

**Board of Health Minutes**  
**Monday, May 11, 2020 5:30 PM**  
Zoom Meeting  
25 Green Street, Ipswich, MA

The Board of Health participated in this meeting remotely utilizing Zoom in accordance with the Governor's March 12 Order suspending provisions of Open Meeting Law and to promote public health and social distancing.

**Call to Order:** Susan Hubbard called the meeting to order at 5:35 PM.

**Members attending:** Susan C. Hubbard, Dr. Susan Boreri and Amanda Donovan were in attendance.

**Others in attendance:** Director of Public Health; Colleen Fermon, Health Inspector, John Morris, Administrative Assistant, Jennifer Brown, Pater Pinciario and John Muldoon

**Citizens Queries:** None.

**Minutes:** Susan Hubbard made a motion to approve the March 9, 2020 minutes. Dr. Boreri seconded the motion. The motion passed unanimously.

**Public Hearing: TEMPORARY EMERGENCY REGULATION #1 OF THE IPSWICH BOARD OF HEALTH- Use of Face Masks and the Operation of Essential Services in Ipswich**

Susan Hubbard opened the public hearing for the TEMPORARY EMERGENCY REGULATION #1 OF THE IPSWICH BOARD OF HEALTH- Use of Face Masks and the Operation of Essential Services in Ipswich.

**WHEREAS**, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

**WHEREAS**, on March 19, 2020, the Ipswich Town Manager and its Public Health Director determined that the threat of COVID-19 poses a present, real and imminent danger to public health, safety, and general welfare of the people of IPSWICH and as such declared a state of emergency in the Town of IPSWICH;

**WHEREAS**, on March 23, 2020 Governor Baker issued COVID-19 Order no. 13 entitled "Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces and Prohibiting Gatherings of More than 10 People", which, among other things, restricted public gatherings to 10 people or less, closed businesses providing non-essential services, identified certain essential services and assured the continued operations of essential services in the Commonwealth subject to certain conditions;

**WHEREAS**, COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus is slowed to protect the ability of our healthcare providers to handle the surge of new patients and safeguard public health and safety;

**WHEREAS**, on May 1, 2020 Governor Baker issued COVID-19 Order no. 31 entitled "Order Requiring Face Coverings in Public Places Where Social Distancing is not Possible";

**NOW THEREFORE**, pursuant to Chapter 111, Section 31 of the Massachusetts General Laws, and all other necessary and appropriate powers and authorities, we, the Board of Health of the Town of IPSWICH, Massachusetts, hereby issue the following Temporary Emergency Regulation #1 regarding the use of face masks and the operations of essential services in IPSWICH:

**Order:**

- 1) Any person over age two who is in a place open to the public in the Commonwealth, whether indoor or outdoor, and is unable to or does not maintain a distance of approximately six feet from every other person shall cover their mouth and nose with a mask or cloth face covering, except where a person is unable to wear a mask or face covering due to a medical condition or the person is otherwise exempted by Department of Public Health guidance. A person who declines to wear a mask or cloth face covering because of a medical condition shall not be required to produce documentation verifying the condition. This requirement applies to all workers and customers of businesses and other organizations open to the public that are permitted to operate as COVID-19 Essential Businesses as defined in Appendix A of the Governor's COVID-19 Order 13, as extended by COVID-19 Orders 21 and 30.
- 2) All persons are required to wear masks or cloth face coverings at all times when inside grocery stores, pharmacies, and other retail stores. All persons are also required to wear masks or cloth face coverings when providing or using the services of any taxi, car, livery, ride-sharing, or similar service or any means of mass public transit, or while within an enclosed or semi- enclosed transit stop or waiting area.
- 3) All persons are strongly discouraged from using medical-grade masks to meet the requirements of this Order, as medical-grade masks should be reserved for healthcare workers and first responders.
- 4) If a customer refuses to wear a mask or cloth face covering for non-medical reasons, a business may decline entry to the individual.

This Temporary Emergency Regulation #1 shall remain in effect until notice is given pursuant to the IPSWICH Board of Health's judgment, or until Commonwealth of Massachusetts orders regarding the activities of COVID-19 essential services are lifted, whichever may occur first.

Violation of or failure to comply with this regulation is punishable by a fine in accordance with the following schedule, pursuant to Massachusetts General Laws Chapter 40, Section 21.

1 <sup>st</sup> Offense -	Written warning
2 <sup>nd</sup> Offense -	\$50
3 <sup>rd</sup> Offense -	\$100
4 <sup>th</sup> Offense and Subsequent Offenses -	\$300

Enforcement of this regulation shall be by the Ipswich Board of Health or its designated agent(s) and the Ipswich Police.

We the undersigned certify, that the foregoing Regulation was made at a meeting of the IPSWICH Board of Health duly noticed pursuant to Open Meeting Law as amended by the Governor's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020.

This emergency order shall be effective beginning May 11, 2020 and remain in effect until notice is given, pursuant to the Board of Health's judgement that the Public Health Emergency no longer exists.

Susan Hubbard opened the floor for comment and asked if anyone wished to be heard regarding the emergency regulation. There being no comments, the hearing was closed by Susan Hubbard.

Dr. Boreri made a motion to approve the TEMPORARY EMERGENCY REGULATION #1 OF THE IPSWICH BOARD OF HEALTH- Use of Face Masks and the Operation of Essential Services in Ipswich issued on May 11, 2020 and as spoken by the Chairperson, Susan Hubbard. Amanda Donovan seconded the motion. The motion passed unanimously.

## Hearings:

### **6:00 - The Trustees of Reservations- Steep Hill Beach – 300 Argilla Road – Represented by Peter Pinciario– Renewal of the Beach Water Sampling Variance**

Peter Pinciario, Director of the Crane Estate, Ipswich, presented, and the Board considered the renewal of a sampling variance to reduce the frequency of testing from once a week to once prior to the bathing season and at least 30 days thereafter throughout the duration of the bathing season

Colleen Fermon provided some background information for the Board. Previously, at the May 7, 2012 Board of Health meeting, the Board reviewed the Tier 3 Sanitary Survey Forms for Steep Hill Beach completed in April 13, 2012 and water quality testing results for the previous three bathing seasons. The water quality testing results of the 44 samples confirmed that the regulatory limits had not been exceeded. It was the decision of the Board of Health to grant a sampling variance to reduce the frequency of testing from once a week to once prior to the bathing season and at least 30 days thereafter throughout the duration of the bathing season. The variance was good for the 2012-2015 bathing seasons. Subsequently, at the June 6, 2016 Board of Health meeting, the Board reviewed the Tier 3 Sanitary Survey Forms for Steep Hill Beach completed in April 13, 2012 and water quality testing results for the previous three bathing seasons. The water quality testing results of the 44 samples confirmed that the regulatory limits had not been exceeded. It was the decision of the Board of Health to grant a sampling variance to reduce the frequency of testing from once a week to once prior to the bathing season and at least 30 days thereafter throughout the duration of the bathing season. The variance was good for the 2016-2019 bathing seasons.

At the meeting, Mr. Pinciario requested another variance. The Board reviewed water quality testing results for the previous four bathing seasons. The water quality testing results confirmed that the regulatory limit had not been exceeded.

Dr. Boreri questioned if there had been any changes in access to or topography of Steep Hill Beach. Mr. Pinciario confirmed that there has been some erosion of the beach but that its use has not changed. The beach is still utilized for summer camps and corporate events.

Colleen Fermon reiterated that no problems with the water quality testing results had occurred in the previous four bathing seasons. She recommended granting the variance as requested with the condition of a sampling frequency of once prior to the bathing season and at least every thirty days thereafter throughout the duration of the bathing season for 2020 through 2022.

The Board concurred that weekly sampling would not serve a significant public health purpose and the granting of the variance will not conflict with the intent and the spirit of 105 CMR 445.000.

Dr. Boreri made a motion to grant a variance for the renewal of a sampling variance to reduce the frequency of testing from once a week to once prior to the bathing season and at least 30 days thereafter throughout the duration of the bathing season for 2020 through 2022. Susan Hubbard seconded the motion. The motion passed unanimously.

### **6:00 - Director of Public Health Report:**

Pursuant to MGL Chapter 111 section 30, on April 30, 2020, Public Health Director and Town Manager issued an order USE OF MASKS AND OTHER PROTECTIVE MEASURES. As allowed by section 30, the director could act for the Board during an emergency provided the action taken is reported to the board within 2 days, which did occur.

This emergency order was effective beginning April 30, 2020, at 12:00 PM. This order is now replaced with the TEMPORARY EMERGENCY REGULATION #1 OF THE IPSWICH BOARD OF HEALTH- Use of Face Masks and the Operation of Essential Services in Ipswich issued on May 11, 2020 by the Board of Health.

**NE Mosquito Control District update:** The Northeast Massachusetts Mosquito Control will be setting up traps this week in preparation for the 2020 mosquito season. Testing will begin on June 15, 2020 and will run through October 5, 2020.

Ms. Fermon reminded the Board that the 2020 Best Management Practice Plan was amended to allow residents to request adulticiding on their property.

**Partners in Health update:** Four nurses are currently assisting with COVID 19 case investigations to contain the spread of COVID-19 in Ipswich. One will be leaving due to other commitments. The nurses will continue as long as they are available but we also have connected with Partners in Health to do case investigations and contact tracing.

Board member, Amanda Donovan is working with Partners in Health.

**Food Guidance:** FDA US Food and Drug Administration Best Practices for Retail Food Stores, Restaurants, and Food Pick/Delivery Service During the COVID-19 Pandemic has been shared with food operators.

**Governor Baker:** On Monday, May 11, 2020, Massachusetts Governor Baker shared with the Commonwealth a 4 phase plan for reopening. On May 11, 2020, the Baker-Polito Administration announced a four-phase approach to reopening the Massachusetts economy amidst the COVID-19 pandemic, and published Mandatory Workplace Safety Standards that will apply across all sectors and industries once reopening begins.

The goal of the phased reopening, based on public health guidance, is to methodically allow certain businesses, services, and activities to resume, while protecting public health and limiting a resurgence of new COVID-19 cases.

Phase 1 will be "Start:" limited industries resume operations with severe restrictions.

Phase 2 will be "Cautious:" additional industries resume operations with restrictions and capacity limits.

Phase 3 will be "Vigilant:" additional industries resume operations with guidance.

Phase 4 will be the "New Normal:" development of vaccine and/or therapy enables resumption of new normal.

Ms. Fermon recognized that not a lot of detail has been provided at this point. Information such as guidance on the reopening of beaches and the operation of recreational camps this summer is still being discussed.

**Mental Health Awareness:** May is Mental Health Awareness Month. Please remember, the Public Health Department has included information on the town website about behavioral health and substance misuse prevention, virtual support services, and coping skills. Persons needing assistance should be directed to the website or instructed to call 211 for assistance.

**COVID-19 Cases:** As shared on the ICAM video done earlier today, there have been 54 COVID-19 cases in Ipswich to date. 12 people are still in isolation, Additionally, there have been 58 contacts of COVID-19 cases and 19 people are still in quarantine.

**Adjourn:** Susan Hubbard made the motion to adjourn at 6:01 PM. Dr. Boeri seconded the motion. The motion to adjourn passed unanimously.

Documents used at the February 3, 2020 Board of Health meeting:

- March 9, 2020 Minutes.
- TEMPORARY EMERGENCY REGULATION #1 OF THE IPSWICH BOARD OF HEALTH- Use of Face Masks and the Operation of Essential Services in Ipswich.
- Commonwealth of Massachusetts Order Requiring Face Coverings in Public Places Where Social Distancing is not Possible.
- Commonwealth of Massachusetts Guidance for Wearing Face Masks in Public Settings issued May 1, 2020.
- Joint Guidance issued by The Office of The Attorney General and the Massachusetts Chiefs of Police Association, Masks FAQ.
- June 7, 2016 Board of Health Variance letter for Steep Hill Beach Sampling Frequency.
- Beach sampling results for Steep Hill Beach from May, 2016-September, 2019.
- 105 CMR 445.000; Beach Regulation.
- FDA US Food and Drug Administration Best Practices for Retail Food Stores, Restaurants, and Food Pick/Delivery Service During the COVID-19 Pandemic
- May 6, 2020 Email from Kimberly Foss Regarding Mosquito Trap Setting for the Ipswich 2020 Mosquito Season.
- MGL Chapter 111 Section 30.

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Susan C. Hubbard, Chairperson

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Dr. Susan Boreri, Board Member

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Amanda Donovan, Board Member