

COMMONWEALTH OF MASSACHUSETTS

Norfolk s.s.

Town of Randolph

PETITION TO TOWN COUNCIL – Resolution on Town Council President’s Decorum

We, the below-signed registered voters of Randolph Massachusetts, hereby request that the Town Council conduct a vote of “No Confidence” regarding the President of the Town Council, following his unbecoming behavior in recent Town Council meetings. Council President James Burgess walked out of the June 29 Town Council meeting; he cut off female councilors of color from speaking; and he has repeatedly and unlawfully usurped power from the Town Manager and the people of Randolph since his tenure began in January 2020. At the July 13 Town Council meeting, President Burgess said that he regretted his actions and "I will do all in my power to not let that happen again." But he broke his promise only a week later, at a Charter Review Committee meeting, where the people of Randolph witnessed the same such behavior.

We, the voters of Randolph, believe that Council President Burgess will continue this pattern of behavior, and we believe that the continuous misconduct and behavior of the Council President violates his oath and makes him unfit to continue to serve in this position. We therefore call on the Town Council to introduce a motion of “No Confidence” in Council President Burgess; we call on each Town Councilor to vote affirmatively to recommend the Council President’s removal; and we ask that President Burgess resign his Presidency immediately.

Signed under the pains and penalty of perjury in the county of Norfolk on the dates so assigned.

<u>Name</u>	<u>Signature</u>	<u>Address in Randolph</u>	<u>Phone / email</u>	<u>Date</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
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Instructions: Print on paper; sign; and return to: Randolph United PAC, P.O. Box 448, Randolph MA, 02368; contact Jesse Gordon at 617-320-6989 to help distribute more copies. Note: A vote of “No Confidence” does not require the Council President to step down; that can only be done voluntarily. A motion of “No Confidence” would, however, express the will of the people publicly. Under Town Charter section 7-6, when 150 registered voter signatures are certified, the Town Council is required to vote on this petition and resolution, within one month.

Aug. 1, 2020

Dear Randolph voter,

Council President Burgess has received calls to resign from both concerned citizens and his fellow Town Council members. Several public documents are enclosed detailing those calls -- see "contents" below.

The enclosed petition formalizes the calls of concerned citizens for a public hearing and vote of "No Confidence" by the Town Council. Upon 150 registered voters' signatures being certified, the Town Council must take up the issue, and vote within 30 days.

A "No Confidence" vote does not force Council President Burgess to step down from the presidency -- that can only come voluntarily -- but it publicizes the issue and allows a forum for airing the full panoply of complaints.

We're asking you to sign the enclosed petition, as well as your family and friends, and mail it back as quickly as possible. Printing extra copies is acceptable, if you'd like to distribute to others. Mail to the address below, and thank you!

Sincerely,

Jesse Gordon

c/o Randolph United
P.O. Box 448
Randolph MA 02368
(617) 320-6989
jesse@jessegordon.com

CONTENTS:

Page 1: Petition to sign and distribute

Page 2: Randolph Town Charter - rules for submitting petition

Page 3-4: Letter to the Editor from Councilor Egan calling for Burgess to step down from presidency

Page 5-7: Letter to Town Council President from Councilors Clifton, Huff-Larmond, and Clerger calling for Burgess to step down from presidency

Page 8-9: Article in newspaper describing Council President Burgess' unacceptable behavior

Page 10: Letter from C/TC Relations Committee and former Town Councilor Meoni calling for Burgess to step down from presidency

RANDOLPH TOWN CHARTER

Section 7-6. Petitions To Council Or School Committee The town council or the school committee shall hold a public hearing and act with respect to every petition which is addressed to it, which is signed by 150 voters, or more, and which seeks the passage of a measure. The hearing shall be held by the town council or the school committee, or, in either case, by a committee or subcommittee thereof and the action by the town council or the school committee shall be taken not later than 3 months after the petition is filed with the clerk of the council or the administrative assistant to the superintendent, as may be appropriate. Hearings on 2 or more petitions filed under this section may be held at the same time and place. The clerk of the council or the administrative assistant to the superintendent shall mail notice of the hearing to the 10 persons whose names appear first on the petition at least 48 hours before the hearing. Notice, by publication of all such hearings, shall be at public expense.

LETTER TO THE EDITOR: Randolph Town Council VP to Burgess: Please resign as president

Posted at 1:52 PM July24, 2020

To the Editor:

In my last three elections for Town Council, I have knocked thousands of doors and spoken to thousands of Randolph residents. When doing so, I made a promise to you, the residents, that while you may not always agree with me, that I would invariably do what I believed was right, and what was in the best interest of the Town. I believe I have lived up to that promise, and I hope you believe so as well.

That promise brings me to the reason behind writing this letter. A few weeks ago, at our budget meeting for the Town Council, the Council President conducted himself in a manner that was disrespectful to the Council, our Town Staff and to the residents of Randolph. Since then, he has apologized for that behavior, citing that the person who holds both the office of President and Councilor should hold themselves to a higher standard than what his behavior reflected. With him, on this, I agree.

Only a week later, I sat in a Charter Review Committee meeting, only to witness the same such behavior he exhibited at our budget meeting, which called for a public apology. Aside from the unprofessional and disrespectful behavior I witnessed at this meeting, I was shocked when our Council President proceeded to call a fellow colleague (an expletive) through inference. At that moment, I knew I could be silent no longer.

The lack of decorum and leadership does not stop there. He is now seeking retribution by demanding the resignation of committee members for no substantive reason. Instead, it is pursued by a convoluted loophole with no legally standing. The residents who give their time to this crucial committee deserve better; all of our residents deserve better.

Therefore, in light of these recent events and others similar to it not aforementioned, as the Vice President of the Town Council, I am respectfully requesting that Councilor Burgess resign the office of Council President, effective immediately.

To give some background, I have no ill will toward Councilor Burgess and I sincerely wish I did not feel compelled to write this letter. He served as a mentor to me in my younger years as someone who was not only in government but was out while doing so. Once I was on the Council, he continued to be a mentor to me, providing me with guidance in my junior years of service. I also do not want this letter to detract from the many years of service he has given to our Town.

I promised the residents I represent that I would do what I feel is right and what is in the best interest of the town, regardless of its popularity or agreement. I believe that the continuous misconduct and behavior of the Council President violates his oath and makes him unfit to continue to serve in this position.

It is my hope that at the next Town Council meeting we can swiftly elect a new Council President and get back to the business of serving the residents of Randolph. As I am the one calling for this action, I want to make clear that I will not accept a nomination for the position of President to be filled for the remainder of the calendar year.

Ryan Egan

Vice president

Randolph Town Council



Town of Randolph

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James F. Burgess, Jr., President
Ryan Egan, Vice President
Christos Alexopoulos
William Alexopoulos
Richard A. Brewer, Jr.
Natacha Clerger
Kenrick W. Clifton
Katrina Huff-Larmond
Paul V. McDermott

July 28, 2020

COUNCILORS FILE COMPLAINT AGAINST COUNCIL PRESIDENT BURGESS

Dear Council President Burgess:

We are writing, in part, in relation to a letter that was circulated on July 24, 2020 by Council Vice President, Ryan Egan, in which he calls for your resignation from your position as Council President. Councilor Egan's call for your resignation comes on the heels of former Councilor Paul Meoni's request for you to step aside. They both raised a variety of concerns about your recent behavior and your fitness to lead. We, the undersigned, are equally concerned about those behaviors. However, our concerns go deeper and are borne out of long-term egregious behavior.

As Town Councilors, like other Councilors, we have been duly elected to represent the people of Randolph. This form of representative government goes to the heart of our democracy. It only works when elected officials are permitted to fully participate in the deliberative process and when all voices are heard. We feel that at Council meetings we are not permitted to fully participate and fulfill our roles without unfair and uncouth disruption or without being subjected to sarcasm.

On multiple occasions we have raised our concerns that we are not being treated with the professional courtesy and respect that our roles require. We have raised these concerns with various Town officials, including with you directly, with other Councilors, with the Town Attorney and with the Town Manager. We did so with the hope that common sense would prevail and our treatment generally, and in particular at Council meetings, would improve.

As you are aware, we considered writing to formally complain to you about our treatment after a Council meeting held on February 10, 2020. At this meeting, Councilor Clifton was rudely interrupted and cut off on occasions while trying to participate in Council debate. He was also denied the opportunity to consult with the Town Attorney and prevented from obtaining the Town Manager's input regarding pertinent matters pending before the Council.

Prior to and at that February meeting, Councilor Clerger was interrupted on various occasions as she was speaking during Council meetings. She has been belittled, chastised, and disrespected. As she has mentioned publicly, she feels like she is being spoken to as if she is a student and you are the teacher. Your tone and manner are often disrespectful and demeaning. Equally disturbing, at the February Council meeting, Councilor Huff-Larmond was ignored and not recognized. At one

point she was not recognized despite her obvious request to speak on a pertinent matter pending before the Council.

Despite your rude and disturbing treatment, we refrained from sending a written, formal complaint and instead focused on trying to work with you to represent our constituents and to advance the business of the Town.

Unfortunately, things have not improved and have instead deteriorated further. We therefore feel that it is imperative that we highlight this behavior and formally request that it cease.

At the meeting held on Monday, June 29, 2020, you repeatedly belittled and interrupted Councilor Clerger, attempting to mute her microphone and silence her speech. Councilors Clerger and Huff-Larmond specifically complained about the way they have been treated by the President. They voiced their concerns that you have easily recognized other members of the Council, but you often failed to allow them to speak.

At the meeting held on Monday, July 13, 2020, you purported to apologize and blamed others for your explosive behavior toward the Council on June 29. Along with your disrespectful behavior during the June 29th meeting, you imploded and illegally shut down the meeting because a vote was not going in your favor. Your behavior was very disturbing and alarming.

The fact that female Councilors and Councilors of color are not recognized as often or as readily as their colleagues, and are not treated as respectfully, is not remedied by the fact that, when they are recognized, they try to solve the problem by speaking to many issues at once. Additionally, they make many more efforts to speak than some other Councilors, so their repeated failure to be recognized is particularly alarming. The problems with the disrespect and with how you permit participation by female Councilors and Councilors of color continue and we are asking that you confront these problems at once.

In addition to failing to recognize certain Councilors at meetings, you have made concerning comments to Councilors in a variety of contexts, during and outside of Council meetings. At one point, when Councilor Clifton was supporting residents' ability to speak during a Council meeting, as heard by Councilors and Town officials, you rudely told him that he could go "whistle Dixie." This comment is not only offensive but is fraught with historical meaning. At another point, outside of a formal Council meeting in the presence of colleagues, you told Councilor Clifton in a condescending manner that, as Council President, you could "control" Councilor Clifton. This comment, like the previous one, resounds with historical connotations.

At the meeting of July 13, you sought to publicly humiliate councilor Clerger by presenting her with an invoice and rudely questioning whether she owed the Town or its vendors money and was not paying her debts.

Councilor Huff-Larmond continues to express her discomfort and humiliation with your abusive behavior and attitude. On several occasions, you have been rude to Councilor Huff-Larmond by publicly undervaluing and minimizing her work performance at committee meetings that she has ably chaired.

As recently as the publicly held Town Council Charter Review Subcommittee meeting on July 22, without any provocation, you blurted out a reference to Councilor Clifton as a “sh-t head” during the meeting, in the presence of all attendees, to which he objected.

In the interest of maintaining a good, cohesive working relationship on the Council, and forwarding the work of the Council and the community as a whole, we are now formally writing to alert you to these matters of grave concern and to give you the opportunity to correct them. We do not feel that we are being treated with the professional courtesy and respect that should be provided and that our roles require and demand.

We are extremely concerned about these matters and hope that, now that we have formally brought them to your attention, you will remedy the situation as a matter of urgency. If you are unable or unwilling to modify your behavior and remedy the harms that we have identified in this letter, we strongly recommend that you resign from the Presidency if not the Council all together. Please be on notice that we will not hesitate to vigorously defend our rights to the fullest extent necessary.

Thank you.

Natacha Clerger, Town Councilor	Kenrick W. Clifton, Town Councilor	Katrina Huff-Larmond, Town Councilor
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Randolph Town Council president apologizes for behavior during meeting

By Bob Michelson

Posted at 1:01 PM July 16, 2020

At the beginning of the July 13 Randolph Town Council meeting, council president Jim Burgess read an apology he wrote to the other town councilors, administrators and Randolph residents for his behavior during the June 29 meeting, that at times grew very contentious.

His remarks were followed by comments from the public expressing their dismay of Burgess' behavior during the last council meeting.

“It is clear to me that James Burgess is unable to exhibit responsible leadership and respectful behavior toward his fellow councilors, our town manager, other town employees and especially town residents, both as the president of this council and as a town councilor in general,” said former town councilor Paul Meoni.

“I therefore request that James Burgess resign his seat on the Randolph Town Council effective immediately. If not a complete separation from the Town Council, at the very least, resign from his position as president of the Randolph Town Council.”

Meoni said he was speaking on behalf of the Randolph Community/Town Council Relations Committee that he helped organize after long-time Town Manager David Murphy abruptly left his position more than a year ago.

“In my life I’ve been pretty blessed and there are few things that I regret,” Burgess said. “The last council meeting is one of those regrets.”

“Let me say what you witnessed from me should never have happened and beneath this position I hold, and it honestly bothers me to my core. I left here that night aggravated with myself and to you the residents I am deeply sorry.”

“When some councilors laugh at the turquoise binder I gave them, and haven’t even bothered to open them, yeah, I become frustrated. When questions are asked that they should know the answers to, I become frustrated, and I was deeply hurt when a council claimed that I cut off the female councilors of color more than the white males.

“I have tried to be more than fair with allowing time and even more so when it is clear that they just understand the topic. So, when I was called and not so subtly a racist, yeah, I was mad.”

Burgess said he went back and reviewed the last six council meetings and, on average, provided female colleagues 18 minutes more time than anyone else on the council.

“What this community observed at the June 29, 2020, Randolph Town Council meeting was a huge embarrassment and setback, both for this council and our community as a whole,” Meoni said. “One example being the attempt by the council president to unilaterally adjourn the meeting, without passing the town budget, simply because the vote was not going his way.”

“Now I understand that there are some who have absolutely no use for me,” Burgess said. “We have seen that in these meetings and have seen it quite evident on social media.

“I am still going to disagree with the town manager and when I think we are not doing enough to address our water problems, I am going to say so. I am still going to be dismayed when a member shows up not prepared.”

Meoni said that he implores Burgess “to do what is best for him, best for the Randolph Town Council and best for the community as a whole and resign his seat immediately.”

“It has to be said,” Burgess said, “though there are also good and well-meaning people here in Randolph who have reached out to me to express their displeasure. If it was one it was a dozen and my response was the same: ‘You are right and I regret it.’ I mean that. I will do all in my power to not let that happen again.”

LETTER TO THE EDITOR: Embarrassment by Randolph town council chair

Posted July 17, 2020

To the Editor:

The Community/Town Council Relations Committee was formed in response to the resignation of our long-time, well-respected Town Manager, David Murphy. Since that time, this group of concerned residents has been meeting and developing strategies to assist the Randolph Town Council in its work on behalf of all residents of Randolph. The goal is to influence the Council in a positive way so that our Councillors can become better leaders of our community by working more collaboratively on our common goals, as presented in our Master Plan and Community Wellness Plan. However, what this community observed at the June 29, 2020 Randolph Town Council meeting was a huge embarrassment and setback, both for this Council and our Community as a whole; one example being, the attempt by the Council President to unilaterally adjourn the meeting, without passing the Town Budget, simply because the vote was not going his way.

It is clear to me that James Burgess is unable to exhibit responsible leadership and respectful behavior toward his fellow councilors, our Town Manager, other Town employees and especially Town residents, both as the President of this Council and as a Town Councillor in general. I therefore request that James Burgess resign his seat on the Randolph Town Council effective immediately. If not a complete separation from the Town Council, at the very least, resign from his position as President of the Randolph Town Council.

I implore him to do what is best for him, best for the Randolph Town Council and best for the Community as a whole and resign his seat immediately.

Paul J. Meoni

Member, Randolph Community/Town Council Relations Committee