currently no funds available. We could look to potentially add additional funds to that fund but that is the current status.
3. Gladys McClain: When exterminators come, I'm asked to remove items for them to exterminate even though I'm sickly, and they don't show up, what am I supposed to do? What is the next step? Town Manager Howard: We've always had an open line of communication with the Health Department downstairs. If they don't come please reach out to Health Commissioner Gerry Cody or Selena Maldonado also in the Health Department and they will ensure that they do come when they are supposed to. We'll continue to intercede and have an open line of communication with you. The Health Department has maintained a list of all the visits done at Rosemont to do the initial report, then follow-up to ensure that the particular job was done.

Councillor Huff-Larmond: I want to make sure I understand what's going on because I know Councillor Gordon has been helping Randolph Tenants, and I want to make sure we're clear about what we can or cannot do. Town Manager Howard: Yes, in any meeting we've had with Randolph Tenants and the Tenant Associations, we make it very clear what is within the authority of the Town, and what is not. Town Attorney Christine Griffin has also participated in some of the meetings, so we certainly spell out what's under the Town's control and what isn't. Anything that the Board of Health has control on, they will do all that they can to assist the residents.

4. Izabel Depina: Landlords are raising rent on their tenants because the Town is fining them. They are treating our black and brown people badly so what are we going to do as a community regarding interracial policy so that we can get additional resources for our black and brown people. They are threatening and raising the tenant's rent because they are complaining.
5. Debra, 14 Thompson Drive: Emily Panzoni is the owner of the property at 14 Thompson Drive and she is not doing anything to make a living in that property. She doesn't clean the common area. The laundry facility had a bunch of dead flies that were there for weeks. She said when she gets fined, she passes that on to the tenants. I have a stove that is probably a fire hazard because the burners are broken and not working properly. I notified them in January of this year and it is still not fixed. I was told that the stoves are on backorder. Not only should these landlords be fined for trash violations, but they should be fined for other violations on the property. Town Manager: Contact the Health Department about the issue with your stove and we'll get in there like we did before and come to help. It's important that you do contact the Board of Health so that when they are asked to do something and don't follow through with it, then you can take that record of information to the Housing Court.

Councillor Burgess: The conversation started off here about rent. As far as I'm aware, am I correct that the Town has no statutory authority on what landlords charge for rent. Council President: That is strictly between the landlord and tenant. Town Manager Howard: Mayor Wu is looking at a Home Rule Process through the state and whether the state shows any ability to make any changes to Randolph and a lot of communities will be following that to see how it goes.

6. Joe Burke, of Hills Street: Do we still have an advisory board for the Town's Cable Access? Are they going to attend the public hearing for Verizon? Town Manager Howard: The Cable advisory Board has been dormant for a while. The short answer is no.

New Business:

1. Council Order 2023-007: Norfolk County Retirement COLA FY2023

Council President Alexopoulos read Council Order 2023-007. Town Manager Howard gave a brief explanation on the purpose of the COLA increase for FY2023.

Council President Alexopoulos requested a Motion on this Council Order.

Motion to approve the Council Order 2023-007 as presented made by Councillor Clerger, seconded by Councillor C. Alexopoulos.

Roll Call Vote: 8-0-0 (Absent: Egan)

Motion Passes.

Town Manager's Report:

1. I want to acknowledge the excellent work done by the Fire Department who helped triage calls over the weekend to Fire, Police, DPW, the Health and Building Commissioners who worked 24/7 over the weekend. We had a plan in place, we enacted it and it worked well. I can't say enough about the response of the team over the weekend.

Correspondence:

1. The National Council for Mental Wellbeing is hosting a Youth Mental Health First Aid course on Wednesday, February 8 and Wednesday, February 15, 2023 from 3:45 PM to 7:30 PM. To register, please email ShannaGray@bpsma.org.
2. The Planning Department has engaged the services of a consulting firm to conduct a Phase I Audit of our Zoning Ordinances. If you serve on a board/committee/commission or are a staff member that interacts with the Zoning Ordinance, you are invited to share your perspective and experiences with interpreting the Ordinance through a Zoom interview. There are time slots available on February 10 and 15. To register for an interview, please use the link in the email sent by Planning Director, Michelle Tyler.

Subcommittee Reports:

Master Plan Implementation Committee: Councillor Gordon provided an update on a recent meeting that was held with this Committee. We would like to present the Crosswalk, as we like to call it in the MPIC. This is a list of all the ideas which were presented to each relevant board around Town with a response of what progress we've made on that. The MPIC would like to present last year's crosswalk finding to the Council and Town Manager.

Human Services/Seniors/Recreation Subcommittee: Councillor Gordon provided an update on the first subcommittee meeting that was held. I was appointed the Chair and we discussed what the fees should be for the Randolph Intergenerational Community Center (RICC) so we'd like to submit the meeting minutes to the RICC. We had a lengthy discussion about opening our parks to the public and would like to do a survey sent through the RICC and through the Town. We would like to do a similar survey for the Department of Public Works about whether or not new staff would assist with residents' goals for improving parks and recreational areas in the Town.

Ordinance Subcommittee: Council Vice President Brewer will be setting up an Ordinance and Public Safety Subcommittee meeting next week and will reach out with additional information.

Open Council Comments:

1. Councillor Clerger: 1. Thank you Ms. Liz Larosee and Ms. Natalie Oliveras for their time in helping me plan the Haitian Flag Day Parade this year which is on May 18, 2023. This year's Honorary Haitians will be Mr. Frank Larmond and Ms. Judy Conway. Our honorees are Mr. Licorice of the JF Kennedy School, Kait Kanzeekia. At 9:30 AM there will be a breakfast in Town Hall, and at 10:30 we will have a flag raising ceremony. Then at 5:00 PM there will be a celebration at the RICC with food, an award ceremony and more. The Grand Marshall for this year is Mr. Jean Pierre-Louis, our Town Engineer. Before that there will be a soccer competition between the Randolph Police and Fire Department against a local Haitian team at Belcher Park. There will also be a senior dance performance so if you are a senior and are interested, please let Ms. Kerri Sullivan know. 2. If you have any bulky items, or large pieces of trash, especially if you are a senior, please contact me or obtain my contact information through Natalie Oliveras at Town Hall. We have our friend Luk Edmoen who is volunteering to pick up your trash. 3. The National Haitian-American Elected Officials held a retreat and this year it was in New

Jersey. We had the Honor of having Rev. Jack Dijon who was named as an Honoree for Massachusetts. 4. Happy birthday to Attorney Champagne who is a Randolph Resident and one of my favorite constituents. 5. It's unfortunate that Stetson Hall is not accepting anymore events. The Haitian Youth Connection and Project for Hope has always held International Women's Day Gala there. This year it will be in West Roxbury. If you want to participate or need more information please call 617-230-3099. 6. Last but not least: Concerned Citizens of Randolph is still doing deliveries for the elderly and disabled.

2. Councillor Brewer: Thank you to all our public officials, and first responders who worked hard over the weekend. They worked nonstop and did a great job.
3. Councillor Burgess: It's now February, my birthday is coming soon! Where do we stand on Phase 4 of the traffic study? Also, where do we stand on the lights that were brought up in front of Town Hall a couple of months back. 2. I've been researching what's going on in Orchard Street and it brought me back to the Union Crossing Transit District (UCTD). There were amendments that were voted on but they were never carried through to the final document or to the table of allowable activity/dimensional requirements. There is more to the bylaw than what is there and I'm wondering if there is more to the Orchard Street one as well.
4. Councillor Gordon: I just want to point out to the public that there were representatives from three different housing complexes speaking today. There was one from Rosemont, 14 Thompson Drive and the big Complex near the high school. There is one item that is in our jurisdiction that we left open when we had the discussion on trash fines. We had a vote to increase trash fines and the discussion held at that time was what else could we do which was to increase the health code violation fines to the state maximum and then implement whatever the maximum is.
5. Councillor Huff-Larmond: I want to make it clear that we have control over certain types of actions. I think Gerry Cody has gone above and beyond so thank you Gerry. I want to make sure we focus on what we can do so that residents are not expecting certain situations handled by the town when in reality we don't have that control. I look forward to having more of this discussion. Delta Sigma Theta Sorority Inc. will have a Black History Month event on February 25 at the Randolph Intergenerational Community Center from 2 PM to 5 PM. There will be art or oratory presentations done by high school students. It's a free event. Randolph Youth Council delivered boxes to Plymouth Area Homeless Shelter for refugees from Haiti and Venezuela. The Spring of Water will have a college readiness event on February 18, 2023 at 12:30 at 90 Pleasant Street in Randolph.

Adjournment:

Motion to adjourn made by Councillor Clerger, seconded by Council Vice President Brewer.
Roll Call Vote: 8-0-0 (Absent: Egan)
Meeting adjourned at 8:10 PM.