

# BOARD OF HEALTH

## Special Meeting

Town of Nantucket

3 East Chestnut Street

Nantucket, Massachusetts 02554

[www.nantucket-ma.gov](http://www.nantucket-ma.gov)



**Commissioners:** Stephen Visco (chair), Malcolm MacNab, MD, PHD (Vice chair), James Cooper, Helene Weld, RN, Rita Higgins, Select Board

**Staff:** Roberto Santamaria, Artell Crowley, Kathy LaFavre, Anne Barrett, Hank Ross

~~ MINUTES ~~

**Thursday, June 4, 2020**

*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 4:00 p.m. and announcements by Mr. Visco

- Staff:** Roberto Santamaria, Health Director; Art Crowley, Assistant Health Director; Leslie Snell, Assistant Director Planning and Land Use Services
- Attending Members:** Stephen Visco, Chair; Malcolm MacNab, Vice chair; James Cooper; Helene Weld
- Absent Members:** Rita Higgins
- Speakers:** Bill Grieder, 10 F Street
- Town Counsel:** John Giorgio, K&P
- Documents:** Health Director Written Statement; Emergency Orders Nrs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11.

Agenda adopted by unanimous consent

### I. DIRECTOR'S REPORT – COVID UPDATE

1. Read a statement regarding the death of George Floyd and the ensuing unrest. Noted the peaceful protests held on Island on June 1; it is his job to safeguard the community. Explained the reasons for the disparity of cases and mortality rate among the Caucasians, Hispanics, Asians, and Blacks. Nantucket Cottage Hospital (NCH) and Health Department have collaborated to set up an active COVID-19 surveillance program for all the Island; information is located on the Town website regarding cost and methods of payment for that testing.

### II. PUBLIC COMMENT

None

### III. DISCUSSION EMERGENCY ORDERS OF THE BOARD OF HEALTH

1. Emergency Orders Numbers 1-3 & 5-10.

**Discussion**

**Santamaria** – Memorial Day was a good litmus test; 10 days later, we've seen no new cases. He has heard from Boston hospitals they have found cases among people who were on Nantucket over that weekend. Considering we've had no new cases, he recommends going with the Governor's guidelines and rescinding Emergency Orders 1-3 and 5-10. Emergency Order Nr. 4 is the shellfish order should remain in effect.

**MacNab** – He'd be comfortable with going with the governor's orders. Regarding masks, he has seen people not wearing masks while going up to restaurant wait staff to order food.

**Santamaria** – We are not getting our seasonal inspector so will use that money for the seasonal COVID inspectors and masks.

**Cooper** – He has seen groups of young people, usually ages 15-20, not wearing masks; they don't seem to care about it.

**Santamaria** – We are trying to get education out there, but it comes down to personal choice.

**Snell** – She and Mr. Santamaria are on the Economic Task Force; part of their challenge is to educate visitors about the use of masks.

**Weld** – It goes back to surveillance; we are at the point where we should reevaluate every two weeks. Agrees about going with the state recommendations.

**Grieder** – The restaurant seating requirement is a purview of the BOH; asked how indoor seating and outside seating will be determined.

**Santamaria** – Indoor seating is still not allowed; that is part of the Governor’s Phase II. Outdoor seating is allowed with 6-foot separation of the people. The level of occupancy is determined by the amount of space.

**Snell** – With the Governor’s order and Emergency Order Nr. 11, there is a minimum distance between people and a maximum number of people allowed at a table; Phase III would allow some outdoor seating to be moved indoor. They need to go through Amy Baxter, the licensing agent to apply to the Building Commissioner; the application will be reviewed by the Chief of Police, the Fire Chief, PLUS Director, and Mr. Santamaria.

Action **Motion to Rescind Emergency Orders Nrs. 1-3 and 5-10.** (made by: MacNab) (seconded)

Roll-call Vote Carried unanimously//Cooper, Weld, MacNab, and Visco-aye

2. Emergency Order Nr. 11: Outdoor Dining at Restaurants

**Santamaria** – Emergency Order Nr .11 was discussed at last-night’s Select Board meeting.

**Visco** – He thinks it will be a long review process for a restaurant to get an approved site.

**Santamaria** – A lot of the permits are ready; the extra seating is the tie up.

**Snell** – Ms. Baxter has received numerous applications with seating plans; some have been working with tent rental companies for outdoor seating. Ms. Baxter is helping restaurants to understand what they need to do in order to reopen.

**Weld** – Asked about a street closure.

**Snell** – That could come later; applications should include streets and sidewalks they would like to use.

**Giorgio** – The way the order is written, if the seating proposes anywhere within a right of way, it has to be approved by the Select Board. The Select Board would work with the licensees to use public ways and approve any changes in the liquor licenses. Waiting for the final version of the law regarding applications for changes to liquor license; he is confident such applications will not require a public hearing.

**Cooper** – Regarding the fines; asked if we could reach a point where the permit is pulled rather than continuing to fine a business.

**Giorgio** – Yes; the maximum fine is \$300, but the Board can seek injunctive relief through court.

**Visco** – This Board has rarely had to go to court; he doesn’t expect a problem.

**Giorgio** – June 8<sup>th</sup> is a good effective date; it is the effective date for statewide outdoor dining.

**Cooper** – He wants to allow the chair to sign for the Board.

Action **Motion to Approve the Outside dining order.** (made by: Cooper) (seconded)

Roll-call Vote Carried unanimously//Cooper, Weld, MacNab, and Visco-aye

Action **Motion to Authorize the Chair to sign for the board.** (made by: MacNab) (seconded)

Roll-call Vote Carried unanimously//Cooper, Weld, MacNab, and Visco-aye

**IV. COVID METRICS**

**Santamaria** – He’s still working on this. He’ll get them out ASAP. We’re looking at an average from over the last three days; from that we will then take action.

**V. BOARD MEMBER UPDATES AND CONCERNS**

1. **MacNab** – Asked about the status of testing.  
**Santamaria** – Serology has started; he'll connect with the hospital regarding the PRC testing and tracking.
2. **Weld** – She was asked about the reporting of positive cases and if non-residents cases are reported at their point of residence or the Island.  
**Santamaria** – If someone was here for only a few days, that case does get reported at their home, but we get informed. If they have an on-island address, we get the case.
3. **Grieder** – Thanked Mr. Santamaria for news that the Wastewater Treatment Plant is doing testing.  
**Santamaria** – The Sewer Department is testing sewage for the COVID virus, which is actively being shed into the sewer; the testing is done every two weeks. The most recent report was negative. This is a way to do an early detection, since you shed it before showing symptoms.
4. **Santamaria** – The next regular BOH meeting is on June 18<sup>th</sup> at 1 p.m.

**VI. ADJOURN**

**Motion to adjourn the BOH meeting 4:37 p.m.** (made by: Weld) (second)

Roll-call Vote Carried unanimously//Cooper, Weld, MacNab, and Visco-aye

Submitted by:

Terry L. Norton