

**CITY OF SALEM  
BOARD OF HEALTH  
MEETING MINUTES**

**SPECIAL MEETING**

Virtual Meeting held via Zoom

**May 25, 2021**

**MEMBERS PRESENT:** Dr. Jeremy Schiller, Paul Kirby, Geraldine Yuhas, Sara Moore, Datanis Elias

**OTHERS PRESENT:** David Greenbaum, Health Agent, Suzanne Darmody, Public Health Nurse, Maureen Davis, Clerk of the Board, Patricia Morsillo, City Council Liaison

**ATTENDEES ADDRESSED:** (Please see minutes)

**TOPIC**

**DISCUSSION/ACTION**

J. Schiller read aloud that, pursuant to Governor Baker's orders, there exists COVID-19 Emergency Open Meeting Law Guidance regarding the implementation of virtual public meetings, etc.

**1. Call to Order**

7:03pm

**2. Review of Board of Health  
Emergency Public Health Order  
dated April 20, 2020 requiring face  
covering in essential businesses and  
in common areas of residential  
premises**

J. Schiller thanked members for being flexible and meeting outside of our regular scheduled meeting time.

D. Greenbaum said effective Saturday, May 29<sup>th</sup> all remaining COVID restrictions, protocols, mandates, and orders will cease.

The Board has been steadily in line with what the State and CDC have said and needs to decide if they want to continue on that path or keep some things in place.

J. Schiller said to summarize, we have two orders in place that would be outside of the State guidelines as of May 29<sup>th</sup>.

D. Greenbaum said if we keep the emergency order requiring face covering in essential businesses and in common areas of residential premises in place, then it would remain in effect even after May 29<sup>th</sup>.

The other is the public health order related to the emergency order regarding personal care services and the declaration of a public health emergency in the City of Salem. The State's declaration of a state of emergency expires on June 15<sup>th</sup>.

J. Schiller said based on the latest data, over 50% of people in Salem have had a first dose vaccination, the positivity rate is down to the level it was last summer. It is very promising.

The Board has really made a strong effort to be data-driven and to use metrics to determine what can be relaxed and what would concern us. He feels we should go along with the State.

D. Elias asked if we remove the requirement for face coverings in businesses, would the businesses have a right to continue to require it on their own, or would it be an impediment to them.

D. Greenbaum said businesses do have the authority to institute a safety measure on their own, but he knows some businesses are a little hesitant to do that and would prefer to have something in place across the board. He

has not heard from any of the other surrounding communities that they will be doing something like this. The major businesses in town will be lifting their mask mandates on Saturday in accordance with the Governor's declaration last week.

He thinks some of the businesses downtown will continue to at least request that people entering their businesses wear masks because it is going to be very hard to determine who is vaccinated and who is not.

G. Yuhas said she was downtown and observed that about 75% of people had masks on outside. If people are not comfortable going in a store, they can wear a mask.

D. Greenbaum said wearing a mask is going to become a personal choice as of Saturday. It will take time for people to adjust.

P. Kirby wondered if we could get legal clarification and get communication out to businesses letting them know they can legally continue to require masks.

D. Greenbaum said that question came up after the Governor's announcement a couple of weeks ago and it was clarified that businesses do have the authority to continue to require people to wear face coverings if the business chooses to do so. It is his understanding that businesses still have the legal right to refuse service to people. He would recommend that any business that has questions consult their legal representatives for clarification.

S. Moore takes seriously the concerns of staff having to potentially deal with irate people if we remove the mask mandate. She has heard from a few business owners that their staff are nervous about having to enforce a mandate that is not consistent with the State. Some business owners do not even want to do it, but they feel they have to. If we keep the mask mandate in place, she is more concerned about the potential for conflict.

D. Greenbaum said prior to the Governor's announcement last week, which caught us all by surprise, the City had gone to great lengths to provide signage, information on de-escalation, as was discussed at the last Board meeting, and boxes of masks to all the downtown businesses so they would be prepared for the indoor requirement to remain in place.

J. Schiller said what gives the Board legitimacy, and is in the name of public health, is what the guidelines tell us from the CDC and what the data tells us. Being sensitive to concerns is really important, but we can only base our recommendations on the data that we know of.

Attendee Jillian Perry, owner of Emporium 32 at 6 Central Street, said one of her biggest concerns is the CDC guidelines say vaccinated people can converge without a mask, but so many are not fully vaccinated. She said she had very little problems last year enforcing the mask mandate, but she doesn't want to do this forever because it is exhausting, and she feels it is too soon. The June 15<sup>th</sup> date sits better with her and also with her staff, so they have time to get their second vaccine.

Attendee Sandra Wright, a resident of 20 South Street, runs two shops on Essex Street: Hex at 246 Essex Street and Omen at 184 Essex Street. She agrees with Jillian that June 15<sup>th</sup> would be better to be changing based on some of her staff still trying to get their second shot. She asked when they can stop using the plexiglass and other PPE they have purchased, like hand sanitizer. When will all that end?

D. Greenbaum said according to the Governor that all ends on this coming Saturday, May 29<sup>th</sup>.

S. Wright said her concern, similar to many others, is that she doesn't want her staff to be put in a position to enforce anything that other people feel is above and beyond what they are being asked to do elsewhere. There really is no way to know if someone is fully vaccinated and we don't feel comfortable asking for proof.

She said the stores are so close together downtown and people tend to go from store to store, so if they are being asked to do things differently from one store to another it is more of an annoyance for people.

J. Schiller said he understands there are a lot of individual situations, but we need to make a community decision. We have been faced with these kinds of decisions all year.

D. Greenbaum said it is important to note that vaccines have become much more broadly available. We have a regional vaccination site at Salem State University that can do 500 doses a day and today we did 22 vaccinations. All of the providers in Salem have appointments every single day. There is not an impediment to get vaccinated at this point, the challenge is just getting people out to get vaccinated.

Attendee Giovanni Alabiso, 8 Central Street, Salem Historical Tours, agreed with what Jillian and Sarah said and added that he does tours outside, so he agrees with the outside order being lifted, though he thought it was a little too early. He and some of his staff are still not fully vaccinated, so it is problematic. He has a store as well as the tours. On the inside he has a smaller space, so he has been limiting the number of people. We don't know who is vaccinated. Some people are coming from out of state and some of the states people are coming from don't believe the vaccine will work or don't believe COVID is real. June 15<sup>th</sup> makes more sense to him, and he would feel safer.

Attendee Benjamin, one of the owners of Vampfangs at 244 Essex Street, said consistency is key. They don't intend to ask anybody if they have been vaccinated, whether it be a customer or staff. Masks are only one mitigation. They intend to keep their occupancy low even after restrictions are lifted because they found it resulted in a better shopping experience for their customers and was much more comfortable for their staff. They intend to keep cleaning in place, like they always do. They have had relatively few issues in their shop, but they do see the opportunity for more confrontation from people if we are not consistent with the broader regulations.

G. Yuhas said if we make the ruling for no masks indoors, we have to specify that it is for people who are fully vaccinated, as the CDC said.

J. Schiller agreed and said we should also reiterate what we know works, as Benjamin said.

D. Greenbaum said it is important to note that the Governor also said fully vaccinated people don't need to wear a mask.

He said he understands the challenges of trying to determine who is vaccinated and who is not vaccinated. It is going to be a decision for each individual business to decide what they want to do.

P. Kirby said it is great to hear from the business owners and he is extremely sympathetic. He agrees that the early date was a surprise, and he

wishes the Governor had said June 15<sup>th</sup> rather than this Saturday. In October we had a compelling case to vary from the State. He feels from a policy perspective we should follow the State because if everyone varied it could become quite chaotic.

Attendee Jillian Perry spoke again and said we could possibly think about doing this provisionally based on location. Provincetown had success limiting it to the downtown areas where distancing is harder. Downtown is special and distancing is much harder. She asked if a June 15<sup>th</sup> date could be considered for the downtown area.

P. Kirby said he thought when the outside mask order was lifted people would still wear masks outside and he has found that to be the case. He feels people are pretty thoughtful.

J. Perry said that seeing people wearing masks could be a result of the signs that are still in the garage and all over downtown that say masks are required indoors and outdoors.

J. Schiller said he is totally sensitive to peoples' comments, and this will be a transition. From a public health standpoint, we should be proud of the accomplishments we have made. We have arrived at this point where the positivity rate is very low, hospital capacity is greatly increased and our vaccination rate is doing very well, considering. There is always going to be risk, but we have to make a public health decision based on data, community need and national recommendations. Some states are much more lax than Massachusetts. Our State has been a leader throughout the country with vaccinations.

D. Greenbaum said in the early days of this pandemic when nobody knew what was happening and nobody understood the virus, this Board was on the forefront of instituting requirements and restrictions and regulations that the Governor was not quite ready to make at the time. He feels like Salem led the way in that respect. Those steps the Board took in the early days of this pandemic has brought us to this point today where we are in a position to potentially ease restrictions. Should things start to go the wrong way, this Board would be ready to react and put restrictions back in place if necessary.

J. Schiller said we were the last city in the state to relax the outdoor mask mandate. We have been very conservative in our decision-making, and we are on the precipice of making a decision to approach normal.

Attendee Benjamin from Vampfangs spoke again and asked for clarity about the CDC guidelines and the State's. He is concerned that if we go with the CDC recommendation that vaccinated people can be unmasked indoors it will create a lot of issues.

D. Greenbaum said the CDC and the Governor's announcement both said fully vaccinated individuals no longer needed to wear face coverings whether it be indoors or outdoors. He believes that is the direction this Board will go.

Benjamin said it was his understanding that all mask orders are lifted on May 29<sup>th</sup> regardless of vaccination status.

J. Schiller said some places will still have mask mandates, such as hospitals and public transit. We are eliminating the requirement that has been in place in Salem specifically.

P. Kirby said we are saying it is no longer a requirement to wear masks in

stores, however stores may still require masks.

Benjamin wants to confirm his understanding that on May 29<sup>th</sup>, aside from the places mentioned, he can go anywhere in the State and not wear a mask, regardless of his vaccination status. His mask wearing is not tied to his vaccination status, correct?

J. Schiller and P. Kirby said yes unless a business chooses to require it.

Benjamin said he wants to make sure that Salem is not saying we are lifting the mask order, but only for vaccinated people because that is not consistent with the State.

Attendee Nicholas Perry, 4 Central Street, said he understood that the goal of this meeting was to decide whether to continue with an order or to rescind it entirely as the State is doing, because it seems as though you have all made your decision before the meeting started. All he has heard so far was the Board arguing against concerned business owners saying why it is their individual choice to continue to require masks. It feels like you came into this with a decision. It feels like you have ignored the business owners' concerns and not listened to any possible alternative scenarios. We also are a tourist town that deals with thousands of people coming into the City daily from all over the world, so our personal vaccination rate in the City kind of goes out the window when you take that into account. It feels like you have ignored that.

J. Schiller responded by saying that we have not ignored the comments by business owners. We read many emails, and other information, prior to the meeting. There is a lot of preparation that goes into play. Each Board member has to make their own decision, but that decision is not ignoring comments, but rather incorporating them.

P. Kirby reiterated that the Board has not come to this meeting with a decision made. No individual Board member discusses this in any way, shape, or form with others. This is our meeting and we have not met to discuss this. He said he happened to have to come to this meeting personally with the view that we should harmonize our regulations with the State, but that is just him. It sounds like others on the Board feel the same way, but that is us coming in as individuals. We have not deliberated on this prior to this meeting.

N. Perry said he didn't expect you to have made a decision beforehand as a group, but the voices he has heard tonight so far have all been in agreement with dropping the regulations, which for the most part he agrees with. However, he feels like you haven't addressed the alternate issues and concerns, you are just saying "thank you" to the comments and saying, "you are welcome to make your own choices." It feels predetermined.

J. Schiller said he is not sure why he thinks that because there are individual circumstances, which are important, and we have discussed them, but what metric would we use to determine that June 15<sup>th</sup> is that much safer than May 29<sup>th</sup> as compared to July 1<sup>st</sup> or August 29<sup>th</sup>. These are dates that need data to bolster our decisions. The concern about delaying it is problematic to him.

N. Perry said a higher vaccination rate among the working class of the City would be that metric. All summer long last year things changed every two weeks, and two weeks makes a big difference, so two weeks then is also two weeks now.

D. Greenbaum said the difference is we didn't have the vaccines last

summer, and again, vaccines are widely available.

S. Moore asked if D. Greenbaum has heard of any conversations in the city of Boston from service providers or people in the retail industry as to whether or not there is pushback from what the State is doing. We are in a very densely populated city that is a tourist attraction, as is Boston. So, if they and their experts are feeling like this is an okay move forward, it suggests to her that it could be an okay move forward for Salem as well. D. Greenbaum said he has not heard any conversations from Boston, but the Mayor of Boston generally runs three weeks behind the Commonwealth in rolling back regulations and said they are going to move forward at the same time on May 29<sup>th</sup>.

G. Yuhas said when the CDC made the announcement, they did say vaccinated people can take off their mask in indoor and outdoor settings.

D. Greenbaum said the Governor's announcement removes whether they are vaccinated or unvaccinated.

S. Moore said it is because it is hard to enforce. There is a difference between recommendations and policy.

P. Kirby said the CDC recommendations are to help people decide their relative risk. That is different from law and policy.

D. Greenbaum said the Salem State University regional vaccination site opened two weeks ago today and we have today just hit 275 doses administered. The only reason we saw an uptick in dose administration last Thursday was because it was after school and children 12 to 15 were approved to get the vaccine.

Attendee Daryl Bennett from a Sacred Place Wellness Center at Museum Place Mall wanted to say thank you for all of the views that everyone has expressed. She said besides vaccines, what is not being mentioned is that antibodies are very important in this whole fight against this virus. We all probably got COVID back in January or February when we didn't know it was around. That cough that lasted two or three weeks. Some of us with healthier immune systems most likely have antibodies for this. She wishes there were something else she could say or do to help people to not be living in fear, which is what she is getting a sense of. Other things that could help, like Vitamin C and Vitamin D that she mentioned at the last meeting, can help a person's immune system to be strong. She is hoping she is helping people to not be afraid.

Attendee J. Perry spoke again and said to make it clear, business owners are asking for a couple more weeks to make sure staff and customers have time to be fully vaccinated and are in the safe zone. She gets the vibe that the Board takes the business owners' comments with a grain of salt, but they really are the front lines of all of this, and she really hopes we consider everyone's feelings.

J. Schiller responded to her comment and said the business owners' comments are very important, just as they are from anybody else who lives in this City. The Board has taken the comments very seriously, not just now, but all throughout the year.

Attendee Steve Dibble, City Councilor, and resident of 74 Moffatt Road thanked everyone for the thoughtful discussion and for the Board's leadership over the last almost year and a half. The conversation is very

good, and he will support whichever way the Board chooses to lead on this. The Board has done a fine job so far, so keep it up.

He said he has tried to become vaccinated for quite some time now. It has been a struggle to get the first appointment and he will finally be getting his second dose this week.

He said he attended a funeral last night for a young Salem man, 32 years old, who passed away with COVID. His wife is a nurse at Salem Hospital and has taken care of COVID patients since the first days of COVID. The numbers of COVID patients have gone way down and are getting close to being zero.

He is running the City of Salem cribbage championships on June 5th. He requested and received recommendations from D. Greenbaum as to whether they should host the tournament or not. They had to cancel last year. He wanted to make sure he was not going to be in violation of any COVID protocol and wanted to know what the Board of Health wanted to do. He is still planning to follow all of D. Greenbaum's recommendations fully. Depending on how the Board votes tonight, he will change one rule and make an announcement that should anybody be fully vaccinated it will be their choice if they want to wear a mask or not. He said he will not police it or ask for proof.

He will support and follow whichever rules you choose to implement. He once again thanked the Board for its hard work and dedication to the City. D. Elias said we have to keep two major things in mind. First, Salem is a very unique town and we do attract a lot of tourists. Second, the fact that a lot of people don't have their second doses is a strong argument. She doesn't feel that we would be holding back anything by allowing a couple more weeks, or even up to June 15<sup>th</sup>, to get their doses in. She knows what the data is saying, but she thinks we should give those two things a lot of consideration.

S. Moore said we don't have any kind of actual reliable data about how people feel about it. We have heard both sides of the argument.

J. Schiller said we do have data; the dashboard shows us how many people are vaccinated, the positivity rate and hospital capacity. We have used those data points in the past to guide us and we should be consistent. We base our decisions on the data, and we can't be swayed by people's opinions depending on who showed up at the meeting. Public health is based on the data and the data on the dashboard is very positive. That is a community-wide data point that we have to take into account.

D. Elias said that either way it will be okay, but she doesn't see a negative outcome to waiting until June 15<sup>th</sup>. Those are her personal thoughts.

P. Kirby said at this point he doesn't think there is any justification not to follow the State.

P. Morsillo said young people have not had time to be fully vaccinated yet and that is an important point.

G. Yuhas said if people are uncomfortable because they are not fully vaccinated, they can wear a mask.

D. Elias said health is the most important thing and she feels we need to give people time to complete the vaccination process to give them that other layer of protection.

J. Schiller asked how we can rationalize that 500 vaccines a day are available and only 22 doses were administered.

D. Greenbaum said vaccines were opened up to the general population on

April 19<sup>th</sup>. The demand for vaccines has fallen off greatly, not just in Salem but across the Commonwealth and the country.

J. Schiller said the number of people eligible to get vaccines are increasing, yet vaccination rates are dropping. We have to have a rationale to set a specific date. At some point we have to make a decision.

J. Perry said a comment was made that was not entirely accurate. The comment was that there is no data available to know which employees are vaccinated. The EDRR put out a survey to all the downtown businesses and those are the exact questions that were asked on the survey. That data is available.

D. Greenbaum said he has not seen that data. He has been waiting for it to come out because we really want to do something to assist our business community and increase our vaccination rates among the downtown employees. We really thought the site at Salem State was going to be successful.

J. Perry said she follows Salem city government and several social groups, etc. and this is the first she has heard of the Salem State University vaccination site.

D. Greenbaum said the site was pretty well publicized. The Mayor publicized it on her social media account, it was in all of the local newspapers, and it is on the City of Salem website, so he feels like it is out there, but the demand isn't where it was two months ago.

P. Kirby wants downtown businesses to know they have the Board's support if they choose to maintain their mask requirements regardless of what we do here tonight.

S. Moore added that if it really is the case that most restaurants and stores want to keep masks in place, then hopefully there will be that consistency amongst themselves.

**S. Moore motioned that we rescind the Board of Health Emergency Public Health Order dated April 20, 2020, requiring face covering in essential businesses and in common areas of residential premises, effective Saturday, May 29<sup>th</sup>, consistent the State.**

**G. Yuhas 2<sup>nd</sup>.**

**Roll call vote:**

**G. Yuhas – in favor**

**P. Kirby – in favor**

**D. Elias – not in favor**

**S. Moore – in favor**

**J. Schiller – in favor**

**Motion passed by a vote of 4 to 1.**

- 3. Review of the Board of Health Emergency Public Health Order and related Emergency Order regarding personal care services dated March 22, 2020**

**P. Kirby motioned that the Board rescind the Emergency Order regarding personal care services that took effect on Sunday, March 22, 2020, effective immediately.**

**D. Elias 2<sup>nd</sup>.**



**Roll call vote:**

**G. Yuhas – in favor  
D. Elias – in favor  
P. Kirby – in favor  
S. Moore – in favor  
J. Schiller – in favor**

**Motion passed unanimously by a vote of 5 to 0.**

**P. Kirby motioned that the Board rescind the declaration of a public health emergency that was issued on Sunday, March 22, 2020, and that this rescinding of the public health emergency take effect on June 15, 2021.  
S. Moore 2<sup>nd</sup>.**

**Roll call vote:**

**G. Yuhas – in favor  
D. Elias – in favor  
P. Kirby – in favor  
S. Moore – in favor  
J. Schiller – in favor**

**Motion passed unanimously by a vote of 5 to 0.**

**4. Review of recent announcements from the Governor regarding the updated timeline for final reopening**

J. Schiller said we already dealt with this in prior discussions and prior motions and confirmed the rescinding of orders.

J. Schiller thanked the public for attending the meeting and said there were almost 30 people in attendance.

He said none of us signed up to be on the Board of Health during a pandemic, but each one of us have felt it is a privilege to be able to be involved with trying to make the right decisions in something that is unchartered.

He knows he says it at almost every meeting, but D. Greenbaum has led the Health Department with admirable leadership in unchartered waters. Everyone on the Board takes this role very seriously, and as he was trying to say to Nick earlier, they really incorporate a tremendous amount of information from various angles and have to synthesize it all to make a good decision, which is a difficult thing to do.

Not everyone is going to be completely happy, but his own experience when dealing with everyone on the Board is that everybody's heart and head are in the right spot in trying to make the best decision possible for the health of Salem. He has never sensed any other motivation other than to make the best decision with all the information we have, and a lot of times the information is lacking. He feels fortunate to work with everybody here. He also feels fortunate for the community in which we live and that we have such an active community that people really care about what happens in this City, because we also do.

P. Morsillo said there are two issues that come before the City Council that deal in the public health's arena.

One issue is block parties. She is assuming by the vote that block parties are allowed with no restrictions.

D. Greenbaum confirmed that is correct.

The second issue is tag days by school groups. When the City Council has been approving them, we have been adding an amendment that they need to follow the guidance of the Health Department. Do you suggest we continue to do that, and do they need to contact the Health Department before the tag days?

D. Greenbaum said there are no restrictions, so they do not have to contact us any longer.

**MEETING ADJOURNED:**

**G. Yuhas motioned to adjourn. P. Kirby 2<sup>nd</sup>. All in favor. Motion passed.**

8:40pm

Respectfully submitted,

Maureen Davis  
Clerk of the Board

*Next regularly scheduled meeting is  
Tuesday, June 8, 2021 at 7:00pm  
Virtual Meeting Via Zoom*