

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the town's website, at www.essexma.org. For this meeting, members of the public who wish to listen to the meeting may do so via Conference Call. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

The call-in number will be: 717-275-8940. The access code is: 8378315.

Dr. Driscoll, Chairman, opened the meeting at 7:04 pm. Dr. Driscoll, Ms. Roderick, Clerk, Ms. Kirchner, BOH Administrator, and Ms. White, Administrative Clerk participated remotely as did Detective Davis, Fire Chief Doucette, residents Elizabeth Eaton, Steve Woodman, Doug Woodman and Maureen Woodman among others.

- Discussion and possible vote requiring cloth face covering for customers and employees of all essential businesses as outlined on Governor Baker's emergency order dated March 23, 2020.

Dr. Driscoll read aloud the draft order for consideration:

"USE OF MASKS AND OTHER PROTECTIVE MEASURES".

Pursuant to the declaration of a state-wide public health emergency on March 10, 2020, Massachusetts General Laws, Chapter 111, Sections 31 and 122, 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulations, we, the members of the Board of Health in the Town of Essex, Massachusetts, hereby order the following:

1. All members of the public entering any place allowed to be open to the public pursuant to Governor Baker's Covid-19 Executive Orders, including but not limited to grocery stores, gas stations, home improvement stores, the Town's transfer station and the like must wear a cloth face covering that covers their nose and mouth, such as a fabric mask, scarf or bandana, over his or her nose and mouth.
2. The cloth face coverings required are not surgical masks or N-95 respirators, which should be left for medical professionals and first responders. See the following links for information on cloth face coverings:
 - a. Graphic: <https://www.cdc.gov/coronavirus/2019-ncov/images/face-covering-checklist.jpg>
 - b. How to make a mask: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-gettingsick/cloth-face-cover.html>
 - c. How to wear/wash cloth face coverings: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>
3. The face covering requirements of this Order shall also apply to all members of the public picking up food from a restaurant or other establishment serving food to be consumed off-premises. This requirement

shall apply whether the food is picked-up inside or outside. If customers are waiting in line, they shall be wearing masks and standing at least six feet apart. Establishments shall make markings on the floor to ensure that this requirement is met. .

4. All establishments open to the public shall post a sign on their main entrance doors advising consumers that they are required to wear a face covering upon entering.

5. All employees of all essential businesses open to the public shall wear a face covering over their mouth and nose when interacting with the public and within six feet of a coworker. Employers shall provide face coverings to employees who do not use their own. Employers and employees must use previously prescribed protocols and guidelines for personal protective equipment and hand sanitizer is to be provided by the employer for staff use.

6. Any resident or member of the general public entering or exiting a residential or commercial building complex of greater than one (1) unit must wear a face covering over their nose and mouth while in common areas and communal spaces and must exercise social distancing in these spaces in accordance with CDC guidelines. See these guidelines at: www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html

7. Brick and mortar establishments included on Governor Baker's list of essential businesses will be allowed to operate in accordance with the orders and guidance of the Governor and Department of Public Health, including but not limited to effective social distancing and occupancy limit measures.

8. To the extent necessary, this Order shall be enforced by Board of Health officials and Essex Police Officers.

9. 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.

10. 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.

This emergency order shall be effective beginning FRIDAY, APRIL 24 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.

Following the discussion by the Board, with comments from the Detective Davis, Fire Chief Doucette and Essex residents, Dr. Driscoll entertained a motion that the Board vote to approve, by roll call vote, the use of masks and other protective measures order with the modification of item #10, changing "shall" to "may". Ms. Roderick so moved.

Dr. Driscoll voted to approve the motion. Ms. Roderick voted to approve the motion. All in favor.

Dr. Driscoll closed the meeting at 8:00 pm.

Next BOH meeting: 5-14-20

Prepared by: _____
Ann White

Attested by: _____
Erin Kirchner, RS, Board of Health Administrator

Signed date: _____