

*Nov 05 2021 2:57 pm**Office of the*

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

This was a Board of Health Regular Meeting of the City of Fitchburg held in the Legislative Building at 700 Main Street and recorded by FATV Studios, Fitchburg, on October 14, 2021. The meeting was called to order by Dr. Bogdasarian.

Present: Stephen Curry, Director; Dr. John Bogdasarian, Chair; Ian Murray, Sandra Knipe, Jacquelyn Wehtje, Petitioner; Ed Pacey, Public Sector Representative Waste Management, Andrew Cordio, Petitioner.

Covid-19 Update:

Mr. Curry stated the total cases since March 2020 is 5,746. There are 160 active cases. This number has gone down 54 cases since last week. In the last 24 hours we've had 8 cases. In the last week we've had 71 cases and since last week it's down 23 cases. In the last two weeks we've had 180 cases that's down 82 from October 8th. Since September 14th which would be a one month period we've seen 536 cases that's down 27 cases compared to October 8th one week ago. Since March 2020 there has been 153 deaths and 1 death in the last week since October 8th.

Total tests in the city in the last two weeks are at 5,052 with 241 positive tests which puts us at a 4.7 positivity rate which is down 0.9% since last week.

Mr. Curry stated out of 160 cases 44 of them are between the ages of 0-12, the 13-19 years of age there are 23. Out of 160 cases, 67 of the cases are under 20 year's old.

Petition: Jacquelyn Wehtje to rescind BOH Mask Mandate in Municipal Buildings, Schools and Fitchburg Housing Authority.

Ms. Wehtje stated the information she is presenting here tonight, she received input from Attorney Pusateri and Mr. Andrew Cordio. Ms. Wehtje stated this is a petition to remove the City Mask Mandate. Please see Exhibit A.

Ms. Wehtje stated in closing at the last Board of Health meeting she presented data as she did tonight and after she made her public comment one of the city nurses got up and stated the data doesn't mean anything. What matters to Ms. Wehtje is her personal experience of the pandemic.

Ms. Wehtje stated her personal story of the pandemic is last month she went to get her haircut and there was a new guy in the salon working and she got to talking with him and he said he used to work at a different salon and all the employees got vaccinated but the two owners refused. The owners told the employees that they need to wear masks all day long to protect the owner because they were not vaccinated, and the employee said he wasn't putting up with that and he quit. That incident is really what the mask mandate is about and worse, people like Ms. Wehtje who are vaccinated must keep wearing masks to protect people who could get vaccinated but are refusing to get vaccinated to protect themselves. It's not fair and therefore she is asking that the Fitchburg Mask Mandate be repealed effective immediately. If you want to put in a mask advisory that's fine but it should not be a mandate.

Dr. Bogdasarian asked Ms. Wehtje to clarify that she is not arguing against masking for children in school, it's primarily in municipal buildings outside of the school setting.

Ms. Wehtje stated she is not protesting the state mandate that covers schools, we don't need a city mandate in addition to that.

Dr. Bogdasarian asked Ms. Wehtje what is the about wearing the mask that she is finding so onerous.

Ms. Wehtje stated it's uncomfortable to wear, it's hard to breathe, fogs up eye glasses and has trouble seeing. She feels she got vaccinated for nothing and is being punished by being forced to wear a mask. She got vaccinated so we could get back to normal and the BOH is not letting her get back to normal.

Ms. Wehtje stated she was never worried about getting ill because she is under 60 she is female and is white and has no underlying conditions and that isn't the type of person the disease targets.

Dr. Bogdasarian stated that even though Ms. Wehtje is healthy it doesn't mean other people in their 60's will not get the virus. Vaccines are helpful and beneficial. Statistics and data came about when people were wearing masks and people weren't in school and were separated so we haven't really got statistics to show what would happen if everyone went around without wearing a mask, it might be worse than our present conditions. Dr. Bogdasarian thinks many people disagree and even though they find the masks to be annoying and a nuisance, it's probably better for yourself and better for others because vaccines are not 100% protective. Dr. Bogdasarian said he is sure people will get significantly better in more of the places that the BOH can control.

Ms. Knipe stated she wears a mask not only to protect herself but to protect those around her which is the whole purpose of wearing a mask. The positivity rates in some of the communities are great but there are 351 Municipalities in the Commonwealth and a lot of them are sister communities. The North Quabbin region is getting hit very hard and their rates are very high

and they do not have mask mandates. There are several clusters in daycares & hockey leagues and none of them had masks on even though they were vaccinated. We still need to be safe and wearing masks is the right thing to do.

Ms. Knipe stated some communities have reached the 80% vaccination rate so they are going to be eligible to have the mask mandate removed and that is what the Board is striving for.

Ms. Wehtje stated she knows that Athol doesn't have a mask mandate and that they have encouraged people to come into their library. Last month they had a sign up for your first library card and you can win a gift card. Other communities aren't being restricted the same way. Orange, MA also in the North Quabbin Region took a different approach and shut down their municipal buildings except for the library and they let the Library set its own policy. If the Board wanted to do something similar they wouldn't be hearing from her as she would be going before the Library Board of Trustees.

Ms. Knipe asked if Ms. Wehtje main concern is the Library.

Ms. Wehtje responded yes it is.

Mr. Curry stated the library has reached out to him and if the BOH didn't pass the mandate they were considering doing their own. The Library staffing supports masking and I believe they've notified Ms. Wehtje of their position in an e-mail response to Ms. Wehtje's request.

Dr. Bogdasarian asked if most colleges and universities in the Commonwealth also insist individuals wear masks.

Mr. Curry stated yes and that the BOH order does affect Fitchburg State University and the school reached out to him seeking assistance on enforcing it.

Ms. Wehtje stated at a previous meeting someone had mentioned that Fitchburg State came to the Board and asked to make the mask mandate extend down to their campus. At the last BOH meeting it was mentioned that 90% of the students at Fitchburg State are vaccinated. Why is the mask mandate still in effect? Is 90% vaccination rate not good enough.

Ms. Knipe stated the state set those guidelines. All state colleges have to be vaccinated. It wasn't this municipality that set those standards.

Ms. Wehtje stated the original order did not include FSU and then the BOH added it.

Mr. Curry stated that is correct.

Dr. Bogdasarian said we used 80% as the goal and when we hit that goal we could eliminate the mask mandate.

Ms. Wehtje asked why you would let the administration of FSU talk you into making a decision that might not be popular with the students. If FSU did a poll of the students you wouldn't find that they are overwhelmingly loving wearing masks. 90% of them have got vaccinated and you're still extending the Fitchburg city mandate to the college.

Mr. Curry stated he is not aware of rates at FSU and he isn't aware of where these numbers Ms. Wehtje came from. I can tell you that Fitchburg State University has an issue with staffing and I know it's not at 90% vaccination rate. I don't know where that number came from, Mr. Curry stated he does remember hearing it, but he isn't sure of the source of that information.

Ms. Wehtje stated it came from one of the BOH nurses at the last meeting.

Ms. Wehtje feels that the goals are too high and the Fitchburg will not get to 80%. COVID-19 is going to be here forever and some public health experts are saying at some point you have to realize it's not a pandemic it's an endemic disease. Instead of sitting and counting cases and quarantining people and making people who have absolutely no symptoms sit in their house for two weeks, focus on treating serious illness and preventing death among all the vulnerable population. A lot of experts say you should start considering treating COVID-19 as an endemic and as soon as you get 5% transmission why not shift your focus. COVID is never going to go away. Are we going to wear masks the rest of our lives. If Fitchburg doesn't get to 80% vaccination which I don't think it will, it's just not fair.

Dr. Bogdasarian stated he feels we are making good progress by doing the things we're doing and to lighten up on things now would not be the proper approach.

Ms. Knipe stated there is still no approval for vaccine for kid ages 5-11 and even though they are not dying, they are still transmitting.

Ms. Wehtje asked when does personal responsibility come into play?

Ms. Knipe stated this is why public health comes into play, we do the best we can with what we have.

Dr. Bogdasarian made a motion to maintain the mask mandate as is. Motion was 2nd by Ms. Knipe. All were in favor. Motion carries.

Petition: Jacquelyn Wehtje to prohibit Waste Management from bidding on any contracts for a period of 10 years starting with the expiration date of the current contract and be deemed a menace and public health hazard.

Mr. Curry stated Ed Pacek is a Manager at Waste Management and will be joining us virtually.

Ms. Wehtje stated the pickup for trash, recycle and yards waste has been bad for years since we have contracted with Waste Management. The latest excuses is COVID but it long predates COVID. I would estimate that over the past five years I probably sent 100 emails to Mr. Curry about missed pickups. The city has a program called SeeClickFix where you can report problems in the city. A few examples are 16 Washington St reported rodents and trash all over the streets. 88 Mt. Vernon St reports an ongoing trash issue. 716 Main St has their request open for six days, still open. There's another one still open six days, there's another 7 days, acknowledged but not resolved.

The City of Fitchburg has 18,393 issues now and not all of these are trash, recycling and yard waste. Some of the other things are potholes. But a lot of them of missed pickups. You compare us to Leominster our twin city with a similar size population, 860 issues.

The city keeps awarding the contract to Waste Management again and again and have asked Mr. Curry why this is and his response is always because they are the low bidder. I have told Mr. Curry he needs to put a performance metric into the contract and if a company isn't doing their job they're not allowed to bid on the contract and we don't keep getting this company again and again when they can't do the job. That has not happened and we're still stuck with them today.

Ms. Wehtje also suggests to Mr. Curry that the city can use some ARPA funds to start picking up the trash ourselves as we did years ago. The ARPA funding has a whole section for health and includes equity issues. I want to bring up some equity issues with the trash pickup. The first is use of private dumpsters. Back in the 2018 my neighbor saw me outside trying to pick up the yard waste which fell into the street again and it was over a month since it was supposed to be picked up and despite numerous attempts by me to get it picked up it didn't happen, and the neighbor stated to Ms. Wehtje that Waste Management is so bad that her sister works for the health department and she couldn't get them to come out she said she finally took her yard waste and put it in the dumpster at her work, and that's great if you have access to the dumpster at work but not everybody does. That's an equity issue. Another thing is while you could take it away to the city landfill, right now we don't even have a charge which is great but you got to have a pickup truck with the bed and put the waste in or you got to have a trailer which is a whole other set of registration fees, or have big enough vehicle or trailer to get it out there most people don't, that's an equity issue. You can hire a landscaper and the landscaper can haul your yard waste away when they're done, but most people can't afford that, that's an equity issue. If you got a large lot you can place the yard waste way out where it's not visible but most people don't have a big lot, that's an equity issue. It's the poorer people and the lower income people and the working class people in the city that are suffering with these issues with poor pickup. If we're not going to start providing service ourselves like I think we could with the ARPA Funding, at the very least I would ask that the BOH help find that Waste Management has been negligent and deny them the opportunity to bid on contracts for a period of 10 years starting with the expiration date of the current contract. There are many more issues such as the trash getting out in the street attracts rodents as well as barrels filled with water and mosquitos that can create West Nile Virus, Eastern Equine Encephalitis.

Ms. Wehtje stated that the trucks picking up the yard waste are inconsistent and estimated they only come about 10% of the time.

Mr. Curry stated typically we pick up yard waste 16 weeks. This year we're doing 20 weeks of yard waste collection. We encourage folks to sign up for what's called Recollect which residents can find on the city webpage and folks can download an app on their phone and also it can be done from a landline as well as SeeClickFix which is also available to find out other issues.

Mr. Curry stated he can comment on the three See Click Fix issues Ms. Wehtje is referring to.

- 16 Washington St: trash collection has been rejected by the hauler because it's overflowing and is a constant problem. We are working with the property owner to correct the problem. If you will look deeper into it you will notice that the SeeClickFix issue has been assigned to an inspector and the inspector is monitoring it and we are taking steps to seek compliance and work with the owner on that property.
- 88 Mount Vernon St: was reported as a miss and the trash was collected as of last week and that problem is now closed however 88 Mount Vernon St suffers very similar problems as 16 Washington St.
- 716 Main Street: if you check it closely there is no such thing as 716 Main St. We are presently in 700 Main Street and there are no residential buildings surrounding us so that issue has been closed.
- 716 Main St is on the list again and there is no such address in the city.
- 353 Clarendon St: this was a missed recycling complaint and Mr. Curry reported to Waste Management and a Supervisors has reported it collected.

Mr. Curry stated there are approximately 13,500 stops the entire week so getting three to five misses out of 13,500 is a good percentage.

Mr. Curry clarified that we do have rules we expect our contractor Waste Management to enforce those rules if residents can't stay within the limits of our 96 gallon recycling bin and our 64 gallon trash bin there are options which will obviously cost you money. The budget is based on those two barrels if you can't stay in range of that, then you need to pay for the extra, similar to utilities.

Mr. Pacek stated WM follows all the rules and regulation steps enforced by the city specifically by the BOH. There are situations where WM needs to enforce those rules and that can cause a situation where there is a non-collection and that can be for a variety of different issues. If residents have any issues with their collection they should contact the BOH. If there is

something the driver has identified as a reason why it can't be serviced, then BOH can direct the resident to a proper remedy. Mr. Pacek continued on that WM services about 13,500 units per week for trash and also service half that number for recycling which is a grand total of 20,050 service opportunities that WM is successful on. When you add yard waste on top of that every single week we are talking over 500 tons of that off the streets of Fitchburg every year. We don't know from one day to the next how much material will be at any given location so WM tracks it carefully. Mr. Pacek stated that WM budgets many resources just to provide service in the city and that is how they approach the job and sometimes they do run behind schedule and they ask for resident's patience and understanding.

Mr. Pacek stated that WM is doing their best to prioritize the services in order of trash, recycling and then yard waste. Mr. Pacek believes that is the best priority structure. In regards to the comment about trash on the streets that is attracting rodents and water in carts. If the trash is in barrels properly and not overflowing then it shouldn't be on the street, and if the barrels are covered properly there should be no water in the carts creating a mosquito issue unless the residents are leaving the barrels open.

Ms. Wehtje stated she puts her yard waste in barrels and it's marked "yard waste" on the barrels. If the truck doesn't come when they are scheduled to pick up it does get filled with water because there are no covers on them.

Mr. Curry asked Ms. Wehtje is she lives near or on a dead end St

Ms. Wehtje said yes.

Mr. Curry stated you have two options for collection on your dead end street.

Ms. Wehtje stated yes but I put it all on the driveway.

Mr. Curry stated there are two streets that Ms. Wehtje could potentially put waste on, St. Peter St and Belmont St. Dead end streets are serviced by different trucks that are not automated and collected by hand. I believe they are called ASL trucks. There is the possibility that one truck services St. Peter St which is the dead end street and another truck goes by at a completely different time and does not go on St. Peter St. and does Belmont St. Thereby the resident sees a truck go by and it doesn't go onto St. Peter St and the resident reports it as a missed collection when the truck seen actually is doing Belmont St not St. Peter St. Some of the problem is that the resident isn't consistent with the placement of trash and recycling. Sometimes it is placed on Belmont St., sometimes it is placed on St. Peter St. There are two separate trucks servicing these streets. It seems the collection stop for recycling and trash is moving and that might be some of the issues causing missed collections. Recycling and trash needs to stay in one spot all the time. In regards to yard waste, there have been delays for various reasons but never a month delay. I do remember a snow storm where it took nearly a week to collect yard waste and there are misses when there is 1 barrel half-filled and it's the

only barrel on a dead end street, I understand the frustration and the nuisances it causes but there has never been an occurrence of no collection in a month.

Ms. Wehtje stated she does follow all the regulations, however it seems that Waste Management wasn't following their schedule.

Mr. Curry stated there has been occasional times last year then Waste Management didn't have the staffing so rather than run a yard waste collection not to full capacity we would move it or delay it a week and that has happened quite a few times.

Mr. Curry stated the taxpayers pay \$8000 a week for yard waste collection. Mr. Curry stated he wants to make sure that \$8000 is the biggest bang for the buck. If I have to change the week then I have to change the week. If you were to sign on to Re-Collect, I can send you a notice of the delay. 4000 people are signed up on it and 4000 get notified when to put your yard waste out at curbside or they can print a calendar and receive delay notices. The concentration is on trash and recycling being collected and if yard waste has to be delayed a week, so be it. Mr. Curry stated that he will make that decision all day long and will never revert from that.

Dr. Bogdasarian stated in listening to the comments this evening, Waste Management is doing a fine job with not a huge number of complaints.

Dr. Bogdasarian made a motion to allow Waste Management to finish out there contract as it currently exists and allow them to bid again when the time comes. Motion was 2nd by Sandra Knipe. All were in favor, motion carries.

Public Health Orders

Mr. Curry stated there are participants here on the agenda: Ms. Wehtje is present and Mr. Andrew Cordio who will be joining us remotely.

Mr. Cordio stated in regards to the vaccine mandate that was proposed tonight what is the Board of Health's thought process. Mr. Cordio stated that according to the CDC website the numbers from January 2020 to September 15th, 2021 we had 5.3 million infected children and 280 that passed away. To keep that in perspective if you look at the influenza numbers from 2017- 2018 we had 530 deaths with school aged children. There was no mask mandate or vaccines mandated on children. The basic fact is the flu is the flu and as Ms. Wehtje stated earlier COVID-19 is going to be around for a long time. To ask parents to vaccinate their children and put families in this type of position is not the way to go for this city.

Ms. Knipe stated all childhood vaccines given to school age children in that age bracket have to be vaccinated for them to attend school. Mumps, measles, chickenpox, hepatitis, polio all these are all because of the vaccines that they are not an issue in the schools and believes that COVID is as dangerous as polio.

Mr. Cordio asked where the numbers to support that are.

Ms. Knipe stated the kids that are getting sick.

Dr. Bogdasarian stated that vaccines are safe. They have they've been given to millions of people with minimal problem. I'm having trouble understanding why people are resisting doing something safe to protect their friends and their family.

Mr. Cordio stated this is not about the efficacy of vaccines if they are safe or not but mandating parents to inject their children with a pharmaceutical product that they may not necessarily want to do in order to get a public education.

Mr. Curry asked Mr. Cordio if he feels that children in extracurricular activity should be vaccinated for example sports or out of school activity.

Mr. Cordio stated he feels that is a decision the parents should make and I feel that is not a decision the government should have any say over.

Mr. Cordio stated this is about COVID and mandating COVID vaccine and this is entirely new.

Mr. Curry stated the two agenda items are School aged COVID-19 Testing Mandate and School age Vaccination Mandate is what this discussion is about.

Mr. Cordio stated there should not be a mandate for families and children in this city and hasn't heard a solid reason here tonight why there should be.

Dr. Bogdasarian asked Mr. Cordio if he would be willing to send his child to school sitting in a classroom of 30-40 people all day in an unvaccinated status.

Mr. Cordio stated his children will not attend a public school.

Dr. Bogdasarian stated we are talking about public schools and we may not be able to mandate what private schools do. The mandate is for people in public schools.

Ms. Wehtje stated she feels we are rushing the vaccine for children 12 and older and is still under an emergency use authorization. We don't even have a vaccine for younger children yet. There are legitimate concerns that people have about these vaccines. The Moderna vaccine was just pulled from young men in a few countries Norway, Sweden, Finland due to rare side effects. I think imposing a vaccine mandates on students is not a good idea. If the BOH imposes this mandate, I think you will have some leading the public schools which will allow fewer people reimbursement from the state to cover the fixed overhead costs in our schools which will have a negative effect on our finances. Ms. Wehtje also stated that not everyone has the option of other schooling and the schools could face lawsuits which the city solicitor might not have time to respond to necessitating expensive outside counsel. There are at least two

attorneys who are fighting now on mask mandates against Department of Education Elementary and Secondary Education. Students are mandated to attend school until age 16, if they aren't allowed to because they are unvaccinated the school truancy officer will file a school CHINS (Child In Need of Services) petition and then the child will be removed from his or her home possibly even sent to the juvenile detention facility. These are severe consequences for individuals exercising his or her right to bodily integrity and the police could come and take the child away. We've been through this before as the country government officials decide they knew better than the parents what is in the best interests of their children. Native Americans to this day suffer the harm passed down through generations because government separated families for what they said was the good of society. I'm a little surprised the board is contemplating this. In our state a girl is allowed to have an abortion because she has a right to control her body which you're going to say she doesn't have the right to control that same body by refusing a vaccine. The best way to get students vaccinated is not to force them but to set an example for them.

When I was flipping channels on TV the other day I came across the city hearing in which Steve Curry reported that between 50% and 60% of police officers in the city are vaccinated. These people who may come to take away the child for not going to school because the child was not vaccinated and half of them are not vaccinated themselves. This is part of a larger pattern in government do as I say not as I do and it's not right. I'm vaccinated myself I believe that vaccines work but it should be a matter of personal choice.

Mr. Murray asked if Ms. Wehtje feels this way about all the vaccines or just the COVID-19 vaccine.

Ms. Wehtje stated she doesn't feel anyone should be forcibly injected with a vaccine. Children ages 12 and over is still under emergency use authorization and it's not a regularly approved vaccine and we don't even have an approved vaccine for children under 12 so why the rush to put this order in place.

Dr. Bogdasarian stated he believes this will be approved in a few days for children under 12 and it has been determined to be safe. The rush is children are getting sick and we want to protect everyone by having them vaccinated.

Ms. Wehtje stated she is surprised that you don't see any difference between a vaccine that has only received emergency use authorization and one that is fully approved. The mandates that President Biden put in or tried to have OSHA put in were not suggested earlier as well as various employer mandate were not suggested earlier by the state because they were waiting for the vaccine for adults to be fully approved. They said we can't mandate that you do something when the vaccine is still in emergency use authorization. Now you're saying it doesn't matter to us that these vaccines for children are on an emergency authorization. The first day we get that emergency use authorization you're going to stick that mandate in place. Emergency use is not the same as regular approval that hasn't even gone through all the

channels, so for you to say that this is all the same as other vaccines that children receive is not true.

Mr. Curry suggested a compromise to the Board and refrain from a complete mandate in schools and start with extracurricular activity sports and require either a vaccination or aggressive testing. There can be further discussions at future meetings and accept feedback for others with opinions. Mr. Curry said we should concentrate on after school programs that are outdoors and not required to wear a mask but would be required to be vaccinated to participate.

Mr. Curry stated presently most of the cases are in relation to sports or group activities outside of school, we are trying to reduce those cases by putting in a requirement to help.

Mr. Cordio asked what the goal of the BOH is.

Mr. Curry said the goal is to protect the public health of the residents of Fitchburg. We want to continue to get feedback on an overall mandate but in the meantime think about implementing some sort of extracurricular activity mandate because that is where a lot of the cases are.

Ms. Wehtje suggested voluntary vaccination clinics in the schools for the younger children aged 5-12 and let those who want to get the vaccine rather than mandating it.

Dr. Bogdasarian made a motion to revisit this and not mandate the vaccine in ages 12 & under. Ms. Knipe will support tabling this for now but will mandate the vaccine in extracurricular activities to kids ages 12 & up.

Mr. Curry stated after hearing from the school committee at our last meeting they recommend this and are concerned that the football team does not have a season and then pointed out several schools that are not having a football season because of it. They have made a strong suggestion that we really look at this and they outlined that it is a privilege to play football and sports and I'm sure the nursing staff in the Health Department would agree that the majority of the cases in schools happened before school even opened and a lot of the cases were due to the sports and activities taking place.

The Athletic Department is concerned about winter sports and indoor activities where it's difficult to wear masks. The percentages aren't that bad and the vaccination rate is not terrible but it's not 80% and I think it would help with the winter sport activities to reduce the amount of cases. The school committee strongly supports it.

Ms. Knipe amended the previous motion that all students age 12 & up be vaccinated for any public school extracurricular activities. Motion was 2nd by Dr. Bogdasarian. All were in favor, motion carries.

Ms. Wethje stated when the vaccine mandate was passed for school employees you had exceptions for medical or religious reasons, you just now passed something with no exceptions. Will another exception be if you already had COVID-19 and have natural immunity and can prove it you don't need the vaccine?

Ms. Knipe made a motion to make an amendment to the previous motion to include people with religious exemptions and medical exemptions. Motion was 2nd by Dr. Bogdasarian. All were in favor, motion carries.

Meeting minutes review and approval of September 2, 2021:

Ms. Knipe stated we don't have the September 2, 2021 minutes therefore table the September 2, 2021 minutes until the next meeting.

Mr. Curry asked if there would be any objection to a copy of the draft minutes. Ms. Wehtje has requested a copy of the minutes. Dr. Bogdasarian asked why a draft copy and not a final copy. Mr. Curry's concern is that the Board should review the minutes before releasing them to ensure that something may have been taken out of context. Dr. Bogdasarian stated he wants to wait for the final minutes.

Mr. Murray made a motion to table the September 2, 2021 and the September 23, 2021 meeting minutes. Motion was 2nd by Dr. Bogdasarian. All were in favor, motion carries.

Fitchburg/Westminster Sanitary Landfill:

Mr. Curry presented an update to the Board of what is happening at the landfill. The landfill is located in the town of Westminster. The Westminster Board of Health on September 20th held a site assignment hearing to amend their present site assignment as the landfill is currently proposing to expand. Waste Management is proposing to expand the landfill vertically and the proposal is to expand from 1080 feet to approximately 1158 feet. The permitted tons per day will not change. The acreage will increase by 1.81 acres out with this proposal to the Westminster Board of Health. The Westminster Board of Health has 45 days to make a decision on that proposal. The proposal has been issued a report of suitability from the Massachusetts Department of Environmental Protection and the Westminster Board of Health approval is the next step in an arduous permitting process. An estimation with no change in the tonnage would get three to five years of more space out of that and in the meantime would explore further expansion to continue the service. There is a proposal by Waste Management to acquire land from the Department of Conservation and Recreation and a land exchange and land swap for approximately 185 acres for 85 acres next to the landfill. There's been a little bit of opposition to that proposal. It is important to note that the landfill is going to reach capacity in 2024. The approval process for the land swap was starting to run out of time so expanding vertically made more sense temporarily until the issues of the land swap expansion can be worked out. The landfill is located approximately 223.8 acres of adjoining parcels of land of which 94 acres have been used for solid waste disposal the landfill will continue to receive the

same waste materials type currently permitted for acceptance including municipal solid waste industrial waste ash, soil, sludge, asbestos containing material and special waste. Operation is authorized at a maximum daily waste acceptance rate of 1725 tons per day 312 days per year.

MS. Knipe made a motion to adjourn. Motion was 2nd by Dr. Bogdasarian. All were in favor, motion carries.

Petition to Remove Mask Mandate

October 14, 2021 Fitchburg Board of Health meeting

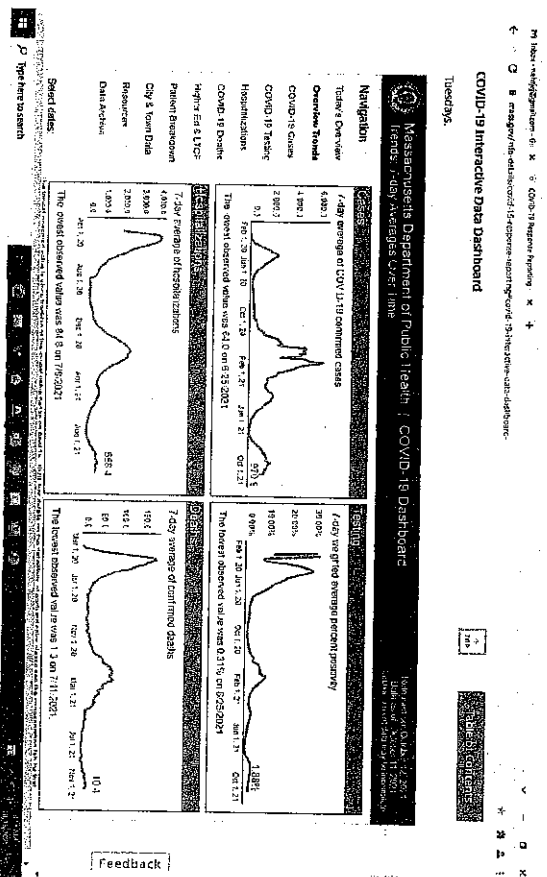
New Federal Direction

- Biden says covid-19 is “a pandemic of the unvaccinated”
- The solution to covid-19 is vaccination not masks and Biden directed OSHA and other agencies to implement vaccine mandates
- Despite a mask mandate all but one school in Fitchburg (Goodrich) has had a covid outbreak, so masks don't stop transmission of small covid particles – thus the push for vaccine mandates
- Federal officials at the Walter Reed Army Institute for Research are preparing for “the big one”. Source: Defense One, 6/21/21
- The “big one” is a high lethality virus like the Black Death that killed 1 in 3 people. When you impose mask mandates for years at a time for a virus with approximately 1% lethality you create mask fatigue, and when the big one hits people will not listen to you since you cried wolf.
- Former FDA commissioner Scott Gottlieb spoke repeatedly about this mask fatigue earlier this year, and told Axios on 7/28/21, “I don't think we're going to get enough bang for our buck by telling vaccinated people that they have to wear masks.”

Whereas no emergency exists

- The Commonwealth's state of emergency expired on June 15
- We have vaccines readily available for all who want them including booster shots for the vulnerable
- We have remdesivir and monoclonal antibody treatments for the very rare cases where vaccinated people become seriously ill
- As presented by Steve Curry at the 9/23 meeting, covid deaths decreased 10 times, year over year, from 81 to 8, yet the BOH put in restrictions not in place at the height of the pandemic
- Things are improving as Delta has peaked – see graphs on next pages

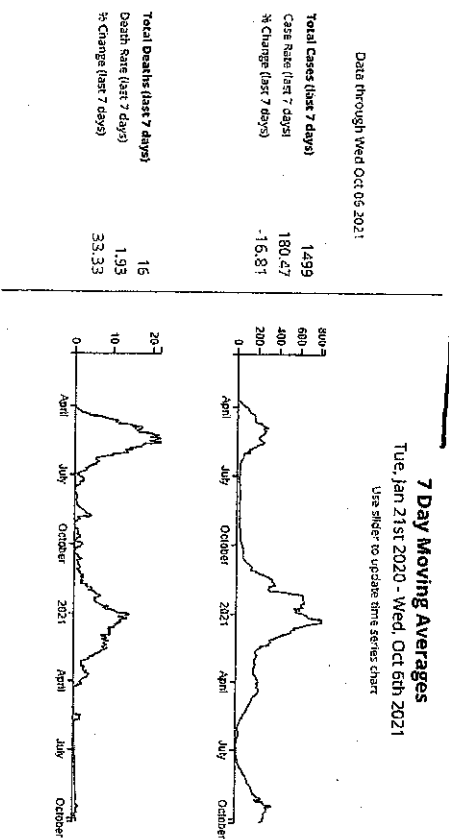
Improving Metrics in Massachusetts



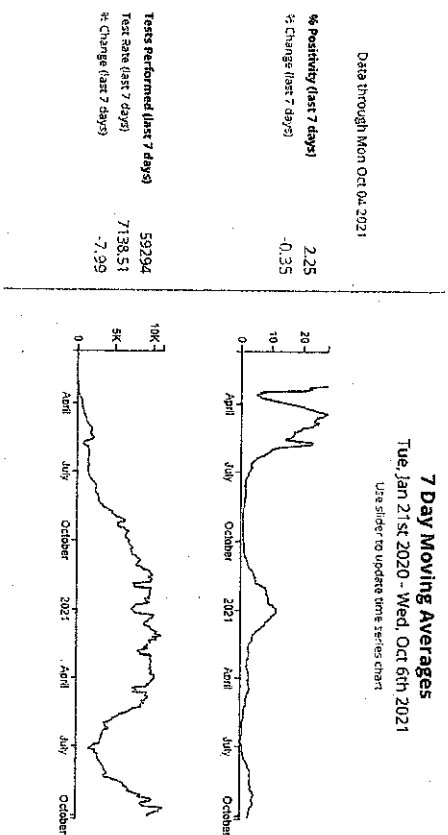
- Cases are going down
- The positivity rate is going down
- Hospitalizations are going down
- Deaths are going down
- Source: Mass DPH
- According to Becker's Hospital Review as of 10/12 we are tied with Rhode Island for second best in the nation in positivity rate (1.8%) and are second best in covid hospitalizations per capita over the past 14 days after Vermont.

Another set of data points from the CDC weekly tracker 10/8/21 for Worcester County
 % ICU beds used last 7 days = 13.98
 % change (last seven days) Down 2.43%
 Cases and positivity rate are down; deaths are flat (and low)

Cases & Deaths in Worcester County, Massachusetts



Testing in Worcester County, Massachusetts



Whereas the city must use a rational, factual basis for their orders

- Invisible fence analogy
- Many adjacent communities are not issuing the same orders – Leominster, Lunenburg, and Westminster.
- We are in the middle compared to these communities, not worse than average, in our metrics.
- Covid positivity rates from MADPH as of 10/7 (14 day average):
 - Fitchburg 5.60%
 - Leominster 4.71%
 - Lunenburg 6.94%
 - Westminster 5.62%
 - Worcester County 2.55%
 - Massachusetts 1.80%
- Our city, county and state all have a lower positivity rate than the previous time period ending 9/30.

Whereas individuals are responsible for protecting themselves via vaccination

- Vaccines do protect - the unvaccinated are 10 times more likely to die and 11 times more likely to be hospitalized with covid per the CDC

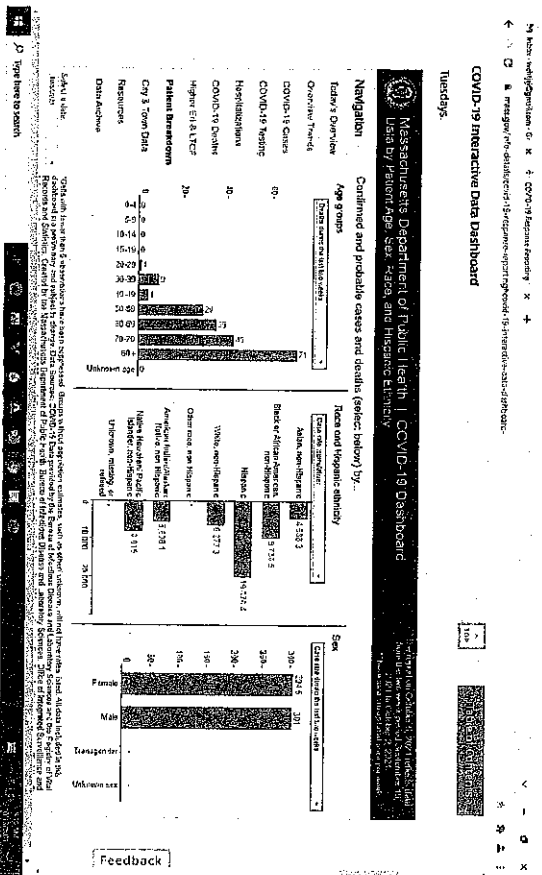
https://www.cdc.gov/mmwr/volumes/70/wr/mm7037e1.htm?s_cid=mm7037e1_w

- No one can get a vaccine for another person – it is a matter of personal responsibility.
- Vaccines are now widely available at no cost.
- State mandates already cover settings where those too young for vaccination spend large amounts of time such as schools and daycares. A city order is largely redundant and unnecessary.

Whereas serious risks to those too young for vaccines are negligible

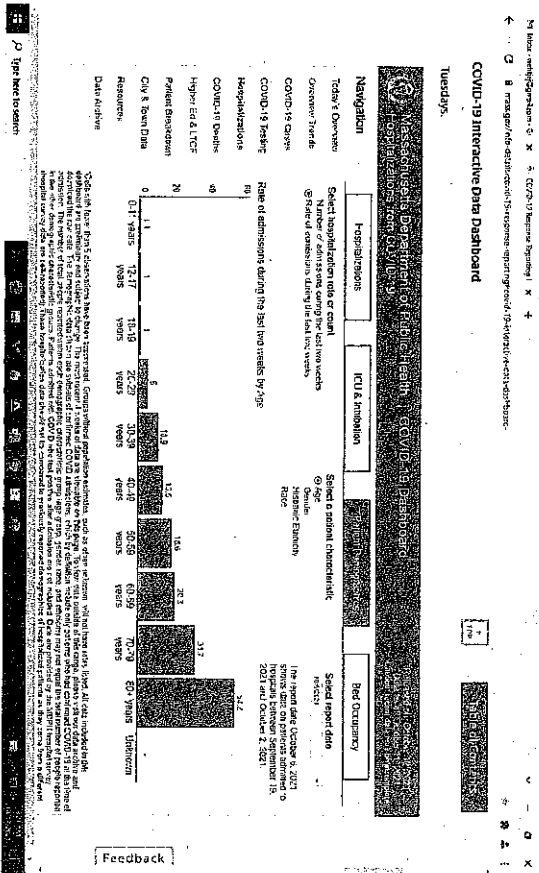
- Hospitalizations and deaths are negligible – see graphs that follow.
- Children who do die of covid are generally already seriously ill and are not out and about in municipal buildings but are institutionalized – “About half of those deaths were in individuals with an underlying complex disability with high health-care needs, such as tube feeding or assistance with breathing.” Source: Nature magazine July 15, 2021
- There are no deaths in Fitchburg for those too young to be vaccinated – per Mary Alderate City Clerk who checked death certificates from March 2020 through the week before this meeting for those aged 0 to 11 years of age

Death rate from covid by age (Massachusetts)



- On the graph on the left hand side you see no one under age 20 died of covid. Source: MADPH
- Note this is data from the past 2 weeks – it is not historical data reflecting nursing home outbreaks early in the pandemic

Hospitalizations by age (Massachusetts)



- This graph shows hospitalizations by age, with negligible admissions for covid in children. Source: MADPH

Whereas people have a fundamental right to control their bodies including their faces

- The 14th amendment to the US Constitution states "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, **liberty**, or property, without due process of law"
- We have not had due process because the Board of Health passed the mask mandate when we do not have a state of emergency in the Commonwealth
- Just as in special education a child should have the least restrictive environment, so with civil liberties we should have the least restrictions possible
- At previous meetings I heard the phrase "an abundance of caution" erring on the side of restrictions. Instead we should have "an abundance of liberty".
- Almost every loss of liberty happens under the guise of safety. It is still wrong.
- Closing anecdote

Therefore the Fitchburg mask
mandate shall be repealed
effective immediately