



## **Randolph Town Council**

### **Meeting Minutes**

**Meeting Date: Monday, February 27, 2023 at 6:00 p.m., Remote Meeting via Zoom**

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

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

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

**Moment of Silent Prayer:** A moment of Silent Prayer was held in remembrance of the mother of Pauline Sullivan who works in the Treasurer/Collector’s Office, Margaret Sullivan and DPW Foreman Neil Crowley’s wife, Raquel Crowley who passed away after a long battle with cancer. Our condolences to their families.

#### **Public Hearings:**

1. 6:15 PM: Council Order 2023-005: Approval of Cable License Agreement with Verizon New England, Inc.

This is a continued Public Hearing. The Public Hearing was opened at the last Town Council Meeting of February 27, 2023. Council President Alexopoulos requested additional information regarding this Council Order from Town Attorney Griffin.

Town Attorney Griffin: We negotiated the Comcast renewal recently and each vendor basically insists that you match the contracts to each other so this contract is very similar to the Comcast license agreement that we negotiated last term. It has a five-year term and it contains a variety of capital payments, as well as a 4.3% annual gross revenue to the Town to support Community access. It’s been reviewed by folks at the Cable Access Program as well as internally it is consistent with what was done with Comcast.

Town Manager Howard: It is a five-year contract and does add an upgraded service for an HD channel which Community Television is starting to see more of. The financials are a paid grant of \$175,000 spread out over three installments and the consistent annual funding that Attorney Griffin just went over. It has become abundantly clear that more people don’t have cable and are using alternative streaming options that don’t provide revenue to the Cable Access Program. In the long run, legislative changes will have to be made to be able to support this type of programming in the future.

Council President Alexopoulos opened the public comments of the Public Hearing.

Joe Burke, of Hills Street: Where does the money we receive from Comcast and Verizon go? Town Manager Howard: It goes to funding and operation of the Local Community Access Corporation which runs the paid channels. Mr. Burke: So if we get more money will they reduce their rates? Town Manager

Howard: I think it's very clear, that even with increased competition, they will not be reducing their rates.

There were no additional public comments. Council President Alexopoulos closed the public comments portion of the public hearing.

Councillor Burgess: Who participated in the negotiations for this contract? Is it a 10-year contract? If I'm a cable customer and my cable goes out, am I paying for the month even if I didn't have a month's worth of cable? They used to credit the users for interruptions in service. This contract states that "all cable has to be out" which I think is a change to the previous contract. How many cable subscribers do we have for Verizon? If it's 50 cents per subscriber how much will Verizon get? Town Manager Howard: Myself, the Town Attorney, and a representative from Verizon participated in the negotiations. Randolph Community Television was not directly involved in the negotiations but they provided advice and certainly signed off on this agreement. Verizon only issues 5-year contracts. Town Attorney Griffin: We weren't invited to negotiate the particular term relating to "all cable needing to be out" since that's a term in their contract statewide now. They were unwilling to negotiate any specific differences for our local cable users that didn't match with their statewide contracts so that wasn't on the table for us to negotiate. The negotiations were primarily about what the relationship between the Town, the PEG access entity, and Verizon would be. Anything related to Verizon's direct contractual relationship with its customers they want to keep consistent across the state and so they were not interested in any discussions about changing the terms of its direct contractual relationship with its customers. They were negotiating with us about their contractual relationship with us. The way I read the term "all" it reads "if all cable service is interrupted to an individual subscriber for 24 hours or more, they will grant the affected subscribers a rebate," so it has to be 24 hours. I would have to speak to the representative to make sure we're reading it right. Council President Alexopoulos: We can talk about it to get clarification. Town Attorney Griffin: They're supposed to pay us \$175,000 in capital costs and 4.3% of their annual gross revenue. Councillor Burgess: If it's .50 cents per subscriber, how much is local cable going to get? Town Attorney Griffin: They're going to get the PEG access fee which is 4.3% of the annual gross revenue. We don't know what the future gross revenues will be in a year. Councillor Burgess: How much do we RCTV get from Verizon now? At some point, the balance on that scale is going to tip dramatically and not in the favor of public access. We want to make sure everyone has equal access to community television.

Councillor Gordon: I think it's an interesting discussion regarding when the tipping point away from cable is coming, but for now we're all invested in having RCTV in Randolph and I think we have some examples of investment from our neighbors in the local cable television. I recently went to visit Stoughton Media Access Television and they have a lovely new studio paid for with the same funding source. I think we should follow their model and update our service rules. There are a couple of things we can do to make that happen. 1. Do we separate out our town subsidy of RCTV. I'd like to make it clear that the Town subsidizes our TV station, as we should. 2. I'd like to invite RCTV to the small business subcommittee in order to discuss how we can update their service to be more like the SMAC service which has a lot of important access. For example, anyone can come in with a thumb drive of a video to air on the community channel, and students can also come in to do projects for their own social media.

Motion to approve the contract made by Councillor Gordon, seconded by Councillor C. Alexopoulos. A discussion was held regarding providing a list of subscription numbers and providing the current funding numbers which are produced by Verizon on a quarterly basis, RCTV's capabilities as well as its policies and procedures. Additionally, a discussion was held regarding the current municipal buildings that allow access to cable and potential changes for this in the future. Lastly, a discussion was held regarding Randolph's Schools' contract with RCTV.

Roll Call Vote: 8-0-0 (Absent: Councillor Clerger)

### **Public Comments:**

1. Kathleen Crogan-Camara, of 52 West Street: I have been working with Councillor Gordon regarding walkways trails, and open space. I commend Jesse for collaborating and pushing forward with the community preservation commission and the conservation commission and I encourage the other Town Council members to foster these efforts. Randolph is a majority/minority Town and many individuals have chronic health issues. As a registered nurse, I know that by offering many parks and walkways in Randolph we would be facilitating a healthy lifestyle. Small local parks increase a sense of belonging and strength within the community. I would like to advocate for environmental justice in our community and make this a priority to contribute to the health and safety of our neighbors.
2. Sandy Cohen, of Bittersweet Lane: In following up on Kathleen's comments on open spaces- at the end of Highland avenue we have a park that has boulders. You can't get in there and I have no idea what's going on but I think the boulders should be removed and made more user-friendly so that we can walk around this neighborhood and meet some of our neighbors. Secondly, What is going in the Westbound side of 139- they've been doing a lot of construction in that area 3. Does the building where "Not Your Average Joes" was have a tenant going in there?
3. Joe Burke, Hills Street: Are we going to see any discounts on the new cable contracts?
4. Joe Herosy: I want to reiterate what we spoke about during the last meeting where we had ceiling collapses, rodent infestations, lack of water, and basic living conditions. It goes back to way before the recent cold snap. We're talking about the Rosemont Square, or the Waterton Cooperation, and the other apartment complexes that are in Randolph.
5. Gladys McClain, of 14-106, Chestnut West At Rosemont Square: There are no handicap signs in the ground for the parking spaces and I'm wondering if we could get some on the ground. The heat is not working right because the doors are not sealed correctly. There was also a shooting here a couple of nights ago and they're advising us to be aware of our surroundings but the doors don't even lock and the rugs are not placed in like they should have been.
6. Izabel: I stand in solidarity with the residents of Randolph. We need to attack racism. Instead of putting fees for trash, we have fined them in other ways. They are increasing the rent on tenants because of the fines and that's not right.
7. Pamela Kelly, of Woodview Apartments, 49 Highland Glen Drive: I come in agreement with everything that has been said about the fees and living conditions afforded to us living in Randolph. There is no rent control in Randolph. I was told if I can't afford the rent then I should go live somewhere else and we are being faced with eviction. I've been over to Randolph Housing Authority because I applied for section 8 which will help reduce my rent and they told me they are not issuing any more section 8. This is not a good quality of life. I have been living in this apartment for so many years and I have had so many issues with management.
8. Kianna, Highland House: I am preparing to move out of Randolph but I wanted to come and support everyone else who is here. We have had bad rodents, the property managers don't do anything or fix anything, no heat, and no ac. I don't understand why Randolph doesn't care about its Residents. I want to know what you all are going to do to improve that.

### **New Business:**

1. Council Order 2023-008: Transfer of Water/Sewer Retained Earnings for Joint Board Operations

Council President Alexopoulos read Council Order 2023-008. Town Manager Howard gave a brief explanation further describing the purpose of this Council Order.

Councillor Burgess: When do we think we'll get to the eight filters? I know this is a delicate dance because the water treatment plant is so old. Town Manager Howard: My understanding is that the testing

phase is approximately three months and then at that point environmental partners would put together the program to do the height. It is important to note that other than the original first hit, the Town and Holbrook have been in compliance. For example, the latest number is 14.5. The goal is to do this program so we can eliminate any future points of going over that. Councillor Gordon: Can you touch on the new blue drop at Saint Bernadette's and the recent fire at Clean Harbors and any concerns you may have? Town Manager Howard: Now that we've reached an agreement with Saint Bernadette's that will allow us to use their facility, we will order a new unit, and they will build it to suit our needs. That will be another spot in Town for us to have a secondary unit, giving folks in North Randolph easier access. As far as what occurred in Braintree, there does not appear to be any impact to Randolph or any of the other communities that abut Braintree. If we learn anything else, we will take action as necessary. At this point, we are not aware of any remedial efforts that will be required based on the incident at Clean Harbors.

Councillor Gordon: I think it is great to start the GAC fill. First, regarding the issue of the water equipment being fragile, I agree it's very old and very fragile. We learned from the Braintree experience that their GAC filters got filled up a lot sooner than they thought, and we can anticipate the same for Randolph. I did have a proposal about finding the source of PFAS that's in our groundwater now. We started a program where the state tested seven different sites and I'd like to see more sites tested. I'm not sure where we are on that, but I would like an update. Town Manager Howard: We can pass along your thoughts on that. It would be great for them to conduct additional testing. There is no hot spot that you would point to based on the data that we've seen so far.

Councillor Huff-Larmond: Do you know where the testing happened in Randolph? Town Manager Howard: We do. Councillor Huff-Larmond: We are putting a lot of work and money into making sure our water is what it should be and that surrounding towns are having similar issues and our PFAS numbers are lower than some of our surrounding towns. Town Manager Howard: If you read in the local papers, you will read that surrounding towns are dealing with the issue in a much higher concentration than we do. There are many communities in the state of MA trying to figure out their way around the new regulations that were issued last year. Councillor Huff-Larmond: When we look at the additional funding, could you explain more about that to the community? Town Manager Howard: The joint water Board factored in some percentage increase in their budget however they did not build in a large enough number to cover the increased costs of utilities based on what occurred with the rates and to deal with the water treatment chemicals necessary for the water. They are also still struggling to get certified water treatment plant operators so they are having to keep people longer and work overtime to cover those shifts. There are just not enough people with that certification so it's an extremely tight market.

Council President Alexopoulos requested a Motion on this Council Order.

Motion to approve the Council Order 2023-008 as presented made by Council Vice President Brewer, seconded by Councillor Gordon.

Roll Call Vote: 8-0-0 (Absent: Councillor Clerger)

Motion Passes.

2. Council Order 2023-009: Transfer from Reserve Fund for Town Hall/Police Station Water Heater

Council President Alexopoulos read Council Order 2023-009. Town Manager Howard gave a brief explanation regarding the purpose of this Council Order.

Council President Alexopoulos requested a Motion on this Council Order.

Motion to approve the Council Order 2023-009 as presented made by Councillor C. Alexopoulos, seconded by Councillor O'Connell.

Roll Call Vote: 7-0-0 (Absent: Councillor Clerger; Absent During Vote: Councillor Egan)

Motion Passes.

3. Council Order 2023-010: Transfer of Water/Sewer Retained Earnings for Unidirectional Flushing Plan

Council President Alexopoulos read Council Order 2023-010. Town Manager Howard gave a brief explanation regarding the purpose of this Councilor Order.

Councillor Burgess: Since these have been certified, were there any issues that came up? And I believe we are waiting to schedule a meeting to talk about why we are short in free cash. Town Account/Finance Director Janine Smith: Councillor Burgess questions about retained earnings for the water sewer enterprise- there were no challenges it was easily certified. What he is referring to is our estimate of free cash, which is the general fund/savings account, and the number that we forecasted to be certified, when it was reviewed and reported was unfortunately millions of dollars less due to lots of school grant deficits. We can schedule a meeting to go through the details.

Council President Alexopoulos requested a Motion on this Council Order.

Motion to approve the Council Order 2023-010 as presented made by Councillor Egan, seconded by Councillor C. Alexopoulos.

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

Motion Passes.

4. Council Order 2023-011: Authorization and Approval for Memorandum of Agreement (“MOA”) for New Successor Collective Bargaining Agreement Between the Town of Randolph, MA and the SEIU Local 888 Randolph Town Hall and Library Workers (“Union”)

Council President Alexopoulos read Council Order 2023-011.

Town Manager Howard: Thank you to Liz Larossee for her assistance throughout this process. The percentage portions are 3%, 2%, and 2%. The 3% this year mimics what the other unions have in their contract. In particular, some of the keys of this contract I think will be very helpful to the daily operation of the town are 1. The Library custodian and Randolph Intergenerational Community Center custodian can rotate back and forth, especially during vacations and sick days so this will be a tremendous help. 2. There was a change to the overtime schedule for the library. We’ll be able to use emails and automated text messages to expedite the process. 3. We are adding FMLA language to ensure we are in compliance with the law. Some of the terms were quite old. 4. It formalizes the probationary period. is critical to ensure the new hires are meeting the needs and the goals of the new position. Other unions in the town have probationary periods and this union did not also have an annual review to help develop goals. The SEIU consists of the clerical staff in Town that you will likely see on a day-to-day basis when you walk into Town Hall for example.

Councillor Burgess: This is eight pages and it seems to me it used to be longer. Town Manager Howard: We included the Memorandum of Agreement (MOA) which only speaks to the portions of the contract that were changed. Areas of the contract that were not changed are not reflected in the MOA which is consistently how we’ve done it. Councillor Burgess: I’d like to have a full copy of the contract before we vote on it and I don’t feel like I can do myself justice when I don’t have all the information.

Additional discussion was held regarding the provision in the contract regarding potential changes to Town Hall’s hours.

Councillor Burgess requested a full copy of the contract before it is voted on and invoked Rule 21.

Council President Alexopoulos: Council Order 2023-011 will be continued to the Council Meeting on March 13, 2023.

### **Correspondence:**

1. Randolph High School Social Studies Teacher reached out to the Council regarding an upcoming Civics Action Community Project led by 10th-grade students. The goal is to promote a student's ability to analyze complex issues, consider different points of view, and engage in civic discourse. It is taking place on March 15, 2023, from 9:00-10:00 AM at Randolph High School.
2. Correspondence from Attorney Kevin Reilly concerning the proposed project at 16 Fencourt Avenue. The Applicant consents to the continuance of the public hearing to April 3, 2023, at 6:15 PM. By way of separate correspondence, an update on where the Plan Review Authority stands will be sent to the Council. By way of email, Attorney Reilly also consented to the continuance of the site plan design and review to the public hearing taking place on April 3, 2023, at 6:15 PM.
3. The PRA for 502 South Main Street received updated landscaping plans and will be meeting on Wednesday March 8, 2023.

### **Subcommittee Reports:**

1. Master Plan Implementation Committee: We met with the Department of Public Works chair about what the DPW has been doing on Master Plan-oriented items. I think of most interest is about dead-end pipes. I think that the motion that we voted on about pipe flushing is relevant to that. It has cut down on the amount of brown water. I think we should address some of the dead-end pipes and it has been suggested that ARPA money may be dedicated to that.
2. Human Services/Seniors/ Subcommittee: The next meeting will be on Monday, March 6, 2023. It will be a hybrid meeting. The topics include: 1. Losocis conservation area- yes we are putting a sign there and removing the boulder. 2. I met with the Board of Recreation about doing a park survey to explain where there is currently park usage and where park usage is required. 3. Lastly, we'll be speaking about health violations. There were photos to be displayed to highlight the issues and the solutions.
3. Councillor Brewer: Public Safety Subcommittee will be meeting this Thursday at 4:00 PM regarding the complete streets proposal that needs to be submitted before April 1st.
4. School Committee: The School Building Committee chose a new contractor for the Lyons School Project and we'll have a kickoff meeting to showcase that and have a groundbreaking ceremony.

### **Open Council Comments:**

1. Councillor C. Alexopoulos: Randolph Police and Fire departments will hold their "Hold the Line" charity game. This year it will honor fallen officers Mike Beal and Jeff Chaplin on March 11 at 1:00 at the Zapustas Ice Rink. The \$5 donation will go towards children attending summer camp this year.
2. Councillor Huff-Larmond: 1. Delta Sigma Theta Sorority Inc. held an oratory art competition. Randolph High School students and other high school students in our service area participated. It was a wonderful event used to have their voices heard. 2. Randolph Woman's Club will have its Annual Woman's Day Event on March 5, 2023. It's \$40 if you buy your ticket now. They are going to have great speakers. Last month, the Woman's Club had a nice event at the Blecher House for Heart Disease and had the Randolph Health Department come to provide information. Look out for more information on Facebook regarding upcoming events. 3. Randolph Youth Council will have their next meeting on March 12, and will likely be virtual. If you want to tune in or participate feel free to call 617-240-0106 so we can make that happen.
3. Councillor Burgess: 1. The question came up regarding what was going on in Warren Street and I am surprised that that site was allowed to be clear-cut. There is nothing left on the site as far as vegetation goes. That has to be a violation of our rules. Can we have the Building Commissioner, Town Planner,

and Planning Board respond as to why they were allowed to clear-cut the entire lot? I know there were trees on it but what were the issues? 2. It came to my attention that the public is not invited to our public meetings in Chapin Hall, however as an elected public official, any meeting that I attend as a Town Councillor, any member of the public is invited to sit in this Town Hall with me.

4. Councillor Gordon: 1. Recreation Subcommittee is meeting on Monday March 6, 2023. We will read into the record the letter including the photographs that were submitted to the Town Council by Randolph Tenants Association. 2. I'd like to thank Kathleen Crogan Camara for raising the issue of opening the parks. I've done a series of tours of the parks and I'll present the maps during the next meeting as well. 2. How do we change the Council's rules so that we can make it so that the public is officially invited as part of the Town's ordinances? 3. The issue that was supposed to be raised is that we increase the fines and that the Board of Health has the policy to enforce the fines to the maximum amount possible. My reading is that the law allows up to \$500 per day for each violation. Councillor Huff-Larmond: I do agree that residents should be allowed to come here. I don't push it to say COVID is over because it is not over and I am sensitive to that especially with this being a majority-minority community. In my opinion, is to at least have a hybrid model so those who would like to tune in from home can do so, and those who want to come in person can do so. Council President Alexopoulos: My intent is starting next month to go back to being in Town Hall under a hybrid model. The reason the public was not invited in person today is because the meeting has been advertised as a remote meeting only. If a certain group of individuals were allowed, and others were not, that would not be fair to those that wanted to come but couldn't.
5. Councillor O'Connell: Recently I've had residents reach out within my district regarding the blasting that's occurring in Avon. I want to keep asking those residents to reach out to me. I'm trying to put together a group to go to the Avon Select Board. I have met with the Town Attorney and Town Manager and I will fight with you guys on this, I just need you to get behind me. Please reach out to me by email at KOConnell@Randolph-ma.gov. I will try to get a meeting date together and send everyone the details.

Councillor Clerger entered the meeting at 7:50 PM.

### **Adjournment:**

Motion to adjourn made by Councillor Clerger, seconded by Councillor Huff-Larmond.

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

Meeting adjourned at 8:28 P.M.