



## **Randolph Town Council**

### **Meeting Minutes**

**Meeting Date: Monday, March 27, 2023, at 6:00 p.m.**

**This is a hybrid meeting. The Public is invited to attend this meeting in person or remotely, by telephone or computer access.**

**Call to Order:** Council President Alexopoulos called the meeting to order.

**Roll Call – Council Members Present:** William Alexopoulos (In-Person), Richard Brewer (By Zoom), James Burgess, (By Zoom), Natacha Clerger (In-Person), Ryan Egan (By Zoom), Jesse Gordon (In-Person), Kevin O’Connell (In-Person).

**Pledge of Allegiance:** Pledge of Allegiance led by Councillor Clerger.

**Moment of Silent Prayer:** Moment of Silent Prayer and Moment of Silence held in remembrance of Irene Romano who passed away on March 9, 2023. She was a volunteer for over fifty years for the Town of Randolph serving on the Planning Board, Conservation Commission, Zoning Board of Appeals, and more; and Donna DiCarlo who passed away on March 15, 2023. Donna grew up in Randolph and graduated from Randolph High School. She was a cafeteria worker at the Randolph Community Middle School. Our condolences to their families for their loss.

Councillor C. Alexopoulos entered the meeting, in person, at 6:05 PM.

### **Approval of Minutes:**

#### **1. Minutes of Town Council Meeting February 27, 2023**

Motion to approve the Minutes of Town Council Meeting on February 27, 2023, made by Councillor O’Connell, seconded by Councillor Clerger.

Roll Call Vote: 8-0-0 (Absent: Councillor Huff-Larmond)

Motion passes.

#### **2. Minutes of Town Council Meeting March 13, 2023**

Motion to approve the Minutes of Town Council Meeting on March 13, 2023, made by Councillor C. Alexopoulos, seconded by Councillor Clerger.

Roll Call Vote: 8-0-0(Absent: Councillor Huff-Larmond)

Motion passes.

### **Appointments:**

#### **1. Randolph Republican Town Committee (RRTC): Submission of Members for Consideration to Serve on the Election Board of Registrars**

Council President Alexopoulos read a letter from the Randolph Republican Town Committee

Motion to reappoint Mr. Jim Buiel as a Registrar made by Councillor Burgess, seconded by Councillor C. Alexopoulos.

Roll Call Vote: 8-0-0 (Absent: Councillor Huff-Larmond)

Motion passes.

### **Public Hearings:**

- 1. 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**

This is a continued Public Hearing. Council Order 2022-056 was introduced by Town Manager Howard on December 5, 2022, and at that meeting, Council Order 2022-056 was referred to the Planning Board and the Ordinance Subcommittee. The Public Hearing was opened at the Town Council Meeting on February 6, 2023, and the legal advertisements were read at that meeting. Both the Planning Board and Ordinance Subcommittee have met regarding this Council Order.

Town Planning Director, Michelle Tyler, is present with us this evening.

Ms. Tyler: This council order was generated jointly by the Planning Board and Historical Commission following recommendations outlined in the comprehensive master plan of 2017. It specifically spoke about front yard setbacks in residential districts when they are adjacent to a historic property and this amendment will allow some flexibility in front setbacks if they are adjacent to a historic structure. Once the amendment was proposed, the Planning Board received comments from the Town Council regarding the definition of historic structures, which is outlined in the Randolph ordinances and this further amended the proposed zoning amendment. The additional amendment is referenced in the report submitted to the Town Council on February 8, 2023.

Councillor Clerger: The Ordinance Subcommittee met and discussed this Council Order and voted unanimously in favor of Council Order 2022-056. I was also voted chair so I am pleased to serve in that capacity.

Council President Alexopoulos opened the public comments portion of the public hearing. There were no public comments. Council President Alexopoulos closed the public comments portion of the public hearing and opened the discussion up to the Council.

Councillor Burgess: I appreciate the Planning Board taking into consideration the amendment. I think it's important and provides clarity.

Motion made by Councillor Burgess to approve Council Order 2022-056 with the Planning Board's amendments, seconded by Council Vice President Brewer.

Roll Call Vote: 8-0-0 (Absent: Huff-Larmond)

Motion Passes.

### **Public Comments:**

1. Kathleen Crogan-Camara, 52 West Street Randolph: I'd like to float the idea of having an information session in Randolph for the purpose of obtaining volunteers. The purpose would be to let them know what the different boards and committees do and what vacancies are open. I looked on the website and saw some of the committees and boards and had difficulty finding out just what spots are open. I

propose an evening that is run by the residents where they can ask questions of elected Town Officials and people serving on boards.

2. Sandy Cohen, Bittersweet Lane: I heard that the vaccine center will be closing. I'm wondering when and if it's going to be put on our website. Town Manager Howard: At the end of the month the state is shutting down the Stop The Spread sites. Those seeking PCR testing have dwindled significantly and people have transitioned to using at-home test kits. I will be getting a plan from Health Commissioner Gerry Cody. They're doing flu and vaccine clinics at the same time and Randolph will move to do that a few dates a month.
3. Dave Mulligan, 3 Pond Lane: There was an article in the Patriot Ledger regarding bodies of water that people fish in and it was recommended that fish shouldn't be used for human consumption because of PFAS in the water, and they were only recommending fishing in lakes and ponds for human consumption. We have signs on Oak Street and a couple on Pond Street and there are still people fishing there, and there is concern that people consuming the fish there are consuming high amounts of PFAS. Also, is the state lowering the PFAS level? Town Manager Howard: The State sent out an advisory regarding Houghton's pond. As far as the United States Environmental Protection Agency (EPA) and Massachusetts Department of Environmental Protection (DEP), the EPA put out recommend numbers and that still needs to go through a hearing process to be approved. They are lower than what the DEP currently has and I think the MA DEP will match what the EPA does. Fortunately, we are building a new Water Treatment Plant and will be able to keep up. There are many communities dealing with the issue of PFAS and we are fortunate to be able to have the new Water Treatment Plant that is adaptable to any emerging contaminants. This is a country-wide issue but the current recommendation of EPA is 75 parts per trillion and they're expected to come out with lower numbers. Mulligan: There was also a reference in the Patriot Ledger that because the Massachusetts Water Resource Authority (MWRA) has lifted their connection fee because of PFAS, does that benefit the town by going that route as opposed to continuing on with the water bans? Town Manager Howard: We're passed that. The council spoke about this, with Braintree and Holbrook, and they were all united in wanting to control their own destiny and build a new Water Treatment Plant, as opposed to being subject to the specific whims of the WMRA and you have no say on your water rates.

Councillor O'Connell: I attended the Citizens Academy a few years ago and it was great. I graduated from it and found it so helpful. I think that is something that should be pushed forward again and would be beneficial to our community. Town Manager Howard: The Citizens Academy is definitely something you have to be in person for. There are a lot of interactive components and you want to see the apparatus and attend the tours. There were a few participants that went on to become a part of various boards and commissions. The short answer is yes, we'll be introducing that shortly.

Councillor Gordon: The proposal by Kathleen Crogan-Camara was not talking about so much of a deep dive, but that the Town Manager would officiate an evening and let everyone know which boards and commissions have vacancies.

## **New Business:**

### **1. Council Order 2023-013: Prior Fiscal Year Unpaid Bills**

Council President Alexopoulos read Council Order 2023-013. Town Manager Howard provided additional information about the Council Order.

Motion to approve the Council Order 2023-013 as presented made by Councillor Clerger, seconded by Councillor C. Alexopoulos. Discussion was held regarding the electric bill portion of Council Order 2023-013.

Roll Call Vote: 8-0-0 (Absent: Councillor Huff-Larmond)

Motion Passes.

## **2. Council Order 2023-014: FY2023 Budget Transfer - ARPA Funds into General Fund**

Council President Alexopoulos read Council Order 2023-014. Town Manager Howard provided additional information regarding each of the budget transfers.

Councillor Burgess: Is the copier a purchase or a rental? Town Manager Howard: A purchase.

Councillor Burgess: I appreciate the technology for the Code Enforcement Department. Is there a hardware component to the software- how are we going to fund that? Town Manager Howard: We may be able to cover it with the current budget number, but if not we may have to come back before the Council and request additional funds.

Councillor Huff-Larmond entered the meeting via Zoom at 6:47 PM.

Motion to approve the Council Order 2023-014 as presented made by Councillor Gordon, seconded by Councillor Clerger.

Roll Call Vote: 9-0-0

Motion Passes.

## **3. Council Order 2023-015: Authorization for the Execution of Documents Relating to the New National Opioid Settlements**

Council President Alexopoulos read Council Order 2023-015.

Town Manager Howard provided an explanation of the purpose of this Council Order. The deadline to accept this is April 18, 2023. The funds will go into the special revenue for the opioid settlements fund which the Town set up at the previous vote. The first one was for the opioid distributors and this one is against the manufacturers. It will require a vote of the Town Council to release the funds from this revenue source so the Council still has an opportunity to approve how these funds are used. In a nutshell, these funds can be used for counseling services, recovery options, treatment and recovery centers, services and training for those who respond to opioid scenes, school-based services, mental health services, and public safety diversion programs. We'll be setting up a committee with the Police and Fire Chiefs, Public Health Commissioner, representatives from the school department, and Councillors so that there is an opportunity to develop a plan on how to use these funds. We're looking for the council to approve these settlements so we can get this paperwork back to the state.

Councillor Burgess requested clarification on the payment distributions of the six settlements.

Councillor Gordon asked about previous executive sessions and why this specific settlement is not in the executive session. Town Attorney Griffin provided an explanation regarding the terms of these settlements that have been made public by the Attorney General's office and so we were instructed that this vote should take place in public session. Councilor Gordon: So this is not the last one, this is just another set of settlements, is that correct? Town Attorney Griffin: That is correct. There were multiple defendants: distributors, manufacturers, and pharmacies primarily. A large group of distributors was the first group to settle, and here you have some manufacturers and pharmacies. There are still a few defendant groups who have not settled yet. I don't want to make any representations that there may or may not be more money but there are more defendants so it's possible we'll have additional settlement agreements.

Motion to approve the Council Order 2023-015 as presented made by Councillor Clerger, seconded by Councillor O'Connell.

Roll Call Vote: 9-0-0

Motion Passes.

## Correspondence:

1. Effective April 2, 2023, the monthly subscription for HBO and HBO Max will increase from \$14.99 to \$15.99 per month. All customers are also receiving notice of the change in their bill.
2. The Commonwealth of Massachusetts Department of Public Utilities submitted a Notice of Filing and Request for Comments on National Grid's Petition for Approval of their 2023 Energy Efficiency Reconciling Factors for effect May 1, 2023. Written comments may be submitted by 5:00 PM on Tuesday, April 11, 2023. Instructions for submitting written comments can be found on the Notice of Filing and Request for Comments that is attached to the agenda packet.
3. Randolph's H.E.A.R.T program, through the Community Wellness Plan, is initiating a Randolph Community eCookbook. Please send in your favorite recipes by scanning the QR code in the attached flyer. For additional questions and information, you may send an email to [TasteOfRandolph@gmail.com](mailto:TasteOfRandolph@gmail.com).
4. Randolph Rabies Clinic is on Saturday, April 1, 2023, from 9 AM - 11 AM. Please bring proof of where your pet's rabies status. Dog licensing will be provided by the clerk's office on-site.
5. Randolph Spelling Bee is on Saturday, April 9, 2023, from 1 PM - 3 PM. The deadline to register is April 1, 2023. The age groups are 0-11, 12-24, and then 25+. There were 80 participants last year, and this year there are over 120 participants so far.
6. Spring Time curb yard waste session is on April 15, 2023, May 13, and May 27. They send out additional trucks that day so be sure to and on May 13 and May 27. You may contact the Board of Health for questions at 781-961-0924
7. Town Wide Clean-up is on Saturday, April 22, from 8 AM-12 PM at Town Hall. Please register in advance.

## Subcommittee Reports:

**Public Safety Subcommittee:** Council Vice President Brewer provided an update. There will be a Public Safety Subcommittee meeting this Thursday, March 30 at 5:00 PM to discuss the Tier three road work and projects we all voted on at the last meeting.

Councillor Clerger: What are the updated Covid-19 numbers? The reason I ask is because it is no longer mandatory to wear masks but some businesses are still requiring it. Town Manager Howard: Of the communities with the highest percentage positivity rate, Randolph is number 175 so we're doing well there. And the case rate, on a daily average, we're at 5.1. In the daily incident rates, we're number 181. We have plenty of test kits, so if you need any please visit the Board of Health. We're moving to a flu/covid vaccine program. You can still have PCR testing through Walgreens, CVS, and your medical health provider.

## Open Council Comments:

1. Councillor Burgess: A few weeks ago, the land for the Water Treatment Plant was being cleared for archeological finds, where do we stand on that? Town Manager Howard: Environmental Partners has been working with the Army Corps of Engineers who then works with the State, the tribes, and the MA Historical Commission. If everything goes well they will be resuming operation in 2 weeks but are still waiting on a final agreement. There will be a program in place where they clear down to 21 inches and have representatives from each tribe on site and representatives from the MA Historical Commission to be sure that there aren't any items of note and significant in nature. It did have cost factors so it is bleeding into the contingency for the project. It does slow it down a little bit but the Army Corps has the final say.  
Councillor Burgess: Are you going to take a look at the entirety of phase three? Council Vice President Brewer: I think we'll get two or three projects submitted and have BETA start engineering them because

if they don't engineer them then we can't move forward with the process to bid the work. Burgess: I understand looking at prioritizing that list that was given the other day but I'm talking about the phase three traffic study. Council Vice President Brewer: What I mean was the projects we voted on from Tier Three, we'll pick three or four of those to get engineered and have BETA submit them to the State, and see if we can get them done in the priority they were listed. Councillor Burgess: Brian, where do we stand on phase 3? Howard: That will be coming up through a Council Order potentially at the next meeting. We'll get it done.

Council Vice President Brewer: The Library's annual poetry contest opens on April 1st. Poets of all ages can submit their poetry at the library or online. There are lots of activities for the upcoming school vacation week, from cupcake wars to teen career and college prep, there is something for everyone. If you're looking for ways to make your home more energy efficient, The Green Energy consumer alliance is hosting an event on Monday, April 24, 2023, at 6:00 PM. I just wanted to say to the Town Manager: Vehicles and large box trucks are parking on the streets of Plunkett Circle and Pacella Park. It's an eye soar and it's become like a parking lot for them.

Councillor Clerger: Haitian Flag Day is coming up. There is a soccer game being scheduled between a local soccer team and the Randolph Police and Fire departments. Then there will be a Haitian Flag raising on May 18, 2023, at Randolph Town Hall. 2. I want to put the spotlight on the cleaning crew who helps keep our facilities clean. Thank you, Mr. Carlos, and Mr. Walker. I've seen them and anyone else who helps keep Randolph clean, in action and I want to thank them publicly. 3. Applied Leadership held its Annual Gala at the Baptist church in Randolph, Applied Leadership is an elite protestant community. We have another Haitian event on April 8, 2023, a famous band named Tropicana is celebrating the 20th anniversary of Power 102.1FM which is a local Haitian radio station. They take information from the website and post it periodically.

Gordon: I attended the Randolph community band event at Lombardo's over the weekend. Everyone kept asking what would be replacing Lombardo's and I hope that we receive an update on that soon. 2. I've mapped out a couple of welcome signs that will be installed throughout the Town. 3. We have started obtaining signatures on the new bus petition. This one ought to pass to come before the Town Council. There will be a feasibility study of a mobility hub throughout Randolph which will aim to help those living in apartment complexes and homes for senior living.

Councillor O'Connell: The Small Business Subcommittee met and we voted Councillor Huff-Larmond to be the Chairperson of the Subcommittee. We started brainstorming ideas on how to better our businesses in town.

## **Executive Session:**

Council President read the following: The Town Council may vote to go into executive session pursuant to M.G.L. ch. 30A, section 21(a)(3) relative to potential litigation strategy concerning the Town's claims in its opioid litigation as well as the PFAS Multi-District litigation, and the JUUL/Vape lawsuit based out of the Northern District of California. M.G.L. ch. 30A, section 21(a)(3) permits a public body to go into executive session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

The Chair so declared.

Council President Alexopoulos requested a vote for the Town Council to enter Executive Session. Roll Call Vote: 8-0-0 (Absent: Councillor Huff-Larmond).

The Council President announced that the Council would enter Executive Session and would not be returning to public session after the Executive Session.

The public portion of the Town Council meeting concluded, and the Council entered an executive session at 7:27 PM.