

HAMILTON BOARD OF HEALTH

MINUTES OF MEETING

April 15, 2020

Virtual Meeting via Zoom Meeting 838 5858 1136

Members Present: Giselle Perez PhD, Christopher Small, and David Smith (Chair).
Health Agent: Leslie Whelan (Health Agent).
Others Present: Joe Domelowicz (Hamilton Town Manager), Jana Holiday (Dean of students at Gordon Conwell) and Kate McGuire (Hamilton Housing Authority).

This meeting was called to order at 7:02 pm by David Smith. All were in attendance via Zoom.

Motion made by David Smith to take the Discussion of Covid-19 update item out of order, making it first on the agenda.

Seconded by Dr. Perez.

Roll Call Vote: Dr. Perez – aye and David Smith – aye. The connection with Christopher Small had failed leaving him unable to vote. Majority in favor. Motion carried.

Discussion of Covid-19. Updates from the State, including revised social distancing requirements for food establishments and garden centers and guidance for farm stands, farmers markets, and CSAs. Update from Food Inspector.

David Smith updated members as to the cumulative total (nine) of Hamilton residents who had tested positive for the Covid-19 virus. Three residents were in isolation and seven were in quarantine from being in contact with those who had tested positive. Six residents had completed isolation successfully and were off the list. Wenham's cumulative total was seven residents. Mr. Smith added that about 4,000 residents in Essex County had tested positive to date. Most of the residents were from densely populated areas such as Lowell, Lawrence, Lynn, Revere, and Chelsea.

According to David Smith, it had been one month since the first case tested positive in Essex County. During the first several weeks, the curve of positive cases had increased exponentially but in the past week, the curve appeared to have become more linear. Flattening of the curve had yet to be experienced but Mr. Smith was looking and hoping to find it soon. As of 4:00 pm the day of the meeting, the State had published a town/city tabulation of positive cumulative total rates per 100,000 residents. Only a couple dozen communities had between 0 and 5 positive cases, most of which were small towns in the western part of the state. Hamilton and Wenham were in the lowest (10th) percentile with 140 cases per 100,000. Hamilton was listed as having eleven positive cases, which did not reflect the numbers established by the Town. Mr. Smith

said he thought the Town was doing a good job educating the residents on what was needed to reduce and stop the spread of the virus.

David Smith, Dr. Perez, Christopher Small, and Leslie Whelan concurred that the real number of infected people in any community was about 25% of the populations. Mr. Smith referred to the MIT study of effluent from a sewage treatment plant, which indicated that the percentage of infected residents was between 20% and 30%, far above what the existing positive data led one to believe. Dr. Perez said not as many cases had been seen but many people were asymptomatic and pre-symptomatic. Dr. Perez added that some of her colleagues were discussing a potential vaccine for the fall, which made her hopeful. Mr. Smith responded that according to Dr. Fauci, the real infection percentage was 25% with only a small fraction having displayed symptoms pervasive enough to warrant them to be tested and hence testing positive. Mr. Smith concluded that it was possible that a large majority of the population had a sufficiently strong immune system to fight the virus and develop antibodies.

The parks and playground restrictions had been observed by residents. Restrictions were changing daily and it was noted that on April 7, 2020, the Governor had updated his advisory with complicated and detailed regulations. David Smith said he had worked with Al Shepherd (manager of Crosbies) to ensure compliance. The updated regulations specified that the number of customers and employees could not exceed 40% of the occupancy limit. Even though the occupancy limit was 80 to 90 people, Mr. Shepherd voluntarily limited the total number of people in Crosbies to 25 employees and 25 customers. All employees would wear masks and an employee was stationed at the entrance to ensure that when one customer left, another one was allowed into the store. The waiting line would have a six foot spacing limit. Mr. Smith noted that when he visited the store, every customer was wearing a mask and one way aisles were being respected. Crosbies had also instituted a curbside pickup program.

Cumberland Farms had shut down the customer self-serve beverage operation and had put a sign on the door stating that masks were required to enter. David Smith noted that when he walked his dogs, he had noticed that residents were respecting social distancing or staying at home. Masks had become almost universal, especially in the parking lot at Crosbies. Mr. Smith concluded that the public health education program promoted by the Board of Health had been working.

Members discussed public communication and if posting positive cases was a benefit to the town. According to Joe Domelowicz, Bobby Gates would be going live on Thursday or Friday and information could be disseminated via Mr. Gates. Members were concerned that posting the low positive case numbers might give residents a false sense of security. The community was fortunate to have good health care and educated residents who listened to their doctors and the Board and Health regarding precautions. Dr. Perez agreed with presenting a false sense of security but wanted to balance the risk with the need for transparency. Dr. Perez also wanted to be in concert with the public communications of Wenham. David Smith said there had been

three deaths attributed to the virus. Dr. Perez suggested referring to the great job residents were doing to keep the numbers low. Mr. Smith said the State was providing the numbers on Wednesday of each week. Chris Lee was informed daily. Dr. Perez suggested posting the positive numbers for the town weekly.

David Smith stated that in the past week, the Governor issued a new order every day affecting operations, facilities, and businesses, many of which were in Hamilton. Chris Lee would be charged with determining the difference between the Town's cumulative total of nine and the State's cumulative total of eleven and find the accurate number. Leslie Whelan wanted to ensure that deaths were not publicized. The State had made the same recommendation for five or fewer deaths in towns with a population of 50,000 or less because victims could be identifiable. Families may not want neighbors to know the cause of death. Deaths would be added to total positives on Wednesdays, Fridays, or Mondays.

Hearing: Discussion and vote on whether to issue an emergency order similar to the one issued by Salem MA on 4/9/20, including requiring the use of face coverings by members of the public under certain circumstances

Leslie Whelan had located the model order from Salem, which would require residents, customers, and employees to wear masks. David Smith had located an order from Beverly, which accomplished the same goals. Mr. Smith said another option would be to have the Board write their own language.

Dr. Perez said the order would apply to enclosed areas such as stores or other areas of close contact. Kate McGuire said it would also include entrance and exit ways of buildings. Dr. Perez was concerned about misunderstandings and accusations of those walking outside without masks. Ms. McGuire noted the Salem regulations stipulated the entering or exiting of residential complexes greater than one unit in common and communal spaces, which would cover the Housing Authority property. Ms. McGuire said she would appreciate the adoption of the regulation. The order would be applicable to any essential business defined as groceries, pharmacies, home improvement facilities, as well as restaurants serving take out.

Members agreed that even though the Beverly order was similar, the Salem order was easier to understand. Christopher Small and Dr. Perez agreed that the order should be adopted. Joe Domelowicz suggested that David Smith entertain a motion to adopt the wording for a Board of Health order similar to Salem's that suited the Town with the Board having the power to write the proper phrasing. The effective date would be as soon as April 17, 2020. Within the motion or by separate motion would be the incorporation of the Hamilton Police Department having the authority to check for compliance. If fines were associated, the enforcement would be more powerful. David Smith responded that the Salem order was enforced by the Board of Health, the Police Department, and the Building Inspector. Mr. Domelowicz suggested adding Bobby Cody (food inspector). Mr. Smith noted that Salem had not included penalties for violations. Mr.

Domelowicz thought compliance would be likely in Hamilton but having a compliance mechanism was beneficial.

Kate McGuire asked if it was possible to make masks available for low income residents in case they were unable to buy them so they would not be subject to a \$100 fine. Joe Domelowicz and David Smith agreed that face coverings included scarves, fabric masks, or bandanas. Surgical masks would not be required. Dr. Perez suggested having the first offense result in a warning with information regarding how to make a mask provided rather than issuing a fine. Dr. Perez was worried about low income residents not having availability rather than exhibiting resistance. Kate McGuire said the Ipswich Council on Aging would be contacted to ask them to sew masks for the Housing Authority tenants. Mary Beth Lawton might also find the sewing of masks to be a good project for her organization.

Jana Holiday said she thought the order was clear for people in apartments that they should wear masks to exit or enter the building. Dr. Perez said masks should be worn in any common areas, especially elevators.

Motion made by Dr. Perez to adopt similar language to that made by the Salem Board of Health in terms of the use of masks and to provide the ability of the police to enforce the order, which would take place effective Friday April 17, 2020.

Seconded by Christopher Small.

Christopher Small wanted to include that a warning would be issued for a first offense and moved to amend the motion to include a warning for a first offense and up to a \$100 for a second or greater offense.

Dr. Perez seconded the amendment.

Roll Call Vote on motion as amended. Christopher Small - aye, Dr. Perez - aye, David Smith - aye. Motion as amended carried unanimously.

Scheduling inspections for septic construction and witnessing soil evaluations.

Leslie Whelan stated that during the last two weeks, more people wanted to start their septic projects. Ms. Whelan said it was difficult to tell them that the Board was otherwise engaged. Ms. Whelan said she was torn between where to put her efforts and hoped the Board would offer their perspective as to whether septic installations should be delayed and if so, for how long. Ms. Whelan said she had spent 99% of her time on Covid-19 and if her focus were diverted to septic installations, she would be unable to get virus information to the Board. Ms. Whelan said it was not a good idea to take her away from her Covid-19 responsibilities.

In response to Joe Domelowicz question regarding who was calling, Leslie Whelan responded that it was half installers who wanted to work and half residents who wanted to sell their homes. Dr. Perez asked if septic approvals and installations were feasible to do in a socially distant manner and if so, she did not feel that the process should be stalled as the Town needed to be mindful of the economy. Ms. Whelan responded that approvals included paperwork and

inspections, which could be completed using social distancing standards but she was worried about the workers. Ms. Whelan said it was a question of time in that she could not pay attention to Covid-19 if she needed to be keeping up with septic approvals and installations. Ms. Whelan said her work without Covid-19 should be full time.

Joe Domelowicz explained that Patrick Reffett and he managed the employee but the Board of Health managed her workload. Mr. Domelowicz would lean on the Board for prioritizing Ms. Whelan's workload. Mr. Domelowicz would share the workload information with Mr. Reffett and plan a meeting with David Smith either April 16, 2020 or the following week.

Bobby Cody had reportedly visited the convenience stores in town to check on them and offer advice. The stores had reportedly made suggested changes. Ms. Cody had reportedly visited each restaurant to make sure they were following social distancing protocols.

Members discussed having weekly meetings each Tuesday at 5:00 pm. Christopher Small thought it was a good idea and that frequent meetings could remain short. Dr. Perez said the meetings would allow the Board to stay in tune with residents' concerns. Decisions would not be made via e-mail and template agendas could be amended the day of the meeting to meet the demands of current information. Other items that were not reasonably anticipated by the Chairman could be covered under said agenda item.

Approve draft minutes of March 24, 2020.

Motion made by Christopher Small to approve the minutes of March 24, 2020.

Dr. Perez seconded.

Roll Call Vote: Dr. Perez – aye, Christopher Small – aye, and David Smith – aye.

Unanimous in favor. Motion carried.

List of documents and exhibits reviewed.

Minutes of March 24, 2020.

Additional Emergency Order from the Salem Board of Health.

<https://www.mass.gov/info-details/covid-19-essential-services>

<https://www.mass.gov/doc/march-31-2020-assemblage-guidance/downloading>

<https://www.mass.gov/doc/order-grocery-stores-40-percent/download>

<https://www.mass.gov/doc/dph-nurseries-guidance/download>

<https://www.mass.gov/doc/covid-19-guidance-for-farmers-markets-farm-stands-and-csas/download>

<https://www.mass.gov/doc/april-2-2020-construction-supplemental-guidelines/download>

<https://www.mass.gov/news/advisory-regarding-face-coverings-and-cloth-masks>

Adjournment

Motion made by Dr. Perez to adjourn at 8:17 pm.

Seconded by Christopher Small.

Roll Call Vote: Dr. Perez- aye, Christopher Small – aye, and David Smith – aye.

Unanimous in favor.

Prepared by:

Marcie Ricker

Attest