



**Town of Provincetown
July 2nd, 2020**

**Town of Provincetown
260 Commercial Street
Provincetown, MA 02657**

**Board of Health
Telephone (508) 487-7020
Fax (508) 487-7040**

PUBLIC MEETING

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

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 23, 2020 Order imposing strict limitation on the number of people that may gather in one place, and Chapter 53 of the Acts of 2020, this meeting of the Provincetown Board of Health 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 Provincetown website, at <https://www.provincetown-ma.gov/>. For this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Watch on The Community Channel 99 and PTV GOV Channel 18, as well as an online livestream of PTV GOV at <http://www.provincetowntv.org/watch.html>
2. To participate in this meeting, dial **(833) 579-7589**. When prompted, enter the following conference number: **308 877 784#**. Please do not speak until the chair or the meeting moderator asks for public comments or questions. If possible, please mute your phone until you are called upon to speak.

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 Provincetown website an audio or video recording or other comprehensive record of proceedings as soon as possible after the meeting.

Pursuant to G.L. c. 30A, s. 20(b), the Select Board and the Board of Health will hold a joint emergency meeting in the Judge Welch Hearing Room at Town Hall, 260 Commercial Street, Provincetown, MA, Thursday, July 2, 2020 at 2:00 p.m., for the purpose of discussing the following items:

Board Members Present: Steve Katsurinis, Chair; Dr. Susan Troyan, Vice Chair; Dr. Janet Whelan; Dr. Elise Cozzi; Irv Morgan.

Board Members Absent: Kalliope Chute.

Other attendees: Morgan Clark, Health Director; Lezli Rowell, Health Agent; Robin Craver, Town Manager; Jim Golden, Chief of Police; Robert Cameron, Chair of the Licensing Board; David Gardner, Assistant Town Manager.

Ms. Craver conducts a roll call for quorum.

Steve Katsurinis, Here

Dr. Susan Troyan, Here
Kalliope Chute, (absent)
Dr. Janet Whelan, Here
Dr. Elise Cozzi, Here
Chris Hartley, Here
Irv Morgan, (no response)

Mr. Katsurinis calls the Board of Health to order at 2:02 p.m.

Ms. Craver reads the preliminary information to begin the meeting.

1 Discuss the July 1, 2020 Q&A and to give direction to the Town Manager in regard to Public Safety. Topics to include but are not limited to: Staffing, Enforcement and Mask Policy (Votes May Occur).

Mr. Abramson, Chair of the Select Board, Ms. Craver, and Mr. Golden, Chief of Police discuss the unresolved issues and questions from the previous night's Q+A. Chief Golden reassures the boards and the public that the 4th of July will have an appropriate law enforcement presence throughout the day.

Mr. Abramson asks the Select Board for their comments and questions.

Mr. Anthony strongly expresses that there is a lack of police presence on the streets. He questions the authority for the private properties, especially on Commercial Street with large gatherings on porches. Ms. Clark recaps the governor's order on the number of people allowed for indoor gatherings and the maximum number for outdoor gatherings. She notes this will change again on Monday for step 1 of Phase 3 of re-opening. Mr. Katsurinis responds and explains the enforcement process. He says it starts with a verbal warning, next on a separate encounter there is a written warning, and then ultimately a fine. He stresses the previous consensus for activities that occur in private homes were not to be aggressively enforced, due to the possibility of it becoming volatile. However, he continues to say on a deck or a porch that is in plain view, is a different situation and would like to engage with those people about those circumstances. Mr. Katsurinis states that it is not a Board of Health matter and if someone lives next to a house that is having a gathering, he advises to call the police.

Mr. Anthony and Chief Golden discuss police enforcement and if the department has the money for overtime to have more officers on the streets.

Ms. King questions if it is in the purview of the Select Board or the Board of Health to implement stricter rules than what is in the governor's order. Ms. Clark responds and says that local government can enforce stricter rules if there are concerns. Mr. Katsurinis references advice received from Town Council and reminds the boards that when making stricter policies, they need to make specific findings. He notes especially when it is imposing on people's basic liberties, such as people's right to gather peacefully. He explains how they need to draw that tight connection to the rules and the necessity to prevent the spread.

Chair Abramson turns it over to the Board of Health.

Mr. Katsurinis reminds everyone that they are talking about direction to public safety, staffing enforcement and mask policy. He feels in terms of the location of mask wearing, the Select Board should lead. From his perspective, he sees wide spread compliance with masks and 100 percent is not a reasonable expectation. He expresses his concern with changing the rule and causing more confusion on where and when masks are required. He emphasizes how consistency is valuable and he

mentions the new signs that are up that show people what is expected here. He recognizes the achievement of the high compliance levels and it has been consistent.

Dr. Troyan agrees with Mr. Katsurinis. She emphasizes the Governor's directive and that masks are required when people cannot maintain or have social distancing of at least 6 feet. She agrees they need to continue to educate about mask wearing and that is what is needed to reach compliance, rather than extending the hours. Dr. Troyan says the best way to receive compliance with any rule is to have reasonable ones. She reiterates how it is very clear why masks are required during 9 a.m. and 9 p.m., due to the high volume of people. She concludes she is supportive of increasing the educational effort but trying not to change what they have in place in terms of the mask order because it covers what they need people to do.

Dr. Whelan agrees that consistency is important and sticking with the guidelines already in place.

Dr. Cozzi agrees what everyone has said. She asks for clarification if someone is concerned about an issue and it is a weekend, whom should one call.

Ms. Clark states that you call different people for different problems, so it depends on the issue. She says if there is a public safety threat, then you are always calling the police. Dr. Cozzi questions who should they call first. Ms. Clark clarifies that for regulatory compliance, there is an e-mail address compliance@provincetown-ma.gov and this to streamline concerns about businesses that require the Health Department to follow up. She also mentions that the public could call Town Hall at 508-487-7000 Ext 555, but again she reiterates this is for compliance issues. If it is public safety, that is a call to the police. She mentions the Code Compliance Officer is on the streets on the weekends and evenings. She says they will eventually be getting more support from the County.

Mr. Hartley does not recommend extending hours of the mask policy and feels that would cause more confusion, especially right before the Fourth of July weekend. He wants to enforce the policy in place now and make adjustments as needed later.

Mr. Katsurinis introduces Ms. Clark to speak about Step 1 of Phase 3 that will occur on Monday, July 6th. Ms. Clark announces the businesses that can open under specific guidance (guidance has not been issued yet) are gyms, museums, cultural/historical facilities and small guided tours. She mentions the local order from June 1st restricts some of the Phase 3 businesses, but Mr. Katsurinis and Dr. Troyan have already started to review that since that order has been in place. Ms. Clark mentions she has been working with some lodging establishments that have shared bathrooms to see if there is way to operate those bathrooms safely. She notes the Licensing and Zoning Department and how they are trying to receive guidance in advance for Phase 3 from the state on how outdoor entertainment can operate. In lieu of that, she says the departments have been trying to be proactive and working with the businesses to make sure they are ready on a local level. She says other changes in Phase 3 are that indoor gatherings are allowed with a maximum of 25 people or 8 people per 1000 square feet, she emphasizes never over 25 people. She says enclosed outdoor gatherings are allowed for 25% of the maximum allowed occupancy of the facility or never larger than 100 people. Ms. Clark says gatherings for unenclosed outdoor gatherings have different guidance, and she has not received that yet. She also mentions that the Governor announced that visitors from the states of Maine, Vermont, New Hampshire, Rhode Island, Connecticut, New York and New Jersey are allowed to travel freely among these states and in Massachusetts. Visitors from outside these states are asked to still observe the quarantine for 2 weeks when they travel to Massachusetts or these states. She emphasizes how it is difficult to receive this guidance at the end of the week and especially approaching a holiday weekend.

Mr. Katsurinis turns it over to Select Chair Abramson.

1. Discuss upcoming July 4th weekend - (Votes May Occur).

The Select Board and Ms. Craver discuss the resources for officers to be on the street, the education aspect of face coverings on Commercial Street, and the enforcement of the masks. It is made clear that education and enforcement is what is wanted moving forward and not just for the holiday weekend.

The Select Board make a motion for the Provincetown Police Department to initiate education and enforcement of the facemask coverings on Commercial Street and for the Chief of Police to provide more personnel on the street in regards to keeping the town safe.

The Select Board discuss changing the time of the mask policy and the language. They also discuss the finances for adding more officers to be on the streets.

2. Discuss changing the authorized hours of alcohol sales for liquor licenses Establishments – (Votes May Occur).

Mr. Katsurinis explains the discussions that occurred during the joint Licensing and Board of Health meeting on June 9th. The key discussions were about staff working one on one with businesses to be able to open and when a kitchen closes in a restaurant and the restaurant remains open, it is essentially acting like a bar. Mr. Cameron, Chair of the Licensing Board reiterates what Mr. Katsurinis said and says they are supportive of the businesses and then references the few bars that have found ways to have people sit and drink with minimal food to offer. He believes this policy needs consideration. Ms. Clark reminds everyone that the Health Department is tasked with what is a restaurant and what is a bar and guiding licensees through that. She notes the DPH announced that bars would not open until there is a vaccine or a therapeutic. She does recommend that 11 p.m. should be the curfew for alcohol because there is not much eating going on after the 10 p.m. seating. She wishes the state would have more guidance on this and believes it is necessary to enforce on a local level. Mr. Katsurinis notes that Town Council has confirmed that the Board of Health has the authority to do this.

The Select Board made the following motion.

Motion: Move that the Select Board and the Board of Health vote to amend the Joint Emergency Order (Indoor and Outdoor Seating) #14 to the hours of alcohol sales allowed at businesses with pouring licenses shall be between 8:00 a.m. to 11 p.m. Monday-Saturday and 10:00 a.m. – 11:00 p.m. on Sunday. All other regulations and permit conditions, including hours of operations, shall remain in effect and the service area shall be subject to inspection by agents of the Board of Health and Licensing Agent; to be effective immediately.

Each member of the Select Board state their comments. Mr. Gardner clarifies this is strictly about pouring licenses and not food licenses.

Mr. Katsurinis asks the Board of Health for their comments.

Dr. Troyan agrees with moving forward with this. She reiterates that bars have been a big problem in terms of transmission of the virus. She emphasizes that when a restaurant stops food service, they transform into a bar.

Dr. Whelan (no response).

Dr. Cozzi agrees with Dr. Troyan's statements and hopes for everyone to obey the rules.

Chris Hartley has no comments.

Irv Morgan (no response).

Mr. Katsurinis is supportive of this motion.

Ms. Craver conducts a roll call vote for the Select Board.

It is unanimous Aye, and the motion carries.

Ms. Clark conducts a roll call vote:

Dr. Susan Troyan, Aye
Dr. Janet Whelan, Aye
Dr. Elise Cozzi, Aye
Chris Hartley, Aye
Irv Morgan, Aye
Steve Katsurinis, Aye

Vote is unanimous and the motion is adopted by the Board of Health.

Motion: Move for the Board of Health to adjourn.

Moved: Mr. Katsurinis

Seconded: Dr. Troyan

Ms. Clark conducts a roll call vote:

Dr. Susan Troyan, Aye
Dr. Janet Whelan, Aye
Dr. Elise Cozzi, Aye
Chris Hartley, Aye
Irv Morgan, Aye
Steve Katsurinis, Aye

Vote carries unanimously.

The Board of Health adjourns at 4:20 p.m.

Respectfully submitted,

Amy White

Approved by _____ on _____, 2020