

BOARD OF HEALTH

Meeting

Town of Nantucket
3 East Chestnut Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Commissioners: Stephen Visco (chair), Malcolm MacNab, MD, PHD (Vice chair), James Cooper, Meredith Lepore, Melissa Murphy

Staff: Roberto Santamaria, Artell Crowley, Kathy LaFavre, John Hedden, Anne Barrett

~~ MINUTES ~~

Thursday, May 20, 2021

*This meeting was held via remote participation using ZOOM and YouTube,
Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law*

Called to order at 3:00 pm by Mr. Visco.

Staff in attendance: R. Santamaria, Health Director; A. Crowley, Assistant Health Director; K. LaFavre, Health Inspector; J. Hedden, Inspector; T. Norton, Town Minutes Taker

Attending Members: Stephen Visco; Malcolm MacNab, MD, PHD; James Cooper (no audio for the 1st part of the meeting); Meredith Lepore; Melissa Murphy, Select Board

Late arrival: Melissa Murphy, Select Board, 3:51 p.m.

Other Speakers: Dawn Hill Holdgate, Chair Select Board; Amy Eldridge; Rose Ellen McCaig

I. ANNOUNCEMENTS

II. APPROVAL OF MINUTES

1. April 15, 2021

2. April 30, 2021

Action **Motion to Approve.** (made by: MacNab) (seconded)

Roll-call vote Carried 3-0//MacNab, Lepore, and Visco-aye

III. BOH APPLICATIONS REVIEW

1. Loan for Turk, 15 Marsh Hawk, 56-113.6, septic to sewer

Sitting Visco, MacNab, Lepore

Documentation Supporting documents and plans, staff recommendations.

Discussion **Santamaria** – Sewer is now available. No objections.

Action **Motion to Approve the loan.** (made by: MacNab) (seconded)

Roll-call vote Carried 3-0//MacNab, Lepore, and Visco-aye

2. Lift condemnation of 36 Essex Road

Sitting Visco, MacNab, Lepore

Documentation Supporting documents and plans, staff recommendations.

Discussion **Santamaria** – We condemned this in 2019; it has changed hands and the new owner has worked diligently to correct the issues. Believes the condemnation can be lifted. Explained why it had been condemned for human habitation.

Action **Motion to Lift the condemnation.** (made by: MacNab) (seconded)

Roll-call vote Carried 3-0//MacNab, Lepore, and Visco-aye

3. Appeal of correction letter - exposed septic tank - 36 Massachusetts Avenue, 6031-15

Sitting Visco, MacNab, Lepore

Documentation Supporting documents and plans, staff recommendations.

Discussion **Santamaria** – Erosion had exposed the septic system; since the order was issued, the beach accreted, and the danger no longer exists. No need to take action.

Action No action needed.

Roll-call vote N/A

4. Allow a six-month extension on septic to sewer connection due to COVID 19: from 1/1/2019 to 5/1/2019

Sitting	Visco, MacNab, Lepore
Documentation	Supporting documents and plans, staff recommendations.
Discussion	Santamaria – The extension was for people who couldn't get contractors lined up during the State of Emergency. By opinion of Town Counsel, the governor passed an order which extended all permits for the time lost due to the State of Emergency. Because the governor has placed the extension, no vote is needed, and we can deal with these internally.
Action	No action needed
Roll-call vote	N/A

IV. BOH BUSINESS

1. COVID-19 Update & Emergency Order Discussion

Discussion	<p>Santamaria – Gov. Baker stated on May 29th, all Emergency Orders will be lifted with the State of Emergency is being lifted on June 15th. We are now faced with the question; do we lift our Emergency Orders on May 29th or June 15th. He recommends May 29th. Suggests keeping the outdoor dining so restaurants can maximize on that over the summer</p> <p>MacNab – Feels we have to be careful; his experience is that when we get over confident, things crash. Recommends we continue masking inside since we can't have someone at the boats checking all the vaccine cards. This disease hasn't gone away.</p> <p>Santamaria – Transit, hospitals, nursing homes and certain other locations will continue to require masks indoors; he believes that includes the ferries and planes.</p> <p>Lepore – Asked if that means on June 15th, life goes back to pre-COVID. She thinks this will open the flood gates and let anything happen. We don't have enough people to control the crowds. All those business have been preparing for a certain amount of traffic.</p> <p>Santamaria – Every business can set their own regulations, but we can't force them too.</p> <p>Visco – He thinks you'll still see a lot of people wearing masks.</p> <p>Eldridge – If things lift, asked if the Town can implement a mask order after the State of Emergency is lifted.</p> <p>Santamaria – We'd have to write a regulation with a public hearing; he would recommend against it because it might not hold up in court.</p> <p>McCaig – It feels like we're tip-toeing around a dangerous situation. It means that on May 29th, there is no more 6-foot separation or mask requirement. She feels the Center for Disease Control (CDC) started off bad saying vaccinated people don't have to wear masks. The ramifications are terrible; we should do what we can to keep whatever orders we have in place.</p> <p>MacNab – He thinks we should do what we can to keep the mask order for inside in place. We have an obligation to the community to do what we can to make them safe. Or we demand you can't enter a business without your vaccination card.</p> <p>Santamaria – Those who are able to come here are among the most affluent of the US and more likely to have been vaccinated; the vaccination for that demographic is 70% to 80%. We've vaccinated 9,000 people on the Island. We're looking at 20,000 vaccinated people out of a summer population of 40,000; that isn't enough for herd immunity.</p> <p>MacNab – He agrees with 99% of Mr. Santamaria's recommendation. He still has concerns especially with the under 30s who come here to party and interact, and their vaccination rate isn't as high as that for older, affluent people. We've done so well on Nantucket; we need to move gradually forward.</p> <p>Hill Holdgate – This is happening faster than anticipated; she was surprised at the timing and it is scary. She agrees with Mr. Santamaria, we need to align with the Governor; it could cause confusion if we create another regulation. People will move forward at their comfort level. We initiated these Emergency Orders to keep from overwhelming the hospital.</p>
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Lepore – Agrees with Dr. MacNab. There's a lesson to be learned from the 1919 pandemic; it went on longer than expected. Doesn't think it's a big deal to ask people to wear masks inside. Even among the affluent, there is the subgroup of anti-vaxers. We have to protect our community. From a medical perspective, it would be smarter to continue to require masks indoors.

McCaig – Agrees with Dr. MacNab and Ms. Lepore. We are a tiny island with not a lot of space to move around in. When she was a 2nd-homeowner, she noticed a lot of entitlement among that group. There is nothing wrong with requiring people to wear masks in a business. Having businesses police themselves puts a burden on them when they've suffered already. She doesn't think what Gov. Baker did was right. The CDC only said it was okay for vaccinated people to go about without a mask, nothing more. Thinks the orders should remain in place at least until June 15th.

Santamaria – He pulled up the State vaccination records, among the 20 to 29-year-olds, there is a 50% vaccination rate.

Visco – He would side with Mr. Santamaria.

MacNab – He respects the Governor and his advisors and Mr. Santamaria, but he hasn't changed his mind. He would ask for Mr. Santamaria to draft a regulation requiring masks indoors. It's crazy to think that all of a sudden everything is fine.

Lepore – Gov. Baker doesn't have a medical or public health degree; she feels he's putting us all in a bad position. It would be a lot of work to get a regulation in place.

Santamaria – He would recommend against a regulation. Named advisors to the governor who do have medical or public health degrees. Suggested giving it a chance; if things go bad, another State of Emergency could be put in place.

MacNab – If something happens, it will happen quickly, and we can't respond as quickly.

Lepore – She'd make a motion to keep the mask order in place until June 15th. That gives us time to see how things progress.

Cooper – Indicated he still has no audio.

Recap of discussion for Ms. Murphy's and Mr. Cooper's benefit and discussion on Ms. Lepore's motion.

Murphy – Asked Dr. MacNab what his concerns are about not having indoor masks.

MacNab – We don't know who or how many people are vaccinated. We can't have people checking for vaccine cards. He sees no harm with extending this to June 15th. To extend beyond that requires a regulation.

Cooper – Asks what happens if people come off the boat thinking everything has been lifted when locally they are still in place; will they be turned away at the businesses.

Santamaria – That would be the harm from not lifting the orders.

MacNab – We can still have announcements requiring masks indoors. Many establishments have masks to offer people. That is not our issue; our issue is public health. Lifting this tells everyone that everything is fine; keeping the orders sends the message that COVID is still here. This virus is going to be here forever; but he's not sure opening up everything right now is the right choice. Extending to June 15th gives us time to see what's happening. Asked to move Ms. Lepore's motion.

Lepore – Let us not forget that here are cases of vaccinated people getting COVID.

Murphy – Having heard the concerns, asked Mr. Santamaria what the public health risks are of lifting the order before June 15th.

Santamaria – The risk to public health is lack of personal responsibility. The point of the Emergency Orders was to keep from overwhelming the hospital; the vaccine is preventing most hospitalizations. Opening on June 15th would have a minimal risk.

Murphy – Asked if there is a place where masks would be required.

Santamaria – Transportation, hospitals, nursing homes, buses, private businesses that require masks within the bounds of their business, and schools. If we keep the mask order in place through June 15th, businesses have to require them.

Action Motion to keep the local Emergency Orders in place until June 15th. (made by: Lepore) (seconded)
Roll-call vote Not Carried 2-3//Macnab and Lepore-aye; Cooper, Murphy, and Visco-nay

Action **Motion to rescind the local Emergency Orders in alignment with the Governor’s lifting of the State of Emergency.** (made by: Murphy) (seconded)

Roll-call vote Carried 3-2//Murphy, Cooper, and Visco-aye; MacNab and Lepore-nay

2. Murphy – Asked about going forward with people coming here from other countries.

Santamaria – Reviewed the continued vaccination and education programs.

Murphy – Asked what the process would be if COVID cases increase after the lifting of the State of Emergency.

Santamaria – Without a second declaration, we have nothing we can do; we would have to depend on outreach. Even if we have a regulation, it would be impossible to enforce.

Lepore – Asked about updating mobile units.

Santamaria – That is done every day.

Murphy – Asked the current vaccination rate for the non-white community.

Santamaria – For Nantucket we are vaccinating 1 dose per capita; we’ve vaccinated about 28% of the black community and 40% of Hispanic community.

Murphy – Asked if there is a residency requirement for vaccination.

Santamaria – All we need is name and date of birth to vaccinate someone.

V. ADDITIONAL DOCUMENTS USED

1. Draft BOH Minutes as listed
2. COVID Emergency Order

VI. ADJOURN

Action Motion to Adjourn at 4:18 pm. (made by: MacNab) (seconded)

Roll-call vote Carried unanimously//Lepore, Cooper, MacNab, Murphy, and Visco-aye

Submitted by:

Terry L. Norton