

**CITY OF SALEM  
BOARD OF HEALTH  
MEETING MINUTES**

**SPECIAL MEETING**

Virtual Meeting via Zoom

**September 17, 2021**

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

**OTHERS PRESENT:** David Greenbaum, Health Agent, Maureen Davis, Clerk of the Board

**ATTENDEES ADDRESSED:** (Please see minutes)

**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, etc.

**1. Call to Order**

7:01pm

**2. Discussion, deliberation, and vote on potential mandate that all attendees of large-scale indoor events be tested for COVID-19 prior to attending the event**

J. Schiller thanked everyone for making time to meet during these unprecedented times as we have been dealing with this for over a year and a half now.

He expressed his appreciation for the flexibility and enthusiasm for the Board’s involvement. He said both he and the people of the city appreciate all the dedication that has taken place, particularly within the Health Department. He praised D. Greenbaum and his crew for doing an amazing job.

He said the case load we have been seeing in Salem and throughout MA is continuing to increase and has not plateaued but is continuing to increase. What we learned from Provincetown with the Delta Variant is that, despite vaccinations being extremely beneficial and critical to the public health in reducing the risk of getting sick or dying from COVID, which is many, many times less prevalent in the vaccinated population than in the unvaccinated population, people who are vaccinated can still get the virus, be asymptomatic and spread the virus. We know that obviously is true with the unvaccinated, but with the Delta Variant being highly infectious, we have seen this uptick maintained for more than two months now in Salem. We were aware of the Delta Variant in July, but we were not aware that this increase and uptick would continue well into September, coinciding with the unique experience that we have in Salem which is Haunted Happenings in the month of October leading up to Halloween. It is a collision of events that are taking place in our city that was obviously unforeseen. It is presenting us with these mitigation efforts that we have to consider.

He added that the data shows well over 1/3 of our cases of this uptick are from the vaccinated population, also known as breakthrough infections. He worries, and he knows the mayor worries, about what is going to happen in October when we have large indoor events that we could be at risk of having a super spreader event. We need to do what we can to minimize

that. We are unfortunately unique as compared to not just to our neighboring towns, but throughout the country. People are coming from all over the world to Salem. That is a great thing as compared to last year where we were basically completely shut down. This agenda item that we are considering tonight is an important effort in limiting the risk to the public health within Salem and to the people visiting.

G. Yuhas asked, other than the Halloween Ball at the Hawthorne Hotel, what other large indoor events are we talking about.

D. Greenbaum said he is not sure exactly how many events there are, but we can work with our tourism partners to get that number. The Board has to discuss what the threshold will be to affect a specific event. In his opinion it should not be for events with less than 100 people. He feels it should include both public events and private events.

G. Yuhas asked if it would only be for weddings at Salem Hotels.

D. Greenbaum said any event venue that would host a wedding over a certain limit would be included.

J. Schiller said that through the month of October any indoor event that is considered large-scale, which is up to the Board to determine what is considered large-scale, would be included. He acknowledges that we are unique, and the tradition of the Salem Board of Health has been that we have been at the forefront of public health. We have made decisions that have been unique to our city but have been followed by other cities and towns soon thereafter. He pointed out our indoor mask mandate. We were one of the early cities to do it and several cities and towns followed suit. Our community is going to experience something unique when hundreds of thousands of people come into our city in the next six weeks.

D. Greenbaum said it is important to point out that part of the Board of Health mission is to protect public health and prevent the spread of disease. This proposal falls squarely within that mission.

S. Moore agreed and said this feels like a more difficult decision than the indoor mask mandate in some ways. The mask mandate was really a small ask and is an individual behavior. Providing free testing is going to require some coordination. We are not shutting events down. We may be adding another layer of challenges, but the city has plans in place to support businesses who are hosting these kinds of events. The bottom line is that we are a Board of Health, and our goal is to keep public health in the forefront of our minds. She asked about the availability of testing and how monitoring will take place with a wedding vs. a ball at the Hawthorne Hotel.

D. Greenbaum said the city is actively in conversations with an agency to come in and set up testing two to three days each weekend throughout the month of October. There will be rapid antigen testing which is about 75% accurate. It is more likely to have a false negative than a false positive. We are looking to set it up in a location that is centrally located within walking distance to any function hall, ball or any event that could potentially be covered by an order from the Board. It would be free to everybody. The testing would be paid for by the city. The testing will not be set up at every individual event creating an additional line for somebody to have to go through to get tested prior to entering the event. There should be ample opportunity throughout the course of a day, or if the Board chooses, the previous three days, to find a location and get a test. We still have our two Stop the Spread testing sites which are free to all residents of the

Commonwealth. He inquired to see if we can get Saturdays at the walk-up testing site downtown to help facilitate tests. He is waiting to hear back. The Board has to discuss if we want to require a same-day test, or do we want to go with standard operating procedures or best practices which have been within 72 hours of the event.

J. Schiller said, given the number of people attending, and in the interest of time, for this meeting we will limit comments to three minutes and attendees may comment only once in order to give everyone a chance to be heard.

Attendee Sandra Wright, 20 South Street, General Manager of Festival of the Dead, said one of the balls we are talking about is theirs. She said there will be over 700 people and she feels there is no way the city will be able to test all of the people that will be attending their ball that evening, plus all the people at other events taking place on the very busy weekend before Halloween. We are going to need the 72 hours if testing is mandated.

D. Greenbaum said the 24-hour testing is not going to take place at the event. The agency we are in contact with to do the testing indicated they can do 120-150 tests per hour. The one caveat is that people will need to pre-register, and we would provide all the information for them to pre-register. It will make things easier as it did for the Stop the Spread testing sites.

Attendee Christian Day, 246 Essex Street, said the math for testing does not work out. If a 24-hour testing requirement is in place, there may not be enough testers to handle the number of people and some people may not be able to attend the event they paid for. In New Orleans the standard of being masked, being 72-hour tested and being vaccinated has been very successful. His concern with no exemption for vaccine is that we are sending a branding message that vaccines don't work and giving power to all those people who are saying that vaccines don't work.

J. Schiller added that vaccines do work. People who get vaccinated are multiple, multiple times less apt to become sick, to be hospitalized and to die. Not having an exemption for vaccine in no way limits or diminishes the importance of being vaccinated. People who are not vaccinated should get vaccinated to protect themselves and to protect their community. This is an added layer of protection to protect ourselves for large-scale indoor events. It would protect the people attending the party, protect the people working at the party, and protect people who live in Salem experiencing the influx of people that we expect.

S. Moore added that we know that breakthrough infections happen, and we are seeing them here in Salem. We also know that people with breakthrough infections may not be symptomatic. When making our decision we need to keep in mind that there are over 5,000 students in Salem who are not vaccinated right now because they can't be. There are also frontline workers who may be working these events who have been more vulnerable by virtue of their engagement with the public. This would be an added layer of protection for them, too. She understands the argument about proof of vaccination not being sufficient but feels this added layer of protection is worth whatever mixed message people might think they are receiving.

Attendees Alexis Pharae and Benjamin Selecky from Vampfangs, 244 Essex Street, wanted to make sure the Board members each received a copy of the nine-page report they sent. They did.

B. Selecky said during a previous Board meeting when discussions about rolling back restrictions took place, a lot of community commenters did not want to roll back restrictions saying Salem was unique and there were still a lot of tourists and outside visitors. At that time, it was the Board's position that Salem was not unique and there were a lot of other tourist towns. While he agrees there is a massive influx of outside visitors to Salem in October, he would like to restate that Salem is not unique in that regard and should not be viewed through that lens. In his research, Salem is the only city in the country that is mandating testing to go into events. The message they have been hearing through the city and the Board at the most recent meetings was that there would be no new restrictions. Now we find out that the city has been in talks with Curative for the past four to six weeks. We inquired about it with many people within the city and were reassured time and time again by everybody we came into contact with that this would not be a thing. He thinks there has been a very serious breach of trust. He wonders why masks suddenly aren't enough when they have shown to be effective. Provincetown was mentioned and he knows it was a serious event. He wonders what the numbers were as far as hospitalizations and deaths. We have restaurants in town that have the same capacity for indoor dining as the large-scale events. If we aren't going to explore this for bars and restaurants, or for all places in Salem, then he doesn't think we should be singling out public and private events that are over a certain number of people.

D. Greenbaum said he thinks he has been pretty clear in saying that having no new restrictions is subject to change depending on what the data looks like. A lot of times these things come up last-minute, but unfortunately that is usually when the data changes. He cited numbers comparing last year to this year. The number of cases is double what it was last year in the same timeframe. Of these cases, we have about a 35-40% breakthrough rate. It is concerning from a public health perspective. The hope was that there would be no new restrictions, but he does not view this as a restriction. A restriction would be that the balls would be cancelled. He looks at this as a mitigation effort.

J. Schiller added that what happened in Provincetown is a very good example of why it is important to get vaccinated. Not many of those people got sick, hardly any of them were hospitalized and no one died. The important learning point of what happened in Provincetown, which altered CDC recommendations, was that people who are vaccinated can still transmit and be infected with the Delta Variant. The difficult thing about science is that science has nuance; there is no one catch phrase that fits all. Vaccinations work, but we have new information about this Delta Variant that it can be transmitted among the vaccinated. That is why this testing could be a really important mitigation effort for our busiest season of the year. He would argue against B. Selecky that we are unique, for better or for worse.

S. Moore said she does understand the question about whether we are restricting the size of crowds in general. Will it be event-driven or is it also for everyday spaces where we might see large numbers of people.

D. Greenbaum said we are talking about events. Restaurants do have some

limitations in that people don't spend three or four hours there mingling. Restaurants require people to be seated to remove their masks. Movie theaters currently don't have any capacity restrictions. While watching a movie you are still wearing your mask and you are with the group of people you went with and only for an hour or two. Events are different in that respect. There is a lot of mingling and walking around and eating and drinking while not sitting at a table with your family and friends.

Mayor Driscoll said she is grateful that we are in a much different position than we were in last year when we were not able to hold these events and were telling people not to come to Salem. We are looking forward to welcoming people coming into our community. This order is about making sure we keep people safe and keep Salem open throughout the month of October. There is no doubt, based on the data, that the Delta Variant is leading to an uptick in cases. We are seeing increases. We have a significant number of unvaccinated individuals in our community, either because they are not eligible or because there are hesitations. Almost 50% of 16–29-year-olds are not vaccinated, and there is no way to know who is and who is not vaccinated. We have not put a vaccine mandate in place, but we need to make sure we are operating the large-scale events in a safe way to keep both hotel staff and guests safe. We know this Delta Variant is absolutely explosive when it comes to transmission. One event with people who have the Delta Variant can lead to a super spreader event very easily. We are hoping that this order can be viewed as something that we work closely with operators and with the people that manage and run our venues to make this as seamless as possible to get people tested before they come in. The city is willing to take on the task of setting up a centralized downtown facility for rapid testing. There will be ample time and ample ways for people to get tested before an event. We also have Stop the Spread testing facilities that are returning test results literally within the same day. The key to this is not to lead to a point where we are regretting having these large-scale events. Dr. Roberts from Salem Hospital told her that COVID case counts, and hospitalizations are up. About 40% of those hospitalized with COVID are breakthrough cases, meaning they are vaccinated individuals who still came down with COVID and were sick enough to end up in the hospital. She feels like this is a manageable precaution that is smart so that we can hold these events. She thanked the Board for all of the attention they have given throughout this pandemic. You are all volunteers and are all experts in your own specific fields. You have worked in a way that is strongly collaborative that recognizes public health and public wealth, and you try to avert risk and end up in the best place for our community. She will support any order they come up with.

Attendee K. Lynch, Director of Salem Horror Fest, with venues at Cinema Salem at 1 East India Square and at 211 Bridge Street, said he appreciates that this is being considered, but he finds it strange that we are two weeks away from Halloween and only now it is being discussed. He said he is not a health professional, but it was pretty obvious that we were going to end up in this situation and they implemented their own vaccine policy three months ago. For three months they have been telling everyone they must be vaccinated and must wear a mask. They have greatly reduced their

capacity. It concerns him that, one, you don't know how many events are occurring in Salem, and two, aren't clarifying the difference between events. For example, he was not aware that there were no limitations to movie theaters, so this may not even affect him because they are just showing movies this year because of COVID. He thinks this is three months too late and it is putting a great burden on people who have been messaging one thing to their customers for the past three months and now have to change that messaging with two weeks out.

J. Schiller said this is new information we are dealing with in real-time in a dynamic fashion. If three months ago we could have predicted about the Delta Variant we would have put in the mitigation measures that we have and that we are considering tonight. We are looking at trends and dealing with information on a daily basis as well as dealing with what our capacity is at the local hospital. That is how it has been with this pandemic for the past year and a half.

D. Greenbaum clarified that the conversations with Curative started in the last week. They have not been going on for six weeks. We initially thought we could do this internally but as we came to realize that would not be possible, we reached out to an agency to do this on our behalf. That is how the conversations with Curative started, less than a week ago.

Attendee Claire Kallelis, General Manager of the Hawthorne Hotel, 18 Washington Square West, said she is a strong believer in following the science and leads by science. She is concerned about her staff and herself as they are on the frontlines of hospitality. A month before the city's mask mandate she instituted her own mask mandate at the hotel and demanded vaccinations from her employees or a negative COVID test once a week. She is really concerned about the logistics of having the testing done on the same day and is an advocate of considering the 72 hour or even 48-hour prior tests for guests. She gets that the closer you can get the better, but that stretch of time would be helpful for their guests. For weddings and other events masks are required and they encourage testing, as do their clients. The difference between public events and private events is at private events like weddings there is no doorman, so it is difficult to get that information from guests. She said at the hotel they have lots of space and ventilation is much better at an event than at a restaurant.

Attendee Kristin Pangallo, 25 Buffum Street, said she is a resident, a parent of two children who are too young to be vaccinated, and a member of the Salem School Committee. She thanked the Board for all of their proactive work over the course of the pandemic and she is extremely grateful for the work they have done to help protect all of us. She is a chemistry professor at Salem State and specializes in teaching analytical chemistry, so testing is in her wheelhouse. D. Greenbaum said rapid tests are 75% accurate which is overall true. However, it is important to note that in the period when somebody is highly infectious, which is when we see a lot of transmission, the rapid tests are extremely accurate. When it comes to looking at an event, what we are interested in seeing is whether a person is infectious that day. Because of that she is very supportive of having a more limited time window for these tests. She understands that there are logistical restraints on that but feels that rapid tests are an incredibly powerful tool that we can mobilize for testing. She echoed what J. Schiller said about how

Provincetown proved how valuable vaccinations are because so many people were healthy at the end of that. It also showed why we need to test. They weren't doing a lot of testing. By testing we could prevent an outbreak. Our students are finally back in classrooms and that is because we have a relatively low rate of COVID here in Salem. We want to keep it that way. If we have an outbreak from one of these large events and bring it into our community, we may need to close schools or limit schools or restrict how our children are interacting in schools. We have already asked enough of our children. They have sacrificed so much during this pandemic. As adults we can figure out how to take this small additional step to help add a layer of safety to our community to keep all of us safe and so that our children who are unvaccinated are safe and can continue their full education. She is speaking up for our kids.

Attendee Rinus Oosthoek, Salem Chamber Director, 265 Essex Street, thanked the Board for considering everything. The Chamber, the EDRR, the hotels and the organizers are disappointed in not being part of the conversation. The city has been talking about this for longer than a week. He has so many questions and still doesn't know what you are considering, so he can't give you feedback. He hopes you consider implementing these tests. If you don't it will be a logistical nightmare. If not, you will have a panic on your hands and will have a number of people who will respond badly, including attendees and the organizers and businesses who so far have been extremely supportive and respectful of what you have done and have helped keep Salem safe. A logistical mess is being created not knowing what will happen to staff and testing. If you can't guarantee an event attendee a test, who is going to decide that they can't get into an event? There are so many things you can prevent by strongly encouraging and focusing on the vaccines. Hotels have different guests that mingle and comeingle. Are you going to make all hotel guests be tested when they get to the hotel?

Enforcement of the mask mandate is difficult and not everyone is behaving. D. Greenbaum and his team are doing the best they can, but it is not enough.

He doesn't think testing is doable on a practical level, despite the fact that the initiative is fantastic. Don't mandate it. Make it a strong voluntary event where people have the opportunity to get tested in Salem when they come here.

Attendee Tom Egan, 57 Ward Street, representing Salem Waterfront Hotel & The Regatta Pub, on behalf of Michael and Rick Rockett. He doesn't see that any data was presented, and no hard numbers were given showing any spikes in Salem. Same-day testing is simply impossible. The logistics will be a nightmare. The lines will be 8-12 hours. The Board says they are not cancelling events, but the patrons will cancel the events. They simply are going to go down the road somewhere else. We are the only city doing this. If this is such a good idea, why are we the only city doing this? They are not doing it in New York City or Foxborough at upcoming large-scale events where there are far more crowds than we are going to have here. He read a statement that stated, in part, how the restrictions will affect the merchants who already experienced financial setbacks due to the pandemic. J. Schiller said we have provided data and that is what this is based on. We

receive data on a daily basis.

Attendee John Andrews, Creative Collective, 265 Essex Street, said he runs a lot of events in Salem. He thinks we are adding an unnecessary element to Halloween and October in Salem in general. He would love to say this is going to work. The logistics of October in Salem are so beyond the scale of what most people understand until they actually get there and do it and they are in it. He is really concerned from a logistical standpoint no matter how talented Curative is. He has serious concerns. You are talking about thousands and thousands and thousands of people throughout the month. The Witches Ball alone is close to a thousand people. He hopes everyone who is planning this understands the scale and scope of how many humans you are actually talking about. The attitudes of some of the humans who come here are really, really poor and it is just going to get worse. There is tension out there already and this is adding a level of tension that I don't think we understand right now.

J. Schiller thanked everyone who commented. We are in an unenviable position of having to make these decisions in a situation that is constantly evolving. All our decisions are based on protecting the public health within Salem. There are logistics and implications. He thinks we have done a very good job of balancing what is best for the public health by minimizing the impact on people's lives. We have made difficult decisions, but he thinks we have made the right decisions because we have based them on the same principles that have guided us throughout this unfortunate year and a half.

G. Yuhas agrees it has to be 72 hours and not 24. 72 hours would be a fair thing to do. She thinks we should do the mandate for public events but maybe we should make it a recommendation for private events. It bothers her that we are thinking of making mandates for private parties.

P. Kirby said he is leaning toward 48 or 72 hours. If we do the mandate, he thinks the burden is ultimately going to be on people that wish to attend these events. He doesn't think we can create the impression that you can drive into Salem on the night of your event and expect that you are going to be able to get a test in time to attend that evening. As others have said, that seems like a logistical nightmare. The event organizers would have to contact their ticket holders and make them aware of this. The message is that they are going to have to arrange for themselves to get a test. It should be indicated to the attendees that the best way to do that is to get a test wherever they are before they come to Salem. We can make tests available, but we don't want to have the backlogs that people were talking about. Twinned with that is the idea of expanding the time frame which obviously lowers the efficacy.

J. Schiller said 72 hours is currently used in several venues.

P. Kirby asked about the possibility of the city providing over-the-counter self-administered rapid tests at sites.

D. Greenbaum said 72 hours seems reasonable. The tests will need to be administered by a certified lab for reporting purposes.

J. Schiller said it seems like there is a building consensus for 72 hours.

He countered G. Yuhas' point and thinks the risk remains the same whether an event is public or private.

G. Yuhas said she is comfortable with the requirement for private events if it is at a public venue.

There is no guidance from the state to determine what number is considered

a large venue. To him more than a hundred would be considered large. Something to consider would be an event with a hundred people or more in any indoor private or public event in a public space with a 72-hour requirement of a negative COVID test for admittance.

G. Yuhas asked if people can get these tests done in their own hometown before they come.

D. Greenbaum said they can, and it opens up the availability of testing in a multitude of locations depending on where they are coming from. If they get here and they need to have a test, testing will be available.

D. Elias totally supported everything the Board said.

J. Schiller said we heard many comments tonight. We have also received many comments encouraging us to put forth this mandate versus an advisory. One of them that should carry some weight was from Dr. Dave Roberts who is President of Salem Hospital. He was strong in his advocacy for us putting forward this mandate for negative tests for public and private indoor events. He cited many data points, many of which we touched upon regarding the spike in cases, but also about the capacity at the hospital. He is dealing with patients who are sick at the hospital. We should take his opinion very seriously and it should have a lot of weight with the Board and with the community as well.

**S. Moore moved that for all indoor gatherings in public spaces where guests number more than 100 people, all attendees must submit a negative PCR or antigen COVID test that has been administered within the past 72 hours in order to be admitted to said gathering. This mandate shall begin at 12:01 am on October 1, 2021 and expire at 12:01 am on November 1, 2021.**

**G. Yuhas 2<sup>nd</sup>.**

**Roll call vote:**

**G. Yuhas – yes**

**S. Moore – yes**

**P. Kirby – yes**

**D. Elias – yes**

**J. Schiller – yes**

**Motion passed by a vote of 5 to 0.**

**MEETING ADJOURNED:**

**P. Kirby moved to adjourn. S. Moore 2<sup>nd</sup>.**

**Roll call vote:**

**G. Yuhas – yes**

**S. Moore – yes**

**P. Kirby – yes**

**D. Elias – yes**

**J. Schiller – yes**

Respectfully submitted,

**Motion passed by a vote of 5 to 0.**

8:16pm

Maureen Davis  
Clerk of the Board

*Next regularly scheduled meeting is  
Thursday, September 23, 2021 at 7:00pm  
Virtual Meeting Via Zoom*