Selectmen’s Emergency Meeting Minutes March 24, 2020 Telephone Conference 3:00pm

**Call to Order**

Chairman Marchese called the meeting to order at 3:05 pm. The Chair called for a roll call to confirm attendance. Those in attendance: Matt Marchese, Andrew Baker, Robert Manners, and Town Adminstrator, Terry Narkewicz.

**Order of Business**

**Governor Baker’s COVID-19 Order No. 13 effective March 24, 2020 thru April 7** – Governor Baker’s recent state-wide executive order, requires all non-essential employees to not report to work in addition to establishing leave policies during this crisis. Chairman Marchese and the Town Administrator drafted a memorandum to staff, appointed and elected officials. The memorandum outlines the following protocol:

All municipal buildings will remain closed to the public. Employees and department heads whose office is located outside of Town Hall may enter only on an as-needed basis; spending minimal time there.

The Board identified essential employees as follows: Town Administrator, Police Department, Fire Department, Emergency Management Director, Emergency Medical Services, Highway Department, Board of Health, Transfer Station Attendant, and Senior Center Staff as needed. Additionally, the Board deemed the following offices essential with limited services: Treasurer, Accountant, Town Clerk, Assistant Assessor, and the Collector.

The Select Board, Board of Health and the Emergency Management Task Force will continue to monitor the COVID-19 virus and disseminate information as it becomes available.

Until further notice, all meetings must occur remotely. The Town purchased a licensed Zoom account, which allows up to 100 participants. With the exception of the Select Board, Board of Health and the Emergency Management Task Force, all other appointed Town Boards shall meet only if the Town Administrator deems the meeting “urgent or time-sensitive”. Should a Board or Committee disagree with the Town Administrator’s decision, they may appeal to the Select Board for a final decision. The Select Board respectfully requests that other elected Boards exercise the same degree of scrutiny and respect for the Open Meeting law when deciding whether to meet. The Town Administrator will include a copy of the Governor’s temporary Open Meeting Law that suspends some of its requirements to allow public bodies to carry out their responsibilities.

The memorandum also includes provisions for reporting in the event an employee is tested positive for the coronavirus, presenting symptoms of the virus, been in contact with other individuals presenting signs of or have tested positive for the virus, or has a family member presenting signs of the virus.

Finally, for the time being, the Select Board have authorized employees who work remotely or have reduced hours to receive their usual salary.

The Board voted on two motions presented following review of the memorandum.

1. Andrew presented a motion to approve the memorandum to staff and elected/appointed officials. Bob seconded the motion.

Roll call vote: Andrew – yes; Bob – yes; Matt – yes. Motion passed unanimously.

2. Andrew presented a motion to approve Attachment A of the memorandum that includes the following:

* + Requires all employees to remain at home if sick;
  + Outlines reporting protocol in the event an employee and/or his/her family displays signs of the coronavirus or has had direct contact with an individual who has tested positive or displays signs of the virus;
  + Identifies essential employees and;
  + Employees shall receive their usual salary if he/she works remotely or chooses to reduce hours to minimize potential exposure.

Roll call vote: Bob – yes; Andrew – yes; Matt – yes. Motion passed unanimously.

*Please note: provisions out-lined in both the memorandum and attachment A will remain in effect until April 8, 2020.*

**Transfer Station Operations** – at the request of the town’s transfer station attendant, Joe Giard, the town will send a second town-wide telephone call to inform residents of the following operational modifications until further notice:

* The free shed is closed;
* The transfer station will no longer accept non-recyclable plastic bags
* To minimize transactions between the transfer station attendant and patrons utilizing the transfer station, residents are urged to purchase multiple labels and provide exact change so to eliminate the need for a second exchange of money.

Andrew recommended that the message include a thank you to town residents and businesses for their cooperation thus far. Bob also recommended that the town provide a mask(s) for the transfer station attendant if supplies are available. No vote taken.

**Emergency Management Task Force –** Members of the Select Board authorized the Emergency Management Director to form an Emergency Management Task Force. Since then, Chris Myers, the Town’s Emergency Management Director has recruited several qualified members providing expertise in the areas of public health, emergency management services, medical, outreach, communication, record keeping, etc. The Task Force has met weekly to assign tasks to various sub-groups collecting and disseminating current information relative to the virus, focusing on prevention and mitigation, assessing the need for pandemic protective equipment, working with EMS and public health officials to establish protocol for handling cases as they arise, and working with regional groups. Given the frequency of their meetings and often-on short notice, some of the Task Force members questioned whether the Select Board considers identifies the group as a public body subject to the open meeting law. After consulting with Town Clerk, Joe Judd, he presented three options for the Select Board to consider.

**1**.The Task Force remains working as it is now,  understanding they are working as a Task Force in the spirit of the times, while serving in this capacity to keep our community protected and informed.

**2.** The Task Force begins working as any other appointed committee or sub-committee, understanding that they are subject to all Open Meeting Laws which includes the posting of their meetings, taking minutes, keeping them on file in the Town Clerk’s Office and/or website, expecting the general public to attend their meetings while having the right, as an appointed body of the BOS, to work in Executive Session under provision number seven, while citing the Governors Emergency Order as allowed under that provision.

**3.** To dissolve this current Task Force, by vote of the Board of Selectmen, and immediately have the Emergency Management Director re-appoint them. This way they could effectively function without being subject to the Open Meeting Law as already stated above.

Members of the Select Board identified three factors:

* The Board voted to authorize the EMD to form a task force in response to the pandemic and the Commonwealth’s current “state of emergency”
* Members of the Task Force were sought by the EMD and were not appointed by the Select Board and;
* The Task Force is advisory, consulting routinely with the Select Board for guidance and authorization for specific actions.

With that said, Andrew presented a motion to exercise option #1 and allow the Task Force to remain working as it is now providing that the group transcribe minutes of their meetings and consults with the Select Board on a regular basis. Bob seconded the motion. Matt agreed to speak with the Emergency Management Director, Chris Myers regarding the Select Board’s decision. The Chair called for a roll call vote: Andrew – yes; Bob – yes; and Matt – yes. The motion passed unanimously.

**Adjournment**: Bob presented a motion to adjourn at 4:24 pm Andrew seconded the motion. Motion passed unanimously.

Respectfully transcribed,

Terry Narkewicz, Town Administrator