



Fairhaven Board of Selectmen

Meeting Minutes

March 13, 2020

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FAIRHAVEN,
MASS.

Present: Chairman Charles Murphy, Vice-Chairman Robert Espindola, Clerk Daniel Freitas, Town Administrator Mark Rees and Administrative Assistant Vicki Oliveira.

Also Present: Police Chief Myers, Fire Chief Timothy, Health Inspector Daniel Shae, Board of Health member Michael Sylvia, School Superintendent Dr. Robert Baldwin, Assistant Superintendent Tara Kohler, Director of Technology & Finance Nicole Potter, Deputy Chief Correia, Media & Communications Specialist Erin Costa, Human Resources Director Anne O'Brien, Housing Authority Director Krisanne Sheedy, Housing Committee Chair Jay Simmons, Public Works Superintendent Vinnie Furtado, BPW Board member Keith Silvia, Cable Access Director Derek Frates, EMA Director Marc Jodoin and EMA Assistant Director Roger Gautreau and members of the public.

Present via phone: Health Agent Mary Kellogg

The meeting was videotaped on Cable Access.

Chairman Murphy called the emergency meeting to order in the Fire Station Incident Command Room at 4:32 p.m.

Chairman Murphy thanked the members of the Emergency Management Team for all their hard work. Mr. Murphy announced that Health Agent Mary Kellogg would be joining the meeting via telephone as she is out of town.

Mr. Rees introduced the support personnel sitting at the table and announced that as of 4pm today there have been no reported cases of COVID-19 in Fairhaven or Bristol County. He stated the Board of Health and the Fire Department are tracking the virus and are up to date on the number of reported cases. Mr. Rees explained that this is different than the common flu and the best preventative measure is social distancing and washing your hands often.

Mr. Rees said starting Monday, March 16, 2020 the Council on Aging will be closed but due to the elderly population but social day will remain open for at least one more week. Town Offices will remain open as of now but preparations are being made in the event Town Offices have to close. Mr. Rees thanked Media Specialist Erin Costa for all her hard work in getting the information out to the public.

The support team spoke about the measures each department has been taking to keep the public informed and safe:

Health Inspector Daniel Shae said the Health Department is working with Emergency Responders daily and monitoring the CDC. He encouraged all citizens to follow the town website for the latest up to date information and to not panic. If you are feeling sick stay home,

the focus is to stop spreading the virus. Use delivery services or curbside pickup whenever possible. Frequent hand washing is the most important thing and remain at least 6 feet away from another person.

Fire Chief Tim Francis said the Fairhaven Fire Department is prepared to respond to all emergencies. If someone has flu like symptoms please do not call an ambulance and call your primary care physician, the ambulance is there for emergencies only. First Responders who are called out for a respiratory emergency will be wearing protective gear as a precaution. The Fire Department is working closely with the Health Department to stay ahead of the virus.

Police Chief Myers said not over use the 911 system but if you call for an emergency there will be a series of questions the dispatcher will ask; for both the first responder's protection and the patient's protection. The Police department is changing their protocol on how they will respond to emergencies by modifying policies and procedures to keep first responders safe and healthy so they can continue to provide the services to our community.

Superintendent Dr. Robert Baldwin said these are unprecedented and uncertain times but per the daily updates from the Fairhaven Health Agent there has been great communication. The District leadership of superintendents has been staying ahead and proactive on this unprecedented situation. All the Superintendents in the commonwealth have been in contact with one another to make the best decisions for the districts. As of today, the schools have decided to take a one week break to see where the virus is but the Administration Office will remain open and the School Committee is still planning on meeting.

Selectmen Espindola asked if the town wide RAVE system is in place for residents. Deputy Chief Correia explained that the RAVE system is being implemented but the 911 system still in operation.

Krisanne Sheedy, Housing Authority Director had concerns about quarantining her residents and if this was a requirement. Mr. Shae informed her that currently this is about social distancing and limiting contact with each other and to remain vigilant with sanitation and hand washing.

Mr. Rees thanked Human Resources Director Anne O'Brien for her hard work, with the help of Clifford and Kenney, in preparing the Staying Home or Sending Employees Home Policy (Attachment A). The primary purpose of the policy is to temporarily amend the current sick bonus policy so if an employee has to stay home because of the COVID-19 they won't be penalized. This policy also addresses precautions for employees regarding the virus and safety and sanitization.

Mr. Espindola would like to see wording in the document reminding employees about frequently washing their hands and not touching their face too often.

Mr. Freitas suggested temporarily limiting the amount of work travel outside of the area. Mr. Rees will work on the wording for the policy.

Mr. Espindola made a motion to approve the preliminary approval of the policy with the amendments about travel and touching faces. Mr. Freitas seconded. Vote was unanimous. (3-0)

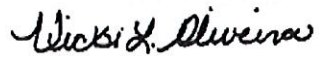
Mr. Rees updated the support personnel regarding Massachusetts Governor Baker's executive order stating that towns can offer remote participation even where it is against their by-law. (Attachment B) Mr. Espindola made a motion to allow each individual committee to conduct

their meeting remotely as they see fit during this time. Mr. Murphy seconded. Mr. Freitas voted against. Vote passed (2-1)

The Board thanked everyone for their hard work during this difficult situation.

Mr. Espindola made a motion to adjourn at 5:09 PM. Mr. Freitas seconded. Vote was unanimous.

Respectfully submitted,



Vicki L. Oliveira
(Approved 04/13/2020)

Attachments:

- A. Staying Home or Sending Employees Home Policy –draft**
- B. Governor Charles D. Baker executive order**



Town of Fairhaven
Massachusetts
Office of the Town Administrator
40 Center Street
Fairhaven, MA 02719

Tel: (508) 979-4023
Fax: (508) 979-4079

Staying Home or Sending Employees Home

The coronavirus (COVID-19) is creating increasing concern in communities across the country and each day the infection spreads. In an effort to keep the virus from spreading, the CDC (Center for Disease Control) recommends that employees who appear to have acute respiratory illness symptoms (i.e. cough, shortness of breath) stay home and if upon arrival to work or become sick during the day, be sent home immediately.

As a precaution, the Town of Fairhaven is encouraging sick employees to stay home if they exhibit symptoms of acute respiratory illness. These employees should stay home and not come to work until they are free of fever, signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees **must** notify their supervisor if they are sick and will not be coming to work.

If employees come to work displaying the symptoms listed above, their department director or supervisor may send them home with the same restrictions listed above.

Employees will be required to use Sick Time for this period of time. If the employee does not have Sick Time accrued, they will be allowed to go into the negative. The employee will be required to earn back the Sick Time until they are no longer in the negative before they are able to use additional Sick Time.

Until further notice, taking sick days will not be used to reduce an employee's sick incentive bonus, if eligible, and any requirement to submit a doctor's notice for sick time use will also be suspended for the duration of the Coronavirus threat.

Employees, department directors, or supervisors should contact Human Resources with questions about when to stay home, send an employee home, or what paperwork is needed.

Please refer to the Coronavirus (COVID-19) Employee Safety Policies (Attachment A) for directives to prevent infection, and to prevent spread of the coronavirus.

Accepted ___ / ___ / _____

Charles K. Murphy, Chairman

Robert Espindola

Daniel Freitas

DRAFT

Attachment A
Coronavirus (COVID-19) Policies
For Employee Safety

Employees are the backbone of providing services to the public and your health and safety is important to us. The following policies will be in place for your safety during the coronavirus outbreak. We ask that all of you read and follow these policies.

➤ **Precautions**

- Wipe down public counters and areas that the public and your co-workers frequently touch. (You are responsible for wiping down your own work areas and equipment).
- Wash your hands regularly with soap and water.
- Do not shake hands with the public or fellow employees.
- Cough or sneeze into a tissue, or your elbow if you have no tissue.
- Keep a safe social distances (three feet or more) from others when possible.
- If you plan to travel outside of the country, notify your department head of where you are going.
- Avoid sharing food utensils, containers, pens, and other personal items.
- Distances yourself from someone who appears sick.

➤ **Do not come to work**

- Upon returning from travel, be prepared to self-quarantine for 14 days before coming back to work (time will be charged to sick time balance).
- If you come in contact with someone who has been exposed to COVID-19, do not come to work. Contact the Health Agent for instructions.
- If you have acute respiratory illness (cough, shortness of breath) and/or a fever greater than 100.4 degree (f), do not come to work.

➤ **If/Then**

- If you show up at work with a cough or a fever, you will be sent home.
- If you start to exhibit symptoms of a cough or fever while at work, you will be sent home.
- If an outbreak occurs in Fairhaven, then we will contemplate closing all municipal buildings to the public.
- If someone from the public visits a public building and we discover they have the coronavirus or have been exposed to the coronavirus, then we will close that building and have it sanitized.
- If someone in the workplace is diagnosed with COVID-19 virus, we will close that building and consider work-from-home protocols.

DRAFT

Attachment B



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.

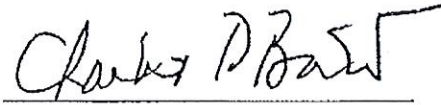
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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