

**CITY OF SALEM
BOARD OF HEALTH
MEETING MINUTES**
Virtual Meeting held via Zoom
and also
Recorded by SATV
November 10, 2020

MEMBERS PRESENT: Dr. Jeremy Schiller, Paul Kirby, Geraldine Yuhas, Sara Moore

EXCUSED: Datanis Elias

OTHERS PRESENT: David Greenbaum, Health Agent, Suzanne Darmody, Public Health Nurse, Maureen Davis, Clerk of the Board, Patti Morsillo, City Council Liaison

ATTENDEES ADDRESSED: Mark Blanchard, seeking variances, Meg Riccardi, resident and Ward 6 Councillor

TOPIC

DISCUSSION/ACTION

J. Schiller read aloud that, pursuant to Governor Baker's orders, there exists COVID-19 Emergency Open Meeting Law Guidance regarding the implementation of virtual public meetings.

1. Call to Order

7:03pm

**2. Approval of Minutes
(October 13, 2020)**

S. Moore motioned to approve the minutes. G. Yuhas 2nd. All in favor. Motion passed.

3. Mark Blanchard – Request for two variances to City of Salem Board of Health Regulation #27, Body Art Regulation: Continued

D. Greenbaum said he reached out to Cambridge on a number of occasions and never got a response either by email or by phone. He said Peabody issued a permit to a body art establishment with an open floor plan, but the inspector that dealt with it was on vacation, so he was not able to get any details. He said M. Blanchard submitted an alternative floor plan with walls for each workspace. In the past we have allowed 8-foot walls that do not go floor to ceiling with screens or curtains for privacy if need be. He is not opposed to an open floor plan, but we have set a precedence to require walls, so he is concerned that some people may be upset if we allow it now.

He said they have always required barriers between each workspace. He said a number of requirements in our regulation are outdated. We were working on updating it when COVID hit and it has gone to the wayside because of it. There have been a lot of advances in the industry over the last ten years, such as single-use products, etc., that eliminate the need for things like a clean room and an autoclave. Updating the regulation is definitely something the Board should consider sometime in the future. When we do update our regulation, it will be important to include input from the industry.

S. Moore asked if we are talking about movable barriers or permanent walls.

D. Greenbaum shared the updated floor plan with permanent walls.

S. Moore asked M. Blanchard if he is ok with the plan with 8-foot walls.

M. Blanchard said he is ok with it, but he will only have two workstations, so he will have something between the workstations anyway.

P. Kirby asked if the newly submitted plan complies with the current

regulation and M. Blanchard is ok with it, are we still considering a variance?

S. Moore said he would still need a variance for the clean room.

P. Kirby asked if the variance for a clean room has been routinely approved in the past.

D. Greenbaum said it has and said there would also need to be a variance for shorter walls if they are not floor to ceiling. We have approved a variance for this a couple of times before.

P. Kirby said his biggest concern is the fairness issue. If we required everyone else to build walls, then it wouldn't seem fair to allow it now.

M. Blanchard said it would be a 4-foot wall with another 4 feet of plexiglass with a curtain for privacy.

Members discussed and agreed to the plans.

P. Kirby moved to approve the two requested variances for Tomb Gallery Tattoo at 274 Essex. G. Yuhas 2nd. All in favor. Motion passed.

D. Greenbaum will send something in writing to M. Blanchard.

4. 84 Federal Street – Request for Hearing to Appeal a Violation Notice issued October 8, 2020

D. Greenbaum said this item can come off the agenda. The City Solicitor negotiated an agreement to resolve that issue and they withdrew their request for an appeal.

5. Discussion regarding the Board of Health order delaying Phase 3 Step 2 of the phased reopening

J. Schiller said on behalf of the Board and the City, thank you to D.

Greenbaum, S. Darmody and the entire Department. He said the amount of effort and work that has been put in has been amazing. D. Greenbaum has been in constant contact and has put in an endless amount of work.

D. Greenbaum said thank you on behalf of the team and it has truly been a team effort and it is good to be a part of it. The Fire Department and Police Department have been helping us out a lot and the Mayor's Office has been a tremendous help not just during October, but throughout the pandemic.

In late September the Governor issued guidance for going into Phase 3, Step 2 of the reopening. In early October, with Halloween coming and the month of October, the Board decided they were going to halt that opening. The main thing the Board did was to hold seating at tables and restaurants to a maximum of six when the Governor said they could have 10.

Recently the Governor issued some new orders for restaurants and businesses and issued a modified stay-at-home order that runs from 9:30pm to 5:00am. Restaurants have to be closed, except for take-out and delivery, by 9:30pm. All patrons must be out by 10:00pm. That order expired on November 5th. He wasn't sure how the Board felt about extending it. He thinks with the Governors order early closures, going forward with the seating of 10 patrons at a dining table in restaurants seems like a reasonable compromise.

S. Moore asked if we have heard from any of the restaurants about a preference.

D. Greenbaum said the general consensus is they would like to go to 10, especially with the closures.

J. Schiller asked what kind of capacity restaurants have to increase to 10.

D. Greenbaum said there is no set capacity limit. It's kind of a self-limiting capacity because the tables need to be six feet apart so it would go

according to the square footage of the restaurant.

G. Yuhas asked if bars are open now.

D. Greenbaum said bars are not technically open but they can be used to add extra seating, but it has to come with food. People can't just sit at the bar and order drinks. Precautions must be taken, like plexiglass barriers with specific size openings so food and drink can be served underneath. Seats all have to be spaced out six feet apart.

S. Moore said she feels conflicted between restaurants needing business and our increasing case numbers. She wonders if it's possible to consider issuing a supplemental order keeping the number at six until our December meeting so we can see what the post-Halloween COVID bump looks like. It would be a good compromise to let us acknowledge that we want to support the businesses after October, but we are also anxious about the numbers going up but with a willingness to make the change after we see what the numbers look like.

J. Schiller agreed with Sara and said from a public health perspective, it's hard to justify expanding when we are increasing numbers in a dramatic fashion.

D. Greenbaum said the order would be for both indoors and outdoor dining.

J. Schiller said with the weather, the likelihood of indoor eating will be higher so people will be congregating more indoors. He just thinks it's a bad time.

P. Kirby asked if any other cities or towns are being stricter than the Governor's orders.

D. Greenbaum said he is pretty sure the City of Beverly stayed in Step 1 of Phase 3 for everything.

He said the only thing the Board is talking about is a six-person table limit.

J. Schiller said it's not without sacrifice for them and he empathizes with that. He asked what the chances are of us going from yellow to red.

D. Greenbaum said he doesn't anticipate with the new metrics that we will go from yellow to red.

J. Schiller said based on the metrics, we are on the cusp of red.

S. Moore said it is hard to justify loosening up any restrictions right now regardless of the color scheme because we know the numbers are going up.

D. Greenbaum doesn't think we'll get to the 14-day positivity rate to get to meet the threshold of 5% to get to red.

S. Darmody pointed out that, based on our population,

10 cases/day per 100,000 people is actually only five cases/day for us.

J. Schiller said we are approaching 10 cases per day.

S. Moore said the number of people testing affects the positivity rate.

D. Greenbaum said yes, if one person gets tested five times in a month, it will change the positivity rate and skew the percentage. People are testing much more frequently compared to the summer months for many reasons, but mostly because it is available now. He said the testing sites are averaging 600 tests/day. We have two sites, Lynn has four, etc. so there is a lot of opportunity to get tested.

G. Yuhas was asked if walk-ups are going to continue not to be allowed at the Salem High School site.

D. Greenbaum said there are no walk-ups anymore because they moved the site for the testing at Salem High for the winter and it is not conducive to walk-ups. Besides, when people have been waiting two hours in the car to be tested and then see someone just walk up and get tested – it is a fairness

issue as far as he is concerned. People can go to Old Town Hall for a walk-up test.

D. Greenbaum said he is less concerned about the number of people at a table as he is about dining inside with regard to air flow, etc. We know the virus spreads more rapidly indoors. He is happy to do whatever the Board wants to do.

J. Schiller said the feedback from the restaurants doesn't sound like it's been strong.

D. Greenbaum feels that they would prefer to go to 10, especially with having to close early. For the most part, restaurants realize it is in their best interest and will comply with whatever the Board decides.

P. Kirby asked if D. Greenbaum can gauge if restaurants are doing things like HVAC, etc.

D. Greenbaum feels pretty confident that restaurants are cleaning and sanitizing appropriately. He can't say the same for big ticket items like HVAC since they have had to close and had other restrictions placed on them, and now having the closure restriction so that may not be getting done.

J. Schiller said he is just uncomfortable with expanding given the increase in cases and coupled with the trend towards moving inside in the next month.

S. Moore would prefer to re-evaluate at the 12/8 meeting.

P. Kirby agreed.

G. Yuhas feels for restaurant owners and servers who are exposed to customers with no masks.

J. Schiller agreed to a temporary delay until the next meeting when we will either continue the delay or eliminate the delay and go to the Governor's phase.

D. Greenbaum said we should issue a revised order to maintain restaurant table seating at a maximum capacity of six patrons at any time until at least the next Board meeting on December 8th. He shared his screen with the October order. We will maintain #1 and #3 of the October order and continue the delay of Phase 3, Step 2.

He said the order can say the City will stay in Step 1 of Phase 3 of the phased reopening until the next Board meeting on December 8th when the Board will reassess the City's statistics to determine if moving to Step 2 is warranted.

P. Kirby motioned that the Board authorize the Health Agent to issue a new order delaying certain aspects of Step 2 of Phase 3 of the Commonwealth's COVID-19 Order. G. Yuhas 2nd. All in favor. Motion passed.

D. Greenbaum will draft an order and send it to the Board for review and comment.

6. Updates on COVID-19

J. Schiller said the data that was distributed today showed there is an increase in hospitalizations and that is what concerns him the most. When hospitalizations start to mirror the spike that is concerning. We are back to the numbers we saw in July.

D. Greenbaum thinks we are seeing the October bump. We are seeing a lot of younger people under the age of 19 who decided that partying was a

good idea and were not masked and no social distancing. Everyone should get tested before Thanksgiving before any gatherings. Otherwise we will see these numbers again in December.

J. Schiller is worried about the record increase in the number of cases statewide and coupled with the indoor lifestyle it is worrisome.

S. Darmody said people definitely have COVID fatigue. She is worried because she hears a lot of people saying we all got tested and we were negative so it's fine. But there is still 14 days where that could change, and people just don't want to do it. We've never seen daily case counts this high in Salem.

P. Morsillo feels it is due to some of the young population in Salem that refuse to wear masks outside. She is not sure what to do about it and how to educate them and their parents. She is getting calls about people outside in big groups without masks. It's very scary.

D. Greenbaum said they are young and think they are invincible.

Unfortunately, I don't think there is anything you can tell them that's going to make them decide to wear a mask. He is getting similar complaints. He doesn't think it is a political statement with the young people. People should understand that if everyone wore a mask for 2-4 weeks in this country, we could bring this virus under control considerably.

P. Kirby said if the vaccine works at 90% and everyone takes it, we could really knock it out with herd immunity.

D. Greenbaum said *if* everybody takes the vaccine. It will be a while until it is distributed widely. If everybody in the interim takes the precautions of wearing masks, socially distance, good hand hygiene and staying home when sick.

7. Discussion on Health Disparities and Race Equity

Attendee M. Riccardi spoke about the subcommittee for the task force.

She said she appreciates that this is an ongoing monthly agenda item.

She said the Mayor announced the task force at the end of June and task force members were assigned. They had initial meetings in July and August. In September they had their first forum item that came out of the task force with the use of force town hall. In late September and early October subcommittees were created. She is on the health subcommittee, which has four members and includes Dr. Roberts from NSMC. They have met twice. She asked if any Board members were interested in joining and said she would love the Board's feedback. The task force is looking to review City policies, services, ordinances and inequities in our systems that we can make a profound effect on.

J. Schiller asked how many subcommittees there are.

M. Riccardi said there are five; public safety, education, culture, economic and health.

She said there will be opening up a survey for the public to ask for feedback or ideas they feel the task force should be working on with an offer to work with the subcommittees as well.

J. Schiller thinks it is critical that someone from the Board or the Health Department be involved. It is a way for us to be helpful and be informed.

S. Moore said she would be more than happy to think through some questions with the Board. She would be interested to see how the data collected would intersect with health-related issues. She would be curious to see how all the subcommittees engage with each other and how they all relate to health.

M. Riccardi said the whole task force meets every other Monday as a group and then the subcommittees break off for about a half hour and then go back to the full task force again. meets every other Friday.
D. Greenbaum asked what the ultimate goal is of the subcommittee.
M. Riccardi said they are trying now to map out short-term and long-term goals. They meet every other Friday at 3:00pm.
D. Greenbaum said he is happy to participate and feels it is important that a member of the Board be there as well.
P. Kirby asked if she could coordinate with Maureen to communicate with the Board. She agreed.
M. Riccardi said they are asking for the Board's expertise and assistance.
J. Schiller said if there are issues that come up in any of the subcommittees that want to present to the Board of Health that would be great. Formal or informal presentations. We are enthusiastic about any way we can be helpful or involved.

8. Chairperson Communications

Nothing that we haven't already talked about.

9. Monthly Reports-Updates

a. Public Health Nurse's Report

S. Darmody said it has been much of the same with COVID and contact tracing. She is still trying to get flu shots out. She went to Charter Street this week to give flu shots. There is some demand for another employee flu clinic, and she is trying to find the time to do it.
J. Schiller asked how contact tracing is going with the increase in cases.
S. Darmody said it is a lengthy process for the nurses who help with contact tracing to get onto the system she uses. We will still use the contact tracing collaborative when needed, too.
P. Kirby asked is she is getting any pushback from people not wanting to cooperate due to jobs without sick time.
S. Darmody said most people are cooperative, but she is seeing some COVID fatigue. People are returning calls and following up. Workplaces are trying to help employees.
D. Greenbaum informed the Board that the Mayor gave him permission to hire a full time temporary public health nurse to assist Suzanne with some oversight of the part-time per diem nurses and to assist with case follow up and investigation.
S. Moore said she wanted to check to see if we still have the role that Kim Waller was playing as a COVID Coordinator.
D. Greenbaum said yes, we do.
Copy available at BOH.

b. Health Agent's Report

D. Greenbaum sent out a weekly situation report to the Board and will continue to send them each week.

c. Administrative Report

J. Schiller asked how we are doing with the budget.
D. Greenbaum said the fiscal year just started in July. The budget season was a difficult one. We had some payroll and expense budget cuts, but we are on track.
He said Salem is part of an eight-member community collaborative that has a grant to work together on regional projects and programs. The grant was set to expire just as COVID hit and it got extended. We were able to get some funding early on for COVID response and we just got some more

funding from the CARES Act for each community that has to be spent by December 30th. It has been helpful.

Copy available at BOH.

d. Council Liaison Updates

P. Morsillo has information from the Affordable Housing Trust Fund Board meeting. They spent some time talking about the end to the eviction ban. It is concerning that Governor Baker allowed it to lapse. His explanation is that there is a backlog in the housing court so it would take a while for them to start handling COVID-related evictions. She does not agree with that. The City is working on a housing-related clearinghouse of information resources for residents. It will help them with what to do if they can't pay their rent or mortgage. It's the same as the food information that was started at the beginning of COVID for people who didn't have access to food. There was information about where to get fresh vegetables, etc.

Some Boston landlords came up with an agreement that they weren't going to go forward with evictions. We're trying to look into that same thing here in Salem. The Mayor is going to be calling some of the large building owners, like POAH and the managers of some of the large buildings like Pequot Highlands to see if they will also honor that sort of agreement.

S. Moore asked if we can keep our eviction moratorium even though the State's expired on 10/17. There was no expiration date on ours.

D. Greenbaum said our moratorium stated it would be in effect until such time as the Board felt the public health emergency was over. He needs to check with the Legal Department to make sure the Board can maintain it.

P. Morsillo said the Mayor is trying to get information about court filings.

J. Schiller said we will revisit to see what the Board's options are.

D. Greenbaum will follow up with the City Solicitor.

S. Moore motioned to approve the reports. G. Yuhas 2nd. All in favor. Motion passed.

10. New Business/Scheduling of Future Agenda Items

J. Schiller said COVID is dominating our lives right now, but if anyone has issues or agenda items they want to discuss with the Board, just let him know.

We are dealing with an unprecedented, historic time. It is not common to live through a pandemic. It feels like an honor and a privilege to at least be involved with trying to make lives better dealing with it. We have to deal with it. We can't ignore it. He can positively digest it by knowing that at least we're doing something about it.

Members thanked J. Schiller for his leadership.

He praised D. Greenbaum for his incredible efforts.

D. Greenbaum said he has served a lot of Boards and it is nice to have a Board that is as proactive and supportive as this Board is. He and his staff appreciate that.

We are fortunate to have such a great group.

MEETING ADJOURNED:

P. Kirby motioned to adjourn. G. Yuhas 2nd. All in favor. Motion passed.

8:46pm

Respectfully submitted,

Maureen Davis
Clerk of the Board

*Next regularly scheduled meeting is
Tuesday, December 8, 2020 at 7:00pm
Virtual Meeting Via Zoom*