



## **Randolph Town Council**

### **Meeting Minutes**

**Meeting Date: Monday, April 3, 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 (By Zoom), Jesse Gordon (In-Person), Katrina Huff-Larmond (In-Person), Kevin O’Connell (In-Person).

**Pledge of Allegiance:** Pledge of Allegiance led by Councillor Huff-Larmond.

**Moment of Silent Prayer:** Moment of Silent Prayer held.

#### **Announcements from the Council President:**

1. I received a letter from Town Attorney Griffin requesting that the Town Council enter discussions about extending her employment contract as town attorney for the town of Randolph. I will be appointing a negotiating committee. Councillor Burgess: When does it expire? Council President Alexopoulos: June 30, 2024.

#### **Public Hearings:**

1. **6:15 PM: Special Permit Application and Site Plan and Design Review for a Proposed Development located at 16 Fencourt Avenue**

Council President Alexopoulos: This is a continued Public Hearing. Council President Alexopoulos read correspondence from the applicant requesting an additional continuance of the public hearing due to additional meetings being scheduled with the Plan Review Authority. I am going to continue the Public Hearing to the first meeting in June which will be June 5, 2023, at 6:15. The Town Council Clerk will send a letter to Attorney Reilly confirming the continued Public Hearing.

Councillor C. Alexopoulos entered the meeting, in person, at 6:07 PM.

#### **Presentations:**

1. **Plan Review Authority (PRA) Chairman Tony Plizga Updates**

- A. 502 S Main Street Updates by Chairman Tony Plizga: By way of background, this special permit was approved by the Town Council in December 2020. It included 14 duplexes, 24 garden-style condos, and 10 townhouses for a total of 60 units. It also included 1 new commercial building. The first question was about the general progress of the project. They have nearly completed 4 of

the duplexes, and as of this last weekend, they have 3 additional seller holes for the duplexes ready and open for the placing of the foundation. At a recent meeting held with the PRA on landscaping, they indicated that they plan to complete the 13 duplexes by the end of 2023. Based on that, I did remind them that later this year they would have to come before the Town Council to ask for an extension as the initial construction period was 3 years. One of the reasons they may have been going slower than people hoped for is they had a lot of issues getting electrical hookups in which was completed late last fall. Gas hookups are still not in.

The second question was, is there a new commercial building in the works? The straightforward answer is no. There is an existing commercial building on that parcel. When the original application was submitted to Town Council, there was always a plan for one commercial building.

The last question was, will the driveways or roadways remain private? The answer is yes. This is all one parcel so it will all remain private.

When the PRA met with the applicant in 2022, the applicant was instructed to meet with the Town Engineer regarding the numbering of the units because they knew the Town Engineer typically assigns a unit number to apartment numbers. What I didn't know at the time was that street names can only be provided by Town Council or Planning Board- whoever the permitting body is. Late last fall, the applicant called me personally and stated he had legal documents for the condos with street names on them that he had chosen. He understood that the Town would not approve those street names, however, there were already legal documents with these street names. I suggested that he contact the Town Attorney. At this point in time, this remains an outstanding issue.

Councillor Huff-Larmond: What is the process for street names? Town Attorney Griffin: We're in a little bit of a complicated spot. Typically, if a subdivision is being laid out then that means the Planning Board is overseeing the creation of an actual road and the road then can be named through a planning board process, or it can come before the Council and be asked to become a public way. This is not a subdivision; this whole property is a condo and so when the plans came through to the council it was treated as if each of the roads seen on this plan are a driveway- not a public or private way. So, the anticipation when this was approved through the council is that they would continue to be treated as if they were driveways. As the project has progressed it sounds like the developer started referring to the driveways by various names that have worked their way into some of the documents and now there is some confusion about whether those addresses are addresses of a road or informal names being used for driveways. They are officially still just driveways because the Town has not designated them as anything else. The important thing is that all the maps match.

Councillor Burgess: Do we have the names that were suggested? Chairman Plizga: We do not know what they are. Councillor Burgess: My next question would be are we opposed to any of those? Lastly, I would ask that we go back and look at Jasper Lane and Thompson Drive to see how we handled those developments which are similar to this.

Councillor Gordon: What is the address of the parcel? Is it just one parcel? Chairman Plizga: 502 South Main Street. It is one parcel.

Councillor Burgess: If we call them private ways and stop calling them streets and check out what the names are so they're not something crazy and we all agree on them, why not call them whatever names they may be for fire purposes? Council President Alexopoulos: That's a good point. We can take a look at that and see what we can do. Town Attorney Griffin: Private ways

do have a particular legal status and so if the Council wants to convert them all to private ways that is one solution. The way this development was presented and approved by the Council is that these are driveways. That would require us to update the documents but certainly that's a path we can take if the Council wants to do so.

- B. Fencourt Ave Project Updates by Chairman Tony Plizga: We'll have our second meeting next Wednesday. We are currently waiting on updated drawings. I've given them a cut-off date of 1 week before the meeting or we will not be able to proceed. They added a sidewalk on the main entrance coming in on the right, they've eliminated the emergency road behind one of the buildings where it abuts Truelson Avenue, they've provided a gated driveway to Castleton Street for emergency fire department access, and they've looped the water main throughout the project instead of making it a dead-end. Those changes were made based on comments from the Fire Department and the Department of Public Works.

Councillor Burgess: Have they gone to the Conservation Commission yet? Chairman Plizga: They have and I think they are still waiting on a decision.

### **Public Comments:**

1. Joe Burke, Hills Street: How are we making out with that Street by Devine? Council President Alexopoulos: I will take a look at that and inquire with the Planning Board.
2. Sandy Cohen, Bittersweet Lane: I have a question about the Seth Man House that's on the Corner of North Main Street and Pleasant. There are always all kinds of cars and trucks parked there. It looks like a junkyard. It's a historic house.

### **New Business:**

#### **1. Council Order 2023-016: Transfer of Free Cash and Enterprise Retained Earnings into OPEB Stabilization Account**

Council President Alexopoulos read Council Order 2023-016. Town Manager Howard provided additional information about the Council Order.

Motion to approve the Council Order 2023-016 as presented made by Councillor Burgess, seconded by Councillor C. Alexopoulos. Discussion was held. Councillor Burgess: regarding the Town's commitment to bring retirement costs down. I appreciate the Town Manager and Town Accountant's efforts to accomplish that goal.

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

Motion Passes.

#### **2. Council Order 2023-017: Transfer of General Fund Free Cash to Stabilization Fund**

Council President Alexopoulos read Council Order 2023-017. Town Manager Howard and Town Accountant/Finance Director Janine Smith provided additional information regarding each of the budget transfers.

Motion to approve the Council Order 2023-017 as presented made by Councillor C. Alexopoulos, seconded by Councillor Burgess. Discussion was held regarding the importance of maintaining the Town's Financial Policy of requiring a minimum of 6% of the prior year's net operating revenues in the Stabilization fund. Town Manager Howard: The town has an aggressive policy to ensure that funds are available for emergencies.

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

Motion Passes.

**3. Council Order 2023-018: Transfer of General Fund Free Cash to FY 23 Health Department Expenses**

Council President Alexopoulos read Council Order 2023-018. Town Manager Howard provided additional information regarding each of the budget transfers.

Motion to approve the Council Order 2023-018 as presented made by Councillor C. Alexopoulos, seconded by Councillor Clerger.

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

Motion Passes.

**4. Council Order 2023-019: Transfer of Water/Sewer Retained Earnings to Water Treatment Stabilization Fund**

Council President Alexopoulos read Council Order 2023-019. Town Manager Howard provided additional information regarding each of the budget transfers.

Motion to approve the Council Order 2023-019 as presented made by Councillor Clerger, seconded by Councillor C. Alexopoulos. Discussion was held regarding previous votes of funds that were moved into the Water Treatment Stabilization fund.

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

Motion Passes.

**5. Council Order 2023-020: Transfer of ARPA Revenue Loss Funds**

Council President Alexopoulos read Council Order 2023-020. Town Manager Howard provided additional information regarding each of the budget transfers.

Motion to approve the Council Order 2023-020 as presented made by Councillor O'Connell, seconded by Councillor Clerger. Discussion was held regarding which projects were submitted for the Complete Streets Policy. Town Council Clerk listed the projects: Project 1 is South Street and Center Street (intersection at Lynnwood), project 3 is Highland Ave and Memorial Parkway (crossing improvements), project 5 is Chestnut and High Street (intersection improvements), and Project 6 is Oak Street sidewalk and intersection improvements.

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

Motion Passes.

**6. Discussion of Free Cash**

Town Manager Howard: The council had asked that when we bring forward the transfers of free cash we explain how it works. The Town Accountant/Finance Director Janine Smith put together a presentation for the council.

Town Accountant/Finance Director Janine Smith displayed a presentation on the Town of Randolph's free cash calculation.

Councillor Burgess: So, when we look at those grants, which are broken down into three categories: one being reimbursement rent- can those be subtracted? Town Accountant/Finance Director Janine Smith: I have not done that but it is something I can report back on. Councillor Burgess: Well we have specific department heads who handle the grants for their department and the school department handles them.

My understanding is that we have hired an accounting firm to do our school finances. My other understanding is that the company that was hired is not entirely in tune with the requirements for the Massachusetts Department of Revenue and hasn't been as aggressive in making sure we have applied for the grant reimbursement. Am I correct? Town Manager Howard: There is a statewide drain on financial services. Ultimately there is compliance with the law we have to go through for free cash, and in addition to that, you need to follow how each town records its funds and transactions.

Councillor Burgess: What is the attempted communication between the Town Accountant/Finance Director and the accounting firm in the school department? Town Accountant/Finance Director Janine Smith: I'll be doing what I can for an independent review and send email communications of what I notice to be deficits or ask questions. Discussion was held regarding the Town Accountant/Finance Director's communications with the School Department and its accounting firm and deficits in the School Department's finances. Councillor Burgess: I am disappointed that the School Committee is not with us to have this discussion so we can all be on the same page. Superintendent Thea Stovell: I am not here to make any excuses. We have had a really tough year for a lot of reasons and I am comfortable saying to the Council that every one of those grants is now in the town's bank accounts. It has just been a matter of us getting someone to keep up with the work and unfortunately, the gap occurred when there was a lot happening and we now have someone tracking expenses. We are still looking for a Director of Finance. This was not an ideal situation but we are going a different route now, which is going through a recruiter. I do think at some point that is worth a conversation as well on how Munis works for the school. I think we have fixed everything we could so the numbers you are seeing on the screen have been drawn down. And a majority of it has gone to the town and if it hasn't yet it is on its way.

Council President Alexopoulos to Town Accountant/Finance Director Janine Smith: When you correspond with the accounting firm in the school, can you please include the School Superintendent in the emails so she can help make sure the school department meets deadlines that have been set?

## **7. Council Order 2023-021: Authorization and Approval for Memorandum of Agreement for Patrol Officers**

Council President Alexopoulos read Council Order 2023-021. Town Manager Howard provided additional information regarding the proposed contract.

Town Manager Howard and Chief Marag were present to provide additional information on the Council Order and answer questions.

Town Manager Howard: Some of the key aspects of this agreement include: 1. Authorization for the Local 18 Union to remove themselves from civil service, 2. It gives the Police Chief flexibility to look at the shifts based on the needs of the town and staff those shifts appropriately. 3. There will be paid details in a competitive range with the surrounding area, 4. The clothing allowance goes up \$100 a year in particular due to the body camera program because you have to adapt the clothing and this allows for additional funds for those clothes. 4. The number of sick days that you can buy back are increasing from 20 sick days to 40 sick days.

Police Chief Anthony Marag: I echo what the Town Manager mentioned. The negotiations went well on both sides, there was mutual respect and it was not adversarial. In regards to what was achieved to help the department and help the community, really civil service and minimum manning were the two big asks on our end. I wanted to build flexibility in the department. Also, I need the flexibility to manage my shifts based on intelligence and call volume. The civil service has been a problem for us and will be a big problem for many communities throughout Massachusetts. There is a greater ability to hire quickly and get quality candidates. Overall, I think it's a good thing for everyone and it's a forward-thinking contract.

Councillor Huff-Larmond: We've been having the conversation for years to create a system that is equitable but due to the civil service system it was hard to put police officers of color in leadership roles. I know we still have a process to go through but it will be more flexible for officers to climb up the ladder. Town Manager Howard: This contract is specific to patrol officers. We are nearing the process for superiors but that still continues. The key we're trying to accomplish, as the chief says, can't be just about the test, it's being able to weigh that person and how they fit into the organization with the skills that are necessary that go far past a test. This will provide the tools necessary to the Police Chief to look at the whole candidate.

Councillor Clerger: How do the officers of color, how do they feel? Chief Marag: It was supported heavily by the department. Town Manager Howard: I believe the vote was 43-2. It was overwhelmingly approved by the body of patrol officers. Councillor Clerger: Are you guys planning on hiring more officers of color? Chief Marag: We hopefully are getting five candidates three black females and two black males soon. Clerger: I hear tremendously positive feedback on the patrol officers since they're the ones on the front lines and residents interact with the most. Chief you are doing very well and I hear lots of good things coming from every direction but I think we need more higher-ranking officers of color.

Councillor Gordon: So, the clothing allowance will allow the officers to purchase the necessary clothing to pin the body cameras onto their lapels? Town Manager Howard: That is correct. Gordon: We've used a linguistic requirement in the job description for the purpose of overcoming the civil service lack of a method for recruiting candidates of color. Is that right? Town Manager Howard: Civil service is a broken system, it's old. No matter what, this will allow Randolph to create its future.

Councillor Burgess requested additional information regarding the next steps for formally removing civil service and how the cameras have been working with the police department. Town Manager Howard explained that next steps for finalizing the removal of civil service are still being researched. Chief Marag: The rollout of the body cameras has been very smooth.

Councillor C. Alexopoulos: I think this agreement will greatly benefit the community and the police department.

Motion to approve the Council Order 2023-021 as presented made by Council Vice President Brewer, seconded by Councillor C. Alexopoulos.

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

Motion Passes.

#### **8. Council Order 2023-022 Acceptance of M.G.L. c. 41 §110A to Move Last Day Local Election Deadlines to the Friday Prior to the Election**

Council President Alexopoulos read Council Order 2023-022. Town Manager Howard provided an explanation regarding the purpose of this Council Order.

Town Manager Howard: When the law was changed in 2022, a mechanism was put in place because the days before the election were shortened from 20 to 10. Randolph's statistics show that fewer individuals are coming in on the Saturday before a local election to come in and register to vote. At least fifty communities in the State have already adopted this law. It's clear that people register to vote through other means and registering online. The question becomes whether or not to open on a Saturday for potentially one voter, with the costs it incurs, as a service that statistics show people prefer to do online.

Town Clerk Cheryl Sass: Automatic voter registration is probably the driving force behind this. Anyone is registered to vote no matter what they do at the registry, anything they do regarding MassHealth or

Transitional Assistance. We get at least 50-60 voter registrations from the registry and online voter registrations from the secretary of state's office every day. People registering to vote in person are few and far between. Enacting this law, it would make it so that instead of being open from 9 AM to 5 PM on a Saturday, voter registration would close at 5 PM on Friday. If we were to adopt this law, I would offer to stay open late one night and advertise that the last day to register to vote is on that Friday but that we have additional hours if anyone needs it.

Councillor Huff-Larmond: I think this takes away the rights of our residents. Those who cannot vote online, maybe those who work from 9 AM to 9 PM and cannot make it to register to vote. If we vote for this we are taking away individuals right to vote. I know towns that have a majority of folks of color who are not doing this. We know that for whatever reason, the folks who are not voting are folks of color. There is lots of movement to help people understand their right to vote and with those efforts, we need for the Town to work with us.

Councillor Gordon: I also oppose this Council Order and want to remind the Council we had this conversation years ago when we decided to have voting open from Saturday and Sunday for voter registration, but it's also a voting day. We called it, "Souls to the Polls." I'd like to say that we should have funding to keep Town Hall open on Saturday 10 days prior, on Sunday 9 days prior, and on Saturday and Sunday 2 and 3 days prior to the election.

Councillor Clerger: What is the reason we should adopt this? Town Clerk Cheryl Sass: This is not going to affect anyone's ability to vote for purposes of in-person early voting. This would be specific to folks' opportunity to register to vote on Saturday which would change from Saturday evening to Friday at 5 PM. Town Hall would still be open for state and federal elections for purposes of in-person early voting.

Council President Alexopoulos: Questions for the Town Clerk: The Saturday and Sunday before an election? Town Clerk Sass: This is only for local elections. Council President Alexopoulos: Is there early voting in local elections? Town Clerk Sass: Typically, yes. We do Saturday or Sunday for local elections, we can do Saturday and Sunday too, however, we'll just do 3 or 5 hours as opposed to 8. Council President: So, this only pertains to folks' ability to register to vote, it does not preclude people from voting on those days.

Councillor Huff-Larmond: This is voter suppression. The government starts with local elections. We depend on local elections in order to be heard nationally. So absolutely local elections matter.

Councillor Burgess: This is for the local election correct? Local elections occur on Tuesday. Early voting. When someone comes in to you to register in person, what is the process? Town Clerk Sass: They show an ID and register to vote. Councillor Burgess: Do you have to enter them into the state database? Yes, after they leave. It would pull them from whatever city they were in and moves them into ours. We all know there are times you have someone who wants to come to support us by voting and can't because they didn't register to vote for whatever reason. I think it's incumbent on us to ensure residents know about deadlines. I don't see this as voter suppression. We get to a point where you have to look at the data and if the data isn't supporting something then we should move the funds elsewhere. If we want more people to vote and this small data point is saying we're not reaching a lot of individuals then maybe we can go another avenue to get more people to vote. Voter registration is not the problem.

Councillor Huff-Larmond: This is not a 2023 issue. This has been an issue for years in making sure that we take responsibility to make sure we encourage our residents to register to vote and to vote. The point that Burgess is making is to put resources in other areas. People have been doing this for years by standing outside in various locations, when we talk about putting resources in other areas to get people to vote- what does that look like? We have a lack of effort in that area. When talking about equity and

equality we are not looking at the data, we are looking at opportunity. This continues to be an issue and this is voter suppression.

Town Manager Howard: I brought this forward for the Town Clerk based on the data and, in listening to the conversation, we don't want to send the wrong message and will withdraw 2023-022 at this time.

Council Order 2023-022 was withdrawn by Town Manager Howard. No further action will be taken.

### **Correspondence:**

1. Randolph's Department of Public Health is hosting a Health and Wellness Expo occurring on Saturday, April 29, at the Randolph Intergenerational Community Center from 11 AM - 2 PM. There will be lots of great services available.
2. Randolph is hosting its Annual Town Clean Up on Saturday, April 22, 2023, from 8 AM -12 PM. Everyone will be meeting at Town Hall and materials will be provided. Please register in advance for a Fun T-Shirt!
3. There is a new beginner Line Dance Series taught by Mr. Paul Hughes at the Randolph Intergenerational Community Center on Mondays. They are \$10 a class and registration is encouraged.
4. The National Council for Mental Wellbeing is hosting a Mental Health First Aid course on Saturday, April 22, 2023, from 9 AM to 4 PM at the First Congressional Church, 1 South Main Street, Randolph, MA 02368. Registration is required- you may contact Ms. Jean Brewster by accessing the contact information listed on the flyer attached to the agenda packet.

### **Subcommittee Reports:**

**Small Business Subcommittee:** Councillor Huff-Larmond provided an update on this Subcommittee. We met recently and thought of lots of creative ideas to highlight and advertise small businesses, for example, connecting with RCTV in hopes that we will have some sort of partnership.

**Human Services/Seniors/Recreation Subcommittee:** Councillor Gordon provided an update regarding this Subcommittee. 1. The park survey is online- created by myself with the Board of Recreation. It is accessible online at [Bit.ly/RandolphParks](https://bit.ly/RandolphParks). That's the first step of the open space and recreation plan. 2. A coalition of groups has kicked off the shuttle bus petition. We participated in a walk to the nearest bus from Rosemont Square Apartments. It was about a 20-minute walk. The petition is now available. Our hope is the coalition will submit the petition three weeks from today at the Town Hall. The idea is to create a shuttle bus service that goes from all of the big apartment complexes to resource centers, shopping plazas, and transit locations.

**Public Safety Subcommittee:** Council Vice President Brewer provided an update on the Public Safety Subcommittee. We met on March, 30 at 5 PM and discussed which projects to submit to BETA. We will be submitting project numbers 1, 3, 5, and 6 of the prioritized list made by the Subcommittee.

### **Open Council Comments:**

1. Councillor Gordon: 1. I spoke with the Town Planning Director of Canton about a sidewalk from the Randolph border on Randolph Street in Canton to the Ponkapoag Pond swimming area. The way I phrased it then was walking from Prine Hills to the beach. I brought this up to the state when they were discussing the Route 24 rehab and rejected it as the Department of Conservation Resources (DCR) prerogative and they said we defer to the Town of Canton. The Town of Canton is willing to invest in a sidewalk from route 24 to the entrance of the park but they mentioned that students from the Donovan School and students who live in North Randolph that walk to the Blue Hills School would benefit from a



sidewalk. Canton is submitting that plan to DCR. If people want to submit their support as residents of Randolph, please email me and I will submit your comments.

2. Councillor O'Connell: Happy Easter to those who celebrate. Community Programs Director Liz Larossee is putting together an Easter Parade with the fire department on Saturday, April 8, 2023, starting at 11:30 AM. If you need a church to visit, come see me at Grace Church- everyone is welcome.
3. Councillor Huff-Larmond: There is a physical and mental health conference we will be doing at the Randolph Intergenerational Community Center on May 6, 2023. This conference is predominately about suicide prevention. We will have speakers and panelists there speaking about mental health. 2. Delta Sigma Theta Sorority Inc. is hosting a rock climbing event at the Central Rock Climbing Gym in Randolph. Every month we have done some sort of physical exercise channeling physical health. 3. Southshore Caribbean Connection has a scholarship under the name of Ken Clifton. The first annual education scholarship raffle for Randolph High School students. Ken did a lot of work with the school and made sure our students had the best of the best.
4. Councillor Clerger: The soccer game being held in celebration of Haitian Flag Day is scheduled for May 13, 2023, at 1:00 PM at Belcher Park. May 18, 2023, will be the Haitian Flag Raising at 10 AM at Town followed by a celebration at the Randolph Intergenerational Community Center.

### **Adjournment:**

Motion to adjourn made by Councillor Clerger, seconded by Councillor C. Alexopoulos.

Roll Call Vote: 7-0-0 (Absent: Egan Absent During Vote: Burgess)

Meeting adjourned at 8:37 PM.