

BOARD OF HEALTH Emergency 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 Select Board

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

~~ MINUTES ~~

Friday, April 30, 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 1:00 p.m. and announcements by Mr. Visco.

Staff: Roberto Santamaria, Health Director;
Attending Members: Stephen Visco, Chair; James Cooper; Meredith Lepore; Melissa Murphy
Absent: Malcolm MacNab, Vice chair

I. PUBLIC COMMENT

None

II. REVIEW EMERGENCY ORDERS OF THE BOARD OF HEALTH

a. Update on BOH Emergency Order Number 13 - masks

Discussion

Santamaria – In light of the Governors most recent order and Center for Disease Control (CDC) eliminating the outdoor restriction on masks, he recommends removing sections in Order 13 referring to wearing masks outdoors. We have seen some transmission of COVID outdoors but only when people are in close proximity for a long period of time. He feels comfortable removing the outdoor mask order.

Lepore – Thinks we should keep it in Town and ‘Sconset. People wouldn’t have to wear when walking around but we’re asking restaurants to police mask use in their property. She also thinks we should keep them for outdoor weddings. Boston isn’t following the State and doesn’t think Nantucket should.

Murphy – She has the same thoughts about keeping masks in Town and ‘Sconset, especially in July and August when there will be a lot of close contact on the streets.

Santamaria – The biggest issue in enforcement is his department doesn’t have the personnel to police even just the core districts. We have to be able to look at the full risk assessment: what we can and what we can’t enforce. Removing the outdoor mask order makes it easier to enforce use of masks indoors.

Murphy – She got confused on the governor’s orders concerning outdoor events.

Santamaria – There are specific guidance’s for outdoor events; we still have the size limit; on May 10th it will go to 250 outside and 200 inside. This affects sidewalks, parks, beaches, etc. When people get in line to go inside, they should be wearing masks.

Cooper – Asked where the wear/no-wear line would be in ‘Sconset and the Town.

Santamaria – He’s suggesting removing the outdoor mask order across the Island.

Murphy – Asked if there are on-going concerns about our status. It’s concerning Nantucket has a 6% positivity rate; we’re at this junction of getting people vaccinated but still seeing high positivity rates. She still has concern about job sites and large outdoor events.

Santamaria – As long as we have 2 or 3 cases a day, we will be in the red. As the seasonal population grows, we’ll see more cases and continue to be in the red; that’s a result of using the census numbers. It’s important to pay attention to the fact COVID is evolving and mutating faster than expected.

COVID is here to stay at least for the foreseeable future, and we are going to have to learn the acceptable rate and looking at seasonal booster shots. We've also learned how to treat COVID bringing the mortality rate down.

Lepore – We haven't seen if we will have a jump after Spring break. She's concerned we're putting business owners into a position to police this. Wants masks are required in Town historical district and downtown 'Sconset.

Visco – We will have people coming from all over the country. He thinks to police certain districts will create havoc.

Pamela Suan – Over the past year, there were areas of grave concern, especially lines outside of establishments where employees weren't enforcing the mask requirement. Making visitors and residents wear masks will keep Nantucket in shape and safe. Ms. Lepore and Ms. Murphy make good points; we are now used to masking. Asked if anything can be done to ensure landscapers and others wear masks when they are in a truck together.

Santamaria – We have done countless amounts of education with landscapers and construction workers about wearing masks. We have to catch them not wearing a mask to enforce a ticket.

Mary Watson – She's delighted about Mr. Santamaria's recommendation; it's the right one. A lot has happened since last summer. We need to promote personal responsibility to take action if a person has an underlying condition. If you're vaccinated, you shouldn't be required to mask up when walking down the street. We have to focus on the mental health, especially our young people. Asked Mr. Santamaria to speak on the positivity rate. With asymptomatic testing being curtailed, our positivity rate could go higher.

Santamaria – The positivity rate is a 7-day running average. As testing drops, that number will go up. The positivity rate number are somewhat inflated; that's a relic of the epidemiology. However, it is an overall sense of how the population is doing.

Hap Cooper – The people in 'Sconset and Town did a good job of wearing their masks. Following the science, if the vaccination rate will be 50 or 70%, asked if this could be decided in June.

Santamaria – That's up to the Board; they can put the timeframe on it. Boston is pushing it back 3 weeks.

Lepore – That's a smart thought – keep the order in place until our next meeting.

Visco – He'd be okay with that.

Cooper – No matter how the Board votes, we have to have something set up to enforce masks in Town and 'Sconset. We have to be detailed about the line where masks can come off.

Santamaria – The Supreme Court has issued an opinion that allows the State under the 10th Amendment to create its own policing unit, even if it is geographically local.

Amy Eldridge – We have people coming in from all over looking at the Massachusetts requirements; we could create confusion by not being on the same page as the rest of the State.

Santamaria – There are many Towns across the state that have their own mask orders.

Murphy – Asked if there are vaccine requirements for different jobs. Thinking about landscaping and construction doing their work with a mask on.

Santamaria – The vaccine is issued under an emergency order and hasn't been fully approved by the FDA; therefore, it can't be required as part of employment.

Lepore – As far as schools are concerned, people can turn down a vaccine as being against their religion.

Murphy – She's concerned about crowds, but Mr. Cooper made a good point. She'd be comfortable with lifting the outdoor mask mandate now while we're still in a lower number of residents. We can choose to revisit this if we see a negative trend. She's heartened to hear we have more vaccine doses coming in; combined with antigen testing, and PPR testing, she feels better about lifting masks outside.

Cooper – Before we vote on keeping the masks in the core district, asked if Mr. Santamaria has something in place to police it.

Santamaria – Three weeks ago, we put an ad on the Town website for a COVID officer position but received no applications. Only our staff could enforce this, and they are already busy with enforcement of over 100 regulations.

Murphy – Her sense is last year we had the mask mandate in the core district and it worked fine; a lot of business groups helped spread the message and we got fair compliance. At this moment, she's not leaning toward a mask mandate in the core districts. If we do, we have to recommend personal responsibility.

Suan – With the removal of masks, asked if social distancing would still be in place. Also, if a restaurant has indoor-outdoor seating, asked if the staff would wear a mask both indoor and outdoor.

Santamaria – Wait staff would wear a mask both indoor and outdoor because it's still part of the restaurant regulations and social distancing would remain in place. The governor's order states that you don't have to wear a mask outside IF social distancing can be maintained. The governor was clear that at outdoor events you have to wear a mask because you are in a group. If you can't social distance, you should wear a mask.

Action

Motion to Modify Order 13 to remove the mask mandate outdoors per Mr. Santamaria's recommendation. (made by: Murphy) (seconded)

Roll-call Vote

Carried 3-1// Murphy, Cooper, and Visco-aye; Lepore-nay

Murphy – She wants to watch how this rolls out over the next few weeks. She would like the BOH to revisit this if things do not continue to improve. Asked if this is rescinded immediately.

Visco – It's effective as of today.

Lepore – She is very much against this; it's hard to take something away then put it back in place. Things could blow up in the next couple of weeks, and she doesn't see why a decision couldn't be delayed until our next meeting.

Santamaria – Without a set date, it goes into effect immediately.

Action

Motion to adjourn the BOH meeting at 1:47 p.m. (made by: Murphy) (second)

Roll-call Vote

Carried 4-0//Murphy, Cooper, Lepore, and Visco-aye

Submitted by:

Terry L. Norton