



TOWN COUNCIL MEETING

Monday, May 22, 2023 at 6:00 PM

Town Hall - Chapin Hall - 41 South Main Street Randolph, MA
02368

AGENDA

This is a hybrid meeting. The public is invited to attend this meeting in person or remotely, by telephone or computer access. This meeting is being posted pursuant to the state statute authorizing temporary remote participation as described here:

<https://www.randolph-ma.gov/DocumentCenter/View/1864/remotemeetings23>

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Please note that this Town Council Meeting will be video and audio recorded and will be broadcast, including over local cable and the internet. Any person, upon entering a council meeting or hearing for any purpose, including the purpose of participating, viewing, listening or testifying, grants permission to the Town Council to record and televise or otherwise publish their presence and testimony.

A. Call to Order - Roll Call - Pledge of Allegiance

B. Moment of Silent Prayer

C. Approval of Minutes

1. Meeting Minutes of Town Council Meeting May 8, 2023

D. Announcements from the President

E. Public Hearings

1. Council Order 2023-024: Authorization By The Randolph Town Council To Petition The General Court To Enact Special Legislation Regarding The Status of The City Known As The Town Of Randolph As A Gateway Municipality

F. Public Comments/Discussions

G. Motions, Orders, and Resolutions

H. Town Manager's Report

I. Old/Unfinished Business

J. New Business

- [1.](#) Council Order 2023-025: Authorization By The Randolph Town Council To Petition The General Court To Enact Special Legislation Regarding The Preparation of Certain Bilingual Ballots In The City Known As The Town Of Randolph
- [2.](#) Council Order 2023-026: Authorization and Approval for Memorandum of Agreement ("MOA") For New Successor Collective Bargaining Agreement By and Between The Town of Randolph, Massachusetts and New England Police Benevolent Association, Inc., Local 34 ("Superior Officers' Union")
- [3.](#) Council Order 2023-027: Transfer from Reserve Fund

K. Correspondence

- [1.](#) Join Randolph Elder Services for a Blood Drive
- [2.](#) Town of Randolph Digital Equity Plan: Public Meeting #1 on Thursday, May 25, 2023 at 6 PM.
- [3.](#) Randolph Day 2023
- [4.](#) Randolph Community Middle School's 1st Annual Civics Night

L. Committee Reports

M. Open Council Comments

N. Adjournment

Notification of Upcoming Meeting Dates

May 30

June 5 and 26

July 10 and 24

August 7 and 21

September 11

October 16 and 30

November 6 and 20

December 11



Randolph Town Council

DRAFT Meeting Minutes

Meeting Date: Monday, May 8, 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 (In-Person) Natacha Clerger (In-Person), Jesse Gordon (In-Person), Katrina Huff-Larmond (In-Person), Kevin O'Connell (In-Person).

Pledge of Allegiance: Pledge of Allegiance led by Councillor Burgess.

Moment of Silent Prayer: Moment of Silent Prayer held.

Approval of Minutes:

1. Meeting Minutes of Town Council Meeting March 27, 2023

Motion to approve the Minutes of Town Council Meeting on March 27, 2023, made by Councillor O'Connell, seconded by Councillor Burgess.

Roll Call Vote: 6-0-0 (Absent: Egan and C. Alexopoulos; Inaudible during vote: Brewer)

Motion passes.

2. Meeting Minutes of Town Council Meeting April 3, 2023

Motion to approve the Minutes of Town Council Meeting on April 3, 2023, made by Councillor Gordon, seconded by Councillor O'Connell.

Roll Call Vote: 6-0-0 (Absent: Egan and C. Alexopoulos; Inaudible during vote: Brewer)

Motion passes.

Announcements from the Council President:

1. At the last meeting we had I received a letter from the Town Attorney wishing to open contract negotiations. I've appointed two members of the Council for the Town Attorney's Contract Negotiation Subcommittee: Councillor O'Connell and Councillor C. Alexopoulos.
2. If everything goes as planned, we are looking to have a meeting scheduled on Tuesday, May 30, 2023, at 6:00 PM for a budget meeting. The FinCom Subcommittee will be there as well which is the entire Town Council. We are just waiting for the Town Manager to submit the proposed budget and will look forward to having this meeting on May 30th, 2023 at 6:00 PM.

1. Presentation of Gift by Mary Fernandes

Mary A. Fernandes from Wareham, MA, on behalf of the Paul K. Fernandes Foundation and Board of Directors, presented a donation of \$4,700.00 as the result of the fundraiser for the fifth anniversary of the Intergenerational Community Center. The funds are to be used for the Randolph Intergenerational Community Center for adults and for youth. To Town Council President and Town Council members: it is a pleasure to present this check. Council President Alexopoulos: I applaud you and your family for hosting the fundraisers for the past five years and for collecting the funds to donate back to the community.

Ms. Fernandes: I want to take an opportunity to thank those who continue to support the Foundation and the Community Center. It was an honor to present an award to Mr. Ron Barber who was a student here at the high school and didn't receive his recognition for the Hall of Fame for sports.

Motion was made by Council President Alexopoulos to accept the gift as presented, in the amount of \$4,700 for the purposes of funding the Randolph Intergenerational Community Center for adults and for youth.

Roll Call Vote: 6-0-0 (Absent: Councillor Egan, Councillor C. Alexopoulos; Inaudible during roll call: Councillor Brewer)

Motion Passes.

Public Comments:

1. Craig McDonald, 71 Emily Jeffers Road: I've lived here for over 21 years. The reason for coming before the Council today is to represent the 30-plus basketball players that were going to the Randolph Intergeneration Community Center in Randolph (RICC). We had a strong following that allowed us to engage in fellowship by playing basketball for the past four years. I have been informed that this program would not be able to continue because the RICC center would be used solely for Randolph residents, to give them a chance to utilize its facilities and programs. I have spoken with the Town Manager and Programs Director Liz Larossee about ways to get the program back in motion. Council President Alexopoulos: Thank you for your comments. You may also want to attend the Board of Recreation meeting scheduled for this upcoming Wednesday, by Zoom. They handle issues as they relate to recreation throughout the Town. Councillor Huff-Larmond: I think the larger issue is how we intend to utilize the facility and whether or not we want residents outside of Randolph to also utilize the facility. I know that is a conversation currently being held with the Board of Recreation. I think it would be an excellent opportunity for you to speak to the individuals on the Board of Recreation.
2. Joe Burke, Hills Street: Is there any way we can change how other boards and authorities conduct their meetings so they are in person and not online? Who sets that policy? Council President Alexopoulos: I can find out.
3. Dave Mulligan, 3 Pond Lane: The new estimate of the water treatment plant, is there any estimate regarding what the homeowners can expect on their water bills? Councillor Burgess: We haven't borrowed any money so we don't have a debt service plan on this. Council President Alexopoulos: That's correct. We don't know what such costs would be yet. All that won't be factored in until we know what the final cost is.

Councillor C. Alexopoulos entered the meeting, in person, at 6:27 PM.

1. Council Order 2023-023: Confirmation for a Date Modification for the Town Manager to Submit the Proposed Operating Budget for FY2024 to the Town Council

Council President Alexopoulos read Council Order 2023-023. Town Manager Howard provided additional information about the Council Order.

Motion to approve the Council Order 2023-023 as presented made by Councillor Burgess, seconded by C. Alexopoulos.

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

Motion Passes.

2. Council Order 2023-024: Authorization By The Randolph Town Council To Petition The General Court To Enact Special Legislation Regarding The Status of The City Known As The Town Of Randolph As A Gateway Municipality

Council Clerk read Council Order 2023-024.

Councillor Gordon introduced Council Order 2023-024 and provided a brief explanation of the purpose of this Council Order. The census bureau undercounted the number of people in Randolph and it does that for a lot of communities like ours. It matters in our case because we had an official census count of 34,984, and to qualify as a gateway city we needed sixteen more people, which is not a lot of people. We asked the state agencies what we could do to demonstrate that we in fact do have those sixteen people. We came up with a plan to appeal the count for group homes in town that are traditionally undercounted. We prepared that report and were well over the sixteen needed people. The real issue is that the census, both at the state and federal levels, has no way to correct an error. We would like to ask the legislature to bypass the federal and state rules and say “We declare it to be so” by way of a Home Rule Petition. It would go to the legislature to hopefully declare us eligible for the gateway city status.

In summary, some of the benefits include the Town of Randolph being eligible for \$500,000 to \$1,000,000 in grants every year.

Councillor Huff-Larmond: It would be a huge benefit for us to be a gateway city so I support this. I just want to make sure that what we’re doing doesn’t have too much pushback. Representative Driscoll’s suggestion was for us to find the sixteen people, not to do a Home Rule Petition. Councillor Gordon: He suggested both because of the inability to correct the error at the state or federal level. Councillor Huff-Larmond: I do agree that the census is extremely undercounted because of the lack of trust in giving personal information to the government. I’m concerned about the piece describing “bachelor degrees or above,” how do we measure that? Councillor Gordon: That is also vague in the state rules. The Donahue Institute prepared a packet that essentially says “We are below average educational attainment” which is a bachelor's degree or higher, and also says “We are below average in state income per household.” I asked all the state representative agencies which statistic we use for this and their answer was “It’s automatic from the census.”

Councillor Clerger: Not only can I prove that the Haitian Community is undercounted before the census, but with the Biden Program, every day we have hundreds of Haitians coming to Randolph through churches, different organizations, and families. We need to take that into consideration because they live right here with us and are utilizing the town’s resources like everyone else. Councillor Gordon: I think the right approach for that would be to write a supplemental letter stating what you believe to be true. Residents of Randolph may also do this.

Councillor Gordon: Can we make public the Massachusetts Donahue Institute report coming in a few weeks? Town Attorney Griffin: We've been working with the University of Massachusetts Donahue Institute since last fall. We did file an appeal of the census data. Because the paths you can choose to appeal your census count are very specific and statistically based, the University of Massachusetts Donahue Institute has been developing statistics about all the cities and towns in Massachusetts and the voting districts in Massachusetts so that they have the data available that you need to file the very technical appeal. The recommendation from them, that we have followed, is that we appeal under the category of undercounting of the group homes in Randolph, because that is a category where we can get the institutions to substantiate how many residents they had as of that specific census date and then compare those with the count the census got, whereas other categories would be more difficult to match. Based on the data we've collected, we are hopeful we have more than the sixteen needed but that is up to the Census Bureau. The appeal got filed about a week and a half ago so we don't know exactly when we'll hear.

Councillor Huff-Larmond: I'm all for making sure Randolph is considered a gateway city and I know we have the sixteen. I am not comfortable saying that the majority of folks of color fall under the median income if we are not, and I am not comfortable saying that folks of color fall under a certain educational level.

Council President Alexopoulos: We'll put this on the next agenda for the next Council Meeting of May 22, 2023, for a presentation and a vote.

Correspondence:

1. FEMA: Preliminary copies of Flood Insurance Rate Map (FIRM)
2. Comcast: Changes to Xfinity Lineup
 - a. Effective May 12, 2023, ShopHQ will no longer be available with Xfinity.
 - b. Effective May 9, 2023, the programmer on Access channel 1098 has terminated their agreement and will no longer be available on channel 1098.
 - c. Effective May 12, 2023, the programmer on Access channel 1094 has terminated their agreement and will no longer be available on channel 1094.
 - d. Effective May 13, 2023, HBO Max will be renamed Max.
3. Main Street Farmers Market will be at Powers Farm on the following dates: May 21, June 18, July 16, August 13, and September, 17 from 12 PM to 4 PM.
4. Randolph Community Partnership, Inc. is hosting its 2023 Red Carpet Gala on Thursday, June 1, 2023, from 6 PM to 10 PM. Tickets can be purchased online.
5. Haitian Flag Day Celebrations
 - a. Soccer Games between the Haitian Community and Randolph Police and Fire Department so Saturday, May 13, 2023, at 1:00 PM.
 - b. Haitian Flag Day Celebrations will continue on Thursday, May 18, 2023, beginning with a breakfast and Haitian flag raising at Town Hall at 10:00 AM. At 5 PM, there will be a celebration with food, music, and performances at the Randolph Intergenerational Community Center.

Subcommittee Reports:

Small Business Subcommittee: Councillor Huff-Larmond advised there will be a date for this subcommittee to meet soon.

Human Services/Seniors/Recreation Subcommittee: Councillor Gordon advised there will be a date for this subcommittee to meet soon.

Open Council Comments:

1. Councillor Brewer: On April 27, 2023, I went to the Police Academy. We got to see what all the different units do and learned about the information technology and investigational portions of the department.
2. Councillor Clerger: Haitian Flag Day is coming. We are very excited about the soccer game between the Haitian Community and Randolph Police and Fire Community Departments. I want to remind people about Haitian Flag Day Celebrations on May 18, 2023. Soley Levey will be coming to raise the Haitian flag with us at Town Hall at 10 AM. We thank the State Auditor for being one of our speakers for that day.
3. Councillor O'Connell: This Saturday, March of Dimes is having its annual walk at the Boston Hatch Shell so if you are in that area, please come join us from 9 AM to 11 AM. I will be dj'ing for the crowd so come show your support!
4. Councillor C. Alexopoulos: I echo Council Vice President Brewer's sentiments about the police academy. I learned a lot about how things are done, the training they go through, and the programs they have. If you have a chance to go when the police department rolls out the program, you will learn a lot.
5. Councillor Huff-Larmond: The Randolph Town Clean-Up a few weeks ago was great. It's nice to see members of the community outside making our town beautiful. Town Manager Howard and I are working on bringing back jobs for youth at the Town Hall. You should be hearing more about that soon.
6. Councillor Gordon: I'd like to comment on the passing of Mel King. He was a big mayoral candidate in Boston. He founded what's called the "Rainbow Coalition" and I've applied his advice in everything I do in Randolph to make it so that every person can work together. 2. I entered the Randolph's Annual Spelling Bee at the Randolph Intergenerational Community Center funded by the Paul K. Fernandes Foundation and I won the adult section bringing home the trophy!
7. Council President Alexopoulos: The Greek Food Festival in Brockton will take place from May 19 through May 21.

Adjournment:

Motion to adjourn made by Councillor Clerger, seconded by Councillor Burgess.

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

Meeting adjourned at 7:09

Order 2023-024

Introduced By: Councilor Jesse Gordon
May 8, 2023

Authorization By The Randolph Town Council
To Petition The General Court To Enact Special Legislation Regarding
The Status of The City Known As The Town Of Randolph
As A Gateway Municipality

The Randolph Town Council hereby authorizes a petition to the General Court to enact special legislation regarding the status of the City Know As The Town of Randolph as a Gateway Municipality, said special legislation to be in a form that is substantially as presented below, and authorizes the Town Manager to take any action necessary in connection with the submission of said petition, and further authorizes the General Court to make clerical or editorial changes of form to the proposed special legislation:

AN ACT RELATIVE TO THE STATUS OF THE CITY KNOWN AS THE TOWN OF RANDOLPH AS A GATEWAY MUNICIPALITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. As used in this act, the following words shall have the following meanings unless the context clearly requires otherwise:-

“Gateway municipality”, a municipality with a population greater than 35,000 and less than 250,000 with a median household income below the commonwealth's average and a rate of educational attainment of a bachelor's degree or above that is below the commonwealth's average, as defined in section 3A of chapter 23A of the General Laws.

“Town”, the city known as the town of Randolph.

SECTION 2. Notwithstanding section 3A of chapter 23A of the General Laws or any other general or special law to the contrary, the town shall henceforth be deemed a gateway municipality for all purposes under the General Laws.

SECTION 3. This act shall take effect upon its passage.

Approved _____.

Public Notices

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HEARING 05/22/2023

LEGAL NOTICE

PUBLIC NOTICE

Town of Randolph, MA

Council Order 2023-024

The Randolph Town Council will hold a public hearing on Monday, May 22, 2023, at 6:15 PM, which may be attended in person or by Zoom, to consider Council Order 2023-024 regarding Authorization By The Randolph Town Council To Petition The General Court To Enact Special Legislation Regarding The Status of The City Known As The Town Of Randolph As A Gateway Municipality.

That Council Order reads as follows: The Randolph Town Council hereby authorizes a petition to the General Court to enact special legislation regarding the status of the City Know As The Town of Randolph as a Gateway Municipality, said special legislation to be in a form that is substantially as presented below, and authorizes the Town Manager to take any action necessary in connection with the submission of said petition, and further authorizes the General Court to make clerical or editorial changes of form to the proposed special legislation: AN ACT RELATIVE TO THE STATUS OF THE CITY KNOWN AS THE TOWN OF RANDOLPH AS A GATEWAY MUNICIPALITY. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows: SECTION 1. As used in this act, the following words shall have the following meanings unless the context clearly requires otherwise: - "Gateway municipality", a municipality with a population greater than 35,000 and less than 250,000 with a median household income below the commonwealth's average and a rate of educational attainment of a bachelor's degree or above that is below the commonwealth's average, as defined in section 3A of chapter 23A of the General Laws. "Town", the city known as the town of Randolph. SECTION 2. Notwithstanding section 3A of chapter 23A of the General Laws or any other general or special law to the contrary, the town shall henceforth be deemed a gateway municipality for all purposes under the General Laws. SECTION 3. This act shall take effect upon its passage.

Additional information on this Council Order may be found on the Town of Randolph website and is also available through the Randolph Town Clerk's Office. The link to connect to the meeting/ public hearing may be found on the Town of Randolph website on

the website meeting calendar.

AD# 8811839

PL 05/12/2023

Section E, Item 1.

Order 2023-025

Introduced By: Councilor Katrina Huff-Larmond
and Councilor Jesse Gordon
May 22, 2023

**Authorization By The Randolph Town Council
To Petition The General Court To Enact Special Legislation Regarding
The Preparation of Certain Bilingual Ballots
In The City Known As The Town Of Randolph**

The Randolph Town Council hereby authorizes a petition to the General Court to enact special legislation regarding the preparation of bilingual ballots in English and Haitian Creole in the city known as the Town of Randolph, said special legislation to be in a form that is substantially as presented below, and authorizes the Town Manager to take any action necessary in connection with the submission of said petition, and further authorizes the General Court to make clerical or editorial changes of form to the proposed special legislation:

**AN ACT RELATIVE TO THE PREPARATION OF BILINGUAL BALLOTS
IN ENGLISH AND HAITIAN CREOLE IN THE CITY KNOWN AS THE TOWN OF
RANDOLPH.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. As used in this act, the following words shall have the following meanings unless the context clearly requires otherwise:-

“Board”, the board of registrars of the town.

“Town”, the city known as the town of Randolph.

“Election”, the choice by the voters of any public officer and the taking of a vote upon any question by law submitted to the voters.

“State election”, an election at which a national, state or county officer or a regional district school committee member elected districtwide is to be chosen by the voters, whether for a full term or for the filling of a vacancy.

SECTION 2. Notwithstanding section 40 of chapter 54 of the General Laws or any other general or special law to the contrary, in state elections ballots shall be provided to voters in the town in English and Haitian Creole, in addition to being provided in any other languages required by law. The state secretary shall prepare such ballots in English and Haitian Creole and in any other languages required by law.

SECTION 3. Notwithstanding any general or special law or the charter of the town to the contrary, in all town preliminary and final elections ballots shall be provided to voters in the town in English and Haitian Creole, in addition to being provided in any other languages required by law. The board shall prepare such ballots in English and Haitian Creole and in any other languages required by law.

SECTION 4. Notwithstanding any general or special law to the contrary, the state secretary shall be responsible for all costs resulting from the implementation of this act in state elections held in the town, including, without limitation, the production of ballots.

SECTION 5. This act shall take effect upon its passage.

Approved _____.

Council Order: 2023-026

**Introduced by: Town Manager Brian Howard
May 22, 2023**

**Authorization and Approval for Memorandum of Agreement (“MOA”)
For New Successor Collective Bargaining Agreement By and Between
The Town of Randolph, Massachusetts and
New England Police Benevolent Association, Inc., Local 34
(“Superior Officers’ Union”)**

The Town Council hereby authorizes and approves the Memorandum of Agreement (“MOA”) Between the Town of Randolph, Massachusetts, and the New England Police Benevolent Association, Inc., Local 34 (“Superior Officers’ Union”) for the new successor collective bargaining agreement for the period of July 1, 2023, through June 30, 2026, and hereby authorizes the Town Manager to take any actions necessary to execute that MOA, in substantially the form attached hereto, and any related documents.

**Memorandum of Agreement
Town of Randolph
and
Randolph Police Superior Officers Union
New England Police Benevolent Association, Local 34**

Note: The following Memorandum of Agreement is an "Off-the-Record" document unless and until approved and ratified by both parties. In the event either side rejects or fails to ratify the Agreement, both sides are free to return to their last "on-the-record" positions.

The Town of Randolph and Randolph Police Superior Officers Union, New England Police Benevolent Association, Local 34 hereby agree to a new three-year contract to be in effect from July 1, 2023 through June 30, 2026. Except as modified in this Memorandum, the terms and conditions of the old contract will be carried forward into the new contract. Exact language for inclusion in the integrated agreement shall be set off in 10-point type or in quotes; other language in the agreement represents agreements by the parties which may or may not be included in the agreement as written.

1. Article II – Work Week

Revise Article II, Section 1, third sentence, to read:

The regular work week shall consist of one (1) tour of duty per day for four (4) consecutive days followed by two (2) consecutive days with no tour of duty, in that order, except for supervisors serving in assignments designated by the Chief, who may be assigned to an alternate schedule (e.g., the administrative schedule) at the discretion of the Chief, in consultation with the affected employee.

2. Article III – Seniority

a. Revise Article III, Section 1 to read:

Section 1: No later than June 1 of each year, a list of all assignments for each rank and shift shall be posted on the bulletin board in the Police Station. Officers in each rank may indicate their preference for a shift by submitting the same in writing to the Chief of Police no later than June 20th of each year, said preference to be effective for the following fiscal year only.

b. Revise Article III, Section 10 to read:

Section 10: MINIMUM STAFFING

In general, shifts will be covered by a Lieutenant or a Commanding Officer and a Sergeant or Patrol Supervisor, with vacancies normally filled through the overtime hiring procedure. However, all staffing level and assignment decisions are subject to the discretion of the Chief of Police.

3. Article VIII – Paid Details

a. Revise Article VIII, Sections 3 and 3(a) to read:

Section 3:

Except for Town department payroll paid details and construction details, the rate of pay for paid details will be sixty dollars (\$60.00) per hour; effective July 1, 2024 sixty-two (\$62.00); effective July 1, 2025 sixty-four (\$64.00) for all officers except Sergeants and Lieutenants when detailed in rank, and

Patrolmen when performing the duties of a Sergeant or a Lieutenant. When not so detailed, Sergeants and Lieutenants will receive Patrolmen's pay. When one or two officers are needed, they may be Patrolmen, Sergeants or Lieutenants, Patrolmen receiving preference.

Section 3(a):

For all private and construction road details and utilities details, the rate of pay for paid details will be sixty dollars (\$60.00) per hour; effective July 1, 2024 sixty-two (\$62.00); effective July 1, 2025 sixty-four (\$64.00) for all officers except Sergeants, Lieutenants, when detailed in rank, and Patrolmen when performing the duties of a Sergeant or a Lieutenant. When not so detailed, Sergeants and Lieutenants will receive Patrolman's when one or two officers are needed, they may be Patrolmen, Sergeants, or Lieutenants; Patrolmen receiving preference. An example of private construction road details is, but not limited to, the Phone Company, Gas Company, and a private contractor doing road work. When a third officer is needed, he/she will be a Sergeant at one dollar (\$1.00) per hour above the base detail rate for that fiscal year, or a Lieutenant or a Patrolman if no Sergeant is available at the same rate of pay. Fourth and fifth officers may be Patrolmen or Sergeants; Patrolmen receiving preference. When a sixth officer is needed, he/she will be a Lieutenant at two dollars (\$2.00) per hour above the base detail rate for that fiscal year, or a Sergeant or Patrolman if no Lieutenant is available at the same rate of pay. If more than one Sergeant or Lieutenant is employed on a detail, seniority in rank will prevail.

A Lieutenant will not be employed in a Sergeant's position unless no Sergeants are available. A Sergeant will not be employed in a Lieutenant's position unless no Lieutenants are available. If a Commander is needed for a paid detail, he/she shall be paid the Lieutenant's paid detail rate.

The ten percent (10%) administrative fee contained in Section 1(c) of this Article is in addition to the detail rates specified herein.

- (a) The rate of pay for all Town Department payroll paid details shall be time and one-half the regular rate of pay of the officer working.
- (b) Except for Town department payroll paid details, the rate of pay for any work performed after eight (8) hours, from 7:00 pm – 7:00 am, Sundays and Holidays, will be paid for at time and one-half the regular rate for paid details.

b. Revise Article VIII, Section 6 to read:

Section 6: All holiday rates will begin at 6pm the evening before all Holidays listed in Article VII, Section 1.

c. Revise Article VIII, Section 7c to read:

(c) Randolph police officers may not work out of town details at liquor establishments such as bars, nightclubs and lounges, except that at the discretion of the Chief of Police, officers may be permitted to work details at Gillette Stadium.

d. Revise Article VIII, by deleting Section 9. Retired officer details will be handled as a matter of policy and applicable law, but retirees are not a part of the bargaining unit so contractual provisions regarding retirees should not be part of the contract.

**4. Article X – Agency Service Fee
Delete Article X.**

5. Article XI – Clothing Allowance

Revise Article XI by raising the clothing allowance by \$100 each fiscal year of the 2023-2026 agreement.

6. Article XII – Leave

a. Revise Article XII, Section 8d, introductory paragraph, to read:

June 30 of each year, an employee who has an unused balance of at least eighty (80) days of sick leave from section 1 herein may request the Town Manager to buy-back up to twelve (12) days of sick leave. Such request must be made on or before July 15th of each year and is subject to the following provisions:

b. Revise Article XII, Section 9 to read:

Section 9: In the event of a death in the immediate family of an employee (child, father, mother, sister, brother, or stepchild, step-father, step-mother, step-sister, step-brother, father-in-law, mother-in-law) the employee shall be granted an absence of five (5) scheduled work days without loss of pay. An absence of three (3) scheduled workdays shall be granted without loss of pay in the event of the death of the employee's grandparents, brother-in-law, sister-in-law, or grandparents of his/her spouse, grandchildren, aunts, uncles or a relative of the employee's or his/her spouse who is actually living in the immediate household of the employee at the time of death or at the commencement of final illness or accident. In the event the death occurs on Friday or Saturday, this leave shall be extended to four (4) scheduled workdays without loss of pay.

7. Article XIII – Salaries

a. **Bonus Pay: Full-time members of the bargaining unit (who are still employed with the Town of Randolph as police supervisors at the time of payment) shall receive a one-time bonus payment in the amount of \$3,000, minus lawful and customary deductions, after this MOA is approved by the Town Council.**

b. Revise Article XIII, Section 1 to read:

Section 1:

- The following pay scales shall apply to bargaining unit members based upon a 52.2 week year. Note: P4 and P5 scales are computed by applying a 12% differential to the next lower rank.

FY24	2.50%	
7/1/2023	Grade	Step 1
	P3	\$86,531.83
	P4	\$96,915.65
	P5	\$108,545.53
	P3-EMT	\$92,749.24
	P4-EMT	\$103,879.14
	P5-EMT	\$116,344.64

FY25 2.50%

7/1/2024	Grade	Step 1	Step 2
	P3	\$88,695.13	\$90,469.03
	P4	\$99,338.54	\$101,325.31
	P5	\$111,259.17	\$113,484.35
	P3-EMT	\$95,067.97	\$96,969.33
	P4-EMT	\$106,476.12	\$108,605.65
	P5-EMT	\$119,253.26	\$121,638.32

FY26 2.50%

7/1/2025	Grade	Step 1	Step 2	Step 3
	P3	\$90,912.51	\$92,730.76	\$94,585.37
	P4	\$101,822.01	\$103,858.45	\$105,935.62
	P5	\$114,040.65	\$116,321.46	\$118,647.89
	P3-EMT	\$97,444.67	\$99,393.56	\$101,381.43
	P4-EMT	\$109,138.03	\$111,320.79	\$113,547.20
	P5-EMT	\$122,234.59	\$124,679.28	\$127,172.87

No officer shall be able to receive compensation for more than one (1) specialist assignment.

c. Revise Article XIII, Section 5 to read:

Section 5: SENIOR OFFICER/E.L.C.P.

- A. Upon completion of the 25th year of service as a public employee bargaining unit members shall be designated Senior Officers and shall retain that status until the end of their service unless it is forfeited as described below.
- B. Service as a public employee for this purpose shall include full time service as an employee of the Randolph Police Department, full-time service in any other municipality, or subdivision of the Commonwealth, or full-time service that is eligible to be "bought back" for the purposes of retirement. Such time must be supported by documentation satisfactory to the Town.
- C. During the period of time that each employee is designated as Senior Officer the employee will receive a base salary increase of five percent (5%) over the base salary provided under Article XIII, Section 1.
- D. Loss of Senior Officer status. An employee who is absent from duty for two (2) consecutive, undocumented sick days or more may have their Senior Officer benefits terminated at the end of the second consecutive day of absence from duty. Undocumented sick time use shall be the only deciding factor in the loss of Senior Officer benefits. All other time off such as vacation time, days owed, personal days, I.O.D., etc., shall not be considered when deciding on loss of Senior Officer benefits. Any employee using seven (7) or more undocumented sick days in

any three (3) month period may lose his/her "Senior Officer" benefits for six (6) months. The Town and the President of the NEPBA, Local 34 shall confer over all issues related to "Senior Officer" benefits including an employee's possible termination of benefits. All payments under the foregoing are not compounded, and the percentage granted shall be in addition to the then current applicable salary for that rank.

d. Revise Article XIII, Section 8 to read:

Section 8: Statutory Leaves (FMLA, MPLA, and SNLA)

1. Notwithstanding anything in this Agreement to the contrary, any unit member may exercise his or her rights to take Family and Medical Leave or Military Family Leave pursuant to the Family and Medical Leave Act of 1993 ("FMLA"), if he or she has worked 1250 hours in the last twelve (12) months, in accordance with the FMLA. Likewise, employees may exercise their rights to take Small Necessities Leave pursuant to the Massachusetts Small Necessities Leave Act ("SNLA") or parental leave pursuant to the Massachusetts Parental Leave Act ("MPLA").
2. The FMLA is a federal law that provides for up to twelve (12) weeks of unpaid leave each year for the birth, adoption or placement of a child; the serious health condition of the employee or an immediate family member; or to attend to certain qualifying exigencies connected with having a family member deployed to active military service. In addition, the FMLA allows up to twenty-six (26) weeks of leave in a single twelve (12) month period to care for covered military service members who become ill or injured in the line of duty while on active duty in the military.
3. The SNLA is a state law that provides up to twenty-four (24) hours per year of unpaid leave to attend to certain responsibilities regarding the educational advancement of the employee's child, accompanying an employee's child to routine medical or dental appointments, or accompanying an elderly relative of the employee to routine medical or dental appointments, or appointments for other professional services related to the elder's care, such as interviewing at nursing or group homes.
4. The MPLA provides an employee who has been employed for 3 months as a full-time employee with 8 weeks of unpaid (except as provided below) parental leave for the purpose of giving birth or for the placement or adoption of a child as further defined in the statute. As long as the employee provides two-weeks' notice of their intent to return and returns at or before the expiration of 8-weeks, their right to return to the same or similar position is protected, as further detailed in the statute.
5. Although the statutory leaves are unpaid, employees with available qualifying paid leave benefits will receive paid leave. Qualifying paid leave means leave that would be available for use for the purpose for which it is being taken in the absence of the statute.
6. If an employee qualifies for FMLA, MPLA or SNLA leave, the Town has the right to designate applicable paid leave as FMLA, MPLA or SNLA leave. Leave entitlement will be calculated on a rolling 12-month basis. The Town shall have the right to establish rules and regulations concerning the use of Family and Medical Leave and Small Necessities Leave that are consistent with those laws and do not conflict with specific provisions of this agreement. Leaves under the FMLA and MPLA will run concurrently. If both parents work for the Town, they are together entitled to the FMLA/MPLA statutory leave amount in the aggregate, in accordance with 29 CFR 825.201.

8. Civil Service

Upon approval of the Town's request to exempt bargaining unit positions from the application of G.L. c. 31, Civil Service, the parties agree that the contract will be

amended as set forth below to eliminate references to Civil Service and provide standards and procedures to be used in place of Civil Service.

A new Article shall read:

Article ____ -- Hiring and Promotions

Upon implementation of the Town's request to exempt bargaining unit positions from the application of G.L. c. 31, Civil Service, matters concerning hiring, promotions and discipline of bargaining unit members shall be governed by this contract and Department Policy as described below.

Initial hiring shall be governed by Department Policy, and not subject to this agreement. Promotions shall be governed by the policy in Appendix A.

The parties acknowledge that G.L. c. 4 §4B(e) will apply to the revocation of civil service in that current incumbents at the time of revocation will retain their civil service rights to the extent permitted by law.

The Town shall convene a multi-rank working group, to include representation selected by the Union, to propose, review and consider suggestions for changes in the promotion policies, based upon the parties' experiences with the process, changing conditions in the department, the town and changes in applicable laws. The working group will devise the employee performance review component referenced in Section D5 of the promotion policy. Subsequent to the results or report of any multi-rank working group above, either party may demand to re-open negotiations on the promotional procedure only and may not include economic items.

The Town agrees to provide the Union with notice and an opportunity to bargain if it seeks to modify or expand the promotional process. Grievances alleging violation of the promotional process, including but not limited to, improper bypass of a candidate may be pursued under the Grievance Procedure in Article 5 of the collective bargaining agreement. All grievances under this promotional process will start at Step 2 (Town Manager). An arbitrator, in remedying any violation of this Article, may direct that the promotional process be repeated using the correct procedures, without the procedural violations identified in the award, and/or that the employee improperly bypassed must be placed at the top of the promotion list(s) until considered for a subsequent vacancy. Arbitrators shall not substitute their judgement for that of Town officials and may not direct the promotion of any person.

9. Article III – Seniority

In connection with the Town's departure from Civil Service, the provisions of Article III shall be amended by revising Sections 2 and 3 to read:

Section 2:

Seniority of an employee shall mean his/her ranking based on length of service in the Randolph Police Department, as measured from the first date of full-time employment after the employee's most recent appointment as a Randolph Police Officer, and as may be reduced by long term absences in excess of six months, or any unpaid leave in excess of three months. Newly hired employees with the same start date will be assigned to a seniority order based on rank on the promotion list so that there are no seniority "ties." Employees hired before July 1, 2023 have their seniority established on existing seniority lists using previously agreed methods.

Section 3:

A break in service occurs when an employee leaves the department through resignation, retirement, or discharge. A break in service will not generally occur where an employee retains employee status during an approved leave of absence, for example, for military service (within the duration limits of applicable law), line of duty injury under Chapter 111F, and approved sick leave. A break in service due to layoff may be cured if the employee is recalled within the recall period pursuant to this

agreement. Where an employee is absent without being on any approved leave, the employee may be deemed to have resigned.

10. New Articles Relating to Exit from Civil Service

In connection with the Town's departure from Civil Service, the following new Articles shall be added:

a. New Article – Discipline Process

Add a new Article to read:

Article __: Discipline Process

- A. Suspensions of five working days or less may be imposed by the Chief of Police in writing setting forth the grounds for discipline.
- B. In cases of suspensions more than five working days, or discharge, the following procedure shall be followed:
 - 1. The employee shall be given a written notice by the appointing authority, which shall include the disciplinary action contemplated and the specific reason or reasons for such action. The notice shall establish the time and place of the hearing and be given at least three working days before the hearing. The Appointing Authority may grant reasonable continuances of the hearing for good cause.
 - 2. The employee shall be entitled to a hearing concerning such reason or reasons before the appointing authority or a hearing officer designated by the appointing authority.
 - 3. The appointing authority shall issue a written decision.
- C. Any appeal from discipline issued may commence at Step 2 of the grievance procedure (Town Manager) in Article XX of this agreement.

b. New Article – Layoffs

Add a new Article to read:

Article __: Layoffs

- A. For the purposes of this Agreement, the term "layoff" means a reduction in the number of personnel in a particular rank, or in the department as a whole due to a lack of funds.
- B. Patrol officers will be laid off in order of inverse seniority in the patrol officer rank. In any such case a five (5) working days' advance notice of the contemplated demotion or layoff shall be given to the employee in writing; a copy of such notice shall also be given to the Union. The employee shall have a right to a pre-deprivation hearing before the appointing authority (or designee) about whether there is lack of funds to justify the abolition of position and whether the layoff or demotion is consistent with seniority. The decision of the appointing authority shall be final with no recourse to the grievance procedure or arbitration, except that the determination regarding the order of layoffs shall be subject to grievance and arbitration.
- C. A demoted or laid-off employee shall have recall rights for a maximum period of five (5) years. Recall to employment or to higher ranks after demotion shall be in the inverse order of layoff or demotion. Notice of recall shall be via certified mail to the employee's last known address and by electronic mail to the employee's last known personal address. The employee shall notify the Chief of Police within fourteen (14) calendar days of mailing of the notice of his or her intention to return to the recalled position with the Randolph Police Department. Any person refusing or failing to exercise such recall opportunity within such fourteen (14) day period shall be deemed to have waived his or her right of recall permanently.

11. Impact Bargaining Completed – Civil Service.

The Town intends to seek to exit Civil Service. Union and its members commit that they will not make any public written or verbal statements opposing withdrawal from Civil Service and not to make any such statements opposing any legislation or other political means the Town may employ in seeking authorization to withdraw from Civil Service.

12. Promotion Policy – Appendix A

In connection with the exit from Civil Service, the Department shall establish a Promotion Policy in the form attached as Appendix A.

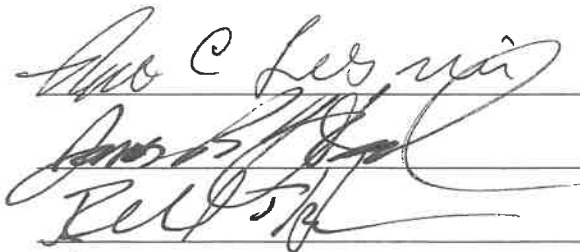
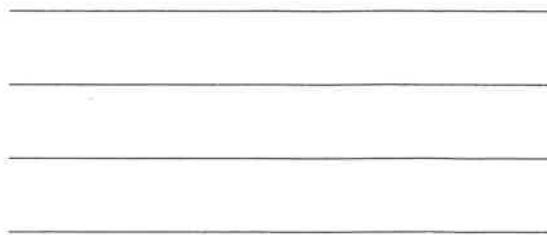
13. Housekeeping.

- a. By mutual agreement, grammatical and typographical errors will be corrected, and obsolete language will be deleted.
- b. Revise Duration Article (and if necessary renumber it to the last Article) to reflect the term of the agreement set forth in this MOA.
- c. The title "Commander" which is a title bestowed by the Chief, in his/her discretion, is hereby changed to the title of "Deputy Chief". The title "Commander" shall be replaced with "Deputy Chief" throughout the CBA.

The parties hereto execute this Memorandum of Agreement subject to the terms and conditions stated above, and subject to ratification and funding as outlined by M.G.L. c. 150E.

NEPBA, LOCAL 34

TOWN OF RANDOLPH



Date: 4/6/23

Date: _____

Council Order: 2023-027

Introduced by: Town Manager Brian Howard
May 22, 2023**Transfer from Reserve Fund**

To see if the Randolph Town Council will approve a transfer from the Reserve Fund created for FY2023 to provide for extraordinary or unforeseen expenditures pursuant to the provisions of M.G.L. ch. 40, Section 5A and any other applicable laws, as follows:

Transfer From		Transfer To	
Department	Amount	Department	Amount
FY23 Reserve Fund	\$ 25,000	Library - Expense	\$ 25,000

Explanation: Severe corrosion of the cooling tower fans was discovered during the seasonal changeover to air conditioning. The library's air conditioning system cannot function at present.



REQUEST FOR RESERVE FUND TRANSFER

The undersigned requests a transfer from the reserve fund in accordance with M.G.L. c.40 S6.

Amount Requested: \$25,000

Name of appropriation to receive the transfer: Library Expenses - Repair and Maintenance

Appropriation account number: 1610002- 525010 Current balance: \$0.00

Specific purpose of transfer: Fan assembly replacements, cooling tower

This expenditure is unforeseen or extraordinary for the following reason(s):

Severe corrosion of the cooling tower fans was discovered during the
seasonal changeover to air conditioning. The library's air conditioning
system cannot function at present.

5/17/2023

Date

Sharon Partridge Wright

Requester Signature

Turner Free Library Director

Requester Title

5/17/23

Date

Janice Smith

Finance Director Approval

Date

Town Manager Approval



BLOOD DONORS ARE LIFE-SAVERS

Section K, Item 1.

SAVE A LIFE, GIVE BLOOD.

You can make a difference
in someone else's life.



**Please join Randolph Elder Services on
Thursday May 25th, 2023 from 9:00 a.m.- 2:00 p.m
at the RICC
128 Pleasant St**

**Schedule online at redcrossblood.org or call 1-800-
RED CROSS. (1-800-733-2767)
RED CROSS REGISTRATION REQUIRED**



Public Meeting #1:

TOWN OF RANDOLPH DIGITAL EQUITY PLAN



Thursday, May 25



6-7:00 PM



Turner Free Library, 2 North Main Street



The Town of Randolph, in partnership with VHB, is preparing a Digital Equity Plan. At this public meeting (the first of two), residents will be presented with an overview of the Digital Equity planning process and invited to provide feedback.



If you require translation and interpreting services, please email Luke Mitchell at lamitchell@vhb.com in advance of the meeting.





Section K, Item3.



RANDOLPH DAY

SATURDAY 6.10.23 | 12PM - 4PM

**FREE EVENT, NO REGISTRATION REQUIRED,
OPEN TO ALL!**

**FOAM
PARTY
12-2PM**

**Touch-a-Truck
Community Partner Tables
Safety Demonstration
Food Truck
Artists Alley
And More....**

**FACE
PAINTING
1-3PM**

**RHS PARKING LOT
70 MEMORIAL PARKWAY
RANDOLPH, MA 02368**

Community Organizations as well as Community Artists are invited to participate, please register at:
bit.ly/RandolphDay2023



Breaking News

Save the Date for RCMSs' 1st
annual Civics Night

**LOCATION: RCMS
LIBRARY
225 HIGH ST, RANDOLPH**

The 8th grade class invites
parents, families, community
members and teachers to view
their civic action projects

SAVE THE DATE

**THURSDAY
MAY 25, 2023 3PM-5PM**

Hosted by: Mr Godbout & Mr McCloud
light snacks and refreshments will be
served

