

Amended 9/8/2022

Office of the

Board of Health
City Hall
718 Main Street
Fitchburg, Massachusetts 01420
978-829-1870

This was a special meeting and a Joint Board of Health/School Committee Meeting of the City of Fitchburg, held at the Legislative Building at 700 Main Street and recorded by FATV Studios, Fitchburg, on February 17, 2022. The meeting was called to order by Mayor DiNatale. The meeting opened with a salute to the Flag lead by Mr. Stephens.

Present: Stephen Curry, Director, Dr. John Bogdasarian, Chair, Sandra Knipe, Ian Murray, Victoria Selser, Epidemiologist, Mayor Stephen DiNatale, Robert Jokela, Superintendent, Jon Thompson, Assistant Superintendent, Craig Chalifoux, Finance & Operations, Dr. Maritza Knight, School Committee, Rosemary Reynolds, School Committee, Peter Stephens, School Committee, Aidan Horgan, School Committee.

School Department Presentation: Superintendent Robert Jokela:

Superintendent Jokela prepared a presentation of the trends & statistics and data gathered by the school department on COVID-19.

- FPS has hosted 17 staff/student/community clinics since May 2021
- Tests distributed every two weeks to staff and students for at home testing
- At-home antigen testing on Thursdays
- Routine COVID checks
- Eliminated test and stay- contact testing
- First shipment for staff and student has been distributed
- Self-reporting for positive at-home testing

Superintendent Jokela talked about the Fitchburg vaccination rates in comparison to other local cities and/or urban districts across Massachusetts. Fitchburg vaccination rates:

- Ages 5-11 fully vaccinated 22%
- Ages 12-15 fully vaccinated 63%
- Ages 16-19 fully vaccinated 51%

Superintendent Jokela stated student and staff cases of COVID-19 in schools have been decreasing.

Superintendent Jokela stated student attendance comparing two years ago which was the last time period that students and staff were in school under normal conditions. January 2020 there were 9,377 total student absences versus January 2022 at 17,485 total student absences. February 2020 they were 5,138 total student absences versus February 2022 we're at 5347 student absences.

Staff attendance comparing two years ago February 2022 versus February of 2020. February 2022 teacher absence days is 410 versus February 2020 of 335 teacher absences. January of 2022 had an increase of absences of 1,571 versus January 2020 had 1012 that would be a 55% increase.

In closing of the presentation, Superintendent Jokela gave a summary of what districts local to us have announced on their decisions and or status regarding either the extension on the mask mandate until 2 weeks after school vacation or lifting the mask mandate on February 28, 2022.

- Leominster will be asking their school committee for a two week extension of the mask mandate to March 14th.
- Sizer School is postponing until March 7 & 7 day positivity rate below 5%
- Worcester Public Schools will continue the mandate through March 7th or when the BOH meets again
- Ayer-Shirley Regional School district no decision; next meeting March 1st.
- Gardner Public Schools is making a decision Feb 18
- Lunenburg, Harvard, Athol-Roylston Regional School District, Ashburnham-Westminster Regional School District and Wachusett Regional School District have all announced that masks become optional on February 28th.

Health Department Presentation: Victoria Selser, Epidemiologist:

Director Curry introduced Victoria Selser, Epidemiologist.

Victoria Selser, stated she is the Epidemiologist for the Montachusett Public Health Network which includes the City of Fitchburg. Ms. Selser stated as of February 10th the most recent report date the positivity rate in the City of Fitchburg was 12.11% which is almost double the statewide average of 6.48%. The city of Fitchburg positivity rate as of today has decreased about 35% to 7.8%. The Massachusetts Department of Public health has not done the report as of today but the rate represented in the report for today will be 7.8%. Currently there are 146 active cases of COVID-19 in the City of Fitchburg.

Ms. Selser stated there are 4 Hospitals in this region, Athol Hospital, Clinton Hospital, Health Alliance Leominster, & Heywood hospital. These numbers are not specific to only the City of Fitchburg residents, these numbers represent all COVID patients in these four hospitals which are in our region. The number of daily COVID hospitalizations in each hospital are reported every day and these numbers represent the average for that given month. In February of 2022 the average for Heywood hospital is 16 COVID hospitalizations. The average for Health Alliance Leominster is 17 hospitalizations. The average for Clinton Hospital is 8 hospitalizations. The average for Athol Memorial Hospital is 3 hospitalizations.

Ms. Selser stated the COVID death data presented here is for Worcester County and this does not represent only City of Fitchburg residents it represents residents from all of Worcester County. The Massachusetts Department of Public health does not separate death data by Municipality, they only announce death data by county. The most recent reporting period being last Thursday, February 10th. As of February 10th there were 111 COVID related deaths.

Public Comment Section

Mayor DiNatale will call upon the virtual comments first with a 3 minute time limit.

Deborah Wright, Principal of St. Bernard's Elementary School is in favor for the two week extension.

Susan Thor, parent of 2 children in FPS, she is in favor of the mask mandate to end on February 28, 2022.

Gina Giacosa, parent of 3 children in the FPS, she is in favor of the mask mandate to end on February 28, 2022.

Alicia Markland, she is in favor of the mask mandate to end on February 28, 2022.

Thaes Stoykow, parent of 4 children in the FPS, she is in favor of the mask mandate to end on February 28, 2022 otherwise she will pull her children from school.

Jennifer James Philbrick, parent of 3 children in the FPS, she is in favor of the mask mandate to end on February 28, 2022.

Marcus DiNatale, Councilor at Large & parent of 2 children, he is in favor of the mask mandate to end on February 28, 2022.

Mayor DiNatale read a letter from the St. Bernard's High School Principal, she is requesting that Saint Bernard's High School be exempted from any further Board of Health mandates regarding masking for schools in Fitchburg.

Gina Carney, she is in favor on of the mask mandate to end on February 28, 2022. Also stated anyone can get death data by town.

John Allen, resident in Fitchburg as well as a high school teacher in Littleton and is in favor of the mask mandate to end February 28, 2022.

Tina Graves, stated she does not live in Fitchburg. Muted by Assistant Superintendent Thompson.

Jessica Jacobson, stated she is putting everyone on notice of intent to file a claim against your risk management plan. Several people will receive and be served a notice soon about the notice of the intent that if you choose to continue to take our rights away and our medical freedom decisions by not making the mask optional for parents to choose for their own children we will be filing a claim. You all are in violation of your oath of office according to the MGL PI Title 12 Chapter S5.

Lauren Rabb, parent of 1 child at Monty Tech, she is in favor of the mask mandate to end on February 28, 2022.

Tiffany Michaud, parent of 2 children in the FPS, she is in favor of the mask mandate to end on February 28, 2022.

Dean Tran, he is in favor of the mask mandate to end on February 28, 2022.

Frank Gallo, student at FHS, he said 57% of juniors will still continue to wear the masks even if the mandate is dropped. He would like to get the vaccination rate up. Masks are proven to be effective throughout the pandemic.

Nathan LeClair, resident in Fitchburg and is in favor of the mask mandate to end on February 28, 2022.

Jesse Debola, parent of 4 children, was a state employee and resigned in October due to the vaccine mandate, she is in favor the mask mandate to end on February 28, 2022.

Mary Stebbin, a FPS employee and is in favor of the mask mandate to end on February 28, 2022.

Jeanne Robbie, grandmother to children in the FPS, she is in favor of the mask mandate to end on February 28, 2022.

Jacquelyn Wehtje, resident of Fitchburg, in favor of the mask mandate to end on February 28, 2022. Ms. Wehtje stated after checking with the City Clerk, over the entire course of the pandemic not a single child in Fitchburg has died of COVID-19. This mandate is unjust and it

should be rescinded immediately for every municipal building if you want to put in a mask advisory go ahead.

Fitchburg resident (didn't state name), 2 kids that go to Applewild & 1 at St. Bernard's High School, she is in favor of the mask mandate to end February 28, 2022.

Andy Van Hazinga, resident in Fitchburg, has children in the FPS and feels people need to consider whether it's safe to remove the mask mandate. Just because we're frustrated with wearing the masks, masks alone don't prevent the spread of COVID-19 but they are one tool amongst many other tools that we're using to contain this pandemic. He wants his children to be safe when they go to school.

Michael Allen, Fitchburg resident, is in favor of the mask mandate to end on February 28, 2022.

Bob Gonynor, resident of Fitchburg, he is in favor of the mask mandate to end on February 28, 2022.

Phil, was a student at FPS, he is in favor of the mask mandate to end on February 28, 2022.

Tia Becall, a student at Fitchburg high and is on both sides, and understands that it's been two years wearing the mask. We need to consider the people who are immunocompromised. People should have the freedom of choice and people who want to wear the mask and they are comfortable wearing the mask, should. It should be a choice.

Jamie Benton, parent of a Monty Tech student, she is in favor to end the mask mandate on February 28, 2022.

Mary Macklin, resident of Fitchburg & retired nurse practitioner is in favor to end the mask mandate on February 28, 2022.

Dr. John Strang, retired philosophy professor & resident of Fitchburg stated the BOH is incompetent.

Sophia Bogdasarian, resident in Fitchburg asked questions to Superintendent Jokela stating there are children that go to the public school system that are ill themselves with either leukemia or they're obese or they have diabetes, juvenile diabetes. Masks are horrible everybody hates them, however it's one piece in the arsenal of protecting yourself from COVID. What are the accommodations the school will make for those children that really do need that extra piece?

Troy, resident in Fitchburg is in favor to end the mask mandate on February 28, 2022.

Public Comment ended at approximately 6:50 pm. Mayor DiNatale stated the Board of Health and School Committee will go into discussion and deliberation regarding the current mask mandate.

Ms. Reynolds stated she is heartened by the presence of these people and is in favor of ending the mask mandate.

Aiden Horgan, School Committee stated in his four years on the school committee this is the most attended meeting and feels like this is a community making decision. Mr. Horgan believes this comes down to the effectiveness of the policy and the data says that cloth masks are effective but the KN95 far more effective but they can't enforce those being worn. He doesn't feel the extension of two weeks would be effective.

Mayor DiNatale stated this is gone on for over two years and has the greatest respect for what everyone spoke about tonight. He has had a problem with the mask mandate however he follows the Department of Elementary and Secondary Education guidance & the Department of Public health but feels it's time to end this mask mandate on February 28, 2022.

Sandra Knipe, BOH Nurse and Board member stated she has been working with COVID patients for two years and doing contact tracing night and day seven days a week 24 hours a day on some days and has seen how treacherous it can be and has seen how the school cases can go up when they come back from holiday breaks and vacations. She would like to wait two weeks after the school vacation to end the mask mandate.

Dr. John Bogdasarian thanked everyone for coming and speaking and we heard loud and clear your frustration with the masks. Masks are effective and they prevent the spread of large droplets. Dr. B is in favor of getting rid of the mask mandate but feels it's better to wait two weeks till kids get back from break.

James Walsh, School Committee stated he appreciates everyone coming tonight and wishes this many people showed up at every school committee meeting. He is concerned about a spike after the school break and is in favor of the two week extension.

Dr. Maritza Knight, School Committee stated she is concerned about the safety of everyone and doesn't want children to suffer anymore. After hearing a different perspective from a student who spoke about choice, Dr. Knight feels students should have choice.

Peter Stephens, School Committee stated he supports ending the mask mandate on February 28.

Ian Murray, BOH Member stated the BOH has been alone in this for 2 years, making hard decisions with no feedback. This issue has been on the BOH agenda numerous times and no one showed up to give input, which is frustrating. He would like to see more people show up at

meetings. He is also frustrated on how the data changes and the recommendations from the CDC change often. Mr. Murray is in favor of ending the mask mandate on February 28.

Ms. Knipe, BOH member made a motion to end the mask mandate for the schools on March 14th. Motion was 2nd by Dr. Bogdasarian. Mr. Murray was not in favor. The Board passed extending the mask mandate until March 14, by a vote of 2 to 1.

Mayor DiNatale suggested a discussion on a joint vote of the School Committee and the Board of Health.

Attorney Pusateri advised that the vote has to be a joint vote of both of the Boards.

Discussion to revisit the mandate and a vote by the entire body.

Mayor DiNatale stated there was a motion made and 2nd to retain the mask mandate until March 14. Motion failed 4-5. Ms. Knipe, Dr. Bogdasarian, Dr. Knight, Mr. Walsh voted to extend the mandate. Mayor DiNatale, Ms. Reynolds, Mr. Stephens, Mr. Murray, Mr. Horgan voted against the extension.

Mr. Stephens made a motion to accept the Department of Public Health & Department of Secondary Education recommendation to end the mask mandate on February 28. Motion was 2nd by Mr. Horgan. All in favor, Mr. Murray, Mayor DiNatale, Mr. Stephens, Ms. Reynolds, Dr. Knight, Mr. Horgan in favor. Ms. Knipe, Dr. Bogdasarian, Mr. Walsh, not in favor. 6-3 vote, motion passes.

Mr. Stephens made a motion to adjourn the joint meeting. Motion was 2nd. All were in favor. Joint Meeting adjourned at 7:30pm

Dr. Bogdasarian called the meeting of the Fitchburg Board of Health to order at 7:36pm.

Petition: Jacquelyn Wehtje-Petitioning to rescind the entire BOH Mask Mandate adopted August 5, 2021 and amended August 25, 2021, as outlined in the petition.

Ms. Wehtje stated she is glad the Board is rescinding the mandate on the schools effective February 28th and you have to wait until then due to DESE however you don't have those restrictions with the other Municipal buildings and I would therefore ask that you rescind the mask mandate in the other buildings effective immediately.

Ms. Knipe made a motion that the mask mandate for the Municipal buildings, Housing Authority, Fitchburg State University, & Library make it a mask advisory, effective immediately. Motion was 2nd by Mr. Murray. All were in favor, motion carries

Meeting Minutes for February 3, 2022:

Mr. Murray made a motion to table the February 3, 2022 meeting minutes. Motion was 2nd by Ms. Knipe. All were in favor, motion carries.

Annual Chair Appointment discussion and vote:

Ms. Knipe made a motion to appoint Dr. Bogdasarian as Chair. Motion was 2nd by Mr. Murray. All were in favor, motion carries. Dr. Bogdasarian recused.

Ms. Wehtje commented that she filed an open meeting complaint and feels that Dr. Bogdasarian did not follow the proper procedure. He received it two separate ways which was submitted by email and by mail to both him and the city clerk. He had a certain period of time in which he was required to disseminate the complaint to the members of the committee to have a discussion with them and only after such a discussion would he be allowed to delegate the response to another individual such as Mr. Curry. He didn't follow the proper procedure and if you're not going to follow the proper procedures that the Attorney General's Office has lined out you shouldn't be a Chairman, someone else should be.

Open Meeting Law Complaint discussion:

Mr. Curry stated that Ms. Wehtje did file an open meeting law complaint. This should have been on the February 3rd meeting, Mr. Curry didn't realize that it was only 14 days to respond to the open meeting law complaint. After the 14 day extension he did ask the Attorney General's Office for the extension but because it was beyond the 14 days they were unable to grant it. Mr. Curry prepared a response and has shared the response with the Board members, and Ms. Wehtje.

Mr. Curry stated Ms. Wehtje complaint is that the Board did not allow Dr. Monica Gandhi to speak remotely at the Board's meeting on January 13, 2022. Evidence from FATV at that meeting, and incidentally Dr. Bogdasarian was unable to view who was on the FATV sign on, shows the meeting was adjourned at 5:43 and Dr. Gandhi did not sign on virtually until 5:53. Mr. Curry stated the meeting had ended and there was no intention or objection by the Board to allow Dr. Gandhi to speak.

Mr. Curry prepared a response based on that evidence. Which is in writing from FATV.

Dr. Bogdasarian made a motion to accept and delegate Mr. Curry's responses as the BOH response. Motion was 2nd by Mr. Murray. All were in favor, motion carries.

Commission Against Discrimination discussion: Service Complaint Response/Position Statement:

Mr. Curry stated that Ms. Wehtje has also made a complaint regarding the Board alleged discrimination to her requests, asking the Board for an exemption to the mask mandate and claims the Board denied her request for exemption.

Mr. Curry stated, on this matter the Board was within the time frame of the service complaint to request an extension, and were granted an extension by the Commission Against Discrimination until March 1st. Mr. Curry proposed to the Board to delegate the responsibility to him he and he would prepare a response to this complaint with the assistance from the Legal Department.

Dr. Bogdasarian has prepared a response as well.

Dr. Bogdasarian made a motion to delegate the written response to Mr. Curry. Motion was 2nd by Ms. Knipe. All were in favor, motion carries.

Next meeting scheduled for March 3, 2022.

Ms. Knipe made a motion to adjourn. Motion was 2nd by Ian Murray. Meeting adjourned at 8:00pm.