AGENDA FOR THE MEETING OF THE
SELECT BOARD
APRIL 15, 2020 - 6:00 PM
REMOTE PARTICIPATION VIA ZOOM AND YOUTUBE
PURSUANT TO GOVERNOR BAKER’S MARCH 12, 2020
ORDER REGARDING OPEN MEETING LAW
NANTUCKET, MASSACHUSETTS
***AMENDED APRIL 15, 2020***

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS
1. The Select Board Meeting is Being Audio/Video Recorded.

2. COVID-19 Weekly Update:
   a. Legislative Update
      - Select Board Comments/Questions
      - Public Comment
   
   b. Select Board Comments/Questions
      - Public Comment
   
   c. Report from Nantucket Cottage Hospital (NCH President/CEO; Medical Director)
      - Select Board Comments/Questions
      - Public Comment
   
   d. Emergency Orders - Status
      - Local No. 1 - Temporary Moratorium on Construction/Replacement Order
      - Board of Health 3/30/2020 Supplemental Emergency Order, Amended 4/2/2020
      - Local No. 2 - Personal Care Services
      - Local No. 3 - Stay at Home Order - (expired); Discuss Whether or not to Renew/Revise
- State Stay at Home/Other Emergency Order(s) - Status
- Select Board Comments/Questions
- Public Comment

e. Board of Health Update on Restaurant Inspections
- Select Board Comments/Questions
- Public Comment

- Select Board Comments/Questions
- Public Comment
- Possible Action: Recommendation to Board of Health or Call New Meeting for Further Discussion

g. Economic Impact Work Group (C&T Director)
- Select Board Comments/Questions
- Public Comment

h. Public Information (Asst Town Manager/Tivnan)
- Outreach update
- Dedicated email covid19@police.nantucket-ma.gov
- Dedicated phone line 508-325-4111
- Select Board Comments/Questions
- Public Comment

i. Town Services Status (Town Manager)
- Offices remain closed through May 4 (local vs state orders)
- Essential services only in place; some occurring remotely
- Weekly call(s) with Emergency Response Team
- Daily communication with employees
- Daily SITREP to Select Board
- Town budget/staffing update
- Select Board Comments/Questions
- Public Comment


IV. PUBLIC COMMENT* FOR ITEMS NOT RELATED TO COVID-19 OR OTHER AGENDA ITEMS

V. NEW BUSINESS*

VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS
1. Approval of Minutes of April 1, 2020 at 6:00 PM.

3. Approval of Pending Contracts from April 15, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VII. CONSENT ITEMS
1. Gift Acceptance: Natural Resources Department.

VIII. TOWN MANAGER’S REPORT

IX. SELECT BOARD’S REPORTS/COMMENT
1. Committee Reports.

X. ADJOURNMENT

*Identified on Agenda Protocol Sheet
Select Board Agenda Protocol:

- **Roberts Rules:** The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.

- **Public Comment:** For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board’s discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action. Except in emergencies, the Board will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.

  Public Comment is not to be used to present charges or complaints against any specifically named individual, public or private; instead, all such charges or complaints should be presented in writing to the Town Manager who can then give notice and an opportunity to be heard to the named individual as per MGL Ch. 39, s 23B.

- **New Business:** For topics not reasonably anticipated 48 hours in advance of the meeting.

- **Public Participation:** The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of information presented. The Board will hear any staff input and then deliberate on a course of action.

- **Select Board Report and Comment:** Individual Board Members may have matters to bring to the attention of the Board. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.
<table>
<thead>
<tr>
<th>Type of Agreement/Description</th>
<th>Department</th>
<th>With</th>
<th>Amount</th>
<th>Other Information</th>
<th>Source of Funding</th>
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</thead>
<tbody>
<tr>
<td>Professional Services Agreement</td>
<td>DPW</td>
<td>Vector Disease Control International</td>
<td>$115,000</td>
<td>One (1) year Agreement for Mosquitoes Control Services.</td>
<td>DPW Budget</td>
</tr>
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ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;
NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General’s implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.
Given in Boston at 2:40 PM this 12th day of March, two thousand and twenty.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts
EMERGENCY ORDER No. 1  Temporary Moratorium on all construction projects on Nantucket.

In consideration of the State of Emergency declared in the Town of Nantucket, upon the recommendation of Emergency Management and Public Health Officials, and the need to protect the health of the inhabitants of the Town of Nantucket, the following order shall be implemented until such time as the state of emergency has been lifted.

Effective Friday, March 20, 2020 the Town is suspending all regular activity at construction sites on Nantucket, including but not limited-to all work authorized by building permits and street opening permits. Upon issuance of this order, all active construction sites shall be secured to prevent unauthorized entry, damage to equipment and/or work-in-progress and to protect public safety. Operators shall employ the necessary crews and labor to complete the work necessary to secure their sites by 5:00 p.m. on Friday, March 20, 2020. After that time, only skeleton crews will be permitted to enter construction sites for the remainder of the moratorium and such entry shall be limited to what is necessary to ensure safety and security.

The only work that will be permitted after March 20, 2020 will be emergency work, which will need to be approved by the Town of Nantucket Planning and Land Use Services Department.

For purposes of this Order, Emergency Work Includes only the minimum work necessary to prevent damage to persons or property and/or to ensure the habitability of existing residential structures until such time as this order is lifted, including the following:

- Emergency Utility, road or building work, such as to repair water leaks and sinkholes.
- New Utility connections to occupied buildings where prior connections are no longer functioning.
- Mandated building or utility work to protect public health and safety.
- Work at health care facilities, shelters, including temporary shelters and other facilities that support vulnerable populations or that provide emergency services.
- Work which ensures the reliability of the transportation network.
- Other work necessary to render occupied residential building fully habitable.

In addition to the list of emergency construction projects, the Town will, on a case-by-case basis, review requests for exceptions to the temporary construction moratorium. These may be granted by the Building Commissioner for building related work or the Public Works Director for street-related work. These will be granted only if they support increased public health and safety.

This order is effective Friday, March 20 through Monday, April 6 and will be reviewed at regular intervals by the Select Board, the Town’s Incident Management Team and Public Health Officials. New projects cannot be started at this time, and no new permits will be issued unless they meet the criteria above.
Any currently permitted and/or active construction project/work must be in a secure situation by 5:00 p.m. on Friday, March 20, 2020.

Any person who violates this Order will be subject to issuance of an immediate Stop Work Order and an assessment of the maximum penalty authorized by law.

So Ordered by the Nantucket Select Board;

Dawn Hill-Holdgate, Chair
Rita Higgins, Vice-Chair
Matt Fee, Member
Jason Bridges, Member
Kristie Ferrantella, Member

In Concurrence with;

Libby Gibson, Town Manager
William Pittman, Director, Office of Emergency Management
Roberto Santamaria, Director, Department of Public Health
Paul Murphy, Nantucket Building Commissioner
Gary A. Shaw, President, Nantucket Cottage Hospital
SUPPLEMENTAL EMERGENCY ORDER

WHEREAS, effective Friday, March 20, 2020 the Town of Nantucket issued an Emergency Order temporarily suspending all regular activity at construction sites on Nantucket, including but not limited-to all work authorized by building permits and street opening permits (Emergency Order No. 1).

WHEREAS, the Town of Nantucket issued an Emergency Stay-at-Home Order on March 22, 2020 seeking cooperation of all residents to limit possible transmission of COVID-19 (Emergency Order No. 3).

WHEREAS, the situation involving the COVID-19 crisis continues to evolve, with additional guidance being issued daily by the Federal and State governments.

WHEREAS, on March 23, 2020, Governor Baker issued an order identifying certain essential and non-essential businesses and directed the Department of Public Health to issue a stay-at-home advisory.

WHEREAS, on March 24, 2020 Governor Baker, through his Chief Legal Counsel, issued guidance interpreting the March 23, 2020 order with respect to the scope of authority of local governments to regulate matters in the order, particularly with respect to construction.

WHEREAS, on March 25, 2020, the Town of Nantucket and all of the towns on Martha’s Vineyard requested that the Governor and Lieutenant Governor clarify such order based upon circumstances including but not limited to the Islands’ unique circumstances.

WHEREAS, on March 26, 2020, officials from Nantucket participated in a conference call with the Secretary of the Executive Office of Public Safety and Security, among others, and indicated their concern about continued construction on the island for purposes including but not limited to travel to and from the island, limited public safety personnel, limited hospital capacity, and more.

WHEREAS, on March 29, 2020, officials from the Town of Nantucket participated in a telephone conference with the Governor’s Legal Counsel, Legislative Director and Chief Secretary, who affirmed that local governments retain the authority to enact regulations that are more stringent than the Governor’s orders, to regulate activities within their jurisdictions based on their individual circumstances.

WHEREAS, we wish to re-affirm the unique circumstances facing the Town and island of Nantucket that require a strict limitation on all non-essential business, including construction and commercial landscaping projects, and to re-affirm that all non-emergency construction work and all commercial landscaping work is prohibited until the expiration of the applicable orders or they are sooner rescinded.
WHEREAS, Nantucket is uniquely situated insofar as it is only accessible by boat or airplane. In this regard, the primary method for travel to and from the island by many construction and landscape workers will be by boat. It is customary and expected that workers will travel together from the mainland and once they arrive, they will travel together to and from work sites. Due to the group nature of this type of travel, it is unlikely that sufficient physical distancing can be maintained.

WHEREAS, Nantucket has only one hospital, Nantucket Cottage Hospital. While the doctors, nurses and staff have done and continue to perform outstanding work in the face of this crisis, they have limited resources and cannot handle an influx of illness spread by failure to comply with social distancing protocols. Of particular concern are the facts that the Hospital has only fourteen licensed beds, three ventilators, and it does not have an intensive care unit. Thus, anyone needing such care will be required to be airlifted to a hospital on the mainland, further diminishing the capabilities on hospital staff.

WHEREAS, the Nantucket Cottage Hospital President Gary Shaw has said time and again that given the small size and the geographic isolation of the Islands and limited access to PPE and other emergency equipment, failure to limit exposure will necessarily result in the overburdening of each hospital’s resources and lead to a further health crisis emergency. Hospital leaders have further indicated that their ethics teams are now analyzing how the hospitals will make decisions as to who should receive treatment and who should not, or cannot. This is our reality today.

WHEREAS, during this state of emergency, Nantucket does not have sufficient resources to provide emergency police, fire and ambulance service above what it is providing to Island residents during this unusual period. Indeed, as an island community of just one municipality, Nantucket has no opportunities to call on the mutual aid of its neighbors to assist should its resources become overwhelmed.

WHEREAS, during this state of emergency, Nantucket does not have sufficient staffing to ensure that job sites are safe, insofar as it cannot commit emergency first-responders to performing construction detail work, it cannot monitor job sites to ensure that physical distancing requirements are met, and it cannot provide adequate support in the event of an emergency.

WHEREAS, it is essential that visitors to the Island be limited to only those who absolutely have to be here so that the Town’s limited resources do not become overwhelmed and insufficient to protect the health and safety of its residents, first responders and essential workers.

NOW THEREFORE, based on the conditions cited above, and other well-known adverse effects of the COVID-19 crisis, the Nantucket Board of Health, upon the recommendation of Emergency Management and Public Health Officials, the Director of the Nantucket Cottage
Hospital, and the Select Board, and the need to protect the health of the inhabitants of the Town of Nantucket, hereby reaffirms and supplements Emergency Orders Nos. 1 and 2, as follows:

There hereby continues in effect an Emergency Order imposing a temporary moratorium on all non-essential construction work until such time as the State of Emergency declared due to the outbreak of COVID-19 is lifted, as well as an Emergency Stay-at-Home Order that limits, among other things, landscaping.

As of the date of this Supplemental Emergency Order, all non-essential construction and landscaping shall continue to be prohibited in the Town of Nantucket and must immediately cease until further order, except as provided herein. This Order applies to all work sites, including but not limited to all work authorized by building permits and street opening permits previously issued. This Order also prohibits work by commercial landscaping and other similar businesses performing work that is not essential as defined below.

This Order shall apply as follows:

Existing and newly permitted projects which comprise essential construction may be undertaken in a manner that is consistent with this Order and any further orders of the Commonwealth, the Board of Health and/or the Building Commissioner, to the extent that such orders are more restrictive than what is set forth herein.

For purposes of Emergency Order Nos. 1 and 3, and this Supplemental Emergency Order, essential construction includes only the following work:

- Work to build or repair roads, bridges, transit facilities, utilities, hospitals or health care facilities, or homeless shelters.
- Emergency Utility, road or building work, such as to repair water or sewer leaks and sinkholes.
- New Utility connections to occupied buildings where prior connections are no longer functioning.
- Site-specific building or utility work ordered by a Governmental entity to protect public health and safety.
- Work at health care facilities, shelters, including temporary shelters and other facilities that support vulnerable populations or that provide emergency services.
- Work which ensures the reliability of the transportation network.
- Other work necessary to render occupied residential buildings fully habitable.
Under no circumstance will the term emergency work include construction on unoccupied residential or commercial structures unless it is in a class of work described above.

Consistent with action already taken, all active construction sites shall be secured to prevent unauthorized entry, damage to equipment and/or work-in-progress and to protect public safety. Only skeleton crews will be permitted to enter construction sites for the remainder of the moratorium and period of this Supplemental Emergency Order, and such entry shall be limited to what is necessary to ensure safety and security.

At every site where essential construction activity continues under one of the categories authorized above, operators shall ensure that all activity is undertaken in a manner consistent with the Commonwealth of Massachusetts COVID-19 Guidelines and Procedures for all Construction Sites and Workers at all Public Work as issued by the Governor on March 25, 2020 and attached to this Order (the “Guidelines”). The Operator shall ensure that the work site and activities undertaken therein are and shall remain in compliance with the Guidelines. All permissive language (e.g. phrases with “please” or “should”) are hereby deemed mandatory obligations.

At every site where construction activity continues, one or more site-specific COVID-19 liaison officer(s) shall be identified who shall maintain a daily compliance log and shall certify that the contractor, subcontractors and all workers are in full compliance with this Order and the Guidelines.

Board of Health

Stephen J. Visco. Chair
Malcolm W. MacNab, MD, PhD, Vice Chair
James A. Cooper, Member
Rita Higgins, Member
Helene M. Weld, RN, Member

In concurrence with action taken by the Select Board:

Dawn Hill-Holdgate, Chair
Rita Higgins, Vice-Chair
Matt Fee, Member
Jason Bridges, Member
Kristie Ferrantella, Member

As well as Town Staff and representative of Nantucket Cottage Hospital:

C. Elizabeth Gibson, Town Manager
William Pittman, Director, Office of Emergency Management
Roberto Santamaria, Director, Department of Public Health
Paul Murphy, Nantucket Building Commissioner
Gary A. Shaw, President, Nantucket Cottage Hospital
EMERGENCY ORDER No. 2   Regarding Personal Care Services and Retail Stores

Effective Friday, March 20, 2020 all services offered to the public which cannot be provided at a distance of at least six (6) feet are hereby discontinued. This includes, but is not limited to:

Hairdressers and barbers
Nail salons
Massage services
Body Art
Body Work
Fitness Centers
Houses of Worship

This order does NOT include childcare facilities licensed by the Department of Early Education and Care who have been granted an exemption by the Department, or services provided by a licensed allied health care provider such as, but not limited to, physical therapy, speech therapy, occupational therapy or retail stores. This Emergency Order shall remain in effect until notice is given, pursuant to the Board of Health’s judgement, that the Public Health Emergency no longer exists.

Additionally, the Board of Health is encouraging all retail establishments that do not sell essential commodities such as food, medicine or cleaning supplies to consider voluntarily closing until April 6th. The Board of Health is also recommending that all retail establishments that do stay open should only do so if they can assure customers will be able to maintain social distancing practices consistent with CDC guidelines.

This order is issued pursuant to the authority conferred on boards of health pursuant to G.L. c. 111, §§95 through 105.

So Ordered;

[Signature]

Board of Health

In Concurrence with;

[Signature]

Town Manager

[Signature]

Director, Office of Emergency Management
EMERGENCY ORDER #3
EFFECTIVE MONDAY, MARCH 23, 2020 AT 5:00 pm
OF THE NANTUCKET SELECT BOARD
AND DIRECTOR OF HEALTH AND HUMAN SERVICES ON BEHALF
OF THE BOARD OF HEALTH
DIRECTING ALL INDIVIDUALS LIVING IN THE TOWN & COUNTY OF
NANTUCKET TO STAY AT THEIR PLACE OF RESIDENCE
EXCEPT THAT THEY MAY LEAVE TO
PROVIDE OR RECEIVE CERTAIN ESSENTIAL SERVICES OR
ENGAGE IN CERTAIN ESSENTIAL ACTIVITIES AND WORK FOR
ESSENTIAL BUSINESSES AND GOVERNMENTAL SERVICES;
DIRECTING ALL BUSINESSES AND GOVERNMENTAL AGENCIES TO
CEASE NON-ESSENTIAL OPERATIONS AT PHYSICAL LOCATIONS IN
NANTUCKET; PROHIBITING ALL NON-ESSENTIAL GATHERINGS
OF ANY NUMBER OF INDIVIDUALS; AND ORDERING CESSATION OF
ALL NON-ESSENTIAL TRAVEL

Please read this Order carefully. Violation of or failure to comply with this Order is
punishable by a fine of up to One Thousand Dollars pursuant to Massachusetts
General Laws Chapter 111, Section 122.

UNDER THE AUTHORITY OF MASSACHUSETTS GENERAL LAWS CHAPTER 111, §§95
THROUGH 105, THE NANTUCKET SELECT BOARD AND THE NANTUCKET BOARD
OF HEALTH, ACTING THROUGH THE HEALTH AND HUMAN SERVICES DIRECTOR,
ORDERS:

1. The intent of this Order is to ensure that the maximum number of people self-isolate in
their places of residence to the maximum extent feasible, while enabling essential
services to continue, to slow the spread of COVID-19 to the maximum extent possible.
When people need to leave their places of residence, whether to obtain or perform vital
services, or to otherwise facilitate authorized activities necessary for continuity of social
and commercial life, they should at all times as reasonably possible comply with Social
Distancing Requirements as defined in Section 7 below. All provisions of this Order
should be interpreted to effectuate this intent. Failure to comply with any of the
provisions of this Order constitutes an imminent threat to public health.

2. All individuals currently living within the Town and County of Nantucket (“Town”) are
ordered to stay at their place of residence. To the extent individuals are using shared or
outdoor spaces, they must at all times as reasonably possible maintain social distancing of
at least six feet from any other person when they are outside their residence. All persons
may leave their residences only for Essential Activities, Essential Governmental
Functions, or to operate Essential Businesses, all as defined in Section 7. All businesses
with a facility in the Town, except Essential Businesses as defined below in Section 7, are
required to cease all activities at facilities located within the Town except Minimum Basic
Operations, as defined in Section 7. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 7 below, including, but not limited to, when any customers are standing in line.

3. All public and private gatherings of any number of people occurring outside a household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 7. Nothing in this Order prohibits the gathering of members of a household or living unit.

4. All travel on the island, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, public transit, except Essential Travel and Essential Activities as defined below in Section 7, is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 7 below, to the greatest extent feasible. This Order allows travel into or out of the Town to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.

5. This Order is issued based on evidence of increasing occurrence of COVID-19 within the Commonwealth of Massachusetts and elsewhere in the Country, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the Town places it at risk for serious health complications, including death, from COVID-19. Due to the outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the Town. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. Importantly, the island has limited medical care options and availability, including but not limited to the number of hospitals and other healthcare operations, the number of beds available generally and in intensive care units, as well an extremely limited number of ventilators. Additionally, the Town acknowledges that the size of the island population is driven by seasonal residents and visitors; during the winter months, including early spring, the food supply, services industry, public safety personnel, general governmental staff, and more, are at minimum levels. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the Town.
6. This Order incorporates by reference, the March 10, 2020 Declaration of Emergency issued by Governor Baker, and the Declaration of Emergency issued by the Nantucket Select Board on March 18, 2020, and, further, formally acknowledges that several states and municipalities have issued stay-at-home orders to address the rapid transmission of COVID-19 by those who do not yet show symptoms, but are carrying the virus, and those that have been identified as presumptive positive or confirmed positive for the virus.

7. **Definitions and Exemptions.**

   a. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities.” People at high risk of severe illness from COVID-19 according to the U.S. Centers for Disease Control and Prevention (“CDC”) and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.
      
      i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
   
      ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
      
      iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, bicycling, surfing, or running.
      
      iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
      
      v. To care for a family member or pet in another household.

   b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations”, including but not limited to hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, marijuana dispensary or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” expressly excludes fitness and exercise gyms, yoga studios, and similar facilities.
c. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, airport operations, water, sewer, gas, electrical, roads and highways, public transportation, collection and proper disposal of solid waste, internet, and telecommunications systems, provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

d. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform Essential Services are categorically exempt from this Order in connection with the provision of such services. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions,” as determined by the governmental entity performing those functions. Each governmental unit in the Town shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

e. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

f. For the purposes of this Order, “Essential Businesses” means:
   i. Healthcare Operations and Essential Infrastructure;
   ii. Grocery stores, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
   iii. Food cultivation, including farming, livestock, and fishing;
   iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
   v. Hotels, motels and leasing of residences ONLY for the purpose of providing shelter and lodging to people in accord with contractual agreements already in effect for people on the island as of the effective date of this order, or, in the event that temporary residences are needed for persons on the island whose residences are quarantined, to house non-
residents providing essential government or health care services, or as overflow from healthcare operations as may be needed;¹
vi. Newspapers, television, radio, and other media services;
vii. Gas stations and auto-supply, auto-repair, and related facilities;
viii. Banks and related financial institutions;
ix. Hardware stores;
x. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
xii. Businesses providing mailing and shipping services, including post office boxes;
xii. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
xiii. Laundromats, drycleaners, and laundry service providers;
xiv. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
xv. Businesses that supply products needed for people to work from home;
xvi. Businesses that supply other essential businesses with the support or supplies necessary to operate;
xvii. Businesses that ship or deliver groceries, food, goods or services directly to residences
xviii. Airlines, ferries, taxis, and other public and private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
xix. Home-based care for seniors, adults, or children;
xx. Residential facilities and shelters for seniors, adults, and children;
xxi. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities
xxii. Childcare facilities providing services that enable employees exempted in this Order to work as permitted and approved pursuant to the March 18, 2020 Executive Order Temporarily Closing All Child Care Programs and Authorizing the Temporary Creation and Operation of Emergency Child Care Programs.

¹ This section shall take effect on Wednesday, March 25, 2020 at 5:00 p.m., or such later date determined by the Town after consultation with appropriate state and federal entities. Until the effective date of this provision, it shall have the force of a strong recommendation to anyone considering coming to the Town.
g. For the purposes of this Order, “Minimum Basic Operations” include the following, provided, however, that employees shall comply with Social Distancing Requirements as defined this Section, to the maximum extent possible, while carrying out such operations:
   i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
   ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

h. For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.
   i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
   ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
   iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
   iv. Travel required by law enforcement or court order.
   v. Travel required for non-residents to return to their place of full-time residence outside the Town. Non-residents on the island as of the date of this Order are encouraged to consider returning to their full time residences or to other areas where more plentiful hospitalization services are available. All persons leaving the island under this paragraph are strongly encouraged to verify that transportation to their place of full-time residence remains available and functional prior to commencing such travel.
   vi. Travel to return from outside Nantucket to a place of already-established full-time residence in the Town; residents shall include, but not be limited to the following: a person on the street or voter’s lists; a person that has registered their car at their Town address; a person who has listed their Town address as their primary address for purposes of taxation; and similar indicators of residency, a person who has traveled from their residence on the island within the last 30 days previous to this order and has documentation thereof, including, for example, a ferry or plane ticket receipt, or a person who leaves the island following the issuance of this Order for the purpose of providing Essential Governmental Functions or Essential Business, and has documentation thereof, such as a ferry or plane ticket receipt.²

² This section shall take effect on Wednesday, March 25, 2020 at 5:00 p.m., or such later date determined by the Town after consultation with appropriate state and federal entities. Until the effective date of this provision, it shall have the force of a strong recommendation to anyone considering coming to the Town.
vii. Provided, further, that during the pendency of this order, any person travelling to the island for any of the purposes authorized hereunder shall be subject to the following additional requirements:

1. Persons arriving on Nantucket by plane or boat may be asked to take their temperature, answer questions about where they have travelled, and to respond to any other precautionary questions of a similar nature considered appropriate by the CDC;

2. No person shall knowingly travel to Nantucket during the period of this order after testing positive for COVID-19 unless they are also able to demonstrate that they have recovered therefrom through proof of two negative tests or otherwise in a manner meeting then-current CDC requirements;

3. No person shall knowingly travel to Nantucket after being exposed to a person with COVID-19 unless they have been in quarantine for no less than 14 days since the knowing exposure and can provide evidence thereof;

4. Any person travelling to Nantucket for purposes other than those that are emergency in nature under this order, shall self-isolate for no less than 14 days at their place of residence, ensuring that they are vigilant about social-distancing, even in their place of residence, until the self-isolation period ends;

5. Any person travelling to Nantucket to provide healthcare services shall be exempt from paragraph 3 of this section, but shall exercise due care in accord with applicable CDC protocols to implement social distancing as described hereunder, other than during the treatment of patients or conduct of research.

i. For purposes of this Order, “Social Distancing Requirements” includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

8. The Select Board and the Board of Health requests that the Chief of Police ensure compliance with and enforcement of this Order, and, further, that said Chief seeks the assistance of the Governor, State Representative and State Senator, and Attorney General to assist with enforcement, including, and, should the same prove necessary, the State Police or National Guard. The violation of any provision of this Order constitutes an imminent threat to public health.

9. Sections 1-12 of this Order, other than as set forth in Section 10, below, shall become effective at 5:00 p.m. on Monday, March 23, 2020 and will continue to be in effect through Sunday, April 6, 2020, the remainder of the period schools are closed pursuant to the Governor’s March 15, 2020 Executive Order, with an expectation that unless there are significant factual changes concerning the spread of COVID-19 and the treatment thereof in general, and the facts specifically applicable to medical care and treatment capacity on the island, this Stay-at-Home Order may be extended by vote of the Select Board and Director of
Health and Human Services. To allow for planning by, and sufficient notice to, all residents and voters of the Town, of any possible extension, the Select Board and Director of Health and Human Services shall discuss any developments and the then-applicable facts at its April 1, 2020, scheduled Board Meeting, and at any meeting thereafter as such board deems appropriate. Notice of any approved extension shall be communicated to the public as provided in Section 11. Residents are encouraged to access the Town website frequently for updates.

10. The provisions of Section 7(f)(v) and 7(h)(vi) of this Order relative to travel to the island shall take effect at 5:00 p.m., Wednesday, March 25, 2020, or at such later time as the Town deems appropriate following consultation with state and federal level government entities as to implementation; if the effective date of such sections is delayed, notice of such delay, and then of the effective date of such sections, shall be made in the manner set forth in Section 11; provided, however, that until the provisions of Section 7(f)(v) and 7(h)(vi) takes effect in accord with the provisions of this paragraph, they shall be treated as a strong recommendation.

11. Copies of this Order and any other notices required by this Order shall promptly be: (1) made available at the Town Administration Building; (2) posted on the Town Website; and (3) provided to any member of the public requesting a copy of this Order; further, shall, as soon as reasonably possible following adoption of the same, be provided to the Boston Globe, Boston Herald, Cape Cod Times, Nantucket Inquirer and Mirror, and the Associated Press.

12. If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the reminder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

_________________________________
Nantucket Select Board, by its Chair

________________________________________
Nantucket Board of Health, by the Director of Health
and Human Services

March 22, 2020
ORDER ASSURING CONTINUED OPERATION OF ESSENTIAL SERVICES
IN THE COMMONWEALTH, CLOSING CERTAIN WORKPLACES,
AND PROHIBITING GATHERINGS OF MORE THAN 10 PEOPLE

COVID-19 Order No. 13

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the number of presumptive positive and confirmed cases of COVID-19 continues to rise exponentially in the Commonwealth. As of March 22, 2020, the Department of Public Health had reported 646 cases of COVID-19, including 5 deaths, with 13 of the 14 counties in the Commonwealth impacted;

WHEREAS, the Department of Public Health is urging all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times, both inside and outside of the home to limit the spread of this highly contagious and potentially deadly virus;

WHEREAS, on March 19, 2020, the Federal Cybersecurity and Infrastructure Security Agency issued guidance to assist States that identifies 14 critical infrastructure sectors whose workers provide services and functions that are essential to maintain in order to support a strong response to the COVID-19 pandemic;

WHEREAS, as Governor, I have identified additional services and functions that likewise are essential to promote the public health and welfare of the Commonwealth, and
therefore it is imperative to ensure that workers providing critical services and functions in these State and Federally designated sectors may continue to work to ensure community resilience and continuity of response efforts; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over public assemblages in order to protect the health and safety of persons, regulating the sale of articles of food and household articles, and policing, protection, and preservation of public and private property;

NOW, THEREFORE, in order to minimize all unnecessary activities outside of the home during the state of emergency, I hereby order the following:

1. Maintaining Operation of COVID-19 Essential Services and Workforces

The production and service sectors identified in Exhibit A are hereby designated as “COVID-19 Essential Services.” The workforces engaged and working in these production and service sectors are hereby designated as “COVID-19 Essential Workforces.” I shall amend and publish updates to Exhibit A as I determine necessary in response to conditions as they develop.

Businesses and other organizations that provide the services and functions identified as COVID-19 Essential Services in Exhibit A are urged to continue operations during the state of emergency, but to do so with allowance for social distancing protocols consistent with guidance provided by the Department of Public Health.

Restaurants, bars, and other retail establishments that sell food and beverage products to the public provide COVID-19 Essential Services and are designated as such in Exhibit A. These establishments are therefore encouraged to continue to offer food and beverages for take-out and by delivery provided that they follow the social distancing protocols set forth in Department of Public Health guidance. Restaurants, bars, or other establishments that offer food or beverages to the public shall not permit on-premises consumption of food or beverages.

2. Temporary Closing of Other Businesses and Organizations

All businesses and other organizations that do not provide COVID-19 Essential Services shall close their physical workplaces and facilities (“brick-and-mortar premises”) to workers, customers, and the public as of 12:00 noon on March 24, 2020 and shall not re-open to workers, customers, or the public before 12:00 noon on April 7, 2020. Churches, temples, mosques, and other places of worship shall not be required to close their brick and mortar premises to workers or the public; provided, however, that such institutions shall be required to comply with all limitations on gatherings established in section 3 below.
Businesses and other organizations that do not provide COVID-19 Essential Services are encouraged to continue operations where they are able to operate through remote means that do not require workers, customers, or the public to enter or appear at the brick-and-mortar premises closed by this Order.

3. **Limitations on Gatherings**

Gatherings of more than 10 people are prohibited throughout the Commonwealth. Gatherings subject to this Order include, without limitation, community, civic, public, leisure, faith-based, or sporting events, concerts, conferences, conventions, fundraisers, parades, fairs, festivals, weddings, funerals, and any similar event or activity that brings together more than 10 persons in any confined indoor or outdoor space. This limitation shall not apply to the operations or activities of any business or organization in its provision or delivery of COVID-19 Essential Services.

This Order does not prohibit gatherings of more than 10 people in an unenclosed, outdoor space such as a park, athletic field, or parking lot.

Athletic and recreational activities that bring participants into close, physical contact are prohibited even when involving 10 or fewer people and regardless of where conducted.

4. **Exceptions**

(a) This Order shall not apply to any municipal legislative body or to the General Court or to the Judiciary.

(b) This Order shall not apply to residential schools for special needs students. This Order also does not apply to public and private elementary and secondary (K-12) schools in the Commonwealth, which are subject to the March 15, 2020 Order Temporarily Closing All Public and Private Elementary and Secondary Schools, as may be subsequently amended, which suspended all normal, in-person instruction.

(c) This Order does not apply to the operation of child care programs in the Commonwealth, which are subject to the March 18, 2020 Order Temporarily Closing All Child Care Programs and Authorizing the Temporary Creation and Operation of Emergency Child Care Programs, as may be subsequently amended.

5. **Implementing Guidance and Enforcement**

The Commissioner of Public Health is directed to issue guidance ("DPH Guidance"), subject to my approval, to implement the terms of this Order. The DPH Guidance shall include a requirement that grocery stores and other retailers with substantial retail grocery sales establish special limited access hours during which elderly and other vulnerable populations may have exclusive access to make grocery purchases.
The Department of Public Health, along with any board of health or authorized agent pursuant to G. L. c. 111, § 30, shall enforce this Order and if necessary may do so with the assistance of State or municipal police. Violation of the terms of this Order or the DPH Guidance may result in a criminal penalty pursuant to Section 8 of Chapter 639 of the Acts of 1950 or a civil fine of up to $300 per violation, in the manner provided for non-criminal disposition of violations of municipal by-law, ordinance, rule, or regulation pursuant to G. L. c. 40, § 21D. A criminal complaint for violation of or a motion for an injunction to enforce this Order or the DPH Guidance shall be filed in the district court with jurisdiction for the municipality in which the violation has been charged.

In addition, I hereby direct the Commissioner of Public Health to act under the authority of G. L. c. 17, § 2A and G. L. c. 111, § 6 or any other appropriate authority to supplement the terms of this Order in the event she determines additional measures are required to ensure that the terms of this Order are observed.

This Order supersedes and makes inoperative any order or rule issued by a municipality that will or might in any way impede or interfere with the achievement of the objectives of this Order. With respect to work and travel in particular, any order or rule issued by a municipality is hereby made inoperative to the extent: (1) such municipal order or rule will or might interfere with provisions of this Order ensuring the continued operation of COVID-19 Essential Services; or (2) such municipal order or rule will or might interfere with the free travel anywhere within the Commonwealth of any person who is a member of any COVID-19 Essential Workforce where such travel is made in connection with the ongoing operation of COVID-19 Essential Services.

This Order rescinds and revokes the Order Prohibiting Gatherings of More than 25 People and On-Premises Consumption of Food or Drink, issued March 15, 2020.

If any provision of this Order or the application thereof to any person or entity or circumstance is determined to be invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this Order or the application thereof to other persons, entities, and circumstances.
This Order shall be effective at 12:00 noon March 24, 2020 and shall remain in effect through 12:00 noon on April 7, 2020 unless further extended.

Given in Boston at [time] AM this 23rd day of March, two thousand and twenty

[Signature]

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts
PRESS RELEASE

Baker-Polito Administration Announces Travel Guidelines and New Health Care Resources To Support COVID-19 Response

FOR IMMEDIATE RELEASE:
3/27/2020
Office of Governor Charlie Baker and Lt. Governor Karyn Polito
Governor’s Press Office
Department of Public Health
Executive Office of Health and Human Services
Massachusetts Department of Transportation

MEDIA CONTACT
BOSTON — Today, the Baker-Polito Administration announced new COVID-19 public health emergency responses issuing new guidelines on travel and transportation, and offering further support for health care professionals and patients.

Earlier today, Governor Charlie Baker, Lt. Governor Karyn Polito, Senate President Karen Spilka and House Speaker Robert DeLeo also announced an agreement to extend the 2019 state individual income tax filing and payment deadline from April 15 to July 15, matching the

**Travel Guidance:** Beginning March 27, all travelers arriving to Massachusetts are instructed to self-quarantine for 14 days. This guidance will be displayed as posters at service plazas along I-90 eastbound, distributed as flyers at major transportation hubs and on posted on highway message boards. Visitors are instructed not to travel to Massachusetts if they are displaying symptoms. Health care workers, public health workers, public safety workers, transportation workers and designated essential workers are exempt from this requirement.

**Medical School Graduation:** Health and Human Services Secretary Marylou Sudders and DPH Commissioner Dr. Monica Bharel have coordinated with Massachusetts medical schools to facilitate early graduation of their qualified fourth-year students to allow graduates to support the health care workforce during the COVID-19 response. This coordinated effort includes Boston University School of Medicine, University of Massachusetts Medical School, Tufts University School of Medicine and Harvard Medical School.

**Emergency Limited Medical Licenses:** The Board of Registration in Medicine will provide medical school graduates who have matched as an intern, resident or fellow with a Board-approved Massachusetts health care facility or training program with Emergency 90-Day Limited Licenses to practice medicine to ensure that our health care workforce is prepared during the COVID-19 public health emergency.

To qualify, medical residents must fill out an application to be approved by the program or facility, and once approved, residents will receive the emergency license and be able to start when their program begins. This Emergency Limited License will allow medical staff to provide support while the regular screening progresses, and it is not a substitute for the regular Limited License process.

**Buoy Health Care Tool:** The Baker-Polito Administration announced the launch of Buoy Health’s new online resource for residents to check their symptoms and connect with the next appropriate health care resource. This tool does not replace emergency medical care, but it may be used as a support for residents during the COVID-19 outbreak to connect them with appropriate health care resources if they display coronavirus symptoms.
Buoy Health’s online 24/7 tool is free for Massachusetts residents and uses current COVID-19 guidance from the CDC and Massachusetts Department of Public Health. Visit Buoy.com/mass (http://www.buoy.com/mass) to learn more and use the tool.

Advanced Practice Registered Nurses (APRNs): The administration has issued a public health order to provide APRNs in good standing with greater flexibility in their prescribing practices. This order includes the following updates:

- Certified nurse midwives will be allowed to continue to prescribe as already authorized.
- Authorizes APRNs who have at least two years of supervised practice experience to prescribe without physician supervision.
- Authorizes APRNs with fewer than two years of supervised practice experience to prescribe with physician supervision, but without the normally required written guidelines.

Read the order here (/doc/march-26-2020-advanced-practice-registered-nurses-order).

MassHealth Waiver: The Centers for Medicare and Medicaid Services (CMS) has approved, in part, the Baker-Polito Administration’s 1135 waiver (https://www.medicaid.gov/state-resource-center/disaster-response-toolkit/federal-disaster-resources/index.html) to fast-track MassHealth enrollment, streamline administrative requirements for providers and better deliver critically needed health care services during the COVID-19 public health emergency. CMS has approved the following items of the waiver:

- Enrollment of out-of-state providers and easing other provider requirements when enrolling in MassHealth.
- Allowing providers to be reimbursed for care in alternative, unlicensed settings.
- Suspension of prior authorization requirements and extending pre-existing prior authorizations through the emergency.

Health Care Professional Volunteers: To support ongoing COVID-19 emergency response efforts, the Baker-Polito Administration has partnered with the Massachusetts Medical Society to match volunteers with our communities and health care providers based on skillsets and need. There is an immediate need for respiratory therapists and public health
nurses, and the administration is asking health care professionals interested in volunteering to sign up at MAResponds.org (/health-services-covid-19-volunteer-form).

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**Media Contact**

Sarah Finlaw, Press Secretary, Governor’s Office

<table>
<thead>
<tr>
<th>Phone</th>
<th>(617) 725-4025 (tel:6177254025)</th>
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<tr>
<td>Online</td>
<td><a href="mailto:gov.press@state.ma.us">gov.press@state.ma.us</a></td>
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**Office of Governor Charlie Baker and Lt. Governor Karyn Polito**

(~/orgs/office-of-the-governor)

Governor Charlie Baker, Lt. Governor Karyn Polito, and members of their administration are committed to making Massachusetts the best place to live, work, and raise a family.

**More** (~/orgs/office-of-the-governor)
PRESS RELEASE

Baker-Polito Administration Extends Non-Essential Business Closures and Executive Branch Employee Guidance

Administration Updates Non-Essential Business Categories

FOR IMMEDIATE RELEASE:
3/31/2020
Office of Governor Charlie Baker and Lt. Governor Karyn Polito
Governor’s Press Office
Department of Public Health
Executive Office of Health and Human Services
Executive Office of Housing and Economic Development
BOSTON — Today, the Baker-Polito Administration announced several updates related to the COVID-19 outbreak including extending the non-essential business emergency order and guidance for Executive Branch employees until May 4. The Department of Public Health’s Stay-At-Home Advisory remains in effect. The Administration also updated the “COVID-19 Essential Services” categories for businesses and other organizations that
provide essential services and workforces related to COVID-19 that are permitted to operate brick and mortar facilities during the emergency.

**Essential Services Order:** Governor Charlie Baker’s emergency order requiring that all businesses and organizations that do not provide “COVID-19 Essential Services” close their physical workplaces and facilities to workers, customers and the public will be extended until May 4. Businesses and organizations not on the list of essential services are encouraged to continue operations through remote means that do not require workers, customers, or the public to enter or appear at the brick-and-mortar premises closed by the order. This order also prohibits gatherings of more than 10 people until May 4th.

The Administration updated the “COVID-19 Essential Services” list today, which is based on federal guidance that was updated earlier this week. The new list will go into effect tomorrow, April 1, at noon. While these businesses are designated as essential, they are urged to follow social distancing protocols for workers in accordance with guidance from the Department of Public Health (DPH).

Some of the updates to the essential services list include:

- Clarity around the supply chain that supports other essential services
- Adding health care providers like chiropractors and optometrists
- Expanding the types of workers providing disinfectant and sanitation services

Click here (/doc/march-31-2020-essential-services-extension-order) for the essential services extension order.

Click here (/info-details/covid-19-essential-services?n) for the full list of categories of “COVID-19 Essential Services.” (PDF /doc/march-31-essential-services-list)

Click here (/info-details/covid-19-essential-services-faqs) for COVID-19 Essential Services FAQs created by the Executive Office of Housing and Economic Development.

**Hotel/Motel Guidance:** As part of the updated essential business list, DPH issued new guidance today around hotels, motels, inns, beds and breakfasts and other short-term residential rentals. Based on this new guidance, hotels, motels, and short-term rentals
may only be used for efforts related to fighting COVID-19, like front line health workers or individuals, or for Massachusetts residents who have been otherwise displaced from their residences.

Click [here](/doc/march-31-2020-hotel-motel-guidance) for the Hotel/Motel Guidance.

**Stay at Home Advisory:** Last week, Governor Charlie Baker directed DPH to issue a stay-at-home advisory, and the Governor announced today that the advisory will remain in effect. Residents are advised to stay home and avoid unnecessary travel and other unnecessary person to person contact during this time period. Residents who are considered at high risk when exposed to COVID-19 should limit social interactions with other people as much as possible

Click [here](/news/dph-public-health-advisory-stay-at-home-advisory) for the Stay-At-Home Advisory.

**Executive Branch Employee Guidance:** The Baker-Polito Administration today also extended the guidance issued to Executive Branch employees on protocol during the COVID-19 outbreak to ensure state government can continue to provide key services while protecting the health and safety of the public and the Executive Branch workforce. Under the guidance, all employees performing non-core functions who are able to work remotely should continue to do so until May 4. Full guidance will be sent to Executive Branch employees later today.

Some Executive Branch services and walk-in offices remain open, but residents are encouraged to use online services when available. For the status of in-person Executive Branch office locations, please click [here](/info-details/covid-19-status-of-executive-branch-office-locations).

**Field Medical Station Announcement:** The Commonwealth, through MEMA, has requested and received approval for a Field Medical Station that will provide additional medical care capacity as the state plans for a surge in cases. The federal Strategic National Stockpile has approved a 250-bed field medical station that will be deployed to the DCU Center in the City of Worcester this week. This temporary facility will be managed by UMass Memorial and staffed by a partnership including the City of Worcester and others.
The temporary field medical center will be used to treat lower acuity patients who still need monitoring.

**Nursing/Rest Home Program:** The Commonwealth is implementing a pilot project that allows for safe, on-site testing of symptomatic residents of nursing and rest homes with a quick turnaround. The pilot will operate under the auspices of the Massachusetts National Guard in partnership with the Department of Public Health and Broad Institute of Cambridge, and samples will be collected by trained personnel from the Massachusetts National Guard. Prior to this launch, the only way for nursing home residents to be tested would be to be transported to a hospital or physician’s office.

Members of the public should continue checking [www.mass.gov/covid19](http://www.mass.gov/covid19) for the latest information on impacts from the COVID-19 outbreak.

###

**Media Contact**

**Sarah Finlaw, Press Secretary, Governor’s Office**

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**Online**
[Gov.press@state.ma.us](mailto:gov.press@state.ma.us)
Food Establishment Outline: Phased Return of Operations

PURPOSE: To provide the food establishments on Nantucket the ability to maintain individual sites and preserve businesses while still practicing social distancing and procedures to help prevent the spread of COVID-19. The intent of this protocol is to be able to maintain the viability of existing food establishments. Much of this work is time sensitive as food deliveries and staff need time to make preparations to come out of winter hiatus. This level of work shall be deemed essential with strictly adhered to protocols as listed below. This protocol shall remain in place until the state of emergency is lifted. Protocols will not include expansion of menus and plan reviews for new establishments. This exemption shall only apply to the maintenance of existing food establishments. The following activities shall be covered by the provided protocols:

Phase 1 Current as of 3/15/2020

Currently, Food Establishments are prohibited from on-premises consumption of food per the Order of the Governor dated March 15th 2020, prohibiting gatherings of more than 25 (since revised to 10) and on-premises consumption of food or drink. Food Establishments may offer take-out or delivery. Locally, Food Establishments have implemented curbside delivery or at the door delivery of food.

Phase 2: “Introduction to re-entry” DRAFT 4/9/2020

This restaurant guidance is intended for a time in which the Governor’s office begins easing, not removing, some of the restrictions that are currently in place for food establishments. This guidance is not intended to be less stringent than the Governor’s future easing of orders, it is only intended as a working guide to be used and adjusted, as the situation changes. Certain benchmarks, such as increased testing and a significant decline in new cases over a 2 week period (statewide) will dictate the implementation of this guidance. Direction going forward will start with the Governor’s office.

All seasonal inspections will be done as time allows. Inspections will be performed by a Town staff member and the food establishment’s COVID-19 Liaison officer. No other staff member should be present unless necessary. The Town personnel will coordinate opening inspections, as needed, but not before the State Stay-at-Home Order is lifted. Allow for a minimum of a 72-hour scheduling turnaround for each inspection.

We believe the initial opening of restaurants prior to a COVID vaccine becoming available, will contain some of the following precautions to be issued by the State:

- One managing staff member must be designated as a COVID-19 Officer to liaise with Town staff as needed
• Maintaining 6’ separation between dining tables and 6’ separation between individual bar stools. Separation distance must be maintained regardless of party size (individual v. family)

• Reduce numbers within the restaurant dining and bar areas, through a sq ft formula, COI formula (employees included in calc) that allows for social distancing. Example: 40% of maximum occupancy.

• Reduce number of tables in dining and bar areas to allow for 6’ separation of seats and tables (no standing areas in bars)

• Waiting lines must have the ability to maintain 6’ separation.

• Reservations required, no more than 4 people in a group.

• 2 seatings a night, i.e. 6:30pm & 8:30pm to allow for cleaning and sanitizing in between, and/or a digital queue is used to prevent congregation at the waiting area.

• 2 seatings for lunch to allow for cleaning and sanitizing in between.

• 2 seatings for breakfast to allow for sanitizing in between.

• Ample gloves, masks, face shields and hand sanitizer must be made available for all employees of the food establishment (potentially require)

• Food service employees must be able to maintain 6’ separation, prep stations as well.

• Inspectors have access to masks, gloves, face shields and hand sanitizer (provided by TON) to conduct inspections safely.

• Screening program / requirement for food employees from out of state or out of country, before the commencement of work.

• Defined hours for elderly dining. This age group should still be staying home and doing takeout as well as continuing to observe social distancing.

• Screening/quarantine program in place for all non-commuting food employees arriving from off island, upon arrival.

• Effective Covid 19 sanitation program developed by the health department and provided to the restaurants. (Attached) Subject to further guidance from the State.
- Restaurants need to be able to provide suitable quarantine space if providing housing.
- Moratorium on all entertainment licenses to prevent congregation.
- Separate entrance and exits for establishments that can comply.
- No self-service of food.
- One occupant per restroom.
- Restaurant curfew 10 pm (to facilitate final sanitization of the day)

This guidance is general in concept and is designed to be applied over a wide range of different types of food establishments. There needs to be continued communication with the industry, DPH and the Governor’s office so that the plan can be refined.

**Enforcement**

Any person or company who violates this Order will be subject to issuance of an immediate Stop Work Order and an assessment of the maximum penalty authorized by law. Said penalties will be issued both to the company and to the specific person(s) violating the protocols.

This Order may be enforced by the Nantucket Health Director, Assistant Health Officer, Agents of the Board of Health, and/or any Police Officer of the Town of Nantucket. Whoever violates any provision of this Regulation may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws c chapter .40, section 21D and the Town’s non-criminal disposition by-law, Sections 1-2, 1-3, 1-4, 1-5, and 1-6 of the Code of the Town of Nantucket. If non-criminal disposition is elected, then any person who violates any provision of this Regulation shall be subject to a penalty in the amount of three hundred dollars ($300.00) per day for each day of violation, commencing ten days following day of receipt of written notice from the Nantucket Board of Health. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

Whoever violates any provision of this Regulation may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be one thousand dollars ($1,000). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense. The Nantucket Board of Health may enforce this Regulation of enjoin violations thereof through any lawful process, and the election of one remedy by the Nantucket Board of Health shall not preclude enforcement through any other lawful means.
# COVID-19 Officer Application

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I affirm that the above is true and correct and affix my signature hereto under the pains and penalties. I agree by signing below to observe and comply with all applicable protocols and regulations of the Town of Nantucket and Commonwealth of Massachusetts. In addition I agree to issue these protocols to all working individuals for the company for which I am serving as COVID-19 officer.

<table>
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## FOR OFFICE USE ONLY

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C. Elizabeth Gibson  
Town Manager  
Town of Nantucket  
(508) 228-7255

From: Shaw, Gary A. <GASHAW@PARTNERS.ORG>  
Sent: Tuesday, April 14, 2020 4:54 PM  
To: Libby Gibson <LGibson@nantucket-ma.gov>; Leslie Snell <LSnell@nantucket-ma.gov>; Andrew Vorce <AVorce@nantucket-ma.gov>; Paul Murphy <pmurphy@nantucket-ma.gov>; 'John Giorgio' <jgiorgio@k-plaw.com>; 'Lauren Goldberg (lgoldberg@k-plaw.com)' <lgoldberg@k-plaw.com>; Jeff Carlson <JCarlson@nantucket-ma.gov>  
Cc: William Pittman <wpittman@police.nantucket-ma.gov>; Roberto Santamaria <rsantamaria@nantucket-ma.gov>; Dawn Hill Holdgate <dhillholdgate@nantucket-ma.gov>  
Subject: RE: Construction back to work draft 041320

Nantucket Cottage Hospital review/comments of back to work plans:

1 - We believe you will need to have increased access to ancillary services like lumber yards and equipment sales and service. Do those services need to have their own guidelines. Bottlenecks at the convenience stores should be expected and prevented. Crowding should not be allowed.

2 - Most critically, how will you enforce the “island only” workforce? If the Town is unable to control the influx of workers, workers will be traveling here on packed boats from neighborhoods with likely high rates of infection.

3 - The plans seem to be well thought out, however the impact will certainly decrease social distancing both on the job sites and as the workers begin to filter back into the community getting supplies, fuel and food. Rather than let that occur, we believe Job sites should provide coffee, water, snacks and lunch to lessen the traffic to Cumberland Farms and the Stop and Shop.

4 - Screening at the boats would be an untenable task; therefore; supervisors should be required to screen for COVID symptoms before allowing work and mandate that if symptoms exist employees must be screened by the Cottage Hospital. Job site screening results should be reported daily to the Public Health Dept.

If you have questions or concerns please contact me at your convenience. Gary

Gary A. Shaw  
President/CEO  
Nantucket Cottage Hospital
COVID-19 PROGRAM FOR CONSTRUCTION and LANDSCAPING ON NANTUCKET PHASE 1

PURPOSE:
To provide the construction community on Nantucket with the ability to begin working again and completing projects with a very limited scope and number of workers on-site while still practicing social distancing and procedures to help prevent the spread of COVID-19, the Board of Health of the Town of Nantucket hereby issues the following Emergency Order No. 54 to establish the Phase 1 Back-to-Work Program for Construction and Landscaping on the Island of Nantucket.

The intent of this protocol program is to be able to address the most important aspects of unfinished construction so that all work can be advanced to a point that protects the project from the dangers of prolonged exposure to weather, and to allow a certain limited amount of commercial landscaping to maintain the health of existing landscaped areas. For the purposes of this document, “unfinished construction” shall mean any dwelling or building associated with a building permit for which construction was stopped as a result of the emergency order. Much of this work is time sensitive as lumber and other wood products and new plantings cannot be exposed indefinitely, and existing dwellings cannot be allowed to be compromised by weather. Without the work listed below dwellings and other buildings will sustain damage that will render materials unusable and existing dwellings uninhabitable.

This Phase I level of work is limited to the work described below, and is permissible subject to approval by the Building Commissioner subject to adherence with the general COVID-19 protocols enforceable by the Board of Health and the requirements of this Order. These protocols shall remain in place until the state of emergency is lifted or until further order of the Board of Health. New construction, renovation or landscaping starts are not permitted, and only work that was stopped as a result of the emergency order is eligible for an exception.

Part 1: Allowable Construction

For the purposes of this Order, “unfinished construction” shall mean work on any dwelling, building or structure for which a building permit was issued and work actually commenced prior to March 20, 2020 and which work was stopped in accordance with Emergency Order No. 1.

Beginning on [date], work on the following unfinished construction projects may resume in accordance with the terms of this Order:

- Partially framed structures, dwellings or additions

[Commented PW1: We should leave the date blank so as not to plant a false seed of hope in peoples minds. Let the discussion and state of the surge determine when this should be implemented.]
To allow the continued construction of partially framed houses to be framed so that the structure can be made weather tight to completion, including the installation of roofing materials, windows and siding, but no interior finishing such as dry-wall, flooring, electrical, plumbing or HVAC work (weather tight).

Unfinished roof work
- To allow for the completion of any roofing work that was affected by the emergency order on new structures and structures undergoing renovation.

Unfinished sidewall work
- To allow for the completion of any exterior sidewall work that was affected by the emergency order.

Year round housing/Affordable and employee housing
- Work on the following affordable and employee housing projects may be permitted subject to further site-specific orders of the Board of Health:
  - Richmond Great Point Properties Meadows II Workforce Rental Community
  - Duplexes, Garage Apartments, Apartments, Apartment Buildings, and other Multi-Family units.
  - Structures occupied by year-round residents as verified to the satisfaction of the Building Commissioner.
  - To allow the continued construction of structures that provide affordable or year round housing opportunities.

Unfinished construction activities not covered by these protocols believed to be emergencies may be applied for separate review and approval through the established process with the Building Commissioner and the Town of Nantucket Emergency Management Director.

Essential Emergency work
- Existing and newly permitted projects which comprise essential construction as defined in Emergency Order No. 1, as Supplemented on April 2, 2020, may proceed with the approval of the PLUS department, provided that the project complies with said supplemental order.

To request a waiver, the attached form shall be completed and submitted to the Building Commissioner either by hand delivery or mail to 2 Fairgrounds Road, Nantucket, MA, 02554 or by e-mail to pmurphy@nantucket-ma.gov. The application will be reviewed and processed within 48 hours and a response will be provided to the designated COVID-19 Officer by e-mail. In order for construction to proceed, the COVID-19 Officer must display on the site a supplemental permit issued by the Building Commissioner.

Part 2: Allowable Landscaping

Beginning on Tuesday, April 21, 2020, work on the following landscape projects may be undertaken in accordance with the terms of this Order:
Initial site openings and maintenance:
- Removal of plant wraps, mounds or covers (burlap from evergreens, other covers)
- Removal of debris or dead material
- Pruning as necessary to maintain plants in good health
- Tick tubes
- Deer Spraying

Greenhouse/growing operations:
- Planting of bare root material to maintain plant health
- Watering as needed to maintain plant health
- Potting or transfers as needed to maintain plant health
- Receipt and processing of previously ordered plant material

Lawns:
- Lime application as needed
- Pre-emergents, pesticides or herbicides applied by properly licensed applicators
  - Note: Fertilizer application post April 15th would be allowed by properly licensed applicators
- Aeration as needed to maintain lawn health
- Cutting as needed
- Installation of grass/lawn to stabilize loose soils

Trees and shrubs:
- Cutting or pruning as needed to maintain plant health only or for safety purposes.
- Pre-emergents, pesticides or herbicides applied by properly licensed applicators
  - Note: Fertilizer application post April 15th would be allowed by properly licensed applicators

Exemptions:
- Golf Courses that comply with site-specific protocols site-specific orders of the Board of Health;
- Installation of irrigation systems and maintenance of swimming pools that comply with site-specific orders of the Board of Health;
- Landscaping work where the work is limited to only one worker on site.

Part 3: General Protocols:

CONSTRUCTION SAFETY STAND DOWN

1. All construction sites MUST conduct a Safety Stand Down to disseminate and explain these Policies and Procedures to all employees, contractors, vendors and workers on the
site upon the commencement of operations on April 21, 2020[date] and the commencement of each subsequent shift on that date. There shall be no work conducted on the site during the stand down, which shall take place during the first fifteen (15) minutes of each shift.

2. Each employee, contractor, vendor and worker on the site shall sign a certificate that they have received and read this Order and that they will comply with the requirements hereof. Such signed certificate shall be retained by the COVID-19 officer and shall be available for inspection upon request. All notices must be translated for non-English speakers.

3. A copy of this Emergency Order No. 45 shall be conspicuously posted at the work site in such places as will be seen by workers and visitors to the site, including but not limited to at or near all employee entrances and break areas.

4. A laminated Placard on a form provided by the PLUS Department shall be posted at each jobsite with the name, phone number and e-mail address of each COVID-19 Officer responsible for the site.

5. Each company shall designate one or more a COVID-19 officer(s) and provide their name and contact information to the Board of Health, Building Commissioner and PLUS Department. This step shall be completed by each company by completing and filing the attached form and prior to commencing work. At least one The COVID-19 officer shall be on-site at all times that workers are on-site and they shall be required to ensure that the protocolsrequirements of this Order are strictly adhered to by all persons on-site members of the company.

**ZERO TOLERANCE FOR SICK WORKERS REPORTING TO WORK**

1. No person shall be permitted to enter the job site if they are exhibiting the symptoms below, and any person exhibiting any of the symptoms below, MUST report such symptoms to a supervisor of the COVID-19 Officer (via phone, text or email) immediately, and head home from the job site or stay home if already there.

2. Anyone who notices another person on the job site showing signs or complaining about such symptoms, shall report such observations to a supervisor or the COVID-19 Officer (via phone, text or email) and such symptomatic person shall be directed to leave the project site immediately.

3. The COVID-19 Officer shall make a written report of every person dismissed from or refused access to a jobsite due to the presence of COVID-19 symptoms. Said report shall include the person’s name, home address, symptoms shown, date and time of dismissal, areas worked in and measures taken to protect other persons working in that area. Said report shall be provided to the Health Director and all other Supervisors on the jobsite as soon as possible but no later than the end of the work day.

4. If a person is dismissed from the jobsite due to the presence of COVID-19 symptoms, all work shall stop, the all workers shall be dismissed and the person shall not be permitted to return to the site until they are cleared by a medical professional. Prior to resuming work, the contractor shall submit a site specific risk analysis to the Board of Health, the Building Department and the PLUS Department to include, but not be
limited to a list of all workers, vendors, inspectors, visitors and other individuals who the suspected worker had close contact with, as well as a description of the areas in which the individual worked, the tools and equipment used and other individuals who had close contact in those areas and the actions taken to clean and sanitize the site. Work shall not resume until the risk analysis and plan are approved by the Town.

5. COVID-19 Typical Symptoms:
   - Fever
   - Cough
   - Shortness of Breath
   - Sore Throat

6. Prior to starting a shift or other work or business on the job site, each person entering the jobsite will self-certify to their supervisor or other designated person that they:
   - Have no signs of a fever or a measured temperature greater than 100.3 degrees,
   - Had no cough or trouble breathing within the past 24 hours,
   - Have not had "close contact" with an individual diagnosed with COVID-19.

   "Close contact" means living in the same household as a person who has tested positive for COVID-19, caring for a person who has tested positive for COVID-19, being within 6 feet of a person who has tested positive for COVID-19 for about 15 minutes (this includes riding in a vehicle with), or coming in direct contact with secretions (e.g., sharing utensils, being coughed on) from a person who has tested positive for COVID-19, while that person was symptomatic.
   - Have not been asked to self-isolate or quarantine by their doctor or a local public health official.

Persons exhibiting symptoms or unable to self-certify must be directed to leave the job site and seek medical attention and applicable testing by their health care provider. They are not to return to the job site until cleared by a medical professional.

GENERAL ON-THE-JOB PROCEDURES TO PREVENT EXPOSURE AND LIMIT THE TRANSMISSION OF THE VIRUS

Each company shall designate a COVID-19 officer and provide their name and contact information to the Board of Health and Building Commissioner. This step shall be completed by each company by completing and filing the attached form. The COVID-19 officer shall be required to ensure that the protocols are strictly adhered to by all members of the company. Each employee of the company shall be issued a copy of the COVID-19 protocols as laid out below:

   - Stagger arrival and departure times of workers, all workers are to check in over the phone

Commented [LG6]: Wording needs to be added in this section to reflect that PLUS will create and issue a placard to be displayed at each work site with a COVID phone number & email for workers to report any violations of the protocols that they observe.
with the COVID-19 officer prior to starting work and shall not come in if they are feeling unwell.

• No workers shall be commuting from off-island.

• All workers shall be required to have a copy of the protocols issued by the COVID-19 officer, which clearly identifies the company, including any subcontractors, for which they are working.

• Any property that is occupied shall be given 24-hour notice of the scheduled work by the company to do the work.

• All workers must notify the COVID-19 officer prior to coming into any building and must wash hands immediately after entering.

• A supply of washable gloves or nitrile gloves, non-surgical masks, and disinfectants will be distributed to all workers.

• Disinfect all equipment before and after use, focusing on ‘touch points’, of power tools and hand tools and the like.

• Only enter offices for bathroom use and immediately wash hands. Disinfect all surfaces after use, including door handles of the bathroom and doors handles to the building.

• Social distancing will be mandatory. Communicate via phone, text, FaceTime, Zoom, etc. Document sharing, work lists, timesheets will be through electronic means only. No ‘paper’ will be allowed to be handled by other workers.

• All materials received are subject to a 24-hour quarantine. Nitrile gloves must be worn when handling the material after quarantine and while disposing of the material. Items delivered must be disinfected if possible. Finally, gloves should be discarded in the appropriate waste receptacle, and hands washed or sanitized.

• Construction material may be received, using the above protocols.

• Workers will work independently as much as possible. Any time an additional person is required on site for work purposes they shall be required to arrive in a separate vehicle and maintain social distancing requirements.

• No more than four people (Not including one COVID-19 Officer) are allowed on an individual construction and not more than two people (Not including one COVID-19 Officer) are allowed on any landscaping site at any one time.

  o Exception: In an effort to aid in compliance the COVID-19 officer shall inspect work sites for compliance and quality of work.

• Equipment specific (beyond continual disinfecting of all surfaces):

  o All basic equipment, power and hand tools shall be assigned to individuals and not shared. If it is impossible not to share equipment, it must be disinfected in between users.

  o Equipment in need of repair will be left in an area designated by the COVID-19 officer. Workers will communicate equipment issues with the COVID-19 officer via phone or text.

  o Equipment to be repaired must be sanitized prior to drop leaving or returning to the site.

• Only one person shall be in a vehicle at any time when traveling to and from the job site. Assigning of vehicles is encouraged with disinfecting of vehicles in between each use. Vehicles that are shared shall be disinfected in between each user with the COVID-19 officer being notified of the transfer. Personal vehicles are encouraged to be used in place of sharing vehicles. Should an individual travel to a work site by alternative means

Commented [LG7]: Probably need legal advice on whether we can prohibit off-island workers and how that would be enforced

Commented [GJC8R7]: In my opinion, this requirement may exceed the emergency authority of the Town because it may implicate the constitutional right of travel. You may wish to revisit this requirement.
(NRTA, bicycle, etc.) and not by vehicle, company or personal, the COVID-19 officer shall keep a list of these individuals for their company.

- All fuel tanks, fuel tank caps, door handles and steering wheels shall be disinfected upon any fueling activity of any equipment.
- Gloves shall be worn while using any equipment.
- Employees shall not share any food or drink.
- Any training shall be done by video if possible, and if required, in as small a group as possible, held outside and following social distancing procedures.
- All gloves, masks or other personal protective equipment (PPE) shall be properly disposed of.

**Enforcement:**

1. This Order shall be enforced as a regulation of the Board of Health in accordance with Massachusetts General Laws, Chapter 111, Section 31.

2. Any person or company who proceeds with work in accordance with this Order agrees that the jobsite and all related equipment shall be subject to random, unannounced inspections by any person authorized to enforce this Order.

3. Any person or company who violates this Order will be subject to issuance of an immediate COVID-19 related Stop Work Order and an assessment of the maximum penalty authorized by law. Said penalties will be issued both to the company and to the specific person(s) violating the protocols.

4. **Non-Criminal Disposition**

This Order may be enforced by the Nantucket Health Director, Assistant Health Officer, Agent of the Board of Health, PLUS inspectors and/or any Police Officer of the Town of Nantucket.

Whoever violates any provision of this Regulation Order may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws, Chapter 40, section 21D and the Town's non-criminal disposition by-law, Sections 1-2, 1-3, 1-4, 1-5, and 1-6 of the Code of the Town of Nantucket.

If non-criminal disposition is elected, then any person who violates any provision of this Regulation shall be subject to a penalty in the amount of three hundred dollars ($300.00) per day for each day of violation commencing ten days following day of receipt of written notice from the Nantucket Board of Health. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

5. Other:
Whoever violates any provision of this Regulation Order may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be one thousand dollars ($1,000). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

The Nantucket Board of Health may enforce this Regulation Order or enjoin violations thereof through any lawful process, and the election of one remedy by the Nantucket Board of Health shall not preclude enforcement through any other lawful means.
Application for Exception to Emergency Order No. ___ Relating to a Moratorium on Construction

Date of Request:

Property Address:

Tax Assessor’s Map and Parcel No.:

Scope of Work:

Expected Completion Date:

Describe How Scope of Work Meets Required Criteria:

Maximum No. of Workers on Site (not to exceed 4):

By signing below, I agree to abide by the COVID-19 safety protocols and agree to allow agents of the Board of Health on the site to inspect for compliance.

Designated COVID 19 Officer:
  Name:
  Signature:
  Cell Number:
  E-mail Address:

CSL Holder or Contractor:
  Name:
  Signature:
  Cell Number:
  E-mail Address:

Property Owner:
  Name:
  Signature:
  Cell Number:
  E-mail Address:

---------------------------------------------------------------------------------------------------------------------

Date Approved or Denied (circle one):

Signature of Building Commissioner:
SB Members –

The below e-mail contains information about the number of permits that may be eligible for work to continue under the revised order that is on your agenda for tonight.

Leslie

Leslie Woodson Snell, AICP, LEED AP BD+C
Deputy Director of Planning

Nantucket Planning & Economic Development Commission
Planning & Land Use Services (PLUS) Department
2 Fairgrounds Road
Nantucket, MA 02554

Telephone: 508-325-5385

From: Dawn Hill Holdgate
Sent: Wednesday, April 15, 2020 2:28 PM
To: Leslie Snell <LSnell@nantucket-ma.gov>
Subject: Re: Permits Issued Possibly Subject to Revised Order

Please send to board

Dawn E Hill Holdgate
Nantucket Select Board

On Apr 15, 2020, at 2:26 PM, Leslie Snell <LSnell@nantucket-ma.gov> wrote:
Megan Trudel researched building permits issued going back to November 1. Her findings are below:

For new construction, by looking to see where a permit stands in respect to its inspection history it can be assumed that any newly constructed structure that has had a foundation inspection but has not yet passed an insulation inspection would be currently under construction, not waterproofed, and therefore eligible to apply for phase one of the construction back to work plan. **We have 26 permits currently open that satisfy this criteria.** I did not account for multiple permits falling under this criteria at the same address, considering permits in that scenario as one eligible “job-site”.

For additions and alterations, it was a little more difficult to determine eligible projects due to the fact that many of these permitted jobs would not necessarily align with the same inspection schedule as a new structure. I erred on the side of caution and included anything that might be eligible for phase one and determined that there are currently **61 permits that satisfy this criteria**, although a site visit to all 61 of these would likely determine the number is far less.

There were 26 shingle/roofing permits issued in the 30 days prior to office closures, the majority of those being issued in the two weeks prior to the closure. It’s important to note that any shingling short of a minor repair requires this permit, so the scale to which roofing/side walling is needed varies significantly from application to application.

Leslie Woodson Snell, AICP, LEED AP BD+C
Deputy Director of Planning

Nantucket Planning & Economic Development Commission
Planning & Land Use Services (PLUS) Department
2 Fairgrounds Road
Nantucket, MA 02554

Telephone: 508-325-5385
Nantucket's Census Complete Count Committee recognizes that our community's health and safety are the most pressing concerns during this unprecedented time, and that communication about public health takes priority. However, the 2020 Census is ongoing - and vitally important for Nantucket's future.

It's never been easier to get counted, and to count everyone who lives at your address. You can use your smartphone, tablet, or computer to do so online, you can do so over the phone in 13 languages, or you can complete and return the Census questionnaire that may have been delivered to your home by now. (You do not need a form to respond online or by phone, however!)

The US Census takes place once every ten years and is mandated by the Constitution. Statistics from responses are used to make decisions about federal funding for community services that we rely on every day: health care (including Medicaid, Medicare, and the Children's Health Insurance Program), schools, food assistance, housing, emergency services, senior programs, and more. An accurate count ensures that Nantucket gets it's share, as funding levels that are determined as a result of the 2020 Census will be in place for our community for the next ten years!

Please get counted, and encourage friends, colleagues, and family members to do so at 2020census.gov. Choose your language and click on the "Respond" button to take the Census. It's safe, quick, easy - and individual data is protected by federal law. Your information cannot be shared with any federal, state, or local agency for any reason. There is NO citizenship question on the Census, and everyone is asked to participate. We ALL count for Nantucket!

In an effort to "get out the count" on Nantucket we've started posting information on Facebook, via the Community Foundation for Nantucket's page. Please visit the foundation's page so you can see and - very importantly - share these posts on your own personal and organizational pages! You'll recognize some faces, and can learn a lot about why an accurate count is important. If Facebook isn't your thing, please share the information on Instagram or Twitter - or even by email.

Please get counted and help shape Nantucket's future!
Dear Board Members,

On behalf of the Natural Resources Department we are requesting that the Select Board accept the following gift of $336.00 from Proud Pour Inc. This donation will be put towards the Shellfish Hatchery.

Sincerely,

Jeff Carlson,
Town of Nantucket
Natural Resources Director