



# *Town of Adams* • **Massachusetts 01220**

Board of Health Department

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**Approved**

## **Adams Board of Health – Public Meeting Minutes**

1<sup>st</sup> Floor Mahogany Room and Zoom

**Thursday, September 9, 2021**

**BOH Members Present:** Chairman Dr. David Rhoads, Vice-Chair Joyce Brewer,

**BOH Members Not Present:** Member Dr. Peter Hoyt

**Others Present:** Mark Blaisdell-Code Enforcer, Michelle DeRose-BOH Administrative Assistant, Christine Hoyt-Vice-Chair Board of Selectman (virtual), Atty Edmund St. John-Town Council (virtual), Howard Rosenberg -Board of Selectman, Jack Guerino-iBerkshires, Constituents of the Town who spoke: David Morin, John Cowie, Jim Daunais, Michael Mucci, Don Sommer, Wayne Piaggi, Erica Girgenti-Director of Senior Center, John Duquette,; Several other constituents in person and virtual attended.

*In person or virtual participation in this meeting is allowed by Ch.20 of the Acts of 2021 suspending certain provisions of the Open Meeting Law, MGL c.30 §20. The Zoom information is given below. This meeting will be recorded via Zoom; a copy can be provided upon request.*

**Call to Order:** Chairman Rhoads called the meeting to order at 1pm

Note: if you are having trouble joining, please call David B Rhoads, PH.D. BOH Chair, at 781-507-1627.

Direct link: <https://us06web.zoom.us/j/86144622319?pwd=TVlQQlZlEeDFnUUMxMXNkeG1yVGhMUT09>

or go to “zoom.us/join” or call 1-929-436-2866 (New York) and enter meeting information

Meeting ID: 861 4462 2319

Passcode: **570062**

### **Public Comment:**

Dr. Rhoads opened the floor for public comments on any issue not related to the proposed Mask Directive, as the floor would be opened for public comment periodically through that agenda item.

### **New Business:**

- **To consider issuing a “Covid-19” Public Health Directive Regarding the Wearing of Masks, Other Face Coverings, and Related Safety Standards**

Dr. Rhoads opened with being a special meeting was called specific to Covid 19 cases increasing that comments/questions can be taken after reading each section of the proposed Directive. The Delta variant is a potent Corona virus and is increasing in the area as most of the current cases are the Delta variant with increased hospitalizations and a few deaths. It has higher titers and twice the transmissibility. The Board feels it important that the Town practice the protocols to limit transmission such as social distancing and masking, particularly indoors. And the concern is also for the children that are not eligible to be vaccinated. Households transmission is high with the Delta variant and can infect the vaccinated members of the household.

Dr. Rhoads continued reading the proposed Directive.

Point #1: Dr. Rhoads suggested changing this to include ‘smoking’ in the adult only retail cigar store. Ms. Brewer and Mr. Blaisdell agreed.

Point #2: Including 'outdoors' to food establishment employees to wear face covering when serving customers

Point #3: Masks to be required in crowded outdoor public events where physical distancing of 6 feet or more cannot be maintained. The suggestion is to add 'recess' and close contact sports and include spectators of events. If in the field, the mask may not be required if social distancing maintains.

Point #4: To include "smoking cigars"

Point #5: Event planners to suggest postponing. There may be exceptions as we realize that events may have been postponed multiple times during the pandemic already.

Point #6: This point was added that was suggested by Tri-Town Health Dept. All schools in Adams including private schools to follow the universal mask mandate that was issued by the Department of Elementary and Secondary Education.

Dr. Rhoads opened the floor for comments:

David Morin stated he is a life-long resident of Adams. He referred to the initial statement that Dr. Rhoads stated that the Board can issue this [Directive] by statute as it is not unreasonable. He feels that it is unreasonable and unscientific and says that this [mask] offers no protection. He asked Dr. Rhoads if he had taken an oath to uphold the constitution. Mr. Morin continued to ask without opportunity to respond. He said this is unconstitutional and unenforceable. He said he is happy that this is in the record and will leave as he felt this was a 'joke'. Dr. Rhoads thanked him for his comments. Mr. Morin started to walk out but then returned holding up a nip asking "Does this kills the virus? Is the virus alive or is it a protein? Does it want to kill its host?" He continued saying, "We have a bigger problem with obesity and hypertension. McDonald's sells fatty, sugary, salty crap. Why don't we ban McDonalds?" Mr. Morin asked for a motion to follow Stamford's lead to get Constitutional Community and no one is prohibiting people from wearing a mask or getting the vaccine. He asked for a second which was unanswered. Dr. Rhoads tried several times to state that Mr. Morin is out of order. Mr. Morin asked for a motion to ban McDonald's because it's killing people. Dr. Rhoads said he is out of order. Mr. Morin continued repeating his comments as he walked out the door blessing the Town of Adams.

Dr. Rhoads called on John Cowie. Mr. Cowie referred to the wording of the agenda "To consider issuing". He said it sounds like you already considered it and are going to issue it. Dr. Rhoads stated that it is a proposal. Regarding the portion that relates to St. Stan's school. He has 2 grandchildren that go there. The Town used to pay for a nurse at the school and it was stopped because it was said to be "unconstitutional". What authority does the Board of Health have addressing what St. Stan's school does inside the school as it is a private religious school? Dr. Rhoads said that the diocese had propagated their guidelines prior to Aug 25<sup>th</sup>. He said that the diocese follows DESE and in many cases more strict. The Board is trying to align with DESE. The principals are obligated to follow the diocese as well as the local rules and regulations. Bottom line is we have unvaccinated children and we want to keep them as safe as possible. Mr. Cowie asked what evidence does the Board have or considered concerning studies on masks and their effectiveness to protect the children. He explained a study from China. 303 positive asymptomatic cases out of 10,000 and then contact tracing was performed and did not find 1 case from a positive case. Mr. Cowie suggested if you're concerned about the kids, then why not close the schools? Mr. Cowie said that the mask can generate more germs and putting children in a closed room, wearing masks, can be more harmful to the kids. Dr. Rhoads stated that the studies we are following are indicating that masks are effective in not transmitting the virus especially when both parties are wearing masks and brings it down to a very low percentage. He agrees with the wearing of the masks all day may be unsanitary and agrees they should be changed out, perhaps every hour or two. The principals have been very accommodating with the procedures and supply of masks. Mr. Cowie repeated that the masks don't work. Dr. Rhoads asked about the flu virus as we haven't had any cases of the flu. Mr. Cowie responded because Covid wiped it out. Dr. Rhoads said that the virus is typically passed prior to showing symptoms and if no symptoms, in some cases, you don't know you have it and pass it on. With the flu, you

typically know you have it. We have been careful with each other and washing hands, etc. and flu cases went way down. Dr. Rhoads asked to move on and asked for other comments.

Jim Daunais asked who would be the last one standing asking ourselves “Gee, everyone else died, maybe we should have worn our masks”. He said that we all drive on the right side of the road and we trust others will do so too. We do this because it is for the good of the general population. Dr. Rhoads appreciated the comment.

Michael Mucci said it was hard to hear everything that Dr. Rhoads read and it sounded like it may be voted on before we’ve had a chance to review what you read. He asked if there is a model that has been approved by other towns are doing and why is the proposed directive more strict than what DESE is doing? Dr. Rhoads answered because community spread is high. It is not just the school kids that are at risk. He said that Easthampton and Tri-Town (Lee, Lenox, Stockbridge) has put in place very similar guidelines of what we are trying to do. Dr. Rhoads said that this is not a mandate or regulation or enforceable. It is a “Call to Action” and asking the Town for a sense of community and willingness to pick up those protocols that help stop the virus. Dr. Rhoads said that this is meant to be stronger than the “strong advisory” put forth a couple of weeks ago but not yet a regulation or mandate. Mr. Blaisdell explained a point from the Enforcement section of the proposed Directive that states “ Non-compliance with this directive may impact further spread of COVID-19, impact the health and safety of others. Non-compliance with this directive, the Adams Board of Health, under its authority may implement more strict rules and regulations of this directive, including daily fines for non-compliance, suspensions, and revocation of Board of Health permits. This responsibility is on the businesses, organizations to follow these guidelines of their employees, etc.

Don Sommer shared his experience being a restaurant owner. He has his staff and customers practice these guidelines and from the start of this, there has only been 1 complaint. Most of the medical experts, scientists have said that the masks help and don’t hurt you.

Constituent (woman) brought up information that there is another variant and it is mutating and not going to stop. Dr. Rhoads responded that there are 2 examples of weakening viruses; HIV and Flu. Both mutate and there are vaccines or treatments. The question remains at what point do we say, this isn’t going away, and it would be an option to wear a mask. There is no indication that this is going away.

Constituent (man) asked about the number of cases

Christine Hoyt asked about the number of cases in the town of Adams as of today. Mr. Blaisdell said we don’t have those numbers as they only come out every 2 weeks. We will get that data 1 ½ weeks from today of what number of cases were. Dr. Rhoads stated that the Berkshires is running 20-30 per day 1 ½ weeks ago. He did not know specifically the number for Adams. Mrs. Hoyt asked how the cases are spread. Dr. Rhoads said there is significant spread in households and in the work place. What started this was a particular establishment in Adams where 5-6 people became sick all of a sudden and one died. The vaccines are not 100% effective and the vaccinated can still contract it and still transmit it. The concern is for those that may have other conditions that if they contract the virus may get very sick and potentially die. Mrs. Hoyt asked for clarification on if this is a mandate or a call to action for the community to be more community minded. She asked for Atty St. John to respond since he is on the call.

Atty St. John had not reviewed the document as it had not been presented to him, therefore had not done any research on it. His initial impression, based on the discussion, that this is a suggestion and not a regulation that is enforceable. Dr. Rhoads said that this is correct except for the word “suggestion”. We are very strongly asking for all to mask up to protect the public health.

A constituent (woman2) asked Atty St. John if the businesses do not follow the guidelines to have employees or customers wear masks, then will there be fines? Dr. Rhoads answered, there are no fines listed. It will be revisited to reassess often. We will be following DESE, DPH and CDC.

Mrs. Hoyt asked about the 2<sup>nd</sup> item on the Agenda related to St. Stan's and if there was a party from St. Stan's in the meeting or if they had been invited. Dr. Rhoads said he has been in constant contact with Superintendent, Joe Rogge. A parent from one of the students of St. Stan's was participating in the meeting virtually. She said they had received a letter from St. Stan's regarding the recommendation that students wear masks and could opt out if they wanted. Her son is in 7<sup>th</sup> grade and is vaccinated but still chooses to wear his mask every day. She believes that 97% of the school population is wearing masks and to impose this order on a school that has taken a priority of their children's health all year long is unfair to them. She stated that the students were in school all year long last year with minimal cases. Dr. Rhoads said that he should have amended the agenda. Dr. Rhoads mentioned that Mr. Rogge is following dioceses guidelines and feels supportive of a greater mask usage. He is okay with changing to universal masking in the school.

Wayne Piaggi commented that their generations of 30-50 year old people are mostly fact and data driven. There was no statistics provided at this meeting to show data for the last 10 years of who dies of flu, pneumonia, etc. If you want people of the community to get behind you, then data must be provided. Dr. Rhoads is asking the community to come together to weather this current surge. We are viewing the patterns of when the protocols were in place, the cases decreased and when we relaxed the guidelines, the virus cases increased. Mr. Blaisdell did share some statistics that we did have when we were considering the St. Stan's universal masking. Sept 3: 71 cases in Adams with 41 households. It was a significant jump from the previous report. We are in communication with Dept of Public Health, Berkshire Medical Center on a weekly basis. Also in communication with Massachusetts Health Board Association in which provides legal guidance, not legal advice and they provided this Directive template. Many areas of Massachusetts have implemented this directive. In the next meeting, we will have Berkshire Public Health Alliance and our Public Health Nurse attending.

Dr. Rhoads stated that this is not a regulation, so a public notice in the paper is not necessary. If we can get the word out and could be posted on the Town website.

Erica Girgenti, Director of Senior Center, resident of Adams and parent of a St. Stan's student. She agrees with other the other parent of St. Stan's student, that it was widely communicated and recommended to wear a mask. She has witnessed herself that the children have been wearing masks. She agrees in wearing the masks as she has a young child. She thinks they are doing a good job educating and communicating to everyone to mask up. She would like to see the Board continue to do education about wearing masks and becoming vaccinated. The Mobile Health Van will be coming to the Visitor's Center and dates are to be determined. She would have liked to have seen this meeting occur later in the day and understood the urgency. If it was later, there may have been more people in the room that may have supported this request. She continued to say that they encourage the seniors and visitors to wear their masks when traveling through the center.

Constituent (Woman 1) questioned the statistics that were passed around the room. Is the number 8 hospitalizations for the county or for Adams? Dr. Rhoads said it was the county. She is looking for specifics on cases, hospitalized, ICU, deaths. Mr. Blaisdell mentioned again that the next meeting we will have more updates of data as The Berkshire Health Alliance and Public Nurse will be attending and may be able to answer the more specific questions on data of the areas they serve.

John Duquette asked Mr. Blaisdell where his mask was. Mr. Blaisdell tried answering while being interrupted that the sign the Town Hall says that visitors are required to wear masks. Mr. Blaisdell stated if you are asking a question to allow an answer. He continued to respond that he is an employee of the Town and the Board of Selectman had decided that the masks are not required of the employees. And secondly he has a medical

exemption. Mr. Duquette was wearing his mask and then decided to remove it. Dr. Rhoads asked for order. Others in the room stressed that the sign on the door that masks are to be worn. The Board said that it is for visitors. Overall, the constituents were upset that the employees were not following the same guideline that is being asked of them. Dr. Rhoads asked for order and said once this passes, it may be revisited. Dr. Rhoads explained the process and the Board of Selectman will revisit their policies which we want them to be aligned with us and Mr. Blaisdell does not need to wear a mask in an office setting if he is 6 feet apart. It was argued that he is not 6 feet apart. Dr. Rhoads suggested for the Board to finish and asked the floor to be quiet. It will be posted and then they will meet again on Wednesday.

Dr. Rhoads continued reading from the proposed Directive.

Adams Board of Health is encouraging community members to do. The 4 points were clear with no additions or changes.

Exemptions were reviewed.

Point #2: Dr. Rhoads will add that masks may be removed while smoking cigars in the adult only retail store

Point #5: Regarding in participating in water based activities and when swimming. It was agreed to remove this as it does not pertain to any locations in Adams

Enforcement was reviewed

The effective date noted of 12:01am September 10, 2021 will be changed as this will be further reviewed at the next meeting and will be reviewing DESE updates

Dr. Rhoads asked for a motion to continue this discussion at the next meeting but before that, he asked for a motion to combine the 2 agenda items to a single item. Ms. Brewer so moved, Dr. Rhoads seconded. Voted unanimously.

- **To consider issuing an order for Saint Stanislaus Kostka School to implement a universal masking protocol as promulgated by the Department of Elementary & Secondary Education, 25 August 2021.**

Combined to first item of agenda masking guideline for the town.

**Adjournment:**

Dr. Rhoads asked for a motion to adjourn. Ms. Brewer so moved, Dr. Rhoads seconded. Dr. Rhoads thanks everyone for coming and appreciated the comments. Voted Yes unanimously. Adjourned 2:14pm

Respectfully Submitted,



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Michelle DeRose

October 22, 2021

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Date