

Approved 3/18/20
TOWN OF WEST TISBURY
SELECTMEN/ BOARD OF HEALTH MEETING
March 13, 2020 3:00 – 4:55

Present: Selectmen Skipper Manter, Kent Healy, Cindy Mitchell, Jen Rand, Omar Johnson, Jess Miller, Tim Barnett, Erik Lowe, Tim Carroll, Tara Whiting-Wells, Dan Waters, Ron Rappaport, Jim and Joan Malkin, Michael Bellisimo

Corona Virus – Actions to take regarding town functions:

Omar said that in light of this threat there is not much to discuss; what we need to do to go forward, We need to take serious actions to stop the spread of virus. He said right now the country is at “flat line” and we need to take action to stop the jump from happening

Skipper asked for his recommendations? Omar said we should eliminate large events and look at public offices to determine if we should close. Skipper said the schools are closed for two weeks beginning Monday.

Weekly meetings: Ron said that new provisions suspended the general rules regarding the Open Meeting Law. Skipper said he thought that necessary meetings should still take place, all others should be postponed. He said that an absolute minimum of people should be in the room to get the meeting done, everyone else should participate by phone. There are some open issues to work thru, for example - what happens if it's a ZBA meeting. Cindy noted that it's important to keep track of what we are allowed to do under the new regulations. . Ron said that “access” is not necessarily video of the meeting. Skipper said we should have one person in the room for the public to meet with. Cindy said if the goal is to contain the virus the best behavior is to not be with people. We have people on the board that are considered vulnerable so any rule we make should not require that. Ron said the Town will need to make provisions to ensure access to the public in a timely fashion, this may include telephone, video etc. there may be ways to provide for active real time participation but we need to look for alternative means to prove access; if we can't do it there are steps we can take to deal with it. Ron said the Board should charge Jen with solving this. Dan noted there were free teleconference services that provide automatic recordings.

Cindy said Boards and Committees should only have meetings of an urgent nature including meetings by telephone. She said it's important for transparent government to do only that we must do out of the public eye, the rest can wait. Skipper asked how long we should plan for this change in practice. Omar said he can't provide that answer yet; the Town will need to look at it weekly. Cindy asked how do to determine if we meet at all. Jen said that those meetings that have timeliness to them should go on, but anything that can wait until the public can be present should wait. She

added that there is no legislation to stop the clock for certain zoning and building permits, so they will have to meet to avoid constructive approvals unless the applicant provides an extension in writing.

Cindy motioned to limit meeting to urgent matters, the Board of Selectmen, the Board of Health, and permit granting authorities until the public can easily participate. K. Healy seconded the motion. The vote on the motion was unanimous in favor.

Town Meeting. Ron said the Moderator has the power to continue a town meeting to a date certain not more than 30 days after the regular meeting. May 12th is 4 weeks from the normal April town meeting date. Dan asked if the 30 days starts at the day of the regularly scheduled meeting or can the vote be taken now. Ron said the 30 days starts after the date of the annual town meeting but the vote can be taken now. Dan asked if it can be continued again. Ron said we don't know yet. He added the meeting should be posted at the normal time (in other words by town stature for posting the regular April meeting). Dan asked if anything needs to happen on the 14th. Ron said no. The law states that the Moderator consults with local public officials, and then declares the postponement. Then a notice will be prepared, printed etc. A local public safety official, in this case the Health Agent Omar will then have to send a notice to the Attorney General's Office.

Town Election: Ron said that Jen and Tara have worked hard on this. The State has said that the election cannot be postponed. Tara said that self-quarantine will be allowed as a reason to request absentee ballots. She said she has a plan in place to space people out at the polls, practice regular cleaning of voting booths, pens etc. She said she would like to shorten the time the polls are open, 13 hours is a long time to have this enhanced cleaning protocol in place. 11am-7pm is normally the busiest time. Skipper asked if the time for voting can be changed. Jen said yes, the warrant would need to be revoted with the new time. Skipper asked about early voting. Tara said that was not an option.

Cindy motioned to amend the warrant to change the hours for the polls to be open to 11:00 am-7:00 pm for this year. K. Healy seconded the motion. The vote on the motion was unanimous in favor.

Town buildings: Jen noted that if schools are closed the library will get busy; she said Chilmark was working with their Board of Health to decide if library will close. She suggested the Council on Aging (COA) can do outreach versus programming. Omar noted that the COA services vulnerable populations; he has met with them to discuss how to minimize risk, which includes eliminating any non-critical services. He said we still need to determine how we handle critical services. Skipper suggested outreach services or come one at a time with an appointment. Omar said we might not need to close, but must find ways to make it safer. Cindy said that Edgartown was operating on an outreach basis only. Omar said there were no cases yet so maybe that's more drastic than needed. Cindy noted that there may not be confirmed cases due to lack of testing. Kent asked about testing. Cindy said labs were working to get certified to test and the test kits have not yet been pushed out.

Skipper asked if you can be healthy and still carry the virus. Omar said yes. Current protocol allows for testing if you have traveled, for example. Cindy said we should be more cautious versus less. She said the COA should do outreach only. Omar said that was okay provided the elderly are still be serviced appropriately. Employees will have more time for outreach if there is no programming.

Cindy motioned to close the senior center to the public, deliver services to the home as needed. K. Healy seconded the motion. The vote on the motion was unanimous in favor.

Cindy motioned to close the Library to the public effective at 5:00 pm today, deliver services where possible. K. Healy seconded the motion. The vote on the motion was unanimous in favor.

Town Hall: Skipper asked if we can close the building and still deliver services. Ron noted there are certain statutory time periods for filing appeals and the like. Skipper said a person can be in town hall to greet them. Jen said lack of contact will deeply impact the building department. Cindy asked if the meetings need to be face to face. Omar said sometimes yes, but we can make appointments and practice social distancing. He said he wanted to close town hall to the general public except pursuant to protocols developed with town departments and Town Counsel. Cindy said staff is part of this equation and asked if we going to offer remote work options. She noted that we have vulnerable employees and if we continue to open on a limited basis people have to be here to serve the public. Kent said the business of the town will be limited and Omar needs to meet with staff to explain how to meet with people. Ron suggested that people are asked to come by appointment subject to working out details by Wednesday. Press will be notified.

Cindy motioned to close the Town Hall to the general public with protocol for limited access effective Monday with policies to be developed by Wednesday. . K. Healy seconded the motion. The vote on the motion was unanimous in favor.

Staff Specifics: Jen said there was a staff member at the COA that came in one day a week for a the lunch program, she had been asked if we would still continue to pay her as she would work if she could. The Board said yes.

Jen asked about another staff member who had a family member returning from Spain over the weekend. Even with best practices within the household she asked if that staff member should be asked to work from home for some period of time. Omar said the Department of Public Health says it takes 4-5 days for symptoms to show so the staff member should not come to work for at least one week Kent asked about testing. Omar said it was unlikely they would be able to get tested. Skipper asked if they would be charged sick time. Cindy said if we make the decision they must stay home, we should pay them. She added that we have employees that may feel that they are vulnerable, and want to stay home. The town will need to provide any employee that works form home the tools they need to do so.

Skipper asked what if I took a trip and had to self quarantine, do I need to use sick time. Cindy said the expectation is that you work your regular hours from home to the best of your ability.

Jen asked if we are offering the option for employees to work remotely for any purpose. Cindy said even if they are healthy and are over 60 there is a risk. The expectation is that people will put in their hours. We will make accommodations where we can. Some won't be able to put in full hours, but give them what work they can do. Cindy noted that this was going to get worse before it got better.

Cindy motioned to offer employees the right to work remotely, and will make tools available to do so. K. Healy seconded the motion. The vote on the motion was unanimous in favor.

Reserve Fund Transfer (RFT): Jen said Skipper had requested the Board ask for a RFT of \$10k for the Selectmen's Discretionary Fund to be available for unforeseen expenses. She added that the two things she thought would need immediate attention were to hire someone like John Powers to assist Omar with day to day health department matters so Omar can concentrate on the public health emergency. She added that the Emergency Manager had also been working on this nonstop and his stipend was only \$15,084. As he was working at the expense of his regular job perhaps some money could be put towards that department as well. Skipper said with those two items the request should be \$15k. Russ said he was planning to pay someone from his stipend to help him, Skipper said he thought some of this money could go towards that.

Cindy motioned to request a RFT of \$15k as described. K. Healy seconded the motion. The vote on the motion was unanimous in favor.

Other items:

Ron noted that if the Selectmen declare a State of Emergency they can overspend the budget.

Jen noted her concerns about a delay to the repair of the retaining wall at the local drop off. She said the Town may need to close down the facility if the delay goes into the summer months.

Public restrooms: Omar said to keep them open, but have them cleaned three times day 7 days a week.

Beth said the Library has chrome books that they can make available for staff to work from home if they can be set up.

Respectfully Submitted by Jennifer Rand, Town Administrator