

Town and County of Nantucket Select Board • County Commissioners

Dawn E. Hill Holdgate, Chair
Jason Bridges
Matt Fee
Kristie L. Ferrantella
Rita Higgins



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

**AGENDA FOR THE MEETING OF THE
SELECT BOARD
APRIL 29, 2020 - 5:00 PM
REMOTE PARTICIPATION VIA ZOOM AND YOU TUBE
PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020
ORDER REGARDING OPEN MEETING LAW
NANTUCKET, MASSACHUSETTS
AMENDED APRIL 28, 2020**

YOU TUBE LINK:
https://youtu.be/GB_EXUQZhy8

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. Select Board Comments/Questions
- Public Comment
 - b. Report from Nantucket Cottage Hospital (NCH President/CEO; Medical Director)
- Select Board Comments/Questions
- Public Comment
 - c. Emergency Orders - Status
 - Local No. 1 - Temporary Moratorium on Construction/Board of Health 3/30/2020 Supplemental Emergency Order, Amended 4/2/2020
 - Local No. 2 - Personal Care Services
 - Local No. 3 (expired)
 - Local No. 4 - Recreational Shellfish License Extension
 - Local No. 5 - Construction Phased Work Plan
 - Preliminary Discussion of Phase II Work Plan

- Local No. 6 - Landscaping Phased Work Plan
 - Local No. 7 - Essential Worker Mask
 - State Stay at Home/Other Emergency Order(s) - Status
 - Select Board Comments/Questions
 - Public Comment
- d. Board of Health Update on Restaurant Inspections
 - Select Board Comments/Questions
 - Public Comment
 - e. Economic Impact Work Group; Expansion/Refine Scope/Mission (C&T Director; Select Board)
 - Select Board Comments/Questions
 - Public Comment
 - f. 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
 - g. Town Services Status (Town Manager)
 - Offices remain closed through May 4 (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/phased return to work update
 - Select Board Comments/Questions
 - Public Comment
3. Census Complete Count Committee Notice: 2020 Census is Ongoing and of Vital Importance to Nantucket.
 4. 2020 Committee/Board/Commission Vacancies.

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

V. NEW BUSINESS*

VI. APPROVAL OF WARRANTS AND PENDING CONTRACTS

1. Approval of Treasury Warrants for April 22, 2020.
2. Approval of Pending Contracts from April 29, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VII. CITIZEN/DEPARTMENTAL REQUESTS

1. C.C. Construction: Request for Extension of Municipal Sewer/Water Projects (Bathing Beach Road and Misc. Areas Sewer Improvement Project; North Liberty Street and Surrounding Areas Water and Sewer Improvements Project) Work Time End Date from May 22, 2020 to June 26, 2020.
2. Various Retail Merchants: Request for Endorsement of Letter to Governor Requesting Curbside Pick-up for the Sale of Merchandise.

VIII. TOWN MANAGER'S REPORT

1. Review Fiscal Year 2020 and 2021 General Fund Budget Issues Connected with COVID-19 Pandemic and Associated Economic Impact.

IX. SELECT BOARD'S REPORTS/COMMENT

1. Moderator Consultation with Select Board Regarding Rescheduling 2020 Annual Town Meeting.
2. Discussion Regarding Rescheduling April 14, 2020 Annual Town Election.
3. Committee Reports.

X. ADJOURNMENT

**Identified on Agenda Protocol Sheet*

Select Board Agenda Protocol:

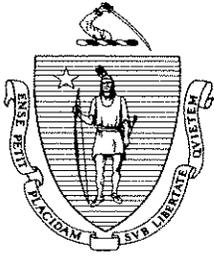
- **Roberts Rules:** *The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- **Public Comment:** *For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of 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.*

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY THE SELECT BOARD
April 29, 2020

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding
Amendment to Professional Services Agreement	Police/Public Works-Facilities	Tom Hanlon Landscaping, Inc.	Amend current contract amount of \$227,251.12 to add \$26,588.50 for new contract value of \$253,839.62	Add 4 Fairgrounds Rd Public Safety Complex to existing Town-wide landscaping contract	Public Buildings Budget
Professional Services Agreement	Public Works	Carolina Software	\$4,800	Contract for support & maintenance for Solid Waste management software	Solid Waste Budget
Professional Services Agreement	Human Resources	Future Comp/USI Insurance Services	\$20,995	Contract for worker's compensation third-party administrator services	Worker's Compensation Trust
Professional Services Agreement	Sewer	SAV Transportation Services	\$35,000	Contract for emergency repairs to vac-con truck engine	Sewer Budget



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**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.

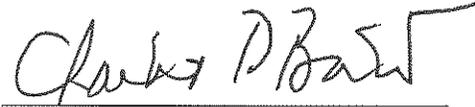
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby 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 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in cursive script, reading "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

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;



Board of Health

In Concurrence with;



Town Manager



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;
 - xi. 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 remainder 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

EMERGENCY ORDER No. 4 Extension of Recreational Shellfish Licenses

In consideration of the State of Emergency declared in the Town of Nantucket and the Commonwealth of Massachusetts, upon 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.

Given that fishing and shell fishing are defined as essential services for the purposes of gathering food, that 2019-2020 recreational shellfish licenses were set to expire on March 31, 2020 and that the Town has suspended the issuance of any new permits until the State of Emergency is lifted. It is Ordered by the Nantucket Select Board that all recreational shellfish licenses are extended until the State of Emergency is lifted and regular license sales resume. All 2020 licenses already sold are considered valid.

Any person engaging in recreational shell fishing is required to abide by all rules and regulations set by the Commonwealth of Massachusetts and the Town of Nantucket. This includes proper display of each individual's license while engaging in shell fishing. Any person(s) engaging in shell fishing must practice proper social distancing in as recommended by the CDC in an effort to curb the spread of COVID-19.

Date: April 8, 2020

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:

C. Elizabeth Gibson, Town Manager

William Pittman, Director, Office of Emergency Management

Roberto Santamaria, Director, Department of Public Health

Jeff Carlson, Director, Natural Resources Department

EMERGENCY ORDER NO. 5
EFFECTIVE TUESDAY, APRIL 21, 2020
OF THE NANTUCKET BOARD OF HEALTH
COVID-19 BACK TO WORK
PROGRAM FOR CONSTRUCTION
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. 5 to establish the Phase 1 Back-to-Work Program for Construction and Landscaping on the Island of Nantucket.

The intent of this 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 construction to complete much needed year-round housing, workforce housing and employee housing. Without the work listed below dwellings and other buildings will sustain damage that will render materials unusable and existing dwellings uninhabitable and the year-round affordable housing crisis will be worsened.

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 and renovation starts are not permitted, and only the work described herein will be allowed.

Status of Emergency Order No. 1

The purpose of this Emergency Order No. 5 is to expand upon and clarify Emergency Order No. 1, as supplemented on April 2, 2020 (“Emergency Supplemental Order”).

All projects described in the Emergency Supplemental Order will continue to be authorized in accordance with the terms of the Emergency Supplemental Order, provided that said projects are conducted in accordance with the requirements of this Emergency Order No. 5.

Only the projects listed in the Emergency Supplemental Order and this Emergency Order No. 5 will be permitted to begin or continue, and all other construction shall be prohibited until the moratorium is lifted or further allowances are incorporated in phases.

For purposes of the Emergency Supplemental Order and this Emergency Order No. 5, projects comprising “other work necessary to render occupied residential buildings fully habitable” shall

mean work on a residential building used for dwelling purposes that was complete and occupied at any time prior to March 20, 2020, and where the work relates to the habitability of the structure, such as work on kitchens and bathrooms, plumbing and electrical work, including activation of existing utilities, emergency repairs and the completion of work on renovations started prior to March 20, 2020. This section shall not apply to additions, unless they fit into one of the categories described below, or any other work deemed non-essential by the Building Commissioner.

Part 1: Allowable Construction

1. 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.
2. For purposes of this Order, the terms site, jobsite and project shall all be deemed to mean all work occurring on the same property whether the work is occurring in one or more buildings or pursuant to one or more permits.
3. Beginning on Tuesday, April 21, 2020, work on the following construction projects may resume in accordance with the terms of this Order:

Partially framed structures, dwellings or additions

- To allow the continued construction of partially framed structures to be framed so that the structure can be made weathertight, including the installation of roofing materials, windows and siding, but no interior finishing such as dry-wall, flooring, electrical, plumbing or HVAC work.

Unfinished roof work

- To allow for the completion of any roofing work 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.

Other Residential Construction

- Any work deemed to be specifically for (1) year-round housing; (2) workforce housing; or (3) employee housing, as allowed by the Building Commissioner.

Essential and 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 Building Commissioner, provided that the project complies with said supplemental order and is conducted in accordance with this Emergency Order No. 5.

- Emergency repairs or other emergency work necessitated by circumstances beyond the control of the property owner or contractor may proceed with the approval of the Building Commissioner, provided that the work is conducted in accordance with this Emergency Order No. 5.

One Person Jobs

- Any construction work that can safely be undertaken with just one person on the jobsite.
- Workers wishing to perform one-person jobs must register with the Building Commissioner prior to commencing work. Registration shall include the name of the worker, the property address, the type of work to be done and the dates that the worker will be on the site. A registration form provided by the Building Commissioner shall be completed and submitted prior to the commencement of any work. The application shall be submitted either by hand delivery or mail to 2 Fairgrounds Road, Nantucket, MA, 02554 or by e-mail to pmurphy@nantucket-ma.gov.
- Work on a single project may be undertaken by more than one person, provided that only one worker may be on the site each day. Each additional worker must also register with the Building Commissioner. Under no circumstance shall more than one worker be on the site at a time.
- Work performed on one-person jobs shall comply with the General On-The-Job Procedures To Prevent Exposure And Limit The Transmission Of The Virus contained in this order, to the extent applicable to a one-person job, including: providing 24 hour advance notice and obtaining consent of the property owner, social distancing requirements if the property is occupied, hand-washing, wearing gloves and other PPE, and sanitizing all equipment and work areas.
- The Town reserves the right to reject any one-person job registration if it is determined that, due to the nature of the work or its location, the work cannot safely be conducted by just one person at a time.

Part 2: General Protocols:

APPLICATION PROCEDURE FOR MULTIPLE-WORKER JOBS

1. To request authority to proceed with an allowable project (except for One Person Jobs with a registration described above), the attached application form shall be completed and submitted to the Building Commissioner. The application shall be submitted either by hand delivery or mail to 2 Fairgrounds Road, Nantucket, MA, 02554 or by e-mail to pmurphy@nantucket-ma.gov.
2. Staff will endeavor to review and process the application in as short a time as possible and a response will be provided to the designated COVID-19 Officer by e-mail.
3. If the project is approved, a supplemental building permit will be issued by the Building Commissioner.

4. In order for construction to proceed, the COVID-19 Officer must display on the site the supplemental permit issued by the Building Commissioner and conduct the Construction Safety Stand Down as set forth below.

CONSTRUCTION SAFETY STAND DOWN

1. All construction sites with more than one worker **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 after issuance of approval 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 and the property owner 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. 5 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. The Placard shall also include information for employees or property owners to report violations of this Order. No employee shall be penalized for making such a report.
5. Each company shall designate one or more 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 COVID-19 officer shall be on-site at all times that workers are on site and they shall be required to ensure that the requirements of this Order are strictly adhered to by all persons on-site.
6. The COVID-19 officer shall maintain a log of each employee, contractor, vendor, and worker on the site each day. The log shall include the arrival and departure time of the worker, method of transportation (company vehicle, personal vehicle, bicycle, etc.), the worker's home address, the worker's phone number and confirmation that the worker was screened and did not show any signs of being sick.

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 employee of the company shall be issued a copy of the COVID-19 protocols as laid out below. These protocols set forth the minimum standards for safety practices necessary to prevent the spread of COVID-19. All persons working pursuant to this order are strongly encouraged to adopt any other safety measures deemed necessary to protect themselves and others.

- Stagger arrival and departure times of workers as much as possible.
- Hiring preference shall be given to workers who reside on the Island or who are able to remain on the Island for the duration of their work.
- The jobsite and all tools and equipment shall be sanitized the site between shifts.
- 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.
- For any property that is occupied, the owner/occupants shall be given 24-hour notice of the scheduled work by the company that does the work. Workers shall not enter any portion of the property unless they are required to do so to perform their work or related functions.
- 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. Gloves and masks shall be worn at all times on the job site.
- 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. Workers will work independently as much as possible and shall maintain six-foot separation at all times unless workers need to be closer together to perform a specific task, and then only to preform that task.
- Communicate via phone, text, FaceTime, Zoom, etc. as much as possible. Document sharing, work lists, timesheets will be through electronic means only. No ‘paper’ will be allowed to be handled by other workers.
- Supplies and materials needed for the work shall be delivered to the site by the vendor when feasible.

- All materials received are subject to a 24-hour quarantine at the discretion of the Health Director. 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.
- No more than **four (4)** people (not including one COVID-19 Officer) are allowed on an individual construction site on any one time.
- Equipment specific (beyond continual disinfecting of all surfaces):
 - 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.
 - 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.
 - 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 (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.
- Employees shall not share any food or drink.
- Employees should be encouraged not to leave the work site during their shift.
- Employees shall not be permitted on the jobsite unless they are on a shift.
- Employees shall be encouraged to bring any food and drink needed during the work day from home.
- Employees should avoid touching eyes, nose, and mouth with your hands.
- To avoid sharing germs, all persons must clean up after themselves. No person shall be responsible for moving, unpacking and packing up tools or other personal belongings of another person.
- All persons on a jobsite shall respect the privacy of others and shall not discuss symptoms or the diagnosis of any particular individual except for the purposes of making the disclosures required herein.
- 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.
- No person on a jobsite site shall act in a manner which presents an unreasonable threat to the health and safety of other persons on the site or who may enter the site in the future.

Part 3: 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. The Contractor and COVID-19 safety officer shall be responsible for enforcing this Order on the site and they shall be responsible for any violations, whether or not they participated in or were aware of the violation.
4. 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.
5. Any person aggrieved by an order or determination issued pursuant hereto may request a hearing before the Board of Health. This request must be in writing and received by the Board of Health within seven (7) days after the date the order or determination was served. You may attend the hearing and at that time you may produce any documentation and/or witnesses which show that why the order or determination should be reversed or modified by the Board. You may be represented by counsel at your own expense. A request for hearing Does Not operate as a stay of enforcement of an order and you will not be heard by the Board unless you are in full compliance with the terms stated herein.
6. 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 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) violation. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
7. Other:
Whoever violates any provision of this 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 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.

So voted by the Nantucket Board of Health on April 19, 2020:

Stephen J. Visco, Chair

Malcolm W. MacNab, MD, PhD, Vice Chair

James A. Cooper, Member

Rita Higgins, Member

Helene M. Weld, RN, Member

DRAFT Process for Consideration/Development of Phased Work Plans (ie, BOH Orders)

As of 4/24/20

1. Development of draft Plan by appropriate department – with relevant industry stakeholder and Town Counsel input – clearly indicating where/how the information is coming from
2. Circulation of draft Plan to industry stakeholders, relevant boards (SB, BOH), Economic Impact Work Group (?), NCH? Legal review
3. Point of Contact to be identified for each Plan – who will explain the Plan, including importance, execution, communications, administration, monitoring and tracking
4. Within a specified period of time, draft Plan is released to the public for comment, for a specified period of time
5. Draft Plan then goes back to the appropriate board(s) – for further review/discussion/changes, public comment during the meeting, final legal review, with a date set for potential adoption – giving enough time for advance final review by those responsible for adopting (24 hours? 48 hours?)
6. At final meeting, Plan adopted (may be further modified at the meeting), with a specific effective date which allows for enough time to properly post on-line and be translated (at least 48 hours)

EMERGENCY ORDER NO. ~~85~~
EFFECTIVE, 2020
OF THE NANTUCKET BOARD OF HEALTH

**COVID-19 BACK TO WORK
PROGRAM FOR CONSTRUCTION
PHASE ~~II~~**

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. ~~5-8~~ to establish the Phase ~~I~~ Back-to-Work Program for Construction ~~and Landscaping~~ on the Island of Nantucket.

The intent of this 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 construction to complete much needed year round housing, workforce housing and employee housing. Without the work listed below dwellings and other buildings will sustain damage that will render materials unusable and existing dwellings uninhabitable and the years-round affordable housing crisis will be worsened.~~ allow the continued construction of any structures for which a building permit was issued and for which construction commenced prior to March 20, 2020.

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 and renovation starts are not permitted, and only the work described herein will be allowed. Any application for an exception approved by the Building Commissioner pursuant to Emergency Order No. 5 shall automatically be deemed approved pursuant to this Order. Any work that has not been approved shall be subject to the application form and approval prior to the commencement of any work.

Commented [LG1]: "already" approved?

Status of Emergency Order No. 1, as supplemented on April 2, 2020, and Emergency Order No. 5

The purpose of this Emergency Order No. ~~58~~ is to expand upon ~~and clarify~~ Emergency Order No. 1, as supplemented on April 2, 2020 ("Emergency Supplemental Order") and Emergency Order No. 5.

All projects described in the Emergency Supplemental Order will continue to be authorized in accordance with the terms of the Emergency Supplemental Order and Emergency Order No. 5, provided that said projects are conducted in accordance with the requirements of this Emergency Order No. ~~58~~.

Only the projects listed in the Emergency Supplemental Order, ~~and this~~ Emergency Order No. 5, ~~and this Emergency Order No. 8~~, will be permitted to begin or continue, and all other construction shall be prohibited until the moratorium is lifted or further allowances are incorporated in phases.

~~For purposes of the Emergency Supplemental Order and this Emergency Order No. 5, projects comprising “other work necessary to render occupied residential buildings fully habitable” shall mean work on a residential building used for dwelling purposes that was complete and occupied at any time prior to March 20, 2020, and where the work relates to the habitability of the structure, such as work on kitchens and bathrooms, plumbing and electrical work, including activation of existing utilities, emergency repairs and the completion of work on renovations started prior to March 20, 2020. This section shall not apply additions, unless they fit into one the categories described below, or any other work deemed non-essential by the Building Commissioner.~~

Part 1: Allowable Construction

1. For the purposes of this Order, “unfinished construction” shall mean ~~any work on any dwelling, building or structure~~ for which a building permit ~~or Certificate of Appropriateness by the Historic District Commission~~ was issued, and work actually commenced prior to March 20, 2020 and which work was stopped in accordance with Emergency Order No. 1.
2. For purposes of this Order, the terms site, jobsite and project shall all be deemed to mean ~~all work occurring on the same property whether the work is occurring~~ in one or more buildings/~~structures~~ or pursuant to one or more permits, ~~whether or not on the same property (i.e. Map and Parcel).~~
3. Beginning on ~~TuesdayMonday, April 21~~ May 4, 2020, work on the following construction projects may resume in accordance with the terms of this Order:
 - a. Any work subject to a building permit for which work commenced prior to March 20, 2020.
 - ~~3-b.~~ A maximum of 8 workers associated with work pursuant to a building permit are permitted on a jobsite. This maximum includes workers indoors and/or outdoors.

Formatted

Partially framed structures, dwellings or additions

- ~~To allow the continued construction of partially framed structures to be framed so that the structure can be made weathertight, including the installation of roofing materials, windows and siding, but no interior finishing such as dry wall, flooring, electrical, plumbing or HVAC work.~~

Unfinished roof work

- ~~To allow for the completion of any roofing work 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.

Other Residential Construction

- Any work deemed to be specifically for (1) year round housing; (2) workforce housing; or (3) employee housing, as allowed by the Building Commissioner.

Essential and 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 Building Commissioner, provided that the project complies with said supplemental order and is conducted in accordance with this Emergency Order No. 5.
- Emergency repairs or other emergency work necessitated by circumstances beyond the control of the property owner or contractor may proceed with the approval of the Building Commissioner, provided that the work is conducted in accordance with this Emergency Order No. 5.

One Person Jobs

- Any construction work that can safely be undertaken with just one person on the jobsite.
- Workers wishing to perform one person jobs must register with the Building Commissioner prior to commencing work. Registration shall include the name of the worker, the property address, the type of work to be done and the dates that the worker will be on the site. A registration form provided by the Building Commissioner shall be completed and submitted prior to the commencement of any work. The application shall be submitted either by hand delivery or mail to 2 Fairgrounds Road, Nantucket, MA, 02554 or by e-mail to pmurphy@nantucket.ma.gov.
- Work on a single project may be undertaken by more than one person, provided that only one worker may be on the site each day. Each additional worker must also register with the Building Commissioner. Under no circumstance shall more than one worker be on the site at a time.
- Work performed on one person jobs shall comply with the General On The Job Procedures To Prevent Exposure And Limit The Transmission Of The Virus contained in this order, to the extent applicable to a one person job, including: providing 24 hour advance notice and obtaining consent of the property owner, social distancing requirements if the property is occupied, hand washing, wearing gloves and other PPE, and sanitizing all equipment and work areas.
- The Town reserves the right to reject any one person job registration if it is determined that, due to the nature of the work or its location, the work cannot safely be conducted by just one person at a time.

Part 2: General Protocols:

APPLICATION PROCEDURE

FOR MULTIPLE-WORKER JOBS

1. To request authority to proceed with an allowable project (~~except for One Person Jobs with a registration described above~~), the attached application form shall be completed and submitted to the Building Commissioner. The application shall be submitted either by hand delivery or mail to 2 Fairgrounds Road, Nantucket, MA, 02554 or by e-mail to pmurphy@nantucket-ma.gov.
2. Staff will endeavor to review and process the application in as short a time as possible and a response will be provided to the designated COVID-19 Officer by e-mail.
3. If the project is approved, a supplemental building permit will be issued by the Building Commissioner.
4. In order for construction to proceed, the COVID-19 Officer must display on the site the supplemental permit issued by the Building Commissioner and conduct the Construction Safety Stand Down as set forth below.

CONSTRUCTION SAFETY STAND DOWN

1. All construction sites with more than one worker **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 after issuance of approval 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 and the property owner 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. 5 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. The Placard shall also include information for employees or property owners to report violations of this Order. No employee shall be penalized for making such a report.
5. Each company shall designate one or more 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 COVID-19 officer shall be on-

site at all times that workers are on-site and they shall be required to ensure that the requirements of this Order are strictly adhered to by all persons on-site.

6. The COVID-19 officer shall maintain a log of each employee, contractor, vendor, and worker on the site each day. The log shall include the arrival and departure time of the worker, method of transportation (company vehicle, personal vehicle, bicycle, etc.), the worker's home address, the worker's phone number and confirmation that the worker was screened and did not show any signs of being sick.

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 employee of the company shall be issued a copy of the COVID-19 protocols as laid out below. These protocols set forth the minimum standards for safety practices necessary to prevent the spread of COVID-19. All persons working pursuant to this order are strongly encouraged to adopt any other safety measures deemed necessary to protect themselves and others.

- Stagger arrival and departure times of workers as much as possible.
- Hiring preference shall be given to workers who reside on the Island or who are able to remain on the Island for the duration of their work.
- The jobsite and all tools and equipment shall be sanitized the site between shifts.
- 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.
- For any property that is occupied, the owner/occupants shall be given 24-hour notice of the scheduled work by the company that does the work. Workers shall not enter any portion of the property unless they are required to do so to perform their work or related functions.
- 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. Gloves and masks shall be worn at all times on the job site.
- 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. Workers will work independently as much as possible and shall maintain six-foot separation at all times unless workers need to be closer together to perform a specific task, and then only to preform that task.
- Communicate via phone, text, FaceTime, Zoom, etc. as much as possible. Document sharing, work lists, timesheets will be through electronic means only. No 'paper' will be allowed to be handled by other workers.
- Supplies and materials needed for the work shall be delivered to the site by the vendor when feasible.
- All materials received are subject to a 24-hour quarantine at the discretion of the Health Director. 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.
- No more than **four (4)** people (Not including one COVID-19 Officer) are allowed on an individual construction site on any one time.
- Equipment specific (beyond continual disinfecting of all surfaces):
 - 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.
 - 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.
 - 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 (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.
- Employees shall not share any food or drink.
- Employees should be encouraged not to leave the work site during their shift.
- Employees shall not be permitted on the jobsite unless they are on a shift.
- Employees shall be encouraged to bring any food and drink needed during the work day from home.

Commented [LG2]: Is this supposed to change to 8?

- Employees should avoid touching eyes, nose, and mouth with your hands.
- To avoid sharing germs, all persons must clean up after themselves. No person shall be responsible for moving, unpacking and packing up tools or other personal belongings of another person.
- All persons on a jobsite shall respect the privacy of others and shall not discuss symptoms or the diagnosis of any particular individual except for the purposes of making the disclosures required herein.
- 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.
- No person on a jobsite site shall act in a manner which presents an unreasonable threat to the health and safety of other persons on the site or who may enter the site in the future.

Part 3: 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. The Contractor and COVID-19 safety officer shall be responsible for enforcing this Order on the site and they shall be responsible for any violations, whether or not they participated in or were aware of the violation.
4. 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.
5. Any person aggrieved by an order or determination issued pursuant hereto may request a hearing before the Board of Health. This request must be in writing, and received by the Board of Health within seven (7) days after the date the order or determination was served. You may attend the hearing and at that time you may produce any documentation and/or witnesses which show that why the order or determination should be reversed or modified by the Board. You may be represented by counsel at your own expense. A request for hearing Does Not operate as a stay of enforcement of an order and you will not be heard by the Board unless you are in full compliance with the terms stated herein.
6. 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 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) violation. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

7. Other:

Whoever violates any provision of this 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 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.

EMERGENCY ORDER No. 6
EFFECTIVE TUESDAY, APRIL 21, 2020
OF THE NANTUCKET BOARD OF HEALTH
COVID-19 BACK TO WORK
PROGRAM FOR LANDSCAPING
PHASE 1

PURPOSE:

To provide the landscaping community on Nantucket the ability to maintain individual sites and preserve vegetation, life and health 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 health of existing landscaped areas, not to install new or substantially alter landscaped areas. Much of this work is time sensitive as lawns and plants come out of winter dormancy and immediate steps need to be taken to prevent potential long-term health problems or plant loss. This level of work shall be allowed 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 installation of hardscaping or new landscape installations. This exemption shall only apply to the maintenance of existing living plants.

Status of Emergency Order No. 1

So much of Emergency Order No. 1, as supplemented on April 2, 2020 (“Emergency Supplemental Order”) that prohibits commercial landscaping is hereby repealed and replaced with the following. All other aspects of Emergency Order No. 1 and the Emergency Supplemental Order that do not relate to commercial landscaping shall remain in full force and effect, subject to Emergency Order No. 5.

Part 1: Allowable Landscaping

The following landscaping activities may be performed by commercial landscaping companies, provided that the work is done in accordance with the requirements of this Order:

Primary Activities:

The following activities may begin on Tuesday, April 21, 2020:

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
- Stabilization of loose soils within planting beds
- Watering of existing vegetation

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

Irrigation System Commissioning:

- Initial startup and repair of irrigation systems
- Occupied properties – water must be on prior to work on system; no entry to living spaces is allowed. Basements or crawlspaces maybe accessed through direct exterior access points (bulkheads, panels) with no other person(s) present.
- Unoccupied properties – access to turn on water is allowed; all surfaces touched must be disinfected.

Lawns:

- Lime, Pre-emergents, pesticides or herbicides applied by properly licensed applicators
- 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

Golf Courses:

- Golf Courses that comply with site-specific orders of the Board of Health

Secondary Activities

The following activities may begin on Tuesday, April 28, 2020

- Mowing of lawns
- Installation of mulch or similar cover
- Application of fertilizers
- Other basic site maintenance
- Installation of greenhouse/stored material as needed to allow for the health of plants

Private Jobs

- Any landscaping work performed by one or more persons who actually reside on the site and who are not compensated for their work.

Except as provided above, all other commercial landscaping is prohibited.

Part 2: General Protocols:

APPLICATION PROCEDURE

1. To request authority to proceed with an allowable project, the attached form shall be completed and submitted to the Board of Health or Natural Resources Department either by hand delivery or mail to 2 Bathing Beach Road, Nantucket, MA, 02554 or by e-mail to jcarlson@nantucket-ma.gov.

2. Staff will endeavor to review and process the application in as short a time as possible and a response will be provided to the designated COVID-19 Officer by e-mail. If e-mail is not available a response can be made by phone.
3. If the application is approved, a copy signed by an Agent of the Board of Health shall be returned to the COVID-19 Officer requesting approval.
4. In order for work to proceed, the COVID-19 Officer and each crew member must display a copy of the authorization on the site conduct the Safety Stand Down as set forth below.

SAFETY STAND DOWN

1. All sites with more than one worker **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 after issuance of approval 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 and the property owner 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. 6 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 Placard on a form provided by the Natural Resources 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. The Placard shall also include information for employees or property owners to report violations of this Order. No employee shall be penalized for making such a report.
5. Each company shall designate one or more 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 COVID-19 officer shall be on-site at all times that workers are on-site and they shall be required to ensure that the requirements of this Order are strictly adhered to by all persons on-site.
6. The COVID-19 officer shall maintain a log of each employee, contractor, vendor, and worker on the site each day. The log shall include the arrival and departure time of the worker, method of transportation (company vehicle, personal vehicle, bicycle, etc.), the

worker's home address, the worker's phone number and confirmation that the worker was screened and did not show any signs of being sick.

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 employee of the company shall be issued a copy of the COVID-19 protocols as laid out below. These protocols set forth the minimum standards for safety practices necessary to prevent the spread of COVID-19. All persons working pursuant to this order are strongly encouraged to adopt any other safety measures deemed necessary to protect themselves and others.

- Stagger arrival and departure times of workers as much as possible.
- Hiring preference shall be given to workers who reside on the Island or who are able to remain on the Island for the duration of their work.
- The jobsite and all tools and equipment shall be sanitized the site between shifts.
- 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.
- For any property that is occupied, the owner/occupants shall be given 24-hour notice of the scheduled work by the company that does the work. Workers shall not enter any portion of the property unless they are required to do so to perform their work or related functions.
- 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. Gloves and masks shall be worn at all times on the job site.
- 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. Workers will work independently as much as possible and shall maintain six-foot separation at all times unless workers need to be closer together to perform a specific task, and then only to preform that task.
- Communicate via phone, text, FaceTime, Zoom, etc. as much as possible. Document sharing, work lists, timesheets will be through electronic means only. No ‘paper’ will be allowed to be handled by other workers.

- Supplies and materials needed for the work shall be delivered to the site by the vendor when feasible.
- All materials received are subject to a 24-hour quarantine at the discretion of the Health Director. 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.
- No more than **two (2)** people (Not including one COVID-19 Officer) are allowed on an individual site on any one time.
- Equipment specific (beyond continual disinfecting of all surfaces):
 - 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.
 - 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.
 - 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 (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.
- Employees shall not share any food or drink.
- Employees should be encouraged not to leave the work site during their shift.
- Employees shall not be permitted on the jobsite unless they are on a shift.
- Employees shall be encouraged to bring any food and drink needed during the work day from home.
- 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.
- No person on a jobsite site shall act in a manner which presents an unreasonable threat to the health and safety of other persons on the site or who may enter the site in the future.

Part 3: 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. The Contractor and COVID-19 safety officer shall be responsible for enforcing this Order on the site and they shall be responsible for any violations, whether or not they participated in or were aware of the violation.
4. 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.
5. Any person aggrieved by an order or determination issued pursuant hereto may request a hearing before the Board of Health. This request must be in writing and received by the Board of Health within seven (7) days after the date the order or determination was served. You may attend the hearing and at that time you may produce any documentation and/or witnesses which show that why the order or determination should be reversed or modified by the Board. You may be represented by counsel at your own expense. A request for hearing Does Not operate as a stay of enforcement of an order and you will not be heard by the Board unless you are in full compliance with the terms stated herein.
6. 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 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) violation. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
7. Other:
Whoever violates any provision of this 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 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.

So voted by the Nantucket Board of Health on April 19, 2020:

Stephen J. Visco, Chair

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



NANTUCKET DEPARTMENT OF HEALTH & HUMAN SERVICES

3 EAST CHESTNUT STREET
NANTUCKET, MASSACHUSETTS 02554

Telephone 508.228.7200

Tele fax 508.325.6117

DECLARATION OF PUBLIC HEALTH EMERGENCY - EMERGENCY ORDER 7

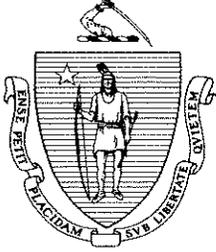
Pursuant to the declaration of a public health emergency on March 20, 2020, G.L. c. 111, §122, 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulations, acting by and through its agent authorized under MGL c. 111, §31 we, the Board of Health of the Town of Nantucket, Massachusetts, hereby order the following for the protection of public health and safety and to protect against the outbreak of COVID-19 on the Island of Nantucket:

- 1) All employees of all “essential businesses” as defined in Governor Baker’s COVID-19 Executive Orders shall wear a face covering over their mouth and nose when interacting with the public and within six feet of a co-worker. The cloth face coverings recommended are not surgical masks or N-95 respirators, which should be left for medical professionals and first responders. See this link for information on making a cloth face covering: <https://www.cdc.gov/coronavirus/2019ncov/prevent-getting-sick/cloth-fac...>
- 2) All essential businesses shall post a sign on their main entrance doors advising consumers that it is highly recommended that the consumer entering the store wear a face covering.
- 3) Essential retail establishments as defined by Governor Baker’s Covid-19 Executive Orders must limit the number of customers and staff inside the establishment at any given time so that social distancing of six feet may be maintained. All retail establishments must establish maximum occupancy loads in accordance with the “Guidance for Grocery Stores” issued by the Massachusetts Commissioner of Public Health on April 7, 2020. See this order at: <https://www.mass.gov/doc/order-grocery-stores-40-percent/download>. Maximum occupancy shall be posted at each entrance to the establishment and shall be readily visible to members of the public.
- 4) All essential retail establishments shall comply with the March 20, 2020 order of the Department of Public Health, <https://www.mass.gov/doc/grocery-and-pharmacy-store-order/download>, including but not limited to enforcement of the prohibition on the use of reusable bags by customers.
- 5) This emergency order shall be effective beginning Tuesday, APRIL 21, 2020 AT 12:01AM and remain in effect until notice is given, pursuant to the Board of Health’s judgement that the Public Health Emergency no longer exists.

- 6) To the extent necessary, this Order shall be enforced by Board of Health officials, Nantucket Police Officers, and Building Inspectors, as agents for the Board of Health.
- 7) Whoever violates any provision of this 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.
- 8) 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) for each violation. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

ORDERED by Board of Health this 19th day of April 2020

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



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER EXTENDING THE CLOSING OF CERTAIN WORKPLACES
AND THE PROHIBITION ON GATHERINGS OF MORE THAN 10 PEOPLE**

COVID-19 Order No. 21

Extending the Operation of 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 30, 2020, the Department of Public Health had reported 5,752 cases of COVID-19, including 56 deaths, with all counties in the Commonwealth impacted;

WHEREAS, the Department of Public Health continues to urge all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times 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 with identifying 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, on March 23, 2020, I issued an Order that designated COVID-19 Essential Services, temporarily closed the bricks-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services, and prohibited gatherings of more than 10 people;

WHEREAS, on March 28, 2020, the Federal Cybersecurity and Infrastructure Security Agency issued updated guidance on the identification of critical infrastructure sectors during the COVID-19 Response;

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, transportation and travel by any means or mode, regulating the sale of articles of food and household articles, and policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby order the following:

The provisions of the March 23, 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") are hereby extended until May 4, 2020. Accordingly, all businesses and other organizations that do not provide COVID-19 Essential Services shall not re-open their bricks-and-mortar premises to workers, customers, or the public before May 4, 2020.

Gatherings of more than 10 people also remain prohibited until May 4, 2020.

Effective at 12:00 noon on April 1, 2020, Exhibit A of the previously issued COVID-19 Order No. 13 is hereby replaced with the attached, updated Exhibit A of even date with this Order to reflect the revised guidance of the Federal Cybersecurity and Infrastructure Security Agency and the additional services and functions that I, as Governor, have identified as essential to promote the public health and welfare of the Commonwealth.

The Commissioner of Public Health shall continue to issue guidance as necessary and subject to my approval to implement the terms of COVID-19 Order No. 13.

The Massachusetts Department of Transportation, in consultation with the Division of Capital and Asset Management and Maintenance, shall issue guidance and enforcement procedures for the safe operation of public works construction sites, consistent with the terms of Exhibit A of COVID-19 Order No. 13.

The Department of Public Health, along with any board of health or authorized agent pursuant to G. L. c. 111, § 30, shall continue to enforce the terms of COVID-19 Order No. 13 and implementing guidance issued under the authority of that Order as here amended.

In addition, I renew my directive to 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 COVID-19 Order No. 13 in the event she determines additional measures are required to ensure that its terms are observed.

This Order is effective immediately and shall remain in effect until May 4, 2020 unless further extended.

Given in Boston at 1:35 PM this 31st day
of March, two thousand and twenty

A handwritten signature in black ink, appearing to read "Charles D. Baker". The signature is written in a cursive style and is positioned above a horizontal line.

CHARLES D. BAKER

GOVERNOR

Commonwealth of Massachusetts

EMERGENCY ALERTS

Coronavirus Update

Stay informed about coronavirus – COVID-19. Learn more. *Mar. 27th, 2020, 4:00 pm* [Read more](#) 

HIDE ALERTS



Mass.gov

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

Sarah Finlaw, Press Secretary, Governor's Office

Phone

(617) 725-4025 (tel:6177254025)

Online

gov.press@state.ma.us (mailto:gov.press@state.ma.us)



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

July 15 deadline for filing federal individual income taxes. More details are available [here](#) (</news/massachusetts-announces-state-income-tax-filing-deadline-being-extended-to-july-15>).

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) (<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) (</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).

###

Media Contact

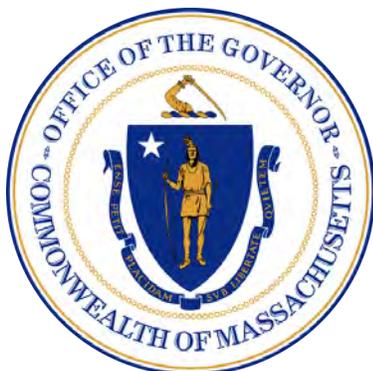
Sarah Finlaw, Press Secretary, Governor's Office

Phone

(617) 725-4025 (tel:6177254025)

Online

gov.press@state.ma.us (mailto:gov.press@state.ma.us)



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)

EMERGENCY ALERTS

Coronavirus Update

Stay informed about coronavirus – COVID-19. Learn more. *Apr. 1st, 2020, 9:00 am* [Read more](#) 

HIDE ALERTS



Mass.gov

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

MEDIA CONTACT

Sarah Finlaw, Press Secretary, Governor's Office

Phone

(617) 725-4025 (tel:6177254025)

Online

gov.press@state.ma.us (mailto:gov.press@state.ma.us)



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) (</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) (</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 (/covid19) for the latest information on impacts from the COVID-19 outbreak.

###

Media Contact

Sarah Finlaw, Press Secretary, Governor's Office

Phone

(617) 725-4025 (tel:6177254025)

Online

gov.press@state.ma.us (mailto:gov.press@state.ma.us)

DRAFT

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

Name:	
Company:	
Address:	
Phone:	
Mobile Phone:	
E-Mail:	

I affirm that the above is to 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.

Printed Name	Signature
Date:	

FOR OFFICE USE ONLY

Received by:	
Date:	

From: [Libby Gibson](#)
To: [Erika Mooney](#)
Subject: FW: Reopening Our Economy
Date: Wednesday, April 22, 2020 7:30:16 PM

This can go in for 4/29 packet

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

From: Libby Gibson
Sent: Tuesday, April 14, 2020 11:03 AM
To: Dawn Hill Holdgate <dhillholdgate@nantucket-ma.gov>
Subject: RE: Reopening Our Economy

Should put this on SB agenda either this week or 4/22. We've already established the Economic Impact Work Group – we could add to it & refine/redefine it's charge. Put a SB member as Chair of it maybe.

<https://www.nantucket-ma.gov/1748/COVID-19-Economic-Impact-Task-Force>

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

From: Dawn Hill Holdgate
Sent: Tuesday, April 14, 2020 7:17 AM
To: Libby Gibson <LGibson@nantucket-ma.gov>
Subject: Fwd: Reopening Our Economy

I was thinking myself that we should institute something like this suggested below. An economic recovery group with people who have a firm handle on the ins and outs of each sector along with Town Management, SB and FinCom?

Dawn E Hill Holdgate
Nantucket Select Board

Begin forwarded message:

From: John K General <kitchenerj46@gmail.com>
Date: April 14, 2020 at 6:43:07 AM EDT
To: Jason Bridges <jason@nantucketbybike.com>, Dawn Hill Holdgate <dhillholdgate@nantucket-ma.gov>, Kristie Ferrantella <kristie@nantucketchamber.org>
Subject: Re: Reopening Our Economy

Thanks Jason. Since I emailed you yesterday I had a call from a friend that owns a

small/medium size construction company. He has lived on the island for twenty years and is a well respected contractor.

I'm sure the Select Board have already started to think about the process we will use to reopen the Island Economy. He has an idea that he (and I) think you may want to consider as you work up the reopening process. He asked me if I would articulate it for him with a request that you consider it as part of your own planning process.

His idea is for the Select Board to form a 'Reopening Our Economy Work Group' made up of representatives from the island's most important stakeholders. Examples include the hospital, police, construction, restaurants, hotel/B&B, real estate rentals, Town Legal, etc.

Guided by the Select Board the mission of the group would be to:

1. Develop and gain Select Board approval for an overall strategy and recommended timeline (road map) for reopening the islands economy.
2. Develop and gain Select Board approval for detailed / integrated plans for each sector of our economy and the first responder groups that support us.
3. Manage the successful implementation of the agreed plans.
4. Develop, monitor and use metrics to guide, and if necessary, adjust the implementation plan (number of new positive cases / hospitalizations being the most important metrics).

I think the idea has merit:

1. It brings together and makes the island's key stakeholders responsible for developing and implementing an integrated plan that will be accepted by the Select Board and our island community. Ownership is where it belongs, with industry and first responder leaders.
2. It provides the Select Board with dedicated resources to do work that would otherwise fall on themselves or Libby's team. There is an enormous amount of strategic planning, operational planning and implementation work to be done. It needs experienced and near full time people to do it.
3. It would give us a good chance to create, coordinate and implement plans that get our island back to work without risking the hard fought results we have achieved so far.
4. Reopening our economy will be more complex than shutting it down. No one knows how long it will take. What we do know is that we are approaching a time when large numbers of summer residents, renters and tourists would normally start arriving on our

island. Managing this influx will be complex and will need experience and understanding to get through it. The Work Group could be a great way to find the best way through and minimize disagreement.

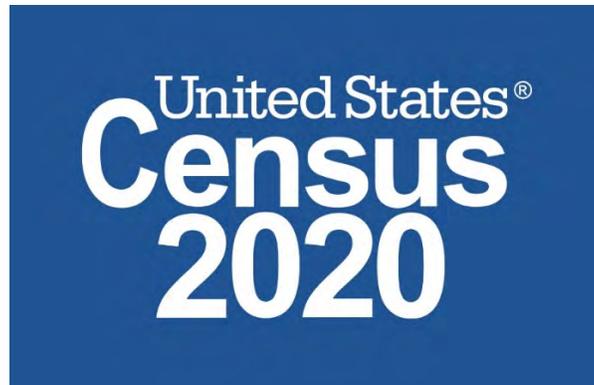
For my part, if needed, I would be happy to help support the Work Group in any way I can. This is not a necessity, just an offer of help.

Thanks to all of you for what you are doing and how you have handled the situation so far. Without the hard decisions you took I have no doubt our number of positive cases would be looking very different.

I hope you will at least consider the idea that came from my friend.

Thank you

John



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 its 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!

Committee Appointments 2020 Timeline
As of 4/15/2020

April 1 – Select Board review list of openings.

April 17 - Notify members of committees whose terms are expiring.

April 23 and 30; May 7 and 14 – Advertise committee openings in newspaper and on Town’s website; put on SB agenda as announcement starting mid-April.

May 22 – Deadline for submitting applications for committee openings that will be heard on May 27 to Town Administration office. This includes applications for:

- Agricultural Commission;
- Airport Commission;
- Board of Health;
- Capital Program Committee;
- Cemetery Commission;
- Conservation Commission;
- Contract Review Committee, Human Services;
- Council for Human Services;
- Council on Aging;
- Cultural Council;
- Finance Committee; and
- Historic District Commission Associate.

May 27 – Public hearing for above listed committee applicants.

May 29 – Deadline for submitting applications for committee openings that will be heard June 3 to Town Administration office. This includes applications for:

- Nantucket Affordable Housing Trust;
- Nantucket Historical Commission;
- Nantucket Historical Commission Alternate;
- Planning Board Alternate;
- Real Estate Assessment Committee;
- Roads and Right-of-Way Committee;
- Scholarship Committee;
- Tree Advisory Committee;
- Zoning Board of Appeals; and
- Zoning Board of Appeals Alternate.

June 3 – Public hearing for above listed committee applicants.

June 17 – Committee appointments.

2020 Committee Openings Information
As of 4/27/2020

Committee	# seats open	Term Expiration	Notes
Agricultural Commission	1	2021	vacant
Agricultural Commission	2	2022	vacant
Agricultural Commission	2	2023	
Airport Commission	2	2023	
Board of Health	2	2023	
Capital Program Committee	2	2023	
Cemetery Commission	2	2023	
Conservation Commission	2	2023	
Contract Review Committee, Human Services	1	2023	
Council for Human Services	2	2021	vacant
Council for Human Services	3	2022	vacant
Council for Human Services	3	2023	2 vacant
Council on Aging	3	2023	
Cultural Council	1	2022	vacant
Cultural Council	2	2023	
Finance Committee	3	2023	
Historic District Commission Associate	1	2023	
Nantucket Affordable Housing Trust	2	2023	2-year term; at-large
Nantucket Affordable Housing Trust	1	2023	2-year term; real estate agent/broker
Nantucket Historical Commission	2	2023	
Nantucket Historical Commission Alternate	1	2023	vacant
Planning Board Alternate	1	2023	
Real Estate Assessment Committee	2	2023	
Roads and Right of Way Committee	3	2023	
Scholarship Committee	2	2023	
Tree Advisory Committee	2	2023	
Zoning Board of Appeals	1	2025	5-year term
Zoning Board of Appeals Alternate	1	2023	3-year term

From: [Brian Cooney](#)
To: [Erika Mooney](#)
Cc: [Pedersen, Steve](#); [David Gray](#); [Mark Willett](#); [Andrew Patnode \(patnodeA@wseinc.com\)](#); [Chris Cooney](#); [Chris Correa](#); [Jeffrey Hillman](#); [Robert Pickering](#)
Subject: CC Construction Additional work request
Date: Thursday, April 23, 2020 2:59:07 PM

Erika, good afternoon. C.C. Construction, Inc. would like to formally request an extension of working time on current utility projects from 05/22/2020 end date to 06/26/2020 for summer break. This request is being submitted for the following projects:

Bathing Beach Road Misc. Sewer Improvement Project

Locations – Ray’s Court, Walsh St, and Jetties Beach Parking Lot

N. Liberty St Water and Sewer Improvement Project

Locations – N. Liberty St (Between Cliff Road and West Chester), Derrymore Road, Cabot Lane, Grant Avenue, and Nantucket Avenue.

If you have any questions please do not hesitate to contact me.

BRIAN COONEY
VICE PRESIDENT

11 Cantor Court
Plymouth, MA 02360

office: 508.398.1811

cell: 508.400.3033

brian@ccconstruction.net

WWW.CCCONSTRUCTION.NET



From: [Dawn Hill Holdgate](#)
To: [Erika Mooney](#); [Libby Gibson](#); [Rita Higgins](#)
Subject: Fwd: Signed Petition
Date: Monday, April 27, 2020 9:12:49 AM
Attachments: [Petition for Curbside Pick up.pdf](#)
[ATT00001.htm](#)

Can we add this for Wednesday?

Dawn E Hill Holdgate
Nantucket Select Board

Begin forwarded message:

From: Bess Clarke <bess@nantucketlooms.com>
Date: April 27, 2020 at 8:47:49 AM EDT
To: Dawn Hill Holdgate <dhillholdgate@nantucket-ma.gov>
Cc: Kristie Ferrantella <kristie@nantucketchamber.org>
Subject: Signed Petition

Good Morning Dawn,

Please find attached the petition for curbside pick-up signed by members of the island's retail establishments.

We would appreciate the Select Board's endorsement of this proposal and for you then to send it on to Governor Baker for his consideration. I understand that a new date for reopening may be announced any minute, so feel free to bring this up when the timing feels appropriate. I'll let trust your best judgement on that. It all may be a mute point in several days.

Thanks for all that you are doing.

Bess Clarke
Nantucket Looms
51 Main Street
Nantucket, MA 02554
508-228-1908 #4
www.nantucketlooms.com
www.nantucketloomsinteriors.com

April 27, 2020

Dear Governor Baker,

On behalf of the owners and operators of retail establishments on Nantucket, we would like to petition for the opportunity to offer curbside pick-up to our customers. Under your current guidelines, we, as owners, are already allowed to be physically present in our business establishments. By allowing us to fill orders placed over the phone or online, similar to the way restaurants are operating you would be providing us with the chance to generate some revenue, helping to keep our businesses afloat while still adhering to the social distancing guidelines.

At this time, as customers, Nantucket residents are limited to shopping at either the Stop & Shop, Cumberland Farms or liquor stores. We don't have other multi-purpose stores here, such as Target or Walmart which would allow us to both shop for necessities and also obtain school and craft supplies, kitchen wares, books or art supplies or clothing basics. Allowing curbside pick-up from retail stores on the island would give our residents the opportunity to support the local businesses while accessing valuable resources currently unavailable to us under the present guidelines.

We have a community that would like to support our retail businesses and access the products we offer. We ask that you adjust the current guidelines in order to support the local economy on Nantucket and allow small businesses to play their part during this crisis.

Sincerely,

Bess Clarke, Stephanie Hall, Rebecca Peraner, Nantucket Looms

Toni Struncis, Island Variety

Stephanie Lahood Correia, Stephanie's

Lisa Paone, Nalu

Judi & Greg Hill, Hill's of Nantucket

Stephanie Hunter, Peachtree Kid's

Jack Pearson, Jewel In the Sea

Ciara Fritsch, Pure Body Nantucket

Jack Fritsch, Antiques Depot

Emily Hollister, Milly & Grace

Karen Golov, Eye of the Needle

Liz Thompson, Blue Beetle



Town Administration Fiscal Year 2020 and 2021 General Fund Budget Update

For April 04/29/2020

Select Board Meeting

As of 04/24/2020

Town Administration

FY21 Revenue Projection Update

	FY21 BUDGET ORIGINAL	FY21 BUDGET 30% REDUCTION	FY21 BUDGET 40% REDUCTION	FY21 BUDGET 60% REDUCTION	FY21 BUDGET CATASTROPHIC
GF REVENUE SUMMARY					
I. TAXES- REAL ESTATE AND PERSONAL PROPERTY	(89,625,544)	(89,625,544)	(89,625,544)	(89,625,544)	(89,625,544)
Less: Abatements & Exemptions					
II. LOCAL REVENUE					
1. Motor Vehicle Excise Taxes	(2,900,000)	(2,475,000)	(2,275,000)	(2,275,000)	(2,275,000)
2. Other Excise Taxes	-	-	-	-	-
A) Boat Excise Taxes	-	-	-	-	-
B) Rooms Excise Taxes	(4,000,000)	(2,800,000)	(2,400,000)	(1,600,000)	(1,600,000)
C) Meals Excise Taxes	(1,001,800)	(701,260)	(601,080)	(400,720)	-
3. Penalties & Interest on Taxes and Excises	(475,000)	(475,000)	(475,000)	(475,000)	(475,000)
4. Payments in lieu of Taxes	(8,000)	(8,000)	(8,000)	(8,000)	(8,000)
5. Charges for Services	(29,000)	(29,000)	(29,000)	(29,000)	(29,000)
6. Fees	(894,300)	(793,800)	(760,300)	(693,300)	(693,300)
7. Rentals	(520,700)	(414,248)	(317,200)	(317,200)	(317,200)
8. Other Departmental Revenue	(199,958)	(200,048)	(275,048)	(275,048)	(275,548)
9. Licenses and Permits	(1,495,100)	(1,160,600)	(1,049,100)	(826,100)	(623,600)
10. Fines and Forfeits	(290,000)	(290,000)	(290,000)	(290,000)	(290,000)
11. Investment Income	(275,000)	(200,000)	(200,000)	(200,000)	(200,000)
12. Miscellaneous Recurring	-	-	-	-	-
13. Miscellaneous Non-Recurring	-	-	-	-	-
14. Indirect costs	-	-	-	-	-
15. Other	-	-	-	-	-
III. STATE LOCAL AID	(3,880,203)	(3,880,203)	(3,880,203)	(3,880,203)	(3,046,068)
TOTAL GENERAL FUND REVENUE	(105,594,605)	(103,052,703)	(102,185,475)	(100,895,115)	(99,458,260)
		2,541,903	3,409,130	4,699,490	6,136,345

FY20 Current Unknowns and Options

- FY20 Enterprise Fund Operations
 - Solid Waste
 - Our Island Home
- NRTA Operations⁽¹⁾
- Steamship Authority potential deficit⁽²⁾
- COVID-19 Response Expenditures⁽³⁾

FY20 Actions

- Halting non-essential spending
- Freeze non-essential unfilled positions in FY20

(1) Any potential deficit with the NRTA would most likely be captured on the cherry sheet for FY22

(2) The Steamship Authority runs on a calendar year-end, any deficit within their operations would be an issue in FY21

(3) The town will be applying for any and all available funding through FEMA and MEMA. The town is responsible prior to the award for the payment of the expenditures and will need to ensure provisions to cover the spending are in place prior to June 30, 2020. Any FEMA or MEMA funding would be on a reimbursable basis.

FY21 Outstanding Items and Current Unknowns

- Continue Investment in IT Infrastructure
- NRTA Operations⁽¹⁾
- Steamship Authority potential deficit⁽²⁾
- Our Island Home
- FY21 additional funding for Enterprise Funds
 - Airport⁽³⁾
 - Solid Waste
- State Aid
- Covid-19 Response Expenditures⁽⁴⁾
- FY21 Fees, Licenses, and Leases
 - FY21 Concessions
 - Potential Changes to Fees Licenses (accounted for)
 - Impact on FY21 partially factored into revenue calculation
- Special Revenue Funds
 - Special Purpose Funds (Beach, Ferry Embarkation, Ambulance Reserve, Revolving Funds)

(1) Any potential deficit would most likely be captured on the cherry sheet in FY23

(2) The Town of Nantucket is responsible for 35% of any operational deficit of the Steamship Authority

(3) The Airport has received preliminary notification of an award from the CARES ACT, they are still working through the details on what the award entails, and trying to confirm the amount of the award.

(4) The town will be applying for any and all available funding through FEMA and MEMA. The town is responsible prior to the award for the payment of the expenditures and will need to ensure provisions to cover the spending are in place prior to June 30, 2020. Any FEMA or MEMA funding would be on a reimbursable basis.

FY21 Outstanding Items and Current Unknowns (cont.)

- Not Business as Usual – Potential Program issues and changes for FY21
 - Children’s Beach Activities
 - July 4th Fireworks
 - Seasonal staffing and housing (Lifeguards, CSO’s and additional seasonal staff)

FY21 Potential Budget Options

- Remove Free Cash spending from Article 10 (capital)
 - Re-appropriate available unexpended prior capital project balances to FY21 Capital
- Remove/Reduce Free Cash transfers to Stabilization Funds
- One Year freeze on contribution to OPEB Trust Fund
- Use free cash to cover the projected FY21 Budget Shortfall
 - General Fund and Enterprise Funds
- Elimination of unfilled positions in FY21 budget
- Possible Furloughs⁽¹⁾
- Possible Layoffs⁽²⁾
- Service/Program level reductions/delayed implementations