

TOWN ADMINISTRATOR'S REPORT

JUNE 15, 2021

1. MUCH APPRECIATION

While the last 15 months have been challenging, one bright spot has been the strength of working together with our partners across every sector both public and private. Partnerships are a vital resource in emergency management and Dennis is well served to have truly invaluable collaboration with Town Staff, Boards and Committee volunteers, as well as all the business and community members that stepped up to assist our most vulnerable. We could not have done this without you.

A special thank you to the Health Director, Health Department and the Covid-19 Emergency Management Team, as well as all our community partners for all the outstanding and incredible work done over the last 15 months to keep the community safe and informed during the state of emergency.

Thank you to all the residents and property owners, your support throughout the summer and winter months helped keep local businesses operating and viable in a very challenging environment.

It is with great emotion the gratitude I feel to the Dennis staff for all they have done since March 2020 to maintain the highest level of Town services. As public servants, they took on unprecedented challenges in stride and put our citizens and their needs front and center, delivering services while balancing keeping people safe and saving lives! I am beyond proud, and have commended all employees for the work and the services provided.

Town officials and the entire Community continued to face all these challenges with great courage and resilience. As we reflect on the 15-month historic Covid State of Emergency, it is simply nothing short of inspiring, and it has certainly given perspective.

2. COVID-19 UPDATES FROM THE HEALTH DIRECTOR

This will be the last covid update shared at the Select Board meeting unless necessary. Given the decrease in cases in Dennis and the county, future updates will be shared on the Health Department website.

Today marks the end of the State of Emergency that was declared 462 days ago due to the 2019 Novel Coronavirus pandemic. Although the State of Emergency is ending, and Government mandated restrictions are being lifted, this does not mean the end of the public health threat. Variants of concern continue to be reported in Massachusetts.

Residents are encouraged to continue frequent handwashing, covering your coughs and sneezes, avoid touching your face with your hands, and to stay home if you are sick. If you think you have been in contact with someone that is COVID positive, get tested. If you have not been vaccinated, you should continue to use a face covering when in public.

As of June 13, 2021, the State reported 44 new confirmed cases in MA, with a 7-day positivity rate of .42% and continuing to decline. 7 new cases were reported from Thursday to Sunday in Barnstable County. The 14-day positivity rate in Barnstable County is .84%, down from the last reporting period.

Currently there are no confirmed COVID cases within the Town of Dennis and we remain a low risk grey community.

Vaccination efforts continue across the State and County. The first Massachusetts vaccination site at Gillette Stadium stood down yesterday after administering 610,000 doses of the COVID vaccine. Cape Cod Community College continues to hold vaccination clinics for any eligible individual age 12 and older who lives, works, or studies in Massachusetts. In addition, individuals can pursue vaccination through Cape Cod Healthcare, local community health centers and several local pharmacies. The Pfizer vaccine remains the only approved vaccine at this time for individuals 12-17.

On May 29, 2021, the Governor's Face Covering Order was rescinded. Concurrent with this action, the MDPH issued a Face Covering Advisory, which is consistent with the Center for Disease Control and Prevention's guidance, recommending that fully vaccinated individuals no longer need to wear a face covering or social distance indoors or outdoors except for in certain situations. As mentioned earlier, Face Coverings are recommended for any individual who has not been fully vaccinated.

Recognizing that an emergency still exists that is detrimental to public health in MA, the Governor issued a modified declaration of a Public Health Emergency effective May 28, 2021. This will allow the Commissioner of Public Health, with the approval of the Public Health Council, to extend or adopt measures to facilitate COVID-19 testing, vaccination and surveillance and to implement special measures to protect higher risk individuals where necessary if further outbreaks of the virus arise.

In addition, on May 29, 2021, the Governor filed legislation to extend certain emergency measures in place during the State of emergency. This legislation proposes to extend measures providing for a temporary suspension of certain open meeting law requirements until September 1, 2021. Extend special permits for expanded outside dining at restaurants through November 29, 2021. Without this extension these special permits are set to expire 60 days after the end of the State of Emergency – August 15, 2021. This legislation will also provide billing protections for COVID-19 patients through January 1, 2022.

As of today, any decision remains pending.

Kristen Keller, Health Director

3. OPEN MEETING LAW– FURTHER LEGAL UPDATE FROM KP LAW

Please note that although the State Senate and House have passed different versions of legislation authorizing the extension of certain pandemic-related relief provisions, no final action on such legislation occurred today, and no final action on any such legislation is expected to occur before the State of Emergency expires tomorrow at 12:01 a.m. Accordingly, the current authorization for entirely remote or virtual public meetings under the Open Meeting Law will also expire at 12:01 a.m. tomorrow morning, although it may be re-authorized, by act of the Legislature, in the coming days. With that in mind, public bodies with previously posted and/or advertised meetings or hearings occurring tomorrow will need to ensure that these meetings/hearings are conducted in-person, and in compliance with any pre-pandemic remote participation rules, if remote participation has been previously authorized by the municipality's chief executive officer. The Open Meeting Law does not prohibit also offering a remote or virtual option for members of the public to observe and/or participate in a public meeting or hearing;

however, board and committee members themselves may not participate entirely via remote means when the State of Emergency expires, unless that authority is extended by the Legislature and approved by the Governor.

For your reference, the below guidance was issued by the Attorney General's Office, Division of Open Government on June 10, 2021:

“The State of Emergency is scheduled to end at 12:01 AM on June 15, at which point the March 12, 2020, Executive Order Suspending Certain Provisions of the Open Meeting Law, which has allowed public bodies to meet remotely and to provide the public with “adequate alternative access” to meetings, will terminate. The Legislature is actively considering bills that would extend most or all of the provisions from the Executive Order regarding remote meetings. However, if such legislation is not enacted to take effect by June 15th, then public bodies must be prepared to hold meetings with at least a quorum of the public body members physically present at a meeting location which is open and accessible to the public. Public bodies are reminded that notice of all meetings must be posted at least 48 hours in advance, not including weekends and holidays, and the meeting notice must specify the location where the public may access the meeting. Therefore, unless and until new legislation is enacted that alters those requirements, public bodies should plan and post notice for meetings to be held in-person beginning on June 15.

We will post updated guidance as soon as there are updates that affect the Open Meeting Law.”

“Hybrid” Meetings

There is nothing in the Open Meeting Law that precludes the simultaneous broadcasting of an in-person public meeting or public hearing via technological means (such as live broadcast via local cable access, “Facebook Live”, Zoom, or other platform). Similarly, there is nothing in the Open Meeting Law that precludes a public body from accepting public comment or allowing public participation via virtual means. As a reminder, public bodies are not statutorily required to allow any public comment or participation in their meetings, unless there is a Charter provision, special act, or local ordinance or by-law mandating public comment or participation. Public hearings are a different matter, however, since the public's right to participate is inherent in the hearing process.

While the lifting of the State of Emergency means that members of the public body will be limited in their ability to remotely participate in public meetings or hearings, the same is not true of members of the public. Now that there are no longer any state-imposed gathering limitations and the State of Emergency will shortly be lifted, the public must be allowed to attend open meetings in person, but they may also be afforded the opportunity to attend remotely. **Whether or not to afford this additional opportunity for remote attendance and participation is a policy decision for each community.**

4. FIREWORKS SAFETY

As we approach the July 4th holiday there is an increase in illegal firework activity at our beaches and in our neighborhoods. Fireworks are dangerous and they are illegal in Massachusetts for anyone without a professional license. The Fourth of July is a busy time for firefighters. In fact, the week of July 4th is one of the busiest times of the year for fires. Firefighters, police officers, and medical

professionals ask you to help us, and leave the fireworks to the professionals. Keep your July 4th holiday safe and fun. Stay away from illegal fireworks.

5. CROWES PASTURE BRIDGE REPLACED & OPEN

I am very pleased to share with you that the replacement of the Crowes Pasture trail footbridge is complete. DPW Deputy Director shared the following note with me that I would like to share here and give my gratitude as well we are very fortunate to have many talented and dedicated public service employees collaborating here in Dennis definitely a team effort.

From Deputy Director Tom O'Connor:

The following staff are to be acknowledged for their assistance along the way to making this come together:

DPW staff including:

- *Joe Greer, Foreman, for his outstanding leadership taking this job from concept and bringing it over the finish line*
- *Chris Call, Crew Leader, for his experience and leadership in the field pulling the pieces together despite the many obstacles not the least of which were the mud, flies and poison ivy*
- *Anthony Chiurri, our star Mechanic, for his skills refurbishing an old aluminum gangway into a safe, stable means of passage*
- *Wiley Shea, Andrew Watts and Tom Ice for their hard work, and it was exactly that through the rain, sun, mud and flies, and they rose to the occasion as they always do*

Engineering Staff:

- *Chris Wickson for his usual exceptional work conducting the field survey and putting together the construction plan*
- *Tom Andrade for his deliberate thinking and professional consideration of how the parts should come together*

DNR staff:

- *Karen Johnson and Erin Burnham for pulling together the environmental aspects and ushering it through conservation*

Though not without challenges along the way it was the teamwork and camaraderie across town departments that got this done, we should all be proud of what we've collectively provided to our citizens and visitors.

Enjoy your week everyone!

Respectfully,

Elizabeth C. Sullivan
Town Administrator