

Approved 4/15/20
TOWN OF WEST TISBURY
SELECTMEN'S MEETING
March 24, 2020 5:10 pm – 5:51
Phone conference call meeting

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

Also Present: Ron Rappaport, Pierce & Bernice Kirby, Russ Hartenstein, Omar Johnson, Erik Lowe, Ron Rappaport, Jessica Miller, Tim Barnett, Will Sennott, Mike Bellisimo, Rich Saltzberg

Skipper called the meeting to order, Tim called the meeting to order

Emergency Stay in Place Order:

Board of Health (BOH) – Skipper asked if there were any questions or concerns. Omar said he was in favor of this to stop the curve on infection increase. He said the island is starting to get positives coming through. The order is a combination of what Nantucket issued and what the Governor issued. The BOH was in favor of the document.

Board of Selectmen (BOS) – Kent said he was in favor, it has defined essential services and activities. He noted it may help WT decide how to carry out changes in local drop off . BOS has been charged in making these decisions. Cindy said she was in favor of this document thankful for the work of Town Counsel and Town Administrators

Jen – looking for clarification on who makes decisions about the construction ban.

Skipper said it should be the BOH, it's their regulations, noting that was not part of this order.

Ron said he agreed. He noted that procedures for enforcement could go in the construction order.

Will asked if the order meant people from off-island can't come to town. Ron said that's the intent of the order. Due to limited resources in our hospitals we need people to stay in their primary home.

Pierce asked how is that was going to be enforced. Ron said there are enforcement mechanisms that are inherent in Board of Health Statutory powers. Haven't met to discuss those but this is meant to be a clear message to those who do not live here because we simply can't handle it.

Erik – Where do we stand with the other towns. Jen said everyone was in favor of the document with the addendum that explains the order in short bullets.

Rich said that Board of Health regulations regarding enforcement requires court orders. He said the courts are closed so how does this work. Skipper said not all enforcement requires the courts.

Will asked if the police had the right to enforce social distancing before this order. Ron said in his history he doesn't recall ever having island wide emergency orders like this. People need to take a step back and recognize public officials are doing the best they can to keep people safe. Hoping people comply voluntarily.

Skipper suggested the order be translated into Brazilian Portuguese.

Skipper said the BOH seems to have power to make these regulations, he asked how the BOS has the power to create the order. Ron said the State of Emergency brings certain inherent powers.

BOH: E. Lowe motioned to adopt the Emergency Stay in Place Order Wednesday 3/25 at noon expire April 7 noon. J. Miller seconded the motion. A roll call vote on the motion was unanimous in favor.

BOS C. Mitchell motioned to adopt the Emergency Stay in Place Order Wednesday 3/25 at noon expire April 7 noon. K. Healy seconded the motion. A roll call vote on the motion was unanimous in favor.

Construction Ban:

Skipper asked if everyone wanted to talk about an appeal process for the construction ban. Erik asked how has it been working. Jen said that the Building Inspector gets requests and then works with the Health Agent to determine if the work can continue or not. Skipper asked if there should be an appeal process or can their decision be final. Erik said if its all going smoothly seems like we can leave it the way it is at the moment. Kent said that anyone that has question about the administration of this can bring it to the BOH or BOS. Ron said he didn't have the order in front of him but the two people charged by stature are Joe and Omar, if its working well isn't that good enough for now. Omar said he can consult with his board if something needs further input. Cindy said she agreed with Omar, let the questions come and see where it leads us.

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

Respectfully Submitted by Jennifer Rand, Town Administrator