

Minutes of the Truro Board of Health, Tuesday September 14, 2021

Remote Public Hearing to consider proposed changes to the **Rule & Order requiring the use of masks and other protective measures**

Board members in attendance: Chair Tracey Rose; Vice Chair, Jason Silva, member Brian Koll.

Also Present: Health and Conservation Agent Emily Beebe; The Public Hearing was opened at 3:32 by the Chair. The Chair announced the procedures for remote participation by the public and the Board.

The Chair asked the Agent to read the proposed changes to the **Rule & Order requiring the use of masks and other protective measures**. There proposed changes to the order would relax the requirement for the public to mask while inside of any place of business in Town. The language would shift from "required" to "recommended" in general businesses, and there would be a shift in the language of "required" to "should" relative to personal services. There were no proposed changes to the requirement for masking by all persons inside Public Buildings and on all public and private forms of transportation systems such as taxi's, ride-shares and the CCRTA flex bus, and in all transportation shelters.

Board member Jason Silva felt that the different rules in different Towns was confusing to the public. Board member Brian Koll asked if the Order was really still a requirement (as stated in the title) or now more of an advisory? The Agent responded that the language was mixed, but there were still requirements in the Order itself. Board member Brian Koll suggested that the title of the Order might be changed to "regarding" instead of "requiring" the use of masks to be less confusing. The Chair agreed that it was confusing, yet thought it might be important to preserve the language of "requiring" for the future. There was a comment made by Mr. Ron Fichtner (6 Pilgrims Path) about the increasing positive case count in Barnstable County and he recommended that the Order remain unchanged until the 14-day moving average at the county level either slowed down or decreases.

The Agent described an incident that happened at a local establishment involving a patron who had no intention of masking, and employees of the establishment then having to deal with a belligerent customer. This type of situation is exacerbated by the differing rules in different communities.

Mr. Fichtner asked if the Town was considering requiring vaccination of Town Employees. The Agent responded through the Chair, that the topic was being discussed but that it was an operational matter under the discretion of the Town Manager. Mr Fichtner asked further, if it was something that the Board should take a position on? The Agent described the topic as one that was a task of the Town manager, as an operational matter.

The Chair reminded the Board members that they could amend the Order as needed, and called for a motion.

Motion: Member Jason Silva moved to approve amending the **Rule & Order requiring the use of masks and other protective measures** as proposed; **Seconded** by Tracey Rose; the vote was 2-1.

The Agent questioned whether the vote carried, as it was not a quantum of the quorum, and asked for a minute to research the matter. The Chair also took a minute to research Roberts Rules of Order, and read the rule that the vote must be more than half to carry. The Vote was determined to have carried, and the Agent was to follow-up on this reading to confirm.

Jason Silva Moved to adjourn the meeting. The meeting adjourned at 4:01.



4:00 PM

2. JOINT EXECUTIVE SESSION WITH THE TRURO SELECTBOARD

The meeting will be locked and closed to the public once the Board votes to enter into Executive Session.

Move that the Board of Health enter into Executive Session jointly with the Selectboard, in accordance with the provisions of Massachusetts General Law, Chapter 30A, §21 (a) 3 to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares, re: Town of Truro v. Delgizzi, Southeast Housing Court, C.A. No. 19H83CV0357CI; and to not reconvene in open session.

