



MEETING POSTING

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TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting notices and agenda must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

Committee/Board/s	Nantucket Board of Health – EMERGENCY MEETING
Day, Date, and Time	Sunday, April 19, 2020, 1:00 pm
Location / Address	☐ REMOTE PARTICIPATION VIA ZOOM AND YOU TUBE Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law (Attached) Information on viewing the meeting can be found at https://www.nantucket-ma.gov/138/Boards-Commissions-Committees
Signature of Chair or Authorized Person	Stephen Visco

WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

Nantucket Board of Health

3 East Chestnut Street
Nantucket, MA 02554

Commissioners: Stephen Visco (Chair), Malcolm MacNab (Vice-Chair),
Rita Higgins, Helene Weld, James Cooper

AGENDA:

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

YOU TUBE LINK:

<https://youtu.be/zmOD5dc-3Ak>

1. Public Announcement – This meeting is being audio and visual recorded
2. Review Emergency Orders of the Board of Health
 - a. Construction Phased Work Plan
 - b. Landscape Phased Work Plan
 - c. Essential Worker Mask order
3. Board Member updates and concerns
4. Adjourn



NANTUCKET DEPARTMENT OF HEALTH & HUMAN SERVICES

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NANTUCKET, MASSACHUSETTS 02554

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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....](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.
 - a. 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.
 - b. Each essential retail establishment shall designate one or more employees to serve as COVID-19 safety officers. At least one COVID-19 safety officer shall be stationed near each entrance to the establishment at all times and he/she shall be responsible to ensure the maximum number of individuals inside of the store is not exceeded. Customers queued outside of the store must maintain a minimum of six feet distance between one another.
 - c. Any portions of the store dedicated to services that are deemed nonessential pursuant to Governor Baker’s Covid-19 Executive Orders shall be closed if they require extra staffing.

d. 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.

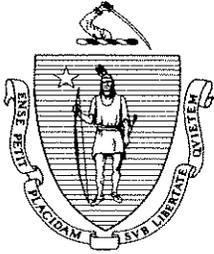
This emergency order shall be effective beginning Friday, APRIL 17, 2020 AT 12:01AM and remain in effect until notice is given, pursuant to the Board of Health's judgement that the Public Health Emergency no longer exists.

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.

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) 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 16th day of April 2020



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.

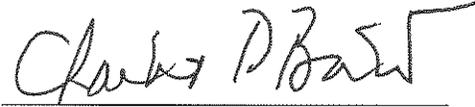
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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