



Randolph Town Council

DRAFT Meeting Minutes

Meeting Date: Monday, October 30, 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: Christos Alexopoulos (In-Person), William Alexopoulos (In-Person), Richard Brewer (By Zoom), James F. Burgess, Jr. (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 James F. Burgess, Jr.

Moment of Silent Prayer: A moment of Silent Prayer was held in remembrance of the victims in Lewiston, Maine last week and Coach Williams.

Approval of Meeting Minutes

1. Meeting Minutes of Town Council Meeting October 16, 2023

Motion to approve the Minutes of Town Council Meeting on July 10, 2023, made by Councillor O’Connell, seconded by Councillor Clerger.

Roll Call Vote: 7-0-1 (Abstention: Burgess; Absent: Egan)

Motion passes.

Announcements of the President:

1. Congratulations to Randolph Community Television and Town Manager Brian Howard for winning a National Telly Award for Randolph’s Annual Night Before the Fourth Parade television coverage. Thank you to Stu Schoenfeld, the entire Randolph Community Television production team, for the great work they do and the great service they provide, and our very own Brian Howard for being part of our annual Night Before the Fourth parade. Great job to everyone involved. If anyone would like to volunteer with Randolph Community Television, please visit RandolphCommunityTV.com and the information is there for you.

Town Manager Howard: I started getting involved in the production in 1984 when I was a student at Randolph High School. It wasn’t until a few years later that I started to host. This is a great community event and one of our hallmark events in the Town. I’m honored to have worked with everyone involved with the process over the years.

Stuart Schoenfeld: Hello, I am the general manager of Randolph Community Cable Television and I’ve been in this role for over twenty years. As Mr. Howard stated, we all started our production in high

school and got more and more involved. We offer many different types of production classes and allow the ability for people to produce their own programs. If you'd like more information about the work we do, give us a call at 781-961-7228 or visit us online.

Public Hearings:

1. 6:15 PM Council Order 2023-051: FY2024 Randolph Community Preservation Committee Projects

Council President Alexopoulos opened the public hearing. This council order was introduced at the October 16, 2023 Council meeting. The Town Council Clerk referenced the legal advertisement which was published in the Boston Herald on October 25, 2023.

Council President Alexopoulos opened the public comments portion of the public meeting.

Town Manager Howard: In July, the Council voted on the appropriation for the different accounts and tonight you are voting for the money from those accounts to be spent on these two projects. I will turn it over to the Chair of the Community Preservation Committee, Mr. Ron Lum for additional information.

Mr. Lum: Thank you for having me, Town Council. This year we had seven applications, two of which were approved. One is the pickleball courts area at the baseball fields by the ice skating rink and the second is a historic property survey. The first set of pickleball courts is by the Department of Public Works yard and it has been so popular there asking us to fund another set of pickleball courts. We'll get quotes from contractors that can get the project done for the amount indicated since these are "not to exceed" numbers meaning that the project cannot exceed the amount being funded.

Joe Burke, Hills Street: Where are the pickleball courts being located? Mr. Lum: It will go in one of the small baseball fields on North Street.

Guerlince Semezier, 60 Mills Street, Randolph, MA - What is the long-term plan for this work? Are there any local small businesses that have submitted applications? Mr. Lum: We always welcome any contractors to submit an application but keep in mind that it is an extensive and very involved process. Once this is approved, we'll send out bids to contractors who are willing to commit to do the job for our budget and then start building.

There were no more public comments. Council President Alexopoulos closed the public comments portion of the public meeting and opened the floor to comments of the

Councillor Huff-Larmond: Have we done any outreach to attract minority-owned businesses? Mr. Lum: This is advertised in many different ways and anyone has an opportunity to apply. I'll check to see where and how we are advertising.

Councillor O'Connell: Were other locations considered when coming up with the plan to design the pickleball courts? Is there any way to get it closer to the Randolph Intergenerational Community Center so it's near a bathroom? Mr. Lum: We did consider other locations but they needed a bit of extra site work. This is going on a baseball field that is already leveled and pretty close in proximity to the Randolph Intergenerational Community Center. There is also room for parking and stands. We don't have the budget to build facilities like a bathroom within the location of the pickleball courts but maybe that's something that can be looked into in the future.

Councillor Gordon: The Community Preservation Committee makes the public's dreams come true. The process to submit an application is complicated and earlier this year, the Council voted to write a

guidebook about how to submit a proposal to the Community Preservation Committee with instructions on what to do next if you're approved. Mr. Lum: We have not completed that but it is in the works and will have it ready for the next application round.

Councillor C. Alexopoulos: Do you have an estimated time frame as to when the pickleball courts will be complete? Mr. Lum: I believe we are waiting on something to be finalized with the land itself. Town Attorney Griffin: The baseball fields are in the process of being accepted as a gift to the Town and we have not been able to record the deed yet. We are very close. Mr. Lum: When the deed is recorded, we will have no problem moving forward and this could be done sometime in 2024.

Council Vice President Brewer: Will this affect the ability to rent the baseball courts to an AAU team? Town Manager Howard: No, the pickleball courts are being located in a space where it will not affect the baseball fields. Council Vice President Brewer: I believe there was a concession stand with a bathroom in that area as well. Maybe that can be used. Town Manager Howard: We'd have to check the condition of that but I think that would be a great idea.

Councillor Burgess: I appreciate Mr. Lum's about perpetual maintenance but that's not the CPA's purview. It would be up to the Town Manager to review and make a decision on whether or not it's short sided. I feel it's our fiscal responsibility to make sure we're able to meet the needs of the project, even if it does require ongoing maintenance.

Council President Alexopoulos: These are great. Anytime we have the opportunity to add recreation programs to the community it enhances the quality of life. We also need to focus on the tennis courts next year and some requests from residents asking to use them. Town Manager Howard: The tennis courts are being done next year.

Motion to approve Council Order 2022-051 as presented made by Councillor C. Alexopoulos, seconded by Councillor Gordon.

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

Motion passes.

2. 2. 6:15 PM - Council Order 2023-055: Amendment of Section 18-3 of the General Ordinances of the Town of Randolph Concerning Department Revolving Funds

Council President Alexopoulos opened the public hearing. This council order was introduced at the October 16, 2023 Council meeting. The Town Council Clerk read the legal advertisement which was published in the Boston Herald on October 25, 2023.

Town Manager Howard: This account will be used to support trips and tours for Randolph residents including the youth and seniors. This Council Order will allow us to take in the funds and then pay the riding companies for the trips and tours. The trips are important for the community.

Council President Alexopoulos opened the public comments portion of the public hearing.

Joe Burke, 54 Hills Street: What fees are we talking about? Town Manager Howard: When they do the trips to the White Mountains in New Hampshire for example, we would accept the fees from those purchasing a ticket, book the trip, and then pay the tour company directly. It would also allow

Guerline Semezier, 60 Mills Street, Randolph, MA - Will the town provide scholarships for youth or seniors who cannot afford to go on the trip? Town Manager Howard: I don't believe there is a mechanism to accomplish that.

Sandy Cohen, Bittersweet Lane: Thank you Town Manager Howard for pushing this opportunity for the seniors to travel and have extracurricular activities. Most of the trips occur during school hours so I'm not sure the youth would even be able to attend. It is very well organized.

Town Accountant/Finance Director Janine Smith: The Town can't spend money unless we have it in our pocket. The revenue we take in from people paying the necessary fees will cover the costs of the trips. We shouldn't be expending funds on tickets without having received payment from residents interested in participating in the trip.

Motion to approve Council Order 2022-055 as presented made by Councillor Burgess, seconded by Councillor Clerger.

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

Motion passes.

Public Comments/Discussions

1. Mary Cohen: Babies and children are dying of preventable disease such as herpes simplex. There is no cure for herpes. These children are suffering and this is barbaric.
2. Sandy Cohen, Bittersweet Lane: I'm concerned with traffic on Highland Avenue by Shaws. When the traffic light is red people go through it and completely disregard the stop light. Is there any way to monitor this? Town Manager Howard: We'll ask Chief Marag to monitor the area and when possible to have officers in the area. Ms. Cohen: What about cameras? Town Manager Howard: I'm not opposed to the idea but you can't be fined by a camera.
3. Paul Meoni: 1. The Massachusetts Bus and Transit Authority (MBTA) zoning laws have calculated Randolph's capacity to require 1,935 units to be zoned multi-family housing. Since that date that number was set, Randolph has built multi-family units and will have built more multi-family units- do we get credit toward that 1,935? 2. There are projects at the McNeil school within the .5 miles radius of the commuter rail station in which we are required to have an MBTA community district within that radius meaning we need to have about 380 units available as multi-family housing within that radius. Could we stop all projects currently being built and work with MBTA and developers to build those units and then get credited. Town Manager Howard: There will be another community workshop regarding zoning. I don't think stopping the projects now impacts what is required. The question is do you have appropriate zoning, not whether or not the units have or haven't been built.
4. "Rudy Hess", 33 Park Boulevard, Randolph, MA: I have the right to speak during public comments. I want to know why our country allows positions of government to be held by citizens with dual-citizenships with other countries.
5. Hank Ford: The previous caller piqued my interest and I looked some of the facts up and the number of babies affected by circumcision is crazy.

Councillors requested guidance from Town Manager Howard and Town Attorney Griffin regarding the comments being made during public comments.

Town Attorney Griffin: There have been a number of cases about what is or isn't permitted at public speaks recently including a decision that was issued by the Massachusetts Judicial Court this past spring. In that case, a member of the public called the Chair of the Board "Hilter" and the supreme judicial court rules that and similar forms of speech is permissible as long as the meeting's business can continue after the speaker and as long as there are no immediate threats or danger involved. The speaker has three minutes and can state whatever the speaker wants even if members of the Board find the speech to be hateful. You may allow the speaker to speak for three minutes. The Council is permitted to place time and manner restrictions so if it is, all speakers have to speak about topics about the agenda as long as the council provides alternative means to supply comments that are not related to the agenda. We have not

established any protocol like that but you can. There are various limitations that can be adopted by the Town Council.

Councillor Burgess: Well, we can just move public comments to the end of the agenda.

Councillor Gordon: I proudly have a dual-citizenship with American and Israeli citizenship and I most assuredly took offense. Rudy Hess was a prominent Nazi officer who was convicted in the Nuremberg trials. I took it as a personal attack. Town Attorney Griffin: Certainly fighting words or threats are not permissible or anything that makes the Council feel someone is being placed in danger, but anything short of that is permissible. Many cities and Towns had local rules that did not allow personal attacks but the Supreme Judicial Court went out of their way to go through the history of the United States, particularly Massachusetts and the Revolutionary War, to explore the origins of democracy where people were able to say very aggressive things about the British government. The line the court has drawn is that unless there are fighting words, or threats or if the business of the meeting is interrupted in a way that it cannot proceed, then you cannot prevent someone from speaking based on the content of what they're saying.

Councillor Huff-Larmond: I feel threatened, I do not feel safe and I would like the police to escort me to my car after the meeting.

Council President Alexopoulos: I feel it is my obligation to protect the members here this evening so we will shut this down and come up with a suitable position at our next Council meeting.

New Business:

1. Council Order 2023-056: FY24 Revolving Fund Spending Authorization

Council President Alexopoulos read Council Order 2023-056. Town Manager Howard introduced Council Order 2023-056 and provided a brief explanation of the purpose of this Council Order.

Council President Alexopoulos opened the floor for questions or comments of the Council.

Motion to approve Council Order 2022-056 as presented made by Councillor Burgess, seconded by Councillor Clerger.

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

Motion passes.

2. Council Order 2023-058: Purchase and Use of New Election Tabulators

Council President Alexopoulos read Council Order 2023-058. Town Manager Howard introduced Council Order 2023-058 and provided a brief explanation of the purpose of this Council Order.

Council President Alexopoulos opened the floor for questions or comments of the Council.

Motion to approve Council Order 2022-058 as presented made by Councillor Burgess, seconded by Councillor C. Alexopoulos.

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

Motion passes.

Correspondence:

1. **Comcast: Program Changes:** Effective December 12, 2023, AXS TV HD Channel 783 will no longer be available, and AXS TV HD Channel 1613 will require an X1 TV Box and Xfinity Internet or compatible customer owned device to view. HD programming requires the HD Technology fee.
2. The Blue Devil Dashers are again participating in the Beat the Baystate Challenge, a month-long virtual challenge to walk 900 miles. Last year, the Dashers team consisting of 42 people logged 2,753 miles collectively. For additional information, please contact cwp@randolph-ma.gov.
3. **Randolph Pack the Pantry 5K Run/Walk on November 4, 2023.** Register online at RandolphRunners.com or on the day of the race.
4. The local election is taking place on November 7, 2023. Please get out and vote! You can call Town Hall during regular business hours for additional voting information. You may also apply to work on election day and receive compensation. Call the Clerk's office at 781-961-0900 to learn how to apply to work during the elections.
5. The Blue Devil Dashers, formed in 2022 by the Randolph Community Wellness Plan and Mass in Motion are again participating in the Beat the Baystate Challenge, a month long virtual challenge to walk 900 miles. For additional information, you may send an email to cwp@randolph-ma.gov.
6. Curbside Yard Waste Pickup Schedule is November 4, 2023, November 18, 2023 and December 2, 2023. Please leave the yard waste curbside by 7:00 AM.

Subcommittee Comments:

1. **Human Services/Seniors/Recreation** - I am seeking public input regarding the Ponkapoag Pond Fisherman's Cove improvements and landscape management plan. Please contact me about additional information regarding how to submit a public comment, or feel free to send them to me and I will pass them along.
2. **Public Safety Subcommittee** - We will be scheduling a meeting to discuss Councillor Gordon's resolution on joining the Brockton Authority Transportation (BAT) routes. We hope to invite the Police Chief to the meeting to hear his thoughts.

Council President Alexoiiupos: The Town Council meeting scheduled for Monday, November 6, 2023 will be canceled due to the election being the following day. The next Town Council meeting will be on Monday, November 13, 2023 instead.

Council Comments:

Councillor Clerger: Mr. Joe Burke's birthday is today. Please join me in celebrating him and wish him a happy birthday! 2. October was Pastor Appreciation Month. We want to wish all pastors very well. A few Councillors went to various events at local churches to show our support and we just thank you for your faith-based support. 3. The Randolph Pack the Pantry 5K Run/Walk on November 4, 2023. Please show your support if you are able to.

Council Vice President Brewer: The annual Trunk-Or-Treat was awesome. It was nice to see so many residents that decorated their cars. The entire event was very well organized.

Councillor C. Alexopoulos: I was able to attend the Trunk or Treat and Harvest Hoopla and got to see a lot of residents. It's events like this that bring the community together. Thank you to all involved in putting this together.

Councillor Huff-Larmond: The harvest hoopla was awesome. The Randolph Youth Council participated and raised \$125 for the Friendly Food Pantry and my pastor matched it. The next project the Randolph Youth Council is going to be reading to children at the Turner Free Library. On Tuesday of

this past week, The Randolph Diversity, Equity, and Inclusion Coalition partner with the Randolph Police Department to have a conversation and share thoughts and ideas. Thank you Chief Marag for your hard work in putting that together. The community workshop for MBTA zoning was a great exercise. Vote, vote, vote!

Councillor Gordon: I'm inviting the people of Randolph to attend an upcoming meeting with Avon officials regarding the blasting that occurred in Avon affecting south Randolph. 2. go vote! Tuesday through Friday from 8:30 to 4:30, early voting is very easy.

Councillor O'Connell: Health Commissioner Gerry Cody and Town Attorney Griffin have worked hard on subjects relating to the Avon blasting. We recently received an email from the Department of Environmental Protection stating they are moving the blasting to Stoughton. That is our first step to a win in this situation. 2. The Trunk or Treat was great. The hidden heroes of this event were the wagon kids giving out extra candy when people ran out. 4. The Harvest Hoopla was awesome. Thank you to our Council Clerk for putting together a great booth for us. 4. The Randolph Diversity, Equity, and Inclusion coalition was awesome. We're making great strides in the right direction. Thank you to Katrina for being awesome and being a great host of the event. 5. Thank you Katrina for inviting me to present a proclamation that was presented to the pastors of the Tabernacle of Praise. I definitely felt touched by the Holy Spirit. 6. I also attend the community workshop for the MBTA zoning. It is so important to be informed and learn about what changes are coming to our community. If there is another workshop, I strongly recommend you attend.

Council President Alexopoulos: The Annual Harvest Hoopla was a great event. It's always great to see the residents and the various departments that hosted booths. Thank you to our Council Clerk, Natalie, for making us shine that day, we appreciate all that you do for the Town Council.

Executive Session:

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

The Chair so declared.

Council President Alexopoulos requested a vote for the Town Council to enter Executive Session.

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

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

The public portion of the Town Council meeting concluded, and the Council entered an executive session at 8:08 PM.