

**Approved 4/15/20**  
**TOWN OF WEST TISBURY**  
**SELECTMEN'S MEETING**  
**March 21, 2020 9:00 am**  
**\*Phone conference call meeting\***

**Present:** Selectmen Skipper Manter, Kent Healy, Cindy Mitchell, Jen Rand

**Also Present:** Joe Tierney, Russ Hartenstein, Omar Johnson, Erik Lowe, Ron Rappaport, Jessica Miller, Tim Barnett, Mike Bellissimo, Will Sennott Noah Asimof

It was asked if Board of Health (BOH) would take the lead.

Omar said he got an idea from Matt Poole regarding a possible approach to the suspension of non-emergency construction. He recommended a hard stop with time given to get together with appropriate players to make an informed provision. Maximize safety precautions. Jen explain. One week hard stop. Suggested they meet again Friday at 3:00 to either renew or allow back to work. Ron asked what legal authority do we have? Jen said the Declaration of Emergency will allow us some latitude, allow us time to define it, and it is defensible. Cindy agreed that it's a good approach, but is a bit on the fence about the time frame; it could take a week to get people to shut down. They may be disregarded because it's a short time frame while we try to figure out rules. Kent asked if it should be more general, maybe close all businesses that can't contain social distances. What does it include? Landscapers etc. or just construction? Omar can work with the board to define construction. Joe asked why just construction? Why not a blanket on anyone that is congregating? Grocery stores are worse. There needs to be a level playing field, not just construction. Omar said you can't compare the grocery store, they are essential. Jess agreed; grocery stores and pharmacy provide life giving essential services. Omar said one week is too short, he can't get the work done that he needs to do. He is pushing for two weeks to get it done properly. Skipper wants the regulations to be the same in each town. He asked if the BOH wants to take a vote or action? Erik said they have some info from Matt, but still feel like they haven't heard from all the island towns. Not all towns are in step right now. He believes certain activities may not need to stop. Perhaps they could ask each project to provide a course of action. Tim is in favor of a two week hard stop. Ron asked if they should define construction activity by anything that needs a building permit or minor work permit. Skipper suggested including landscaping, and what about painting? Joe pointed out that painters & landscapers often have 4-5 in a truck. Skipper said we should address that as well. Erik said from a Health standpoint that raises issues about living circumstances. Cindy asked about using Nantucket's as a model and just modifying it? Ron said he thinks we should do that.

There was further discussion about including landscaping and painting crews in this shut down. Ron said that right the now model doesn't include that.

Further discussion about what is considered emergency work, and if they allow on a case by case basis, do the answers need to be collaborated between Joe (building) and Omar (Health).

Recess until 3:00

3:00 reconvened

**Town Hall Playground:** *C. Mitchell motioned to close the playground at the town hall. K. Healy seconded the motion. A roll call vote on the motion was unanimous in favor.*

Jen spoke some more on painting and landscaping. Erik is not 100% sure that work happens only on construction sites, especially since its spring. Jen explained the thought was that much of that work was on sites that would be shut down so we would catch a lot of it. Skipper asked if it would include someone like Richard Olsen? Jen explained that for road grading no, foundation yes. Joe asked about trenching? No, they can't unless an emergency. Kent said this won't be perfect but we need to do something.

Skipper asked how would enforcement work? Ron: good question – we will all struggle with this. Board of Health has enforcement powers. If they do construction after Wednesday, it will involve Joe and the WT Police Department. There could be suspension of permit, but the Police Chief has said they won't be the building police.

When polled for their thoughts:

BOH

Omar is in agreement with this order. He is ok with working to fashion regulations

Tim: in agreement

Erik: in favor in general, can we say companies can be asked to limit workers to island residents?

Jessica: in favor as presented, needs to be reviewed on a regular basis

BOS

Cindy: in total support

Ken: in total support

BOH vote:

*E. Lowe motioned to adopt WT Construction order as presented. J. Miller seconded the motion, A roll call vote was unanimous in favor.*

*BOS C. Mitchell motioned to adopt WT Construction order as presented. K. Healy seconded the motion, A roll call vote was unanimous in favor.*

*K. Healy motioned to adjourn the meeting. C. Mitchell seconded the motion. A roll call vote was unanimous in favor.*

Adjourned 3:20 pm

*Respectfully Submitted by Jennifer Rand, Town Administrator*