

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF SELECTMEN

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

MARJORIE R. FREIMAN, CHAIR
THOMAS H. ULFELDER, VICE CHAIR
JACK MORGAN, SECRETARY
ELIZABETH SULLIVAN WOODS
LISE M. OLNEY

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MEGHAN C. JOP
EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

SELECTMEN'S MEETING REVISED AGENDA ONLINE REMOTE MEETING 9:00 am Monday, April 13, 2020

1. 9:00 Call to Order – Open Session
2. 9:01 Citizen Speak
3. 9:05 Annual Town Meeting Preparation
 - Discuss FY21 Budget
4. 9:35 Discuss and Vote Unforeseen Measures of COVID-19 Outbreak
 - Discuss and Vote Extension of Property Tax Filing Date, Exemptions and Deferrals

9:45 Discuss and Vote 888 Worcester Street Lease
5. 10:00 Discuss and Vote Consent to Assignment of Lease 442 Washington Street (Cochituate Aqueduct)
6. 10:15 Executive Director's Update
 - Vote Minutes
7. 10:20 Liaison Updates
8. 10:30 New Business and Correspondence

[Please see the Board of Selectmen's Public Comment Policy](#)

Next Meeting Dates SUBJECT TO CHANGE

Monday, April 20, Virtual Meeting

REMOTE MEETING PROTOCOL

Residents can view the meeting from the **youtube** link above. The online meeting will also be streaming live and will be telecast live on Comcast channel 8 and Verizon channel 40. Residents seeking to participate in Citizen Speak or any other agenda item should email sel@wellesleyma.gov prior to the meeting and a number will be assigned for speakers. All residents seeking to participate shall call into 781-489-7525 (Conference Line) and await the announcement of your assigned number to speak. Individuals wishing to participate who have not received a number shall be asked at the end of the agenda item if they would like to speak before the Board moves on to the next agenda item.



BOARD OF SELECTMEN

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 EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT SERVICES

Monday, April 6, 2020

Our meeting will begin on Monday at **6:30 pm** virtually.

1. **Call to Order – Open Session**
2. **Citizen Speak**
3. **Update from the Board of Health on COVID-19 Outbreak**

I have asked Lenny to join the meeting to just give a brief update on the Covid-19 status and the efforts that the Board of Health are undertaking. This will also be an opportunity to discuss an urge people to stay home and to review the do's and don'ts of physical distancing on camera.

4. **Election Update from the Town Clerk**

KC will be joining the meeting to review the Elections Order that has been approved and options for the Board to consider for calling the March 17th Election date that has been postponed. Once a date is established, the Town must give voters 20 days-notice of the election date. At present, in considering timing of events, we are considering a June 16 election with postponement of the Annual Town Meeting to June 22nd. We are working to have the latest dates possible at this time. The discussion to date has also been to maintain the election prior to the Town Meeting as outlined in the Town Bylaw. We are not asking for the Board to make a decision or vote at this time, but wanted to present an update on the current information on elections. KC has prepared an outline of her thoughts for the Board with associated costs to implement. Included in the packet the Elections Order passed and information from the Secretary of State's office on the allowed election procedures.

5. **Executive Director's Update**

- a. Vote Minutes

Please find the minutes of March 16, 2020 and March 23, 2020

MOTION: Move to approve the Minutes of March 16, 2020 and March 23, 2020

- b. Vote Arbor Day Proclamation

Attached for your review is the annual Arbor Day Proclamation. Adoption of the proclamation is necessary for submittal to the Tree City USA program each year.

MOTION: Mote to approve the 2020 Arbor Day Proclamation and declare April 24, 2020 Arbor Day

6. Annual Town Meeting Preparation

At this time there is nothing formal before the Board. I have been working with Sheryl Strother, Marjorie and Tom on considerations of assumptions for the FY21 Budget for the Board's consideration at the April 13th meeting. Based upon the discussion with the Town Clerk, the Board could discuss the potential dates of June 22 and June 23 for the Annual and Special Town Meeting postponement dates. It should be noted that under the new Governance Bill, the Moderator can only extend the postponement date 30 days at a time. At present, the Annual Town Meeting was moved to April 27, which is within the May 4 Stay at Home Order. The Moderator will need to postpone the ATM and STM to a date in May, and then further postpone to the considered dates in June.

7. Discuss and Vote Unforeseen Measures of COVID-19 Outbreak

This item will be on all agendas moving forward in case during the intervening time between meetings the Town needs the Board to act on anything unforeseen.

a. Order on Essential Construction

The Governor's revised essential worker list provides some additional guidance on construction. Newton has taken steps to clarify their view of the essential worker list, which as a reminder at this time is in effect until March 4th. I have draft a proposal for the Board's consideration on "essential" construction. I am anticipating revisions as Tom Harrington, Mike Grant, and Chris Heep review and will forward along a refined version. This is a suggestion for discussion purposes. The Town has moved to virtual inspections for all permits as of Monday, March 30th. This was placed into effect on March 31st. I am not proposing to modify the virtual inspections. I have enclosed for your review the virtual inspection protocols as well as the Governor's essential work order. Should the Board want to define construction, we can work with the draft to amend, delete, modify. I have prepared a motion, only as to form for the Board's consideration.

MOTION: Move to better define essential construction in the Town of Wellesley and to order non-essential construction, herein defined, to cease until May 4, 2020 or until such time as the Governor's State at Home Advisory is lifted

b. Tax Bill Payment Extension, Deferrals and Interest Relief

The Town's tax bills went out to the post office on Thursday, March 26, 2020. Tax bills are due on May 1, 2020. There recent legislation passed on Friday allows cities and towns to extend the deadline to June 1st without penalty. The Act further allows for the extension of tax deferral and exemption applications from April 1 to June 1 and the Town is also recommending this extension. There is a third provision that allows the Town to waive interest on unpaid bills received after March 10th until June 30th. In discussions with the Treasurer and Finance Director, we are recommending adoption of all three provisions. Please find in your packet the legislation that has been passed in addition to the guidance prepared by the Division of Local Services. In adoption of these measures we must be clear that timely payment is a benefit to maintain operations of the Town, but given the varying economic circumstances of our residents we find adoption prudent. If the Board would like to defer action until the next meeting to review the materials, we can do that as well.

MOTION: Move to approve the local option as outlined in An Act to Address Challenges

Faced by Municipalities and State Authorities Resulting From COVID-19 to extend the due dates of property tax bills under G.L.c. 59, §§ 57 and 57C from May 1, 2020 to June 1, 2020.

MOTION: Move to approve the local option as outlined in An Act to Address Challenges Faced by Municipalities and State Authorities Resulting From COVID-19 to extend the due date under G.L. c. 59, § 59 for applications for exemptions from April 1, 2020 to a date not June 1, 2020.

MOTION: Move to approve the local option as outlined in An Act to Address Challenges Faced by Municipalities and State Authorities Resulting From COVID-19 to waive interest and other penalty for late payment of any excise, tax, betterment assessment or apportionment thereof, water rate or annual sewer use or other charge added to a tax for any payments with a due date on or after March 10, 2020 where payment is made after its respective due date but before June 30, 2020.

8. Liaison Updates

9. New Business and Other Correspondence

3/17 Election – Rescheduling Considerations

772 voted as of 3/17

18,784 Registered Active and Inactive voters as of 3/23/2020

8,398 households of registered voters

Objectives:

- Comply with legal requirements
- Provide safe experience for Election Staff and Community
 - Support social distancing

Per the State Elections Division, drive-thru and outdoor election not an option.

Recommendation

- Schedule 3/17 Election for June 16th
- Annual Town Meeting June 22nd
- 8 am – 12 noon polls open
- 3 locations
 - Wellesley College Field House – Precincts A, B, F & G
 - Babson College Field House – E & H
 - Mass Bay Gymnasium – Precincts C & D
- Heavy push for mail-in ballots
- Change in location requires all registered voters mailing.
 - Postcard with early voting ballot option

Additional Budget Required - \$12,500

- Printing – \$2,000
 - Postcard announcing new location and tear-off return for Early Voting Ballot (\$1000)
 - Additional Early Voting ballots (\$1000)
- Postage \$8,500
 - Postcard (\$4,500)
 - Ballots mailed to households – guesstimating 4000 response rate (\$3000)
- Misc. \$2000
 - Plexiglass shields (similar to at Grocery stores)?
 - Other items that might deter spread
 - Cleaning supplies
- Additional charges by facility owners TBD

Next Steps

- Fund
- Secure locations
- Mailing

Legal Statues Directing Recommendation

Chapter 45 of the Acts of 2020 – An Act granting authority to postpone 2020 municipal elections in the commonwealth and increase voting options in response to the declaration of emergency to respond to COVID 19:

- BOS with consultation of chief elections official and COO vote
- Post Ch 45 of the Acts of 2020, BOS vote, and Sample Ballot on website not later than 20 days prior
- Post in other ways (press release, ads on Wellesley Media, etc.)
- Last day to register 10 days prior. 2-4 pm and 7-8 pm.
- All prior materials are valid.
- Absentee ballots already received count
- Early voting (no reason) BY MAIL allowed – once cast, no beating the ballot to the polls

Traditional Legal Requirements – Chapter 54

Polling Locations

- Section 24: BOS determine at least 10 days prior to Special Election, 20 days prior to Annual Election
- Changes in location require a mailing to all households

Hours – Chapter 54, Section 64

- Open by noon
- Minimum 4 hours

Staffing – Chapter 54

- Section 24: Requires separate ballot boxes and lists by precinct.
- Section 24: Can combine Warden and Clerk election officials for 2 precincts into 1 staff if less than 3000 registered voters (F & G) But still requires separate check-in, check-out, tabulator inspectors per precinct.
- Section 12 Appointments: By April 15, give notice to Town Committees. June 1st to reply. June 15th BOS appoint.

Other

Considerations:

- Consolidated locations – large locations
 - Mass Bay
 - Babson College Field House
 - Wellesley College Field House
 - 900 Worcester – Turf Field
- Electricity
 - Tabulator per precinct
 - Only 1 automark per location
- At each location
 - check-in tables
 - check-out tables
 - tabulators
 - Absentee ballot/Early voting ballot tables
 - automark
- Staffing – 6 per precinct plus Warden (might be able to oversee more than one precinct)
- Absentee ballot and Early Voting Ballot processing may finish after polls close.

Acts (2020)

Chapter 45

AN ACT GRANTING AUTHORITY TO POSTPONE 2020 MUNICIPAL ELECTIONS IN THE COMMONWEALTH AND INCREASE VOTING OPTIONS IN RESPONSE TO THE DECLARATION OF EMERGENCY TO RESPOND TO COVID-19.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for the rescheduling of elections as a result of the governor's declaration of emergency to respond to COVID-19 and to increase voting options, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding section 9 of chapter 39, sections 26 and 28 of chapter 51 and chapters 53 and 54 of the General Laws or any other general or special law or by-law to the contrary, a city or town with a municipal caucus or annual or special municipal election scheduled between the effective date of this act and May 30, 2020, may postpone such municipal caucus or municipal election in accordance with this act.

The select board, town council, board of registrars or city council of the city or town may vote on any day prior to the date of their scheduled municipal caucus or municipal election to postpone the municipal caucus or municipal election to a date certain on or before June 30, 2020. Such rescheduled caucus or election shall be held in accordance with all applicable election laws except as otherwise provided in this act.

(b) The select board, town council or city council of a city or town postponing a municipal caucus or municipal election pursuant to this act shall, following consultation with the local election official and the chief operating officer of the municipality as to logistics and feasibility, vote to reschedule the municipal caucus or municipal election. A copy of this act, the vote of the select board, town council or city council and a sample ballot shall be placed on the official municipal website not later than 20 days before the date to which the rescheduled caucus or election has been postponed. Notice of such action shall be provided to the public in other ways reasonably calculated to enable eligible voters to learn of the rescheduled election date and to cast ballots therein. The notice may include, but shall not be limited to, a "reverse-911" call, municipal list-serve notifications, advertisement on local cable television or issuance of a press release sent to local news media.

(c) Consistent with section 107 of chapter 41 of the General Laws, an incumbent elected official whose term would have expired at a municipal annual town election if the election was not postponed pursuant to this act shall continue to serve in the official's position until a successor is elected and qualified.

(d) If this act does not take effect until after the date of a scheduled municipal caucus or municipal election during the state of emergency declared by the governor pursuant to executive order 591, declaration of a state of emergency to respond to COVID-19, the actions of the board of selectmen, town council, city council and local election officials to postpone a municipal caucus or municipal election shall be ratified, validated and confirmed as if this act had been in place prior thereto.

SECTION 2. The last day to register to vote for any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19 shall be 10 days before the date to which the rescheduled election has been postponed; provided, however, that the board of registrars shall hold a registration session on that date not less than from 2:00 PM to 4:00 PM and from 7:00 PM to 8:00 PM. The voting list to be used at such rescheduled election shall include all eligible voters registered as of that date.

SECTION 3. The caucus or election materials, including, but not limited to, absentee and official ballots, prepared for a municipal caucus or any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19 and bearing that date shall be used for the rescheduled caucus or election to the extent practicable. If additional ballots are required to be printed, the ballots shall be identical in form to those prepared for the original caucus or election.

SECTION 4. Absentee ballots cast in connection with the original election date for any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19, whether returned before the original election or otherwise, and received by the local election official before the close of polls on the date of the rescheduled election, shall be processed in accordance with applicable law; provided,

however, that any voter who chooses to vote in person on the date of the rescheduled election may do so if their absentee ballot has not yet been counted. Completed applications to vote by absentee ballot in the rescheduled election shall be accepted by the board of registrars until 12:00 noon on the last business day before the rescheduled election.

For an election held on or before June 30, 2020 any person taking precaution related to COVID-19 in response to a declared state of emergency or from guidance from a medical professional, local or state health official, or any civil authority shall be deemed to be unable by reason of physical disability to cast their vote in person at a polling location.

SECTION 5. (a) Notwithstanding section 25B of chapter 54 of the General Laws or any other general or special law to the contrary, any eligible voter may vote early by mail for any annual or special municipal or state election held on or before June 30, 2020.

(b) Any qualified voter wanting to early vote by mail may file with their local election official an application for an early voting ballot. Any form of written communication evidencing a desire to have an early voting ballot be sent for use for voting at an election shall be given the same effect as an application made in the form prescribed by the state secretary. Local election officials shall send early voting by mail ballots to those who have applied as soon as ballots are available. No application shall be deemed to be seasonably filed unless it is received in the office of the local election official before noon on the last business day before the date on which the rescheduled election is held.

(c) Local election officials may substitute absentee ballots for early voting ballots for those voters requesting to vote early by mail in municipal elections. An early voting ballot or absentee ballot substituted for an early voting ballot, along with an envelope bearing an affidavit as set forth in section 25B of chapter 54 of the General Laws, shall be provided to each qualified voter who participates in early voting by mail.

(d) The local election officials shall cause to be placed on the voting lists opposite the name of a qualified voter who participates in early voting the letters "EV" designating an early voter.

(e) The counting of early voting ballots shall be consistent with section 25B of chapter 54 of the General Laws and implemented regulations to the extent practicable. All envelopes referred to in this section shall be retained with the ballots cast at the election and shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

(f) All early voting ballots voted by mail shall be received by the town clerk before the hour fixed for closing the polls on the date on which the rescheduled election is held. Early voting ballots cast under the authority of this section shall be processed at the polls in a manner consistent with that set forth in said section 25B of said chapter 54.

Approved, March 23, 2020.

2020 Municipal Election
Early Ballot Application



William Francis Galvin
Secretary of the Commonwealth

Voter Information

Name: _____
Legal Voting Residence: _____

1

Date of Birth: _____ Telephone Number: _____
E-mail Address: _____

Ballot Information

2

Mail Ballot to: _____

Special Circumstances (if applicable)

3

Voter required assistance in completing application due to physical disability.
Assisting person's name: _____
Assisting person's address: _____

Signed (under penalty of perjury): _____ Date: _____

2020 Municipal Election
Early Ballot Application



William Francis Galvin
Secretary of the Commonwealth

Voter Information

Name: _____
Legal Voting Residence: _____

1

Date of Birth: _____ Telephone Number: _____
E-mail Address: _____

Ballot Information

2

Mail Ballot to: _____

Special Circumstances (if applicable)

3

Voter required assistance in completing application due to physical disability.
Assisting person's name: _____
Assisting person's address: _____

Signed (under penalty of perjury): _____ Date: _____

COVID 19 – IMPORTANT
ELECTION INFO INSIDE

Registered Voters at:
Street Address
Wellesley, MA

Wellesley Town Hall
Town Clerk
525 Washington Street
Wellesley, MA 02482

Postcard
Stamp
Required

Wellesley Town Hall
Town Clerk
525 Washington Street
Wellesley, MA 02482

Postcard
Stamp
Required

March 17th Town Election Rescheduled for June 16,

Due to COVID 19, ALL voters are encouraged to vote by mail. If you have already voted early, your previous ballot COUNTS! No need to request another one.

Mail in Early Voting By Mail Request and receive your ballot at your house by mail. Please allow enough time for mailing.

SPECIAL VOTING LOCATION and SPECIAL HOURS for June 16th ONLY

Polls will be open from 8:00 AM to 12:00 noon.

LOCATION Address

1 **Approved:**

2
3 **Board of Selectmen Meeting: March 16, 2020**

4 **Present: Freiman, Ulfelder, Olney, Sullivan Woods**

5 **Also Present: Jop, Frigulietti**

6
7 **Warrants approved: none**

8
9 **Meeting Documents:**

- 10 1. Agenda
11 2. BOS Calendar
12 3. Draft Revised STM Warrant

13
14 **1. Call to Order**

15
16 Ms. Freiman, Chair, called the meeting to order at 3:00 pm online.

17
18 Ms. Freiman announced the meeting would be available for viewing at the You Tube link:
19 <https://youtu.be/mrGRjU6dV7o> and would be telecast for later viewing at Comcast channel 8 and Verizon
20 channel 40 and streamed live by Wellesley Media and available for subsequent viewing on the cable
21 channels or at wellesleymedia.org. She stated Mr. Morgan would not join the meeting.

22
23 **2. Citizen Speak**

24
25 Ms. Freiman stated that no residents had contacted the Board for Citizen Speak. Ms. Jop confirmed the
26 telephone line was open and no calls were received.

27
28 **3. Announcements**

29
30 Ms. Jop stated the Registrar of Voters had voted 2-1 to seek an emergency postponement of the scheduled
31 March 17th Town election. She stated that the Norfolk County Superior Court had issued an order allowing
32 that postponement not later than June 30, 2020, in an effort to help reduce the spread of Coronavirus. Ms.
33 Jop reviewed the order and the basis for the request including the protection of election workers from the
34 Coronavirus and accessibility for residents to participate in the election.

35
36 Ms. Sullivan Woods stated that many merchants had adjusted their hours and asked that patrons call
37 individual stores prior to visiting. Ms. Jop stated that the Governor had mandated all restaurants stop “dine-
38 in” services but could provide take-out or delivery orders only and all licensees had been notified of the
39 Executive Order. Ms. Freiman reviewed how residents could receive daily notifications from the Town by
40 signing up for the “News and Announcements”.

41
42 **4. Modify Special Town Meeting Date**

43
44 Ms. Jop stated that Annual Town Meeting was being consolidated and anticipated Town Meeting occurring
45 on one evening with no presentations. She added that the date for Special Town Meeting had to be aligned
46 with Annual Town Meeting. She noted that Town Meeting would be taking place on March 31st as a single
47 event and Town Meeting Members would be told not to be present on March 30th. She added that the
48 Moderator may postpone Annual Town Meeting to a later date and had the authority to postpone it for 30
49 days for emergency purposes. Ms. Jop noted that there were no changes to the Warrant for Special Town
50 Meeting. The Board discussed the alignment of STM with ATM and the potential postponement of ATM
51 as well as the Executive Orders issued by the State. Ms. Jop stated that other municipalities were acting

52 similarly with regards to Town Meetings and local elections and she expected further guidance from the
53 Governor's Office in the future.

54

55 **Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted**
56 **(4-0) to call a Special Town Meeting to March 31, 2020 and to authorize Ms. Jop apply digital**
57 **signatures of the Selectmen to the Special Town Meeting Warrant reviewed by the Selectmen.**

58 **Ms. Sullivan Woods – Aye**

59 **Mr. Ulfelder – Aye**

60 **Ms. Olney – Aye**

61 **Ms. Freiman – Aye**

62

63 **5. New Business and Correspondence**

64

65 Ms. Jop stated that all Town buildings would be closed to the public beginning Tuesday, March 17, 2020.
66 She noted that Town operations continued to operate. She added that emergency operations plans continued
67 to be reviewed including many employees working from home. Ms. Jop stated that online platforms were
68 accessible to the public for payments and for services. She provided an overview of how the Town would
69 operate during the health crisis. Ms. Jop noted that Town playgrounds would be closed and encouraged the
70 public to socially distance themselves. The Board discussed the plan for Town operations to continue and
71 the closures of parks and playgrounds to encourage social distancing. Ms. Freiman thanked Town staff for
72 their quick action addressing the challenges that had emerged during the health crisis.

73

74 The meeting was adjourned at 4:03pm.

75

76 The next regular meeting is scheduled for Monday, March 23, 2020 at 7:00 pm online.

1 **Approved:**

2
3 **Board of Selectmen Meeting: March 23, 2020**

4 **Present: Freiman, Ulfelder, Olney, Sullivan Woods, Morgan**

5 **Also Present: Jop, Frigulietti**

6
7 **Warrants approved: none**

8
9 **Meeting Documents:**

- 10 1. Agenda
- 11 2. BOS Calendar
- 12 3. Draft BOS Minutes: 2/24/20
- 13 4. Draft BOS Minutes: 3/4/20
- 14 5. Gift Information – DPW/NRC
- 15 6. Email and Resumes re: Youth Commission
- 16 7. Green Communities Grant Materials
- 17 8. 254 Washington Street – Lease Agreement
- 18 9. Declaration of Public Safety
- 19 10. Correspondence: Vin Loccisano

20
21 **1. Call to Order**

22
23 Ms. Freiman, Chair, called the meeting to order at 6:30 pm online.

24
25 Ms. Freiman announced the meeting was being streamed live on Comcast channel 8 and Verizon channel
26 40 and by Wellesley Media and recorded for subsequent viewing on the cable channels or at
27 wellesleymedia.org. She stated residents wishing to speak in Citizen Speak or another agenda item should
28 email sel@wellesleyma.gov to be assigned a number and call 781-489-7525 and wait for their number to
29 be called.

30
31 **2. Citizen Speak**

32
33 Ms. Jop confirmed the telephone line was open and no calls were received.

34
35 **3. Announcements**

36
37 Ms. Freiman expressed thanks on behalf of the Board to all medical staff, emergency personnel and Town
38 staff for their efforts to continue operations and keeping the public safe.

39
40 **4. Executive Director's Update**

41
42 Ms. Jop reviewed the draft minutes from February 24th and March 4th. She noted updates had been sent to
43 the Board. Ms. Jop reviewed the coordination and work agreement between Algonquin Gas and the NRC.
44 She noted that the gift was similar to the Campana gift received by the COA and should be held in a trust
45 for the necessary upkeep of the Rosemary Brook Forest. The Board discussed the work that would be
46 performed by Algonquin Gas and the gift. Ms. Jop reviewed the request for appointment to the Youth
47 Commission, noting the two positions would be for terms through 2023 and there would be one open
48 vacancy for the Commission after these appointments.

49
50 Ms. Jop reviewed the updates to the Green Communities Grant. She noted that in the current phase of the
51 program the Town was in competition for funding. She stated that SEC Director, Ms. Martello, was working

52 with departments to find eligible opportunities for additional Green Communities grant funding. She noted
53 the application had been submitted.

54
55 **Upon a motion by Mr. Morgan and seconded by Mr. Ulfelder, the Board was polled and voted (5-0)**
56 **to approve the minutes of February 24, 2020 and March 4, 2020.**

57 **Morgan - Aye**
58 **Sullivan Woods - Aye**
59 **Olney - Aye**
60 **Ulfelder - Aye**
61 **Freiman - Aye**

62
63 **Upon a motion by Mr. Morgan and seconded by Mr. Ulfelder, the Board was polled and voted (5-0)**
64 **to accept the gift from Algonquin Gas Transmission, LLC to the Natural Resources Commission**
65 **(NRC) for the purposes of maintaining and enhancing the Town Forest, said payment to be held in**
66 **trust by the NRC and that any and all interest earned be used by the NRC for the same purpose of**
67 **maintaining and enhancing the Town Forest**

68 **Morgan - Aye**
69 **Sullivan Woods - Aye**
70 **Olney - Aye**
71 **Ulfelder - Aye**
72 **Freiman - Aye**

73
74 **Upon a motion by Mr. Morgan and seconded by Mr. Ulfelder, the Board voted (5-0) to appoint Todd**
75 **Ofenloch and Christopher Spagnuolo to the Youth Commission to a term to expire on June 30, 2023.**

76 **Morgan - Aye**
77 **Sullivan Woods - Aye**
78 **Olney - Aye**
79 **Ulfelder - Aye**
80 **Freiman - Aye**

81
82 **5. ATM Preparation**

83
84 Ms. Jop reviewed the background of the RFP for the 240 square feet of land at Eaton Court. She stated that
85 Haynes Management was the only respondent to the RFP. She noted that the lease agreement would require
86 Town Meeting action.

87
88 **Upon a motion by Mr. Morgan and seconded by Mr. Ulfelder, the Board was polled and voted (5-0)**
89 **to approve the lease with Haynes Management LLC for ingress and egress use of 240 square feet of**
90 **land at 24 Eaton Court, contingent upon approval at the Annual Town Meeting.**

91 **Morgan - Aye**
92 **Sullivan Woods - Aye**
93 **Olney - Aye**
94 **Ulfelder - Aye**
95 **Freiman - Aye**

96
97 **6. Discuss and Vote Unforeseen Measures of COVID-19 Outbreak**

98
99 Ms. Jop stated that after the postponement of Town Meeting the Town Safety Officials are required to
100 report to the Attorney General's Office. She stated that the Board was being asked to assign Chief Pilecki,
101 Chief DeLorie, and Mr. Izzo as the Town's Public Safety Officials whose expertise were required in the

102 Moderator's decision to postpone Town Meeting. She noted that at present Annual Town Meeting and
103 Special Town Meeting were scheduled to take place on April 27, 2020. Ms. Jop stated that should the
104 moderator decide another postponement was prudent, a second notification letter would be necessary.
105

106 **Upon a motion by Mr. Morgan and seconded by Mr. Ulfelder, the Board was polled and voted (5-0)**
107 **to appoint Chief Jack Pilecki, Chief Richard DeLorie, and Health Director Lenny Izzo as the Town's**
108 **Public Safety Officials and ask them to notify the Attorney General's Office on the postponement of**
109 **the Annual and Special Town Meetings.**

110 **Sullivan Woods – Aye**

111 **Olney – Aye**

112 **Morgan – Aye**

113 **Ulfelder – Aye**

114 **Freiman - Aye**

115

116 **7. Liaison Updates**

117

118 Ms. Sullivan Woods reviewed the Town's efforts to assist the local merchants. She noted the lists available
119 on the Town's website. She added that hours may vary from the list and residents should call the individual
120 merchants. She noted that state and federal resource materials were made available to the merchants.
121

121

122 Mr. Ulfelder stated that the SBC and the decision-making processes would be impacted by the recent events.
123 He added that the SBC would discuss and evaluate the next steps and how the delays would impact the
124 projects. Ms. Jop stated that the PSI submissions were being prepared for the Hunnewell project as well as
125 the Delanson and Weston Road projects and reviewed the anticipated timeline for public hearings process.
126

126

127 **8. New Business and Correspondence**

128

129 Ms. Freiman stated that while Town buildings were not open to the public, Town staff continued to work
130 diligently to address questions and concerns as well as keep regular business of the Town moving forward.
131 Ms. Frigulietti reminded the residents to sign up for "News and Announcements" for daily updates
132 regarding the Coronavirus and other important Town information.
133

133

134 The meeting was adjourned at 7:09pm.

135

136 The next regular meeting is scheduled for Monday, March 30, 2020 at 6:30 pm online.

TOWN OF WELLESLEY



MASSACHUSETTS

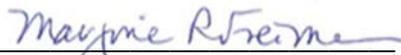
TOWN OF WELLESLEY

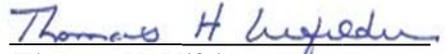
TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

PROCLAMATION ARBOR DAY APRIL 24, 2020

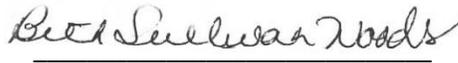
- WHEREAS:** trees are an important environmental and aesthetic feature of the Town of Wellesley; and
- WHEREAS:** citizens of the community actively engage in efforts to enhance the The natural beauty of Wellesley on both private and public lands; and
- WHEREAS:** community groups and civic organizations participate in Arbor day Activities, working with school children and Town agencies in Supporting their stewardship of trees and the environment; and
- WHEREAS:** the Commonwealth of Massachusetts has declared the last Friday in April to be Arbor Day which this year will be observed in the Town of Wellesley on Friday, April 24, 2020;

NOW THEREFORE BE IT RESOLVED THAT, WE, the Board of Selectmen of the Town of Wellesley, Massachusetts, do hereby proclaim ***Friday, April 24 2020 to be recognized as "ARBOR DAY" in the Town of Wellesley, Massachusetts. IN WITNESS WHEREOF,*** we have Hereunto set our hand at Wellesley, Massachusetts on this 6th day of April, 2020.


Marjorie R. Freiman, Chairman


Thomas H. Ulfelder, Vice Chairman


Jack Morgan, Secretary


Elizabeth Sullivan Woods


Lise M. Olney

Town of Wellesley Building Department COVID 19

Essential Construction

Due to the declared State of Emergency and the Emergency Orders declared and issued by Governor Baker, the Commonwealth of Massachusetts has developed an “Essential Services” list as part of the March 23 Emergency Order and refined in the March 31 Emergency Order. Governor Baker’s emergency order requires that all businesses and organizations that do not provide “COVID-19 Essential Services” close their physical workplaces and facilities to workers, customers and the public will be extended until May 4.

Based on the Governor’s Order, the Town of Wellesley defines “Essential Construction” as follows:

Essential construction includes only work in residences, businesses and buildings that are required to support COVID-19 response, essential public works facilities, operations and infrastructure, and housing construction that ensures additional units that combat the Commonwealth’s housing supply shortage. Also allowed to continue are energy efficiency projects, and building maintenance work by specialists (e.g. plumbing, electrical) if necessary, to maintain the safety, sanitation and essential operation of residences and businesses.

Construction can only continue in Wellesley if it meets the criteria of essential and also complies with the strict social distancing, hand hygiene, employee health protections, and site risk prevention measures included in the state guidelines. (attached)

Projects like kitchen remodels and additions are no longer considered essential and therefore shall immediately stop in accordance with the state’s guidance.

The Town’s Building Department will continue permitting projects but will not allow non-essential projects to get started or to be continued. If a project is at a particularly difficult or dangerous point to stop, and it can continue with public health measures in compliance with the state guidelines, contractors may request permission to continue from the Building Department but only for the purposes of ensuring the job site is safe and secure.

All Projects: Construction sites that cannot consistently comply with the COVID-19 Construction Safety Guidance from the Commonwealth, including ensuring that social distancing and safety requirements are being followed, must:

- Safely secure the site and pause construction activities until a corrective action plan is prepared, submitted and approved by both the Owner and Town;
- or Close down the site for the duration of the State of Emergency if repeatedly found by either the Owner's COVID-19 Officer or a state or local inspector (including a third-party private inspector accountable to a city or town) to be in violation of the social distancing and safety requirements.

DRAFT

Town of Wellesley Building Department COVID 19

Inspection Protocol

Due to the declared State of Emergency and the Emergency Orders declared and issued by Governor Baker, the following protocols have been put in place by the Town of Wellesley Building Department to protect the health of the Town's staff, residents, contractors and their families.

All inspections by the Town of Wellesley Building Department will be conducted remotely via **FaceTime or Skype**, or through submission and review of photographs as described below, until in-person, on-site inspections can resume in a safe manner. (FYI - See YouTube for instruction on how to use FaceTime or Skype if unfamiliar.) These protocols shall remain in place until the State of Emergency is lifted. These protocols may be modified over time. It is the responsibility of the licensed individual to check back periodically for any changes that may occur.

- The inspector may suspend an inspection due to poor video connection or sound quality or for any other reason that the inspector believes has a negative impact on his ability to adequately inspect the relevant work.
- Any requested inspection that cannot be conducted through FaceTime or Skype or with photographs shall be failed.
- If the inspector determines after an inspection conducted through FaceTime or Skype or photographs that the licensed individual has not presented sufficient detail and information to merit approval, the result of the inspection shall be a fail.
- Any failure of an inspection under the preceding two paragraphs shall be without prejudice to the licensed individual's ability to arrange for an inspection through FaceTime or Skype or with photographs, to schedule another inspection for purposes of providing additional detail and information, to schedule an in-person inspection at such time as it can be conducted in a safe manner, or to appeal to the appropriate State Code Appeals Board where applicable.
- At the discretion of the inspector, some minor inspections may be conducted with photographs, accompanied by such written explanation and/or description as the inspector may require, uploaded to the permit. **No Recorded Video** will be accepted.
- All inspection requests shall be scheduled via **Email only** to the applicable inspector. Phone requests or requests sent through viewpoint will not be honored at this time as the inspectors are working remotely.
- Inspection requests shall include the address, permit number, type of inspection requested, and the platform to be used for the inspection (i.e. FaceTime or Skype), and your FaceTime or Skype contact information.
- The inspector will respond to the request with the date and time the inspection will take place and instructions regarding any other information that the inspector deems necessary to conduct the inspection.
- The inspector will contact the licensed individual thru the agreed upon platform (FaceTime or Skype) for the inspection. Remember that the inspector may be delayed in beginning the inspection, please be patient.

- It shall be the responsibility of the licensed individual to provide any testing equipment that may be required for the inspection. (For example: gas pressure test gauge, electrical ground tester, etc.)
- Any paperwork required by the inspector shall be uploaded to the permit in viewpoint prior to an inspection being scheduled. (For example: Planning Department approvals for a final inspection for any project subject to Large House Review, Historic District, Demolition Preservation, height certificates, HERs ratings, arborist letter for Tree Preservation Bylaw, etc.) This is not a complete list of paperwork that may be required by an inspector.
- Nothing contained herein modifies the proper sequencing of inspections. (For example: electrical, plumbing/gas and sheet metal rough inspections must be performed prior to the building rough inspection.
- The licensed individual identified on the permit must participate in the inspection with the inspector to answer any questions or issues that may arise during the inspection.
- The results of inspections will be posted to the permit on viewpoint. Notification will be sent via email through the viewpoint program.

For Building or Sheet Metal Inspections

- Email the Inspector of Buildings at mgrant@wellesleyma.gov.
- The licensed construction supervisor, homeowner or sheet metal worker identified on the permit shall participate in the FaceTime or Skype inspection with the inspector.
- If another Town department approval is required prior to your inspection and that department is not conducting inspections due to the COVID 19 pandemic no building inspection will be conducted until the Town department completes its inspection.
- If a Fire Department inspection is required for your project you may wish to contact the Wellesley Fire Department to determine their current inspection protocol.
- Photographs uploaded to the permit in viewpoint will be accepted in lieu of a FaceTime or Skype inspection for:
 - Roofing only permits
 - Window only Permits
 - Tent Permits
 - Any other minor project the inspector deems appropriate.

For all photographs uploaded to the permit, the licensed individual shall certify in writing the date and time each photograph was taken and provide a narrative description of the photographs sufficient to allow the inspector to understand what is depicted.

For Electrical Inspections

- Email the Electrical Inspector at msweeney@wellesleyma.gov.
- The licensed electrician identified on the permit shall participate in the FaceTime or Skype inspection with the inspector.
- The Electrical Inspector in consultation with the licensed electrician will decide what form the inspection will take place (i.e. facetime, skype or pictures) on a case by case basis.

For all photographs uploaded to the permit in viewpoint, the licensed individual shall certify in writing the date and time each photograph was taken and provide a narrative description of the photographs sufficient to allow the inspector to understand what is depicted.

For Plumbing/Gas Inspections

- Email the Plumbing/Gas Inspector at wpansire@wellesleyma.gov.
- The licensed plumber or gas installer identified on the permit shall participate in the FaceTime or Skype inspection with the inspector.
- Photographs uploaded to the permit in viewpoint will be accepted in lieu of a FaceTime or Skype inspection for:
 - Water heater replacements
 - Furnace replacement
 - Boiler replacement
 - Stove/cooktop replacements
 - Dishwashers
 - Plumbing rough inspections for bathroom remodels having no more than 4 existing fixtures, as long as there are no additional fixtures and any new fixture is installed in the **exact same location** as the existing fixture.
 - Plumbing rough inspections for kitchen remodels having no more than 1 existing kitchen sink and 1 gas stove, as long as there are no additional fixtures and any new fixture is installed in the **exact same location** as the existing fixture.
 - Any other minor project the inspector deems appropriate.

For all photographs uploaded to the permit, the licensed individual shall certify in writing the date and time each photograph was taken and provide a narrative description of the photographs sufficient to allow the inspector to understand what is depicted.

COVID-19 ESSENTIAL SERVICES

EXHIBIT A OF THE ORDER OF THE GOVERNOR ASSURING CONTINUED OPERATION OF ESSENTIAL SERVICES IN THE COMMONWEALTH, CLOSING CERTAIN WORKPLACES AND PROHIBITING GATHERINGS OF MORE THAN 10 PEOPLE

As updated March 31, 2020

Governor Charlie Baker's emergency order requiring that all businesses and organizations that do not provide "COVID-19 Essential Services" close their physical workplaces and facilities to workers, customers and the public will be extended until May 4. Businesses and organizations not on the list of essential services are encouraged to continue operations through remote means that do not require workers, customers, or the public to enter or appear at the brick-and-mortar premises closed by the order. This order also prohibits gatherings of more than 10 people until May 4th.

The Administration updated the "COVID-19 Essential Services" list today, which is based on federal guidance that was updated earlier this week. The new list will go into effect tomorrow, April 1, at noon. While these businesses are designated as essential, they are urged to follow social distancing protocols for workers in accordance with guidance from the Department of Public Health (DPH).

HEALTHCARE / PUBLIC HEALTH

- Workers who perform critical clinical research, development, and testing needed for COVID-19 response.
- Healthcare providers and Caregivers including physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, optometrists, speech pathologists, chiropractors, other providers of mental and behavioral health care, peer support and recovery coach workers, personal care attendants, home health aides and home care workers, and diagnostic and therapeutic technicians and technologists.
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.).
- Workers in other medical and biomedical facilities (including Ambulatory Health and Surgical, Blood Banks, Medical Clinics, Community Mental Health Centers, Comprehensive Outpatient rehabilitation, Methadone/OBOT Clinics, 24 hour Diversionary and Residential Behavioral Health Providers, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Rest Homes, Assisted Living Residences, Nursing Care Facilities, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Residential Treatment Schools, Rural Health Clinics and Federally Qualified Health Centers, State Hospitals, licensed medical marijuana retailers, and retail facilities specializing in medical good and supplies).
- Manufacturer workers for health manufacturing (including biotechnology companies), materials and parts suppliers, logistics and warehouse operators, distributors of medical equipment (including those who test and repair), personal protective equipment (PPE), isolation barriers, medical gases, pharmaceuticals (including companies and institutions involved in the research and development, manufacture, distribution, warehousing, and supplying of pharmaceuticals, biotechnology therapies, and medical devices, diagnostics, equipment and services) (including materials used in radioactive drugs), dietary supplements, blood and blood products, vaccines,

COVID-19 Essential Services

testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

- Public health / community health workers, including those who compile, model, analyze and communicate public health information.
- Blood and plasma donors and the employees of the organizations that operate and manage related activities.
- Workers who manage health plans, billing, and health information, who cannot practically work remotely.
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely.
- Workers performing information technology and cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely.
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely.
- Pharmacy employees necessary to maintain uninterrupted prescription filling.
- Workers performing mortuary funeral, cremation, burial, cemetery, and related services, including at funeral homes, crematoriums, cemeteries, and coffin makers.
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident.

LAW ENFORCEMENT, PUBLIC SAFETY, AND OTHER FIRST RESPONDERS

- Public, private, and voluntary personnel (front line and management) in emergency management, law enforcement, fire and rescue services, emergency medical services, and private security, to include public and private hazardous material responders, air medical service providers (pilots and supporting technicians), corrections, and search and rescue personnel.
- 911 call center employees (including telecommunicators, dispatchers and managers) and Public Safety Answering Points and other police communication facilities who can't perform their duties remotely.
- Fusion Center employees.
- Workers – including contracted vendors -- who maintain, manufacture, or supply equipment and services supporting law enforcement emergency service and response operations (to include electronic security and life safety security personnel).
- Workers supporting the manufacturing of safety equipment and uniforms for law enforcement, public safety personnel, and first responders.
- Workers supporting the operation of firearm or ammunition product manufacturers, importers, and distributors.
- Public agency workers responding to abuse and neglect of children, elders, and dependent adults.
- Workers who support weather disaster / natural hazard mitigation and prevention activities.
- Security staff to maintain building access control and physical security measures.

FOOD AND AGRICULTURE

- Workers supporting groceries, pharmacies, convenience stores, farmers markets and farm stands, nurseries, greenhouses, garden centers, and agriculture supply stores, and other retail

COVID-19 Essential Services

(including unattended and vending) that sells human food, animal/pet food and pet supply, and beverage products (including liquor stores), including retail customer support service and information technology support staff necessary for online orders, pickup and delivery.

- Restaurant carry-out and quick serve food operations, including dark kitchen and food prep centers, and carry-out and delivery food employees.
- Food manufacturer employees and their supplier employees—to include those employed in food ingredient production and processing facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging.
- Farmers, farm workers, and agribusiness support services to include those employed in auction and sales: grain and oilseed handling, processing and distribution; animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically and for export.
- Farmers, farm workers, support service workers, and their supplier employees to include those engaged in producing and harvesting field crops; commodity inspection; fuel ethanol facilities; biodiesel and renewable diesel facilities; storage facilities; and other agricultural inputs.
- Employees and firms supporting the distribution of food, feed, and beverage and ingredients used in these products, including warehouse workers, vendor- managed inventory controllers and blockchain managers.
- Workers supporting the sanitation and pest control of all food manufacturing processes and operations from wholesale to retail.
- Employees in cafeterias used to feed employees, particularly employee populations sheltered against COVID-19.
- Food service workers in residential schools with students who are unable to leave campus
- Workers in animal diagnostic and food testing laboratories in private industries and in institutions of higher education.
- Government, private, and non-governmental organizations' workers essential for food assistance programs (including school breakfast and lunch programs) and government payments.
- Employees of companies engaged in the production, storage, transport, and distribution of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including seeds, pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids.
- Animal agriculture workers to include those employed in veterinary health (including those involved in supporting emergency veterinary or livestock services); raising of animals for food; animal production operations; livestock markets; slaughter and packing plants, manufacturers, renderers, and associated regulatory and government workforce.
- Transportation supporting animal agricultural industries, including movement of animal medical and reproductive supplies and materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, live animals, animal by-products, and deceased animals for disposal.
- Workers who support sawmills and the manufacture and distribution of fiber and forest products, including, but not limited to timber, paper, and other wood and fiber products.
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary for agricultural production and distribution.
- Organizations and workers responsible for the care and custody of animals, pets and livestock

ENERGY

COVID-19 Essential Services

- Workers supporting the energy sector, regardless of the energy source (including but not limited to nuclear, fossil, hydroelectric, or renewable), segment of the system, or infrastructure the worker is involved in, or who are needed to monitor, operate, engineer, and maintain the reliability, safety, environmental health, and physical and cyber security of the energy system.
- Energy/commodity trading/scheduling/marketing functions, who can't perform their duties remotely.
- IT and OT technology for essential energy sector operations including support workers, customer service operations; energy management systems, control systems, and Supervisory Control and Data Acquisition SCADA systems, and energy sector entity data centers; cybersecurity engineers; and cybersecurity risk management.
- Workers supporting the energy sector through renewable energy infrastructure or energy efficiency projects (including, but not limited to wind, solar, biomass, hydrogen, ocean, geothermal, and/or hydroelectric), including those supporting construction, manufacturing, transportation, permitting, operation/maintenance, monitoring, and logistics.
- Workers and security staff involved in nuclear re-fueling operations.
- Providing services related to energy sector fuels (including, but not limited, petroleum (crude oil), natural gas, propane, natural gas liquids, other liquid fuels, nuclear, and coal), supporting the mining, processing, manufacturing, construction, logistics, transportation, permitting, operation/maintenance, security, waste disposal and storage, and monitoring of support for resources.
- Environmental remediation/monitoring, limited to immediate critical needs technicians.
- Manufacturing and distribution of equipment, supplies, and parts necessary to maintain production, maintenance, restoration, and service at energy sector facilities (across all energy sector segments).

Electricity industry:

- Workers who maintain, ensure, or restore, or are involved in the reliable development, transportation, fuel procurement, expansion, or operation of the generation, transmission, and distribution of electric power, including call centers, utility workers, engineers, retail electricity, constraint maintenance, and fleet maintenance technicians- who cannot perform their duties remotely.
- Workers at coal mines, production facilities, and those involved in manufacturing, transportation, permitting, operation/maintenance and monitoring at coal sites which is critical to ensuring the reliability of the electrical system.
- Workers who produce, process, ship and handle coal used for power generation and manufacturing.
- Workers needed for safe and secure operations at nuclear generation to include but not limited to, the broader nuclear supply chain, parts to maintain nuclear equipment, fuel manufacturers and fuel components used in the manufacturing of fuel.
- Workers at renewable energy infrastructure (including, but not limited to wind, solar, biomass, hydrogen, geothermal, and/or hydroelectric), including those supporting construction, manufacturing, transportation, permitting, operation/maintenance, monitoring, and logistics.
- Workers at generation, transmission, and electric black start facilities.
- Workers at Reliability Coordinator, Balancing Authorities, and primary and backup Control Centers, including but not limited to independent system operators, regional transmission organizations, and local distribution control centers.
- Mutual assistance personnel which may include workers from outside of the state or local jurisdiction.
- Vegetation management and traffic control for supporting those crews.

COVID-19 Essential Services

- Environmental remediation/monitoring workers limited to immediate critical needs technicians.
- Instrumentation, protection, and control technicians.
- Essential support personnel for electricity operations.
- Generator set support workers such as diesel engineers used in power generation including those providing fuel.

Petroleum industry:

- Workers for onshore and offshore petroleum drilling operations; platform and drilling construction and maintenance; transportation (including helicopter operations), maritime transportation, supply, and dredging operations; maritime navigation; well stimulation, intervention, monitoring, automation and control, extraction, production; processing; waste disposal, and maintenance, construction, and operations.
- Workers for crude oil, petroleum and petroleum product storage and transportation, including pipeline, marine transport, terminals, rail transport, storage facilities and racks and road transport for use as end-use fuels such as gasoline, diesel fuel, jet fuel, and heating fuels or feedstocks for chemical manufacturing.
- Petroleum and petroleum product security operations center employees and workers who support maintenance and emergency response services.
- Petroleum and petroleum product operations control rooms/centers and refinery facilities.
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them.
- Supporting new and existing construction projects, including, but not limited to, pipeline construction.

Natural Gas, Natural Gas Liquids (NGL), Propane, and other liquid fuels:

- Workers who support onshore and offshore drilling operations, platform and drilling construction and maintenance; transportation (including helicopter operations); maritime transportation, supply, and dredging operations; maritime navigation; natural gas and natural gas liquid production, processing, extraction, storage and transportation; well intervention, monitoring, automation and control; waste disposal, and maintenance, construction, and operations.
- Transmission and distribution pipeline workers, including compressor stations and any other required, operations maintenance, construction, and support for natural gas, natural gas liquid, propane, and other liquid fuels.
- Natural gas, propane, natural gas liquids, and other liquid fuel processing plants, including construction, maintenance, and support operations.
- Natural gas processing plants workers, and those that deal with natural gas liquids.
- Workers who staff natural gas, propane, natural gas liquids, and other liquid fuel security operations centers, operations dispatch and control rooms/centers, and emergency response and customer emergencies (including leak calls) operations.
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation.
- Dispatch and control rooms and emergency response and customer emergencies, including propane leak calls.
- Propane gas service maintenance and restoration, including call centers.
- Propane, natural gas liquids, and other liquid fuel distribution centers.
- Propane gas storage, transmission, and distribution centers.
- Supporting new and existing construction projects, including, but not limited to, pipeline construction.

COVID-19 Essential Services

- Ethanol and biofuel production, refining, and distribution.
- Workers in fuel sectors (including, but not limited to nuclear, coal, and gas types and liquid fuels) supporting the mining, manufacturing, logistics, transportation, permitting, operation/maintenance, and monitoring of support for resources.

Steam workers:

- Workers who support steam distribution companies' provision of district heating and any electric generation
- Workers who support steam distribution companies' dispatch and control rooms and emergency response and customer emergencies, including steam leak calls
- Workers who support steam distribution companies' service maintenance and restoration, including call centers
- Workers who support steam distribution companies' storage, transmission, and distribution centers

WATER AND WASTEWATER

Employees needed to operate and maintain public and private drinking water and wastewater/drainage infrastructure, including:

- Operational staff at water authorities.
- Operational staff at community water systems.
- Operational staff at wastewater treatment facilities.
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring, including field staff.
- Operational staff for water distribution and testing.
- Operational staff at wastewater collection facilities.
- Operational staff and technical support for SCADA Control systems.
- Chemical and equipment suppliers to water and wastewater systems and personnel protection.
- Workers who maintain digital systems infrastructure supporting water and wastewater operations.

TRANSPORTATION AND LOGISTICS

- Employees supporting or enabling transportation functions, including truck drivers, bus drivers, dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, Registry of Motor Vehicle (RMV) employees, towing/recovery services, roadside assistance workers, intermodal transportation personnel, and workers who maintain and inspect infrastructure (including those that require cross-jurisdiction travel).
- Workers supporting the distribution of food, pharmaceuticals (including materials used in radioactive drugs) and other medical materials, fuels, chemicals needed for water or water treatment and energy
- Workers, including contracted vendors, engaged in the maintenance and operation of essential highway infrastructure, including roads, bridges, and tunnels (e.g., traffic operations centers and moveable bridge operators).
- Employees of firms providing services, supplies, and equipment that enable warehouse and operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use. Includes cold- and frozen-chain logistics for food and critical biologic products.

COVID-19 Essential Services

- Mass transit, freight and passenger rail workers, including contracted vendors, providing transit services and/or performing critical or routine maintenance to rail or mass transit infrastructure or equipment.
- Employees supporting personal and commercial transportation services – including taxis, delivery services, vehicle rental services, bicycle maintenance and car-sharing services, and transportation network providers.
- Workers responsible for operating and dispatching passenger, commuter and freight trains public transportation and buses and maintaining rail and transit infrastructure and equipment.
- Maritime transportation workers, including dredgers, port workers, mariners, ship crewmembers, ship pilots and tug boat operators, equipment operators (to include maintenance and repair, and maritime-specific medical providers), ship supply, chandler, and repair companies.
- Workers including truck drivers, railroad employees and contractors, maintenance crew, and cleaners supporting transportation of chemicals, hazardous, medical, and waste materials to support critical infrastructure, capabilities, functions, and services, including specialized carriers, crane and rigging industry workers.
- Bus drivers and workers who provide or support intercity, commuter and charter bus service in support of other essential services or functions.
- Automotive repair, maintenance, and transportation equipment manufacturing and distribution facilities (including those who repair and maintain electric vehicle charging stations).
- Workers who respond to and clear traffic crashes, including contracted vendors and dispatchers
- Transportation safety inspectors, including hazardous material inspectors and accident investigator inspectors.
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations.
- Postal, parcel, courier, last-mile delivery, and shipping and related workers, to include private companies.
- Workers who support moving and storage services
- Employees who repair and maintain motor vehicles, subway and rail vehicles, rolling stock, buses, aircraft, rail equipment, marine vessels, bicycles, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers.
- Air transportation employees, including air traffic controllers and maintenance personnel, ramp workers, aviation and aerospace safety, security, and operations personnel and accident investigations.
- Workers, including contracted vendors, who support the operation, distribution, maintenance, and sanitation, of air transportation for cargo and passengers, including flight crews, maintenance, airport operations, those responsible for cleaning and disinfection, and other on- and off- airport facilities workers.
- Workers supporting transportation via inland waterways such as barge crew, dredging, river port workers for essential goods.
- Workers critical to rental and leasing of vehicles and equipment that facilitate continuity of operations for essential workforces and other essential travel.
- Warehouse operators, including vendors and support personnel critical for business continuity (including HVAC & electrical engineers; security personnel; and janitorial staff) and customer service for essential functions.

PUBLIC WORKS AND INFRASTRUCTURE SUPPORT SERVICES

COVID-19 Essential Services

- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste, recycling, and hazardous waste, including landfill operations.
- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees.
- Workers who support the inspection and maintenance of aids to navigation, and other government provided services that ensure continued maritime commerce.
- Licensed site clean-up professionals and other workers addressing hazardous spills, waste sites, and remediation.
- Workers who support the operation, maintenance and public safety of parks, forests, reservations, conservation restrictions, wildlife management areas, water supply protection lands, and other critical natural resources and open space for passive recreation.
- Workers who support storm clean-up operations (e.g., foresters).

COMMUNICATIONS AND INFORMATION TECHNOLOGY

Communications:

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call -centers, wireline and wireless providers, cable service providers, satellite operations, Internet Exchange Points, Points of Presence, Network Access Points, back haul and front haul facilities, and manufacturers and distributors of communications equipment.
- Government and private sector employees (including government contractors) with work related to undersea cable infrastructure and support facilities, including cable landing sites, beach manhole vaults and covers, submarine cable depots and submarine cable ship facilities.
- Government and private sector employees (including government contractors) supporting Department of Defense internet and communications facilities.
- Workers who support radio, television, newspaper and media service, including, but not limited to front-line news reporters, studio, and technicians for newsgathering, and reporting, and publishing news.
- Network Operations staff, engineers and/or technicians to include IT managers and staff, HVAC & electrical engineers, security personnel, software and hardware engineers, and database administrators that manage the network or operate facilities.
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables, buried conduit, small cells, other wireless facilities, and other communications sector-related infrastructure. This includes construction of new facilities and deployment of new technology as these are required to address congestion or customer usage due to unprecedented use of remote services.
- Installation, maintenance and repair technicians that establish, support or repair service as needed.
- Central office personnel to maintain and operate central office, data centers, and other network office facilities, critical support personnel assisting front line employees.
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, logistics, and troubleshooting.
- Workers providing electronic security, fire, monitoring and life safety services, and to ensure physical security, cleanliness and safety of facilities and personnel, including temporary licensing waivers for security personnel to work in other States or Municipalities.

COVID-19 Essential Services

- Dispatchers involved with service repair and restoration.
- Retail customer service personnel at critical service center locations for onboarding customers, distributing and repairing equipment and addressing customer issues in order to support individuals' remote emergency communications needs, supply chain and logistics personnel to ensure goods and products are on-boarded to provision these front-line employees.
- External Affairs personnel to assist in coordinating with local, state and federal officials to address communications needs supporting COVID-19 response, public safety, and national security.

Information Technology:

- Workers who support command centers, including, but not limited to Network Operations Command Centers, Broadcast Operations Control Centers and Security Operations Command Centers.
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers and purchasers, data transfer solutions engineers, software and hardware engineers, and database administrators, for all industries (including financial services).
- Workers who support client service centers, field engineers, and other technicians and workers supporting critical infrastructure, as well as manufacturers and supply chain vendors that provide hardware and software, support services, research and development, and information technology equipment (to include microelectronics and semiconductors), and HVAC and electrical equipment for critical infrastructure, and test labs and certification agencies that qualify such equipment (to include microelectronics, optoelectronics, and semiconductors) for critical infrastructure, including data centers.
- Workers needed to preempt and respond to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, securities/other exchanges, other entities that support the functioning of capital markets, public works, critical manufacturing, food & agricultural production, transportation, and other critical infrastructure categories and personnel, in addition to all cyber defense workers (who can't perform their duties remotely).
- Suppliers, designers, transporters and other workers supporting the manufacture, distribution and provision and construction of essential global, national and local infrastructure for computing services (including cloud computing services and telework capabilities), business infrastructure, financial transactions/services, web-based services, and critical manufacturing.
- Workers supporting communications systems and information technology- and work from home solutions- used by law enforcement, public safety, medical, energy, public works, critical manufacturing, food & agricultural production, financial services, education, and other critical industries and businesses.
- Employees required in person to support Software as a Service businesses that enable remote working, performance of business operations, distance learning, media services, and digital health offerings, or required for technical support crucial for business continuity and connectivity.

OTHER COMMUNITY- , EDUCATION- OR GOVERNMENT-BASED OPERATIONS AND ESSENTIAL FUNCTIONS

- Workers to ensure continuity of building functions, including but not limited to security and environmental controls (e.g., HVAC), the manufacturing and distribution of the products required for these functions, and the permits and inspections for construction supporting essential infrastructure.

COVID-19 Essential Services

- Local and state inspectors and administrative support of inspection services who are responsible for the inspection of elevators, escalators, lifts, buildings, plumbing and gas fitting, electrical work, and other safety related professional work
- Elections personnel to include both public and private sector elections support.
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks.
- Trade Officials (FTA negotiators; international data flow administrators).
- Employees necessary to maintain news and media operations across various media.
- Employees supporting Census 2020.
- Weather forecasters.
- Workers at places of worship
- Workers who maintain digital systems infrastructure supporting other critical government operations.
- Workers who support necessary credentialing, vetting and licensing operations for critical infrastructure workers including holders of Commercial Drivers Licenses.
- Workers who are critical to facilitating trade in support of the national, state and local emergency response supply chain.
- Educators and staff supporting emergency childcare programs and residential schools for students with severe disabilities, and public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning, provision of school meals and other essential student support functions, and essential administrative functions necessary to maintain continuity of operations.
- Scientific researchers in higher education completing in-process research to ensure health and safety and to prevent the loss of essential data
- Workers who support the design, production and distribution of educational materials or technologies for the use of educators or students in distance learning during the state of emergency
- Staff at government offices who perform title search, notary, and recording services in support of mortgage and real estate services and transactions.
- Residential and commercial real estate services, including settlement services.
- Workers supporting essential maintenance, manufacturing, design, operation, inspection, security, and construction for essential products, services, and supply chain and COVID-19 relief efforts.
- Critical government workers, as defined by the employer and consistent with Continuity of Operations Plans
- Workers that provide services for or determine eligibility for public benefits such as subsidized health care, food and feeding programs, residential and congregate care programs, shelter, in-home supportive services, child welfare, juvenile justice programs, adult protective services and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals (including family members)
- Workers in sober homes
- Professional services (such as legal, accounting and tax preparation) and payroll and employee benefit services when necessary to assist in compliance with legally mandated activities and critical sector services or where failure to provide such services during the time of the order would result in significant prejudice
- Commercial retail stores that supply essential sectors, including convenience stores, pet supply stores, auto supplies and repair, hardware and home improvement, and home appliance retailers

COVID-19 Essential Services

- Workers and instructors supporting academies or training facilities and courses or assessments for the purpose of graduating or certifying, during the duration of the state of emergency, healthcare personnel, cadets, and other workers who are critical to the ongoing response to COVID-19

CRITICAL MANUFACTURING

- Workers necessary for the manufacturing of metals (including steel and aluminum), industrial minerals, semiconductors, materials and products needed for medical supply chains, and for supply chains associated with transportation, energy, communications, information technology, food and agriculture, chemical manufacturing, nuclear facilities, wood products, commodities used as fuel for power generation facilities, the operation of dams, water and wastewater treatment, processing and reprocessing of solid waste, emergency services, and the defense industrial base. Additionally, workers needed to maintain the continuity of these manufacturing functions and associated supply chains, and workers necessary to maintain a manufacturing operation in warm standby.
- Workers necessary for the manufacturing of materials and products needed to manufacture medical equipment and personal protective equipment (PPE).
- Workers necessary for mining and production of critical minerals, materials and associated essential supply chains, and workers engaged in the manufacture and maintenance of equipment and other infrastructure necessary for mining production and distribution.
- Workers who produce or manufacture parts or equipment that supports continued operations for any essential services and increase in remote workforce (including computing and communication devices, semiconductors, and equipment such as security tools for Security Operations Centers (SOCs) or datacenters).

HAZARDOUS MATERIALS

- Workers who manage hazardous materials associated with any other essential activity, including but not limited to healthcare waste (medical, pharmaceuticals, medical material production), testing operations (laboratories processing test kits), and energy (nuclear facilities) Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing tests Workers who support hazardous materials response and cleanup.
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations.

FINANCIAL SERVICES

- Workers who are needed to provide, process and maintain systems for processing, verification, and recording of financial transactions and services, including payment, clearing, and settlement; wholesale funding; insurance services; consumer and commercial lending; and capital markets activities).
- Workers who are needed to maintain orderly market operations to ensure the continuity of financial transactions and services.
- Workers who are needed to provide business, commercial, and consumer access to bank and non-bank financial services and lending services, including ATMs, lending and money transmission, and to move currency, checks, securities, and payments (e.g., armored cash carriers).

COVID-19 Essential Services

- Workers who support financial operations and those staffing call centers, such as those staffing data and security operations centers, managing physical security, or providing accounting services.
- Workers supporting production and distribution of debit and credit cards.
- Workers providing electronic point of sale support personnel for essential businesses and workers.

CHEMICAL

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, paintings and coatings, textiles, building materials, plumbing, electrical, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items.
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, disinfectants, fragrances, and packaging that prevents the contamination of food, water, medicine, among others essential.
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/ or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections.
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing.

DEFENSE INDUSTRIAL BASE

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals include, but are not limited to, space and aerospace; mechanical and software engineers (various disciplines), manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers; and sanitary workers who maintain the hygienic viability of necessary facilities.
- Personnel working for companies, and their subcontractors, who perform under contract or sub-contract to the Department of Defense, as well as personnel at government-owned/contractor-operated and government-owned/government-operated facilities, and who provide materials and services to the Department of Defense, including support for weapon systems, software systems and cybersecurity, defense and intelligence communications and surveillance, space systems and other activities in support of our military, intelligence and space forces.

COMMERCIAL FACILITIES

- Workers who support the supply chain of building materials from production through application/installation, including cabinetry, fixtures, doors, cement, hardware, plumbing, electrical, heating/cooling, refrigeration, appliances, paint/coatings, and employees who provide services that enable repair materials and equipment for essential functions.
- Workers supporting ecommerce through distribution, warehouse, call center facilities, and other essential operational support functions.

COVID-19 Essential Services

- Workers in hardware and building materials stores, consumer electronics, technology and appliances retail, and related merchant wholesalers and distributors - with reduced staff to ensure continued operations.
- Workers distributing, servicing, repairing, installing residential and commercial HVAC systems, boilers, furnaces and other heating, cooling, refrigeration, and ventilation equipment.

RESIDENTIAL/SHELTER FACILITIES AND SERVICES

- Workers in dependent care services, in support of workers in other essential products and services.
- Workers who support food, shelter, and social services, and other necessities of life for needy groups and individuals, including in-need populations and COVID-19 responders (including travelling medical staff).
- Workers in animal shelters.
- Workers responsible for the leasing of residential properties and RV facilities to provide individuals and families with ready access to available housing.
- Workers at hotels, motels, inns, and other lodgings providing overnight accommodation, but only to the degree those lodgings are offered or provided to accommodate the COVID-19 Essential Workforce, other workers responding to the COVID-19 public health emergency, and vulnerable populations
- Workers responsible for handling property management, maintenance, and related service calls who can coordinate the response to emergency “at-home” situations requiring immediate attention, as well as facilitate the reception of deliveries, mail, and other necessary services.
- Workers performing services in support of the elderly and disabled populations who coordinate a variety of services, including health care appointments and activities of daily living.

HYGIENE PRODUCTS AND SERVICES

- Workers who produce hygiene products.
- Workers in laundromats, laundry services, and dry cleaners.
- Workers providing personal and household goods repair and maintenance.
- Workers providing disinfection services, for all essential facilities and modes of transportation, and supporting the sanitation of all food manufacturing processes and operations from wholesale to retail.
- Workers necessary for the installation, maintenance, distribution, and manufacturing of water and space heating equipment and its components.
- Support required for continuity of services, including commercial disinfectant services, janitorial/cleaning personnel, and support personnel functions that need freedom of movement to access facilities in support of front-line employees.

CONSTRUCTION-RELATED ACTIVITIES

- Workers such as plumbers, electricians, exterminators, builders, contractors, HVAC Technicians, landscapers, inspectors and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and buildings such as hospitals, health care facilities, senior living facilities, and any temporary construction required to support COVID-19 response.
- Workers – including contracted vendors - who support the operation, inspection, maintenance and repair of essential public works facilities and operations, including roads and bridges, water and sewer, laboratories, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, and

COVID-19 Essential Services

maintenance of digital systems infrastructure supporting public works operations. Critical or strategic infrastructure includes public works construction including construction of public schools, colleges and universities and construction of state facilities, including leased space, managed by the Division of Capital Asset Management; airport operations; water and sewer; gas, electrical, nuclear, oil refining and other critical energy services; roads and highways; public transportation; steam; solid waste and recycling collection and removal; and internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services)

- Workers who support infrastructure, such as by road and line clearing and utility relocation, to ensure the availability of and access to needed facilities, transportation, energy and communications.
- Workers performing housing construction related activities, including construction of mixed-use projects that include housing, to ensure additional units can be made available to combat the Commonwealth's existing housing supply shortage.
- Workers supporting the construction of housing, including those supporting government functions related to the building and development process, such as inspections, permitting and plan review services that can be modified to protect the public health, including allowing qualified private third-party inspections accountable to government agencies).

If the function of your business is not listed above, but you believe that it is essential or it is an entity providing essential services or functions, you may request designation as an essential business.

Requests by businesses to be designated an essential function should only be made if they are NOT covered by the guidance.

To request designation as an essential business, please click here:
<https://www.mass.gov/forms/essential-service-designation-request>

Any questions can be directed to covid19.biz@mass.gov.

Inspectional Services

Inspectional Services Department

Update 4/2/2020

Redefining "Essential" Construction

The City of Newton has taken a series of actions to limit the spread of COVID-19. These measures have impacted our schools, City operations, public buildings and spaces, and businesses, including construction.

Our decisions have been guided by the input of professional public health experts at both the state and City level and State guidelines.

The Commonwealth of Massachusetts has developed an "Essential Services" **list** as part of the March 23 Emergency Order and refined it over the past week. It lists in great detail which businesses and organizations are essential and can continue operations during the emergency.

Last week, Governor Baker issued orders that included all construction as essential services and outlined specific public health guidelines to be followed for work sites to remain open.

This week, I was pleased that the Commonwealth narrowed the list of construction projects considered essential.

Essential construction includes only work in residences, businesses and buildings that are required to support COVID-19 response, essential public works facilities, operations and infrastructure, and housing construction that ensures additional units that combat the Commonwealth's housing supply shortage. Also allowed to continue are energy efficiency projects, and building maintenance work by specialists (e.g. plumbing, electrical) if necessary, to maintain the safety, sanitation and essential operation of residences and businesses.

After consulting with health experts, the City of Newton has adopted the Commonwealth's new guidelines for all construction projects in the City, both public and private. Construction can only continue in Newton if it meets the criteria of essential and also complies with the strict social distancing, hand hygiene, employee health protections, and site risk prevention measures included in the state guidelines.

Projects like kitchen remodels and additions are no longer considered essential and therefore shall immediately stop in accordance with the state's guidance.

The City's Inspectional Services Department (ISD) will continue permitting projects but will not allow non-essential projects to get started or to be continued. If a project is at a particularly difficult or dangerous point to stop, and it can continue with public health measures in compliance with the state guidelines, contractors may request permission to continue from ISD, but only for the purposes of ensuring the job site is safe and secure.

We are actively requiring compliance with the public health Construction Guidelines for essential construction projects. We are providing all permitted construction with the guidelines. We are also following up on all complaints, doing unannounced visits to job sites, and routine inspections. In all of these situations, we are doing compliance inspections.

The City of Newton is committed to ensuring the safety and health of City employees providing inspections and supervision of construction and we have instituted strict employee safety protocols.

The state guidance document that Newton requires for construction sites and workers during the COVID-19 emergency period can be found online [here](#).

Enforcement of the COVID-19 Safety Guidelines

and Procedures for Construction Sites

COVID-19 Order No. 13, as revised and extended on March 31, 2020, requires the Massachusetts Department of Transportation and the Division of Capital Asset Management and Maintenance to "issue guidance and enforcement procedures for the safe operation of public works construction sites." The safety guidance is attached as "COVID-19 Guidelines and Procedures for All Construction Sites and Workers at All Public Works Sites" (hereinafter, the COVID-19 Construction Safety Guidance) and is posted online and may be revised from time to time. This document contains the required enforcement procedures, which shall be followed by all state agencies and authorities who undertake, manage or fund construction projects and may be used by each city or town for ensuring the safety of both publicly- and privately-owned construction projects.

- All Projects: Construction sites that cannot consistently comply with the COVID-19 Construction Safety Guidance , including ensuring that social distancing and safety requirements are being followed, must:
 - Safely secure the site and pause construction activities until a corrective action plan is prepared, submitted and approved by both the Owner and the city or town; or
 - Close down the site for the duration of the State of Emergency if repeatedly found by either the Owner's COVID-19 Officer or a state or local inspector (including a third-party private inspector accountable to a city or town) to be in violation of the social distancing and safety requirements.
- A city or town may additionally require the Owner to develop and submit a site-specific risk analysis and enhanced COVID-19 safety plan. The city or town shall review and approve such plan and may require such projects to pause construction until such a risk analysis and plan is submitted and approved. Once such an enhanced COVID-19 safety plan is approved, a violation of the plan shall be treated the same as a violation of the COVID-19 Construction Safety Guidance.
- A site-specific COVID-19 Officer (who may also be the Health and Safety Officer) shall be designated for every site.
- The approved project Health and Safety Plan (HASP) shall be modified to require that the Contractor's site-specific project COVID-19 Officer submit a written daily report to the Owner's Representative. The COVID-19 Officer shall certify that the contractor and all subcontractors are in full compliance with the COVID-19 Construction Safety Guidance.
- Public Projects: For all projects undertaken, managed or funded by a state agency or authority there shall be joint enforcement responsibility between the project's public Owner and the city or town where the project is located.
 - The Owner of the project has the lead responsibility for compliance and enforcement including frequent on-site inspections by an employee or contractor of the state agency or authority who is familiar with the COVID-19 Construction Safety Guidance and is authorized to enforce that guidance and shut down work at the site if violations are found.
 - The Owner of the project is required to notify the municipality where the work is taking place whenever a site is shut down or of any violations of the COVID-19 Construction Safety Guidance and the resulting corrective action plan, as well as to provide copies of the COVID-19 Officer's written daily reports upon request.
 - While the public Owner has the lead responsibility for enforcement, cities and towns retain the

authority to take enforcement action against public projects found not in compliance with the COVID-19 Construction Safety Guidance , including the authority to order the project to shut down until a corrective action plan is developed, approved and implemented.

- Private Projects: For all private projects the primary enforcement responsibility rests with the city or town, with the Massachusetts Department of Transportation and other state agencies providing technical assistance and resource support.
 - Cities and towns are authorized to enforce the COVID-19 Construction Safety Guidance using their public health staff, building inspectors or any other appropriate official or contractor.
 - Cities and towns may enforce the safety and distance protocols including requiring the Owner and/or Contractor to safely secure the site and pause construction activities until a corrective action plan is prepared, submitted and approved by the city or town.
- The city or town may require the Owner of a private project to pay for an independent, third party inspector or inspection firm (or to pay into a pool to pay for such inspections). The third party inspector shall be accountable solely to the city or town and shall be responsible for enforcement on behalf of the city or town. A city or town may require private projects to pause construction until such a third-party inspector has been secured.

Any questions about these enforcement procedures or the accompanying Guidance can be directed to:

For MassDOT, Michael McGrath, Assistant Administrator for Construction Engineering,

michael.a.mcgrath@state.ma.us

For DCAMM, Jay Mitchell, Deputy Commissioner, Jayson.mitchell@mass.gov

Supplemental Guidelines for Construction Sites

ADDENDUM 1 Limiting Exposures and Worker Infection Protocol

COVID-19 Employee Health, protection, guidance and prevention

Limiting Exposures

Workers should follow the General On-the-Job Guidance to Prevent Exposure & Limit the Transmission of the Virus of the COVID-19 Employee Health, protection, guidance and prevention guide.

In addition, Contractors should advise workers of best practice to limit exposures off the construction site.

When leaving a construction site for breaks, lunch, or other reasons are required to wash hands with soap for at least 20 seconds or use an alcohol-based hand sanitizer with at least 60% ethanol or 70% isopropanol before leaving the site and must maintain social distancing if traveling to other locations off the construction site. Frequent use of handwashing or alcohol-based hand sanitizers should be encouraged and handwashing facilities and/or alcohol-based hand sanitizers should be made readily available at work sites.

Worker Infection Protocol

As provided in the guidance document, there is a zero tolerance for sick workers reporting to work. Employees should be instructed that even those with mild symptoms of respiratory infection (cough, shortness of breath, sore throat) or fever should stay off work. Contractors shall take immediate steps to limit infections at the job site in the event that a worker discovered to have tested positive for COVID-19 or has COVID-19 related symptoms.

Although it is understood that contractors are enforcing Work Site Risk Prevention Practices including social distancing rules and use of PPE, consistent with guidelines it is also recognized that there may be occasions where someone who has tested positive for COVID-19 or who has COVID-19 symptoms has been present in a work area..

Prompt identification and isolation of potentially infectious individuals is a critical step in protecting workers, vendors, visitors, and others at a worksite.

IDENTIFICATION OF EXPOSURE

The Contractor shall direct workers with COVID-19 related symptoms to leave the jobsite immediately and contact their healthcare provider. The Massachusetts Department of Health (DPH) or a local board of health will make appropriate notifications to those who had direct prolonged contact with the COVID-19 positive workers.

The Contractor shall work with the local board of health to identify any potential jobsite exposures, including :

- Other workers , vendors, inspectors, or visitors to the work site with close contact to the individual
- Work areas such as supply cabinets and designated work stations or rooms
- Work tools and equipment
- Common areas such as break rooms and tables, vending machines, and sanitary facilities

NOTIFICATION AND QUARANTINE REQUIREMENTS

As provided by law, the identity of the worker must be kept confidential.

Upon learning of an infection, the contractor must immediately notify the designated COVID-19 safety officer, the site safety officer, and the owner.

SANITIZATION REQUIREMENTS

Contractor shall take immediate steps to sanitize common areas and direct work places. This includes all on-site bathrooms facilities, any break facilities, and any other common areas on the job site that may have been in close contact with the infected worker.

Sanitation will be conducted with personnel, equipment, and material approved for COVID-19 sanitization.

Identified areas should remain isolated from workers until sanitation process has been completed and area is deemed safe for use.

RETURNING TO WORK

All impacted workers should follow CDC and DPH recommended steps concerning return to work. Workers who are considered close contacts to a COVID19 case by public health authorities should not return for 14 days and are subject quarantine by public health.

Workers who leave during the work day due to COVID-19 symptoms and develop COVID-19 as confirmed by laboratory testing or diagnosis by a healthcare provider shall not return to the site until either released from isolation by healthcare provider or public health.

IN ALL CASES

Keep all employee names confidential as required by law.

Other employees may be sent home while a workspace is being cleaned but will return to work after cleaning unless advised otherwise by a health care provider. Other employees should be asked to contact their health provider if they have any questions Remind other employees to continue to practice proper sanitation and monitor for flu like symptoms.

SPECIAL NOTICE

Doing Business with Inspectional Services During COVID-19 Emergency



Bulletin

BUL-2020-02

An Act to Address Challenges Faced by Municipalities and State Authorities Resulting From COVID-19

TO: Local Officials
FROM: Patricia Hunt, Chief, Bureau of Municipal Finance Law
DATE: April 3, 2020
SUBJECT: **An Act to Address Challenges Faced by Municipalities and State Authorities Resulting From COVID-19**

This Bulletin provides guidance to local officials regarding changes in municipal finance laws included in [An Act to Address Challenges Faced by Municipalities and State Authorities Resulting From COVID-19, Chapter 53 of the Acts of 2020](#), (the Act). Unless otherwise noted below, these changes became effective on April 3, 2020, upon Governor Baker's signing the Act into law.

I. Town Meeting Delays

A. Power of Boards of Selectmen and Town Councils to Delay Annual Town Meeting

Section 1 of the Act - Before its amendment, [G.L. c. 39, § 9](#) provided that an annual town meeting must take place during the months of February, March, April, May or June; however, a board of selectmen or town council, by vote, could delay the annual town meeting as long as the town meeting completed its business on or before June 30th. Section 1 adds the following exception to the June 30th deadline "in the event of an emergency that poses an immediate threat to the health or safety of persons or property that prevents the completion of the business of the delayed town meeting on or before June 30 if the governor has declared a state of emergency with respect to such emergency."

This exception is available, if necessary, to towns that must delay their town meetings beyond June 30, 2020 due to the COVID-19 outbreak and the declaration of a state of emergency by the governor. Towns are advised to consult with their local counsel regarding the form of vote. See Section I-B of this Bulletin for recess and continuation of town meetings by a town moderator where the town meeting warrant has already been issued.

B. Power of Moderator to Continue Scheduled Town Meetings in Event of Public Health Emergency (Application to Districts)

Sections 2 through 4 of the Act - These sections amend [G.L. c. 39, § 10A](#) by adding “public health” emergencies as a reason for a moderator to recess and continue town meetings already scheduled by warrant. Prior to the amendment, section 10A applied to weather-related and public safety emergencies. Under the amended section 10A, during and for a period of five days after a weather-related, public safety or public health emergency, a town moderator may, in consultation with public safety or public health officials and the board of selectmen, declare a recess and continuance of the town meeting to another time, date and place certain; however, the continuance is limited to a period of 30 days. There are notice, posting and other requirements regarding the time, date and place of the recessed and continued meeting. Additionally, within 10 days after the initial declaration by the moderator of recess and continuance, a local public safety or public health official designated by the board of selectmen must submit a report to the Attorney General providing the justification for the moderation’s continuance.

These amendments also clarify that a moderator may invoke section 10A more than once to recess and continue a town meeting during the same emergency; however, each continuance period must not exceed 30 days and the moderator may not continue the meeting more than 30 days after the rescission of the declaration of emergency by the governor. Additionally, if a town does not have a moderator, the board of selectmen may recess and continue the town meeting under the amended section 10A.

Under [G.L. c. 41, § 119](#) and [c. 48, § 66](#) (fire districts only), the moderator of a district meeting has the powers of a moderator of a town meeting. As a result, a district moderator may recess and continue scheduled district meetings under [G.L. c. 39, § 10A](#). For purposes of section 119, a district means a fire, water, sewer, water pollution abatement, refuse disposal, light, or improvement district, or any other district formed for the purpose of carrying out any of these functions, whether established under general law or special act. [G.L. c. 41, § 1A](#).

Because several town moderators had already invoked Section 10A to recess and continue a scheduled town meeting due to the outbreak of COVID-19, the amendments to section 10A were made retroactive to March 10, 2020. (See Section 19 of the Act.)

II. Emergency Liabilities in Excess of Appropriation if the COVID-19 Emergency Prevents the Adoption of an Annual Budget

Section 5 of the Act - Under [G.L. c. 44, § 31](#), no department financed by municipal revenue, or in whole or in part by taxation, of any city, town or special purpose district, except Boston, may incur liabilities in excess of appropriation “except in cases of major disaster, including, but not limited to, flood, drought, fire, hurricane, earthquake, storm or other catastrophe, whether natural or otherwise, which poses an immediate threat to the health or safety of persons or property, and then only upon a declaration by the governor of a state of emergency with respect to the disaster” On March 10, 2020, the Governor declared a state of emergency regarding COVID-19. As a result, cities, towns and special purpose districts may, with the approval of the Director of Accounts (director) of the Division of Local Services (DLS), expend from any available funds in the treasury in relation to the emergency without an appropriation by following the procedure described in [Bulletin 2020-1](#).

Section 5 amends [G.L. c. 44, § 31](#) by inserting the following:

If the declared emergency prevents the adoption of an annual budget by a town or district by the June 30 preceding the start of the fiscal year, the board of selectmen, town council or district commissioners shall notify the director and the director may approve expenditures, from any appropriate fund or account, of an amount sufficient for the operations of the town or district during the month of July not less than 1/12 of the total budget approved by the town or district in the most recent fiscal year pursuant to a plan approved by the board of selectmen, town council or district commissioners and such authority shall continue for each successive month while the emergency continues to prevent the adoption of a budget. The director may promulgate and revise rules or regulations regarding the approval of emergency expenditures described in this section and accounting with regard to such expenditures.

This amendment will allow deficit spending, with the approval of the director, on a month-to-month basis in fiscal year 2021 if the town or district was prevented from adopting a budget for fiscal year 2021 due to Governor Baker's Declaration of Emergency issued on March 10, 2020. Additional guidance will be issued by the director, like that contained in [Bulletin 2020-01](#), that will explain the procedure to follow to obtain the director's approval to deficit spend under this provision.

III. Director's Authority to Allow Appropriations after June 30, 2020 from Free Cash Certified as of July 1, 2019

Section 6 of the Act provides:

"...[I]f the adoption of an annual budget in a city, town or district is delayed beyond June 30, 2020, as a result of the governor's March 10, 2020 declaration of a state of emergency or the outbreak of the 2019 novel coronavirus, also known as COVID-19, the director of accounts of the department of revenue may authorize the appropriation from the available balance of the city's, town's or district's undesignated fund balance or "free cash" certified by the director under section 23 of chapter 59 of the General Laws as of July 1, 2019, as a funding source for the city's, town's or district's fiscal year 2021 expenditures, including, but not limited to any such undesignated fund balance in an enterprise fund or special revenue account...."

Ordinarily, under [G.L. c. 59, § 23](#), appropriations from certified free cash may only be made until the June 30th following its July 1 certification date. As a result, free cash certified by the director as of July 1, 2019 is available for appropriation only up to and including June 30, 2020. This section allows the director to authorize the appropriation from free cash certified as of July 1, 2019 after June 30, 2020 where the city, town or district has been prevented from adopting its FY 2021 annual budget by June 30, 2020 due to the Governor's March 10, 2020 declaration of a state of emergency or the outbreak of the 2019 novel coronavirus. Once a city, town or district can meet and adopt its FY 2021 budget, this section will allow the director to permit appropriations from free cash certified as of July 1, 2019 as a funding source for its FY 2021 expenditures. Pursuant to Section 6, the director will issue additional guidance regarding the implementation of this provision.

IV. Amortization of Deficit Resulting from COVID-19 Over a Three-year Period

Section 7 of the Act - Under [G.L. c. 44, § 31](#), deficit expenditures not otherwise provided for must be funded in full when setting the tax rate for the next fiscal year. Section 7 of the Act permits the amortization over a three-year period of the amount of a city, town or district's fiscal year 2020 deficit resulting from the outbreak of the 2019 novel coronavirus also known as COVID-19, as described in the governor's March 10, 2020 declaration of a state of emergency. This applies to both expenditure deficits and revenue deficits related to the emergency. Examples of revenue deficits that could result from the emergency are reduced meals tax and room occupancy revenues. This legislation is similar to [St. 2015, c. 10, § 58](#) which, due to the extreme snow removal costs incurred the previous winter, permitted amortization of snow and ice expenditure deficits over three years. Again, the director will issue additional guidance on the implementation of this section.

V. Continuation of Expenditure Authorization for Departmental Revolving Funds under [G.L. c. 44, § 53 E ½](#) in FY 2021

Section 8 of the Act - Under [G.L. c. 44, § 53 E ½](#), a city or town may authorize by bylaw or ordinance one or more revolving funds and must annually before July 1 vote the limit on the total amount that may be expended from each revolving account. Section 8 of the Act allows the continued expenditure in FY 2021 from these departmental revolving funds at the same level of expenditure authorized by the city or town for FY 2020 until the city or town adopts its FY 2021 annual budget at which time the legislative body of the city or town must adopt the FY 2021 expenditure limits for each departmental revolving fund.

VI. Suspension of Time Period for Cities and Towns to Exercise Right of First Refusal to Purchase Lands Classified under G.L. c. 61, 61A and 61B

Section 9 of the Act - Section 9 suspends the time periods that require a city or town to "act, respond, effectuate or exercise an option to purchase" under [G.L. c. 61, § 8](#), [c. 61A, § 14](#) and [c. 61 B, § 9](#). The suspension is during and for a period of 90 days after the termination of the governor's March 10, 2020 declaration of a state of emergency. If a city or town receives notice of intent to convert or sell classified land during this period, we advise that local counsel be contacted for advice.

VII. Due Dates of Real and Personal Property Tax Bills and Applications for Exemptions and Waiver of Interest on Certain Late Payments

Sections 10 and 11 of the Act include several provisions regarding local tax bills.

A. Local Option to extend the Due Dates of Property Tax Bills

Sections 10(a)(i-iii) include a local option to extend the due dates of property tax bills under [G.L. c. 59, §§ 57](#) and [57C](#) from April 1, 2020 (for semi-annual billing communities with annual

preliminary bills) or May 1, 2020 to a date not later than June 1, 2020. This local option applies to semi-annual tax billing communities and quarterly tax billing communities. The local option is exercised by the chief executive officer of a city, town or district. The chief executive officer is a mayor in a city and the board of selectmen in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter. In a district, the chief executive officer is the prudential committee or commissioners.

B. Local Option to Extend the Due Date for Exemption and Deferral Applications

Section 10(a)(iv) includes a local option to extend the due date under [G.L. c. 59, § 59](#) for applications for exemptions from April 1, 2020 to a date not later than June 1, 2020. This due date extension, if exercised, will automatically apply to deferrals under [G.L. c. 59, § 5\[18A\] and \[41A\]](#), residential exemptions under [G.L. c. 59, § 5C](#) and small commercial exemptions under [G.L. c. 59, § 5I](#). This second local option is exercised in the same manner described in Section VII-A of this Bulletin.

C. Local Option to Waive Interest on Certain Payments Made After Due Dates

Section 11 includes a local option to waive interest and other penalty for late payment of any excise, tax, betterment assessment or apportionment thereof, water rate or annual sewer use or other charge added to a tax for any payments with a due date on or after March 10, 2020 where payment is made after its respective due date but before June 30, 2020. This third local option is also exercised in the same manner described in Section VII-A of this Bulletin.

This section allows the waiver of interest and penalties regarding late payments of bills with a due date of March 10, 2020 or after, when such bills are paid late but paid on or before June 30, 2020. This section does not permit waiver of interest and penalties regarding bills with due dates before March 10, 2020 or if the bill is not paid by June 30, 2020.

Section 11 also provides that a city or town shall not terminate an essential service of a resident, including but not limited to, water, trash collection or electricity, for nonpayment of taxes or fees with due dates on or after March 10, 2020 if paid on or before June 30, 2020, if the inability to pay resulted from circumstances related to the outbreak of COVID-19 or the governor's March 10, 2020 declaration of a state of emergency.

D. Clarification of Due Dates When Municipal Office is Closed Due to COVID-19

Section 10(b) - Under [G.L. c. 59, §§ 57, 57C](#) and [59](#), there is an automatic extension of due dates for tax payments and applications for exemptions when a municipal office is closed for a weather-related or other public safety emergency until the next day that the municipal office is open. Section 10(b) of the Act clarifies that these automatic extensions do not apply if municipal offices are closed as a result of the outbreak of the 2019 novel coronavirus or the declaration of a state of emergency issued by the governor on March 10, 2020 and that due dates shall only be extended by the exercise of the local options described in Sections VII- A and B of this Bulletin.

E. Notice to Taxpayers

Tax bills (with due dates of April 1, 2020 or May 1, 2020) should have already been mailed in the formats described in [IGR 2019-1](#), [IGR 2019-2](#), [IGR 2019-3](#) or [IGR 2019-4](#), as applicable. Where

tax bills have been mailed, the attached Notice must be sent to taxpayers by separate mailing if any of the local options described above are exercised. If a city or town has not adopted all three local options or June 1, 2020 due dates, the attached Notice must be amended, as appropriate, by the city or town to reflect its exercised options.

If the tax bills have not been mailed and any of the above local options are exercised, the format and content of the tax bills themselves should not be changed. Instead, tax bills should be issued in the form described in [IGR 2019-1](#), [IGR 2019-2](#), [IGR 2019-3](#) and [IGR 2019-4](#), as applicable, and the mailing must include the attached Notice (worded to reflect the local options and due dates approved by the city/town) in the same mailing as the tax bill. (See Sections IV-B-1 of [IGR 2019-1](#), [IGR 2019-2](#) and [IGR 2019-3](#) and Section V-B-1 of [IGR 2019-4](#) for insertion by collector of tax billing information in same envelope as a tax bill.)

VIII. Waiver for Hours Worked and Earnings Received During State of Emergency Regarding Services Performed by Certain Retirees Under [G.L. c. 32](#)

Section 14 of the Act includes a waiver for hours worked and earnings received by certain retirees during the state of emergency. Cities and towns are advised to contact the Public Employee Retirement Administration Commission (PERAC) for more information regarding this section.

IX. Other Provisions of the Act

The Act also includes other non-finance provisions related to cities and towns, including **Section 17** regarding the suspension of certain deadlines affecting local permits and local permitting authorities. Cities and towns are advised to review the Act with their local counsel.

SAMPLE NOTICE TO TAXPAYERS
TO BE INCLUDED WITH TAX BILL OR SEPARATELY MAILED
(Samples should not be used without the advice of municipal counsel.)

Town/City of _____

Important information Regarding Your Tax Bill

Under “An Act to Address Challenges Faced by Municipalities and State Authorities Resulting From COVID-19,” Chapter 53 of the Acts of 2020, the town/city has adopted local options to extend due dates for real and personal property tax payments and applications for exemptions and a waiver of interest on certain municipal tax and other bills paid by June 30, 2020. See below.

1. **The due date of your real and personal property tax bill has been extended to June 1, 2020.** June 1, 2020 is the new due date even if the due date for payment on your enclosed or previously mailed tax bill is April 1, 2020 or May 1, 2020.
2. **The due date for applications for property tax exemptions has also been extended to June 1, 2020.** June 1, 2020 is the new due date even if the due date for applications on your enclosed or previously mailed tax bill is April 1, 2020.

This extension applies to applications for the exemptions listed in the third paragraph of G.L. c. 59, § 59, including exemptions under clauses 17, 17C, 17C1/2 and 17D (seniors, surviving spouses, minor children of deceased parent); 18 (financial hardship – activated military, age and infirmity); 22, 22A, 22B, 22C, 22D, 22E, 22F and 22H (veterans, surviving spouses and surviving parents); 37 and 37A (blind persons); 41, 41B, 41C and 41C1/2 (seniors); 42 and 43 (surviving spouse and minor children of firefighter/police officer killed in line of duty); 52 (certain eligible seniors); 53 (certain eligible properties with septic systems); 56 (National Guard and reservists on active duty in foreign countries); and 57 (local option tax rebates). This extension also automatically applies to applications for residential exemptions under G.L. c. 59, § 5C, for small commercial exemptions under G.L. c. 59, § 5I and for deferrals under G.L. c. 59, § 5, clauses 41A (seniors) and 18A (poverty or financial hardship due to change to active military).

3. The town/city has also voted to waive interest and other penalty for late payment of any excise, tax, betterment assessment or apportionment thereof, water rate or annual sewer use or other charge added to a tax for any payments with a due date on or after March 10, 2020 where payment is made late but before June 30, 2020. This applies to late payments of bills that have a due date of March 10, 2020 or after, when such bills are paid late but paid on or before June 30. This waiver of interest does not apply to bills with due dates before March 10, 2020 or if the bill is not paid by June 30.

NOTE - If the municipal offices are closed on the June 1, 2020 extended due date for tax payments or filing of exemption applications as a result of the outbreak of the 2019 novel coronavirus or the declaration of a state of emergency issued by the governor on March 10, 2020, the due dates for tax payments and applications for exemptions are not extended – they will be due on June 1, 2020 even if the municipal offices are closed. (See section 10(b) of the Act.)

[City/town should add information on how/where to make tax payments and file applications for exemptions, for example, by mail, through an on-line payment system or dropping payment into a lockbox (with the location). The city/town should also provide a telephone number where questions to local officials can be directed and the address of any relevant website information.]