

Public Meetings

Public meetings are gatherings of public bodies - social and recreational gatherings, to which multiple Executive orders address are not. Accordingly, municipal officials should, when contemplating a municipal meeting, adhere to the Executive Orders (including remote access) addressing public meetings only.

- Public meetings bring diverse groups of stakeholders together for a specific purpose. Public meetings are held to engage a wide audience in information sharing and discussion. They can be used to increase awareness of an issue or proposal, and can be a starting point for, or an ongoing means of engaging, further public involvement. When done well, they help build a feeling of community. (EPA)
- The Office of Legislative Research (OLR) in a 2016 report (2016-R-0099) identified 149 instances in the statutes that required some form of public notification by a municipality. There are multiple instances where public notification is optional or where the statutes apply to a specific entity - including municipalities. - Three basic types: Regular, Special and Emergency.

Statutory References of Note

- Chapter 14 - **Freedom Of Information Act**, Sec. 1-200 - 1-242 Inclusive
- **Title II of the ADA** which covers activities of State and local governments requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities ..
- **Title VI of the Civil Rights Act of 1964** prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d). Courts have interpreted Title VI's prohibition of discrimination on the basis of national origin to include discrimination based on English proficiency. Under Title VI public bodies are required to provide Limited English Proficiency (LEP) individuals with meaningful access to their programs and services. Providing "meaningful access" will generally involve some combination of services for oral interpretation and written translation of vital documents.

Executive Orders

Declaration of Public Health and Civil Preparedness Emergencies

January 26, 2021

On March 10, 2020, in response to the global pandemic of COVID-19 disease associated with a novel coronavirus that was affecting multiple countries and states and had resulted in the spread of infections in Connecticut and surrounding states, as well as resulting shortages of personal protective equipment and other supplies that could jeopardize public safety and civil preparedness, and in order to provide me and other appropriate officials with all authorities necessary to limit the spread of the COVID-19 coronavirus and protect public safety within the State of Connecticut, I declared a public health emergency and civil preparedness emergency throughout the State...On September 1, 2020, in anticipation of the expiration of those states of emergency and in recognition of continued and newly emerging threats to public health and safety and civil preparedness posed by the COVID-19 pandemic, I renewed the March 10, 2020 declarations and declared new public health and civil preparedness emergencies through February 9, 2021

Since I declared and renewed those public health and civil preparedness emergencies, and due in no small part to the orders I have issued pursuant to those emergencies, Connecticut has made significant progress in limiting the spread of COVID-19 and mitigating its devastating public health and economic effects. And yet, while it has been more than a month since I have issued a new executive order, those orders currently in

effect remain crucial to the state's civil preparedness and ability to protect the public health. COVID-19 remains a global pandemic, capable of spreading quickly within our state. New and unforeseen challenges have arisen since September of last year, when I declared new and renewed emergencies. The current, second wave and the recent mutations of the virus have made clear that many of the existing orders will remain essential beyond February 9. While our vaccination effort currently leads the existing orders in many respects, an effective mass vaccination program requires that I be vested with all of the flexibility and resources that the declared states of emergency provide. As was true in September of last year, the risks to public health and to our state's economy would be heightened substantially if the existing emergencies expired as scheduled on February 9.

As a result, and for the same reasons I declared emergencies on March 10 and declared new and renewed emergencies on September 1...I am renewing the existing public health emergency and civil preparedness emergencies throughout the State...I hereby declare that new states of public health and civil preparedness emergency exist throughout the State...These new and renewed states of emergency shall run concurrently and remain in effect until April 20, 2021, unless earlier terminated by me.

- 7N** - Addressed social distancing in order to minimize COVID-19 exposure, **amended and superseded by Executive Order 7D and now 7N-1**

Executive Order 7N Link: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7N.pdf>

- 7B - Suspension of in-person open meeting requirements:** The order modifies statutes regarding state and local government meetings that are required to permit members of the public to attend in-person and authorizes those meetings to be held remotely by conference call or videoconference, provided that the public is provided remote access to view or listen to the meetings and access materials for the meetings. Sec. 1-206, 225 and 226

Executive Order 7B Link: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7B.pdf>

- 7HH - 1 - Executive Order 7HH** clarifies that as of the date of issuance (May 1st) and going forward, the relevant elected body or bodies in each municipality must adopt a budget for 2020-2021 without an in-person vote by residents. It also validates any budget referendum or annual town meeting that has already been conducted. This order clarifies Executive Order No. 7I, Section 13, to provide uniformity and consistency across municipalities, and prioritize health and safety while the risk of transmission of COVID-19 in large gatherings remains high. In cases where the final action in the budget making process is a referendum or town meeting involving in-person votes of the public, the legislative body of the town – or the Board of Selectmen if the town meeting is the legislative body – shall authorize the “budget-making authority” of the town to adopt a budget and set a mill rate. For guidance on identifying a town’s “budget making authority,” please refer to (1) your local charter; (2) Title 7; or (3) local ordinances in communities without charters. The “budget-making authority” must make reasonable efforts to reach out to the public, including providing draft budgets, and receive comments. Remote public budget meetings and hearings (by conference call, videoconference or other technology) shall proceed consistent with town charters or other applicable municipal ordinances, resolutions and procedures, and in compliance with the open meeting provisions in Section 1 of Executive Order No. 7B.

- 7HH-2 - Authorization for common-interest communities to hold meetings remotely:** This allows common interest communities, such as condominium associations and homeowners associations, to conduct business remotely and hold votes entirely by ballot if their by-laws or governing documents do not already permit it. Sec 47-250 and 47-252 are modified, Sec. 47-250(a)(5), 47-250(b)(7), and/or 47-252(d)

Executive Order 7HH Link: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7HH.pdf>

- 7JJ-4 - Allowance of Suspension of In-Person Voting Requirements by Members of the Public for Critical and Time-Sensitive Municipal Decisions.** Notwithstanding any contrary provision of the Connecticut General Statutes, including Title 7, or any special act, municipal charter, ordinance or resolution that conflicts with this order, the legislative body of a municipality, or in a municipality where the legislative body is a town meeting other than a representative town meeting, the board of selectmen, after making specific findings that such action is necessary to permit the orderly operation of the municipality and that there is a need to act immediately and during the period of the declared public health and civil preparedness emergency, in order to avoid endangering public

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health and welfare or prevent significant financial loss, or that such action is otherwise necessary for the protection of persons and property within the municipality, may

- (i) adopt or amend ordinances or resolutions only as necessary to complete transactions deemed essential;
- (ii) approve, enter into or amend existing contracts or agreements deemed essential; or
- (iii) option, acquire, transfer, lease, dispose of or sell any real or personal property, or interest therein, as shall be deemed essential, with the exception of non-judicial tax sales or other property transfers that would result in the eviction of a residential tenant, without complying with any requirements for in-person approval by electors or taxpayers, including but not limited to, annual or special town meetings requiring votes or referenda. In so acting, the legislative body shall comply with open meeting requirements set forth in Executive Order No. 7B.

All conditions precedent to any such approval, including without limitation, public notices, hearings or presentations, shall proceed in a manner as closely consistent with the applicable statutes, special acts, town charters, municipal ordinances, resolutions or procedures as possible, and in compliance with the open meeting provisions set forth in Executive Order No. 7B.

The foregoing authority is **not intended to apply to budgetary or similar essential non-budgetary financial actions which require the concurrent approval of the municipal budget-making authority and are subject to the provisions of Executive Order Nos. 7I, Section 13, 7S, Section 7, and 7CC, Section 1.** Nothing in this order shall be construed to prohibit a municipality from conducting any in-person meeting, approval process, or referendum, provided such municipality first consults with local or state public health officials and conducts such meeting, approval process, or referendum.

Executive Order 7JJ Link: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7JJ.pdf>

- **700-1 -Procedures for Local Appointments and Elections Requiring In-Person Vote.** Notwithstanding Title 7 of the Connecticut General Statutes, Section 10-46 of the Connecticut General Statutes, or any special act, municipal charter, ordinance, bylaw or resolution, or any plan of reapportionment approved pursuant to Section 10-63I et seq. of the Connecticut General Statutes (“Law”) that conflicts with this Order, in any municipality where the town meeting, annual town meeting, district meeting or other meeting of electors or voters (“applicable municipal authority”) is the authority for appointing or electing members or officials to any municipal or regional governmental office, board, agency, commission or quasi-municipal corporations (“municipal or regional governmental entity or quasi-municipal corporation”), all deadlines or timeframes for electing such members or officials or making such appointments requiring approval by a town meeting or election that are scheduled to occur prior to June 9 for the purpose of nominating candidates or prior to June 30 for the purposes of electing, nominating or appointing such members or officials, shall be suspended and such town and district or town meetings or elections shall be held as follows:
 - a. Any district or town meeting required by Law for the purposes of nominating but not electing or appointing candidates shall be held on June 9, 2020, and no other business may be conducted at such meeting.
 - b. Any election, and any district or town meeting required by Law for the purposes of electing or appointing members or officials to any municipal or regional governmental entity or quasi-municipal corporation, including nomination of candidates, if applicable, shall be conducted between June 27 and June 30, 2020, and no other business shall be conducted at such election or district or town meeting.
 - c. The officials responsible for administering any such district or town meetings, elections and nominations shall use their best efforts to conduct such proceedings using remote means in accordance with the open meeting provisions of Executive Order No. 7B, while also implementing measures to safeguard the integrity of the process. If it is determined that any such district or town meeting or election cannot be conducted safely and accurately by remote means, officials shall take all reasonable measures to protect the public health, including consulting with local or state public health officials and conducting such meeting or election in a way that significantly reduces the risk of transmission of COVID-19.
 - d. Nothing in this order shall permit any election or meeting that is already scheduled or required by current law to be scheduled after June 30, 2020 to be held earlier than its currently scheduled date or the time frame required by current law.

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The term “municipal or regional governmental entity or quasi-municipal corporation” shall include, but not be limited to regional boards of education, municipal boards and commissions (including town, city or borough, whether consolidated or unconsolidated), any village, school, special services or special taxing districts as defined under Section 7- 324 of the Connecticut General Statutes, any regional water or resource recovery authority or any other political subdivision of the state or of any municipality. This Order shall not apply to elections conducted under Title 9 of the General Statutes, other than as specified under Section 10-46(c).

- **7QQ-6 - Clarification that Commissioner Orders Issued Pursuant to the Governor’s Executive Orders Are Not Regulations Subject to the UAPA.** Section 4-166(16) of the Connecticut General Statutes is modified to clarify that the definition of a regulation does not include any amendment or repeal of an existing regulation and any directive, rule, guidance, or order issued by a Commissioner or Department Head pursuant to a Governor’s Executive Order during the existing civil preparedness and public health emergency and any renewal or extension thereof. Notwithstanding Sections 4-166 to 189, inclusive, of the Connecticut General Statutes, any Commissioner or Department Head, as permitted or directed by any such Governor’s executive order, may modify or suspend any regulatory requirements adopted by the Commissioner or Department Head that they deem necessary to reduce the spread of COVID-19 and to protect the public health. This section applies to all orders that have been issued since the declaration of public health and civil preparedness emergencies on March 10, 2020 and for the duration of the public health and civil preparedness emergency, including any period of renewal of such emergency declaration.

Executive order 7QQ Link - <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7QQ.pdf>

- **7NNN - 1 - Executive Order No. 7BB, Section 2, issued on April 17, 2020, is repealed.** Effective immediately, any person in a public place in Connecticut, whether indoors or outdoors, who does not maintain a safe social distance of approximately six feet from every other person shall cover their mouth and nose with a mask or cloth face-covering. In addition, individuals shall use a mask or cloth face covering when using the services of any taxi, car, livery, ride-sharing or similar service, or any means of mass public transit, or while within any semi-enclosed transit stop or waiting area.
 - a. Nothing in this order shall require the use of a mask or cloth face covering by anyone for whom doing so would be contrary to his or her health or safety because of a medical condition, a child in a child care setting, or anyone under the age of 2 years. Any person who declines to wear a mask or face covering because of a medical condition shall be exempt from this order and any requirement to wear masks in Sector Rules or other rules issued by the Commissioner of the Department of Economic and Community Development (DECD), but only if such person provides written documentation that the person is qualified for the exemption from a licensed medical provider, the Department of Developmental Services or other state agency that provides or supports services for people with emotional, intellectual or physical disabilities, or a person authorized by any such agency. Such documentation need not name or describe the condition that qualifies the person for the exemption
 - b. The Commissioner of DECD shall issue updated versions of Sector Rules, Safe Workplace Rules for Essential Employers, or other rules issued pursuant to previous executive orders, which updated versions shall set forth updated requirements for face coverings within those settings, and which, when complied with, shall constitute compliance with this order.
 - c. This order shall supersede and preempt any current or future municipal order whenever such order conflicts with this order.

Executive Order Link 7NNN- <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7NNN.pdf>

- **9B.2 - Authorization for the Issuance of Fines.** Section 51-164n(b) of the Connecticut General Statutes is amended to authorize the Commissioner of Public Health, local health directors, district health directors, and their designees; municipal chief executive officers and their designees; and state and municipal police officers, peace officers as defined in Section 53a-3(9) of the Connecticut General Statutes, special police forces described in Section 10a-156b of the Connecticut General Statutes, and public safety departments of institutions of higher education to issue fines for the violations listed below. All fines collected pursuant to this order shall be distributed to the General Fund. In any case in which a person is charged with a violation pursuant to this order, the procedures set forth in Section 51-164n through 51-164r of the Connecticut General Statutes shall apply. Nothing in this Section shall be construed to limit,

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alter, modify or suspend any penalties or remedies that otherwise apply to violation of orders issued pursuant to civil preparedness and public health emergencies or that are otherwise available through existing executive orders. For purposes of this section, “business entity” means a public or private corporation, a limited liability company, an unincorporated association, a partnership of any kind, or a sole proprietor.

- a. Any person who, while in any public place or in any location where and for whom wearing a mask or face covering is required by Executive Order No. 7NNN or any DECD Sector Rules, or other lawful authority, as each is amended from time to time, other than a person who qualifies for the medical exemption set forth in Executive Order No. 7NNN or who while outdoors maintains a distance of approximately six feet from every other person, who fails to wear a mask or cloth-face covering shall be guilty of a violation and fined one hundred dollars. A business entity, rather than the employee, is liable for a fine of the same amount for any employee’s failure to wear a required mask or cloth-face covering while at work.
- b. Any person or business entity who organizes, hosts, or sponsors a gathering that violates the gathering size restrictions set forth in the DECD Rules for Gatherings and Venues and Sector Rules for Outdoor Events issued pursuant to Section 2 of Executive Order No. 7ZZ and Section 2 of Executive Order No. 7NNN, as amended from time to time, shall be guilty of a violation and fined five-hundred dollars.
- c. Any person who attends a gathering that violates the gathering size restrictions set forth in the DECD Rules for Gatherings and Venues and Sector Rules for Outdoor Events issued pursuant to Section 2 of Executive Order No. 7ZZ and Section 2 of Executive Order No. 7NNN, as amended from time to time, shall be guilty of a violation and fined two-hundred and fifty dollars.

Executive Order Link 9B - <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-9B.pdf>

- 9H.1 Remote Participation in Municipal Meetings.** Notwithstanding any provision of the Connecticut General Statutes, Regulations of Connecticut State Agencies, or any ordinance, charter, bylaws or other rule:

- a. **Any municipal (as defined in Section 12 of Executive Order No. 7I) agency, board, commission, council or local legislative body, and, in a municipality where the legislative body is a town meeting, the board of selectmen, may hold a public meeting or hearing that provides for remote participation in its entirety, or for remote participation in conjunction with an in-person meeting, which shall be referred to herein as a “hybrid meeting.”** Remote participation shall include the opportunity to offer public comment, if otherwise generally permitted at such meetings, and the ability of electors or qualified voters to vote, if eligible pursuant to state statute, municipal charter, or other applicable legal authority, at any meeting, annual town meeting or special town meeting. Officials conducting hybrid meetings shall make provisions to allow at least some members of the public and press to attend in the same location as the officials conducting the meeting in a manner consistent with public health guidance for limiting the transmission of COVID-19. Municipal bodies conducting in-person or hybrid meetings shall consult with and take steps recommended by local or state public health officials to conduct such meetings in a manner that significantly reduces the risk of transmission of COVID-19. **Remote and hybrid meetings shall proceed in a manner as closely consistent with the applicable statutes, special acts, town charters, municipal ordinances, resolutions or procedures as possible,** and in compliance with the open meeting provisions set forth in the Freedom of Information Act, as modified by Executive Order No. 7B.
- b. **No member of any municipal agency, board, commission, council or local legislative body shall be denied the opportunity to participate and vote in any meeting or proceeding using remote technology** if such member requests to do so, and a member of any such body may request to participate remotely in all meetings for the duration of the public health and civil preparedness emergency, and shall not be required to file an individual request for each meeting.

Executive Order Link 9H - <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-9G.pdf>

- 9L.1 - Extension of COVID-19 Executive Orders to February 9, 2021.** Pursuant to the emergency declarations issued on September 1, 2020, all executive orders issued pursuant to the public health and civil preparedness emergencies declared on March 10, 2020 and renewed on September 1, 2020 (COVID-19 Orders) that are unexpired and currently in effect as of the date of this order are hereby extended through February 9, 2021, unless earlier modified or terminated by me. Any individual section of any such order that is scheduled to expire on any other specific date shall remain in effect until such specific date, and any specific effective date or date for action contained in any such individual section shall remain valid. By way of illustration, and for the sake of clarity, Executive Order No. 9E has no specific duration because each individual section has specific dates for expiration

or other action. The specific deadlines within such order, including the January 1, 2021 expiration of the eviction moratorium in Section 1 of that order and the February 9, 2021 expiration of the café liquor permits provided for in Section 2 of that order, shall remain unchanged and unaffected by this order.

- 9L.2** - Extension of Agency and Municipality Orders of Concurrent Duration with Public Health and Civil Preparedness Emergencies. Any unexpired order, rule, regulation, directive or guidance issued by any official, agency, department, municipality, or entity pursuant to an unexpired COVID-19 Order, which by its own terms provides that it shall remain in place for the duration of the public health and civil preparedness emergency shall remain in effect until February 9, 2021, unless earlier modified or terminated by the issuing authority or a subsequent executive order.

Executive Order Link 9L - <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-9L.pdf>

Continuity Issues

- Exposure/Risk Denial** - For some, especially smaller boards or commissions, there is a sense that there are just a few people meeting with few if any visitors - making exposure minimal at best.
- COVID Fatigue** - Municipalities conduct multiple public meetings routinely (daily, weekly, monthly and annually). At the beginning of the COVID-19 pandemic it was relatively easy to convince municipal commissions to conduct their meetings remotely in accordance with executive order direction and sound public health guidance. As the pandemic has lengthened and the state's positivity rate has declined to one of the lowest in the nation - a certain level of "fatigue" has set in coupled with a strong desire to return to "normal." Many commissions are conducting "hybrid" meetings where commission members that feel comfortable attend and others participate remotely via electronic media.
- Business Continuity** - Municipalities, through their various boards and commissions, are required to carry on the business of government. This includes public meetings and hearings. Executive Order 7B "modifies statutes regarding state and local government meetings that are required to permit members of the public to attend in-person and authorizes those meetings to be held remotely by conference call or video conference, provided that the public is provided remote access to view or listen to the meetings and access materials for the meetings."
- Technology** - The majority of municipal boards and commissions are not acquainted with the technology and the proper process to ensure access
- Access** - Keeping the public connected is essential to the conduct of public meetings. Not everyone has Wi-Fi, not everyone has cable television, and not everyone has a computer or skills to access these events. Additionally, alternatives to English may be essential to any access of a public meeting.
- Security** - By now most towns have experienced some form of meeting disruption due to a party taking control of the meeting software.

Suggested Best Practices

- Please remember** that while various Executive Orders have enabled remote and hybrid type meetings - there is **no ban on in-person meetings**. Additionally, **capacity limits** for various types of events do not apply to government meetings - they can, however, serve as a useful guide. That said - do not forget that **Connecticut is still in the midst of the COVID-19 Pandemic with no clarity as to the duration of the crisis**. Whatever the approach (in full accordance with EOs and FOIA) to meetings every effort should be made to minimize exposure to meeting participants.
 - ▶ **Masks are required** per EO 7NNN.1
 - ▶ **Consider providing masks** for commission members and others to ensure full compliance **as well as providing hand sanitizer** with at least 60% alcohol
 - ▶ **Modify seating to ensure social distancing** of not less than six feet of separation (see separation guidelines)
 - ▶ **Perform enhanced cleaning and disinfection** in accordance with CDC and OSHA guidance before and after All meetings
 - ▶ **Consult with staff and bargaining unit representatives** that public meetings will be taking place and what precautions are being taken by the municipality and to determine that staff understand such actions - as well as providing input for those precautions.

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- ▶ Employees asked to work during public meetings should be given the option, without penalty, to not work if they deem it to be not safe or are uncomfortable with the circumstances.
- ✓ From the CDC:
 - ▶ **Stay home if you have been diagnosed with COVID-19** (symptoms of COVID-19) , if you are waiting for COVID-19 test results, or may have been exposed to someone with COVID-19
 - ▶ **Wear masks in public settings**...especially when other social distancing measures are difficult to maintain.
 - ▶ **Use social distancing** (stay at least 6 feet away from others).
 - ▶ Before you go, call and ask what extra prevention strategies they are using, like requiring staff to wear masks.
 - ▶ **Wash your hands** with soap and water for at least 20 seconds when you get home.
 - ▶ **Ensure that ventilation systems in your facility operate properly.**
 - ▶ **Increase circulation of outdoor air as much as possible** by opening windows and doors if possible, and using fans. Do not open windows and doors if doing so poses a safety or health risk for occupants
 - ▶ Use methods to physically separate [meeting participants] in all areas of the building, including parking lots, entrance and exit areas.
 - ▶ **Use signs, tape marks, or other visual cues** such as decals or colored tape on the floor, placed 6 feet apart, to show where to stand when physical barriers are not possible.
 - ▶ **Replace high-touch communal items**, such as coffee pots and bulk snacks, with alternatives such as pre-packaged, single-serving items. Encourage [participants] bring their own water to minimize use and touching of water fountains or consider installing no-touch activation methods for water fountains.
 - ▶ Use no-touch trash cans when possible.
 - ▶ **Remind [participants] to avoid touching their eyes, nose, and mouth**
- ✓ CDC definition of “**Close Contact**” - Someone who was within 6 feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period* starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to test specimen collection) until the time the patient is isolated.

Individual exposures added together over a 24-hour period (e.g., three 5-minute exposures for a total of 15 minutes). Data are limited, making it difficult to precisely define “close contact;” however, 15 cumulative minutes of exposure at a distance of 6 feet or less can be used as an operational definition for contact investigation. Factors to consider when defining close contact include proximity (closer distance likely increases exposure risk), the duration of exposure (longer exposure time likely increases exposure risk), whether the infected individual has symptoms (the period around onset of symptoms is associated with the highest levels of viral shedding), if the infected person was likely to generate respiratory aerosols (e.g., was coughing, singing, shouting), and other environmental factors (crowding, adequacy of ventilation, whether exposure was indoors or outdoors). Because the general public has not received training on proper selection and use of respiratory PPE, such as an N95, the determination of close contact should generally be made irrespective of whether the contact was wearing respiratory PPE. At this time, differential determination of close contact for those using fabric face coverings is not recommended.

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- ✓ **Municipalities should adopt a uniform policy and procedure** for all boards and commissions - including the software to be utilized.
 - ▶ **Post the municipalities policy and procedure on the town’s website** - including a link to allow the public to download the software being utilized.
 - ▶ **Meeting Agendas/Notices** should include all details relative to making connections remotely as well as instructions as to how to provide public comment.
 - ▶ **Provide a means for submission of written material**
 - ▶ **Minutes** should reflect the fact that the meeting is being held remotely as the result of the publicly declared state emergency necessitating remote meetings. This should be done to ensure that any subsequent search of the record (perhaps years down the line) it will be clear why such actions were taken.
 - ▶ **Review, with the communities IT division or consultant, security, capacity**
 - ▶ Identify meeting rooms where participants and staff could maintain proper social distancing for in-person meetings
 - ▶ While not mandated by Executive order, ALL meetings should be conducted utilizing an online video platform providing access to the public and members that are not comfortable with attending such meetings and remember:
 - Not all residents have WiFi or Internet connections

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- Meetings can also be played live on local cable access channels
- Meetings should have a telephone dial-in option
- Meetings can be simulcast over social media platforms (YouTube, Facebook, etc.) Note: The public will not be able to provide direct comment using social media platforms. A municipality will need to develop a monitoring of the social media to convey questions/comments.
- Community Notification System is a mass notification product that many communities use to provide urgent information to their residents. While the primary use of such systems is to convey emergency information can and should be used to notify residents of a range of developments - including community meetings.

Sample Process/Procedure (adapted from MetroCOG)

Notice is hereby given that this remote electronic public meeting shall:

1. Permit the public to view or listen anonymously, and when permitted, participate in real-time;
2. Be recorded and posted to _____'s website within 7 days;
3. Be made available to the public within a reasonable time (at _____'s offices or upon written request.

In addition to standard parliamentary procedure as outlined on this agenda, the following special rules shall apply to all participants:

- ✓ Please "mute" your microphone so as reduce background noise at any time you are not speaking.
- ✓ Prior to speaking on each occasion, each speaker shall clearly state their name and title for the record.
- ✓ The use of chat features are prohibited and will not be considered during the meeting if in use.

Notice is hereby given that only _____ participants may access this remote electronic public meeting at any one time.

Access is granted solely by the _____ technology on first access basis and is not within the control of the _____. While it is anticipated that this participant limit will be sufficient, should the participants reach said limit, the meeting may be adjourned and continued at a later date using technology appropriate to ensure all members of the public may participate.

Guidelines For Public Participation In Remote Electronic Meetings

Anyone who desires to address the _____ must adhere to the following rules of participation:

- ✓ The _____ welcomes all public participation but asks that all comments be limited to items listed on the meeting agenda.
- ✓ Please state your name and address for the record prior beginning your comment.
- ✓ The _____ presiding officer will limit each comment to ___ minutes in order to accommodate all members of the public that wish to speak. The presiding officer may allow additional time at their discretion.
- ✓ The _____ presiding officer will limit each comment to ___ minutes in order to accommodate all members of the public that wish to speak. The presiding officer may allow additional time at their discretion.
- ✓ Written comments or statements on any topic within the purview of the body are always welcome and will be provided to all _____ members.
- ✓ Please be advised that immediate replies to questions/comments should not be expected.

- ✓ Adopt formal **Ground Rules** or **Meeting Policy** and fully adhere to them in the conduct of meetings
 - ▶ **Board members should identify themselves** and any other persons in the room from where they are participating in a virtual meeting. Board members should also announce whenever they leave the virtual meeting.
 - ▶ **If the board has support staff, it is critical to identify their roles and how they will assist in managing the meeting** behind the scenes, such as communicating with board members and the public in the event of technical difficulties, resolving any connectivity issues board members may experience, and managing virtual oral testimony. This is particularly important if each of the support staff is also participating remotely and is not

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in the same room. If the board does not have support staff, it may need to assign specific roles related to meeting management to individual board members.

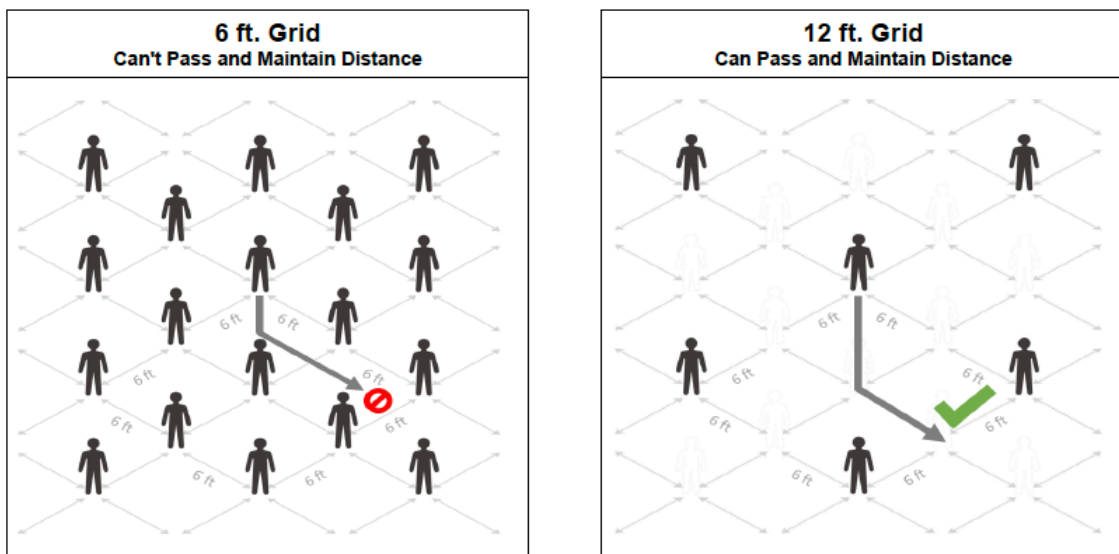
- ▶ Roll call votes should be taken or otherwise conducted in a manner that can be recorded to identify how each board member voted.
- ▶ If there are connectivity problems, then the board should establish how long it will wait to restore connectivity, whether the loss of connectivity affects the board’s quorum requirements, and whether a meeting will either be terminated or be continued to a predetermined date, time, and updated internet address to be posted on the board’s website.
- ▶ Only the Chair or a designated a facilitator should recognize persons wanting to speak.
- ▶ If the board is limiting the time allowed for each person to orally testify, it should be stated in the rules and on the agenda. There should also be a means for the Chair or facilitator to be able to unmute and identify each testifier, or to organize and summarize chat messages from the public.

☐ Procedures

- ✓ At the start of the meeting, the chair must announce the name of the member or members who are participating remotely; such information must also be recorded in the meeting minutes.
- ✓ All votes must be taken by roll call.
- ✓ Members of the public body must be clearly audible to each other and to members of the public at all times.
- ✓ When holding an executive session remotely, the public body must still take all required procedural steps for entering into executive session in open session. At the beginning of the executive session, each public body member participating remotely must state that no other person is present or able to hear the discussion at the remote location, unless the public body has approved the presence of that individual.
- ✓ If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred must be noted in the meeting minutes.

☐ Covid-19 Social Distancing Calculator (From The Colorado Department Of Health)

IMPORTANT NOTICE: This calculator is provided to assist you in planning social distancing for your employees and customers. However, the results given by this calculator do not relieve you of your obligation to follow all applicable Public Health Orders as they apply to your space. The configuration of any given space (aisles, racks, etc.) may result in a lower actual capacity limit. It is up to each business to ensure compliance with all portions of current orders. You may find information about more specific business sector requirements using the links below. In order to maintain at least 6 feet of separation from each other when taking into account the unpredictable dynamics of each person’s movement, this calculator uses a 12 foot grid distribution.



1. **Enter The Total Square Footage Of The Space.** Due to the varying nature of use and shared facilities, each space within a building may need to be analyzed individually. Proprietors of shared spaces should account

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together for common areas within a larger area, including, but not limited to, entrances/exits and plan in partnership with others, to ensure all social distancing requirements can be met and maintained for staff and the public interacting within the shared space.

- 2. **Estimate the percent of floor space occupied by items such as furniture, equipment, displays, etc.**
- 3. **Maximum number of people that the space can accommodate with adequate 6 feet social distancing.** Any codes, regulations, or ordinances requiring a smaller number of people must be followed. Use the links below to find space specifics and other requirements & recommendations per business sector.

| | |
|--|--|
| Total Square Footage Of The Space | |
| Estimate the percent of floor space occupied by items such as furniture, equipment, displays, etc. | |
| Maximum number of people that the space can accommodate with adequate 6 feet social distancing. | |

Or use the State of Colorado’s online tool (<https://www.calconic.com/calculator-widgets/social-distancing-calculator/5ef21c169444bf0029086759>) that calculates transmission risk using the total square footage of the space and objects in the room to determine how many people can safely be there at one time.

- ☐ **CDC Interim Guidance For Employers With Workers At High Risk** (<https://www.cdc.gov/coronavirus/2019-ncov/downloads/php/cdc-activities-initiatives-for-covid-19-response.pdf#Page=57>) **This Is Also Applicable To Meeting Participants**

As workplaces consider a gradual scale up of activities towards pre-COVID-19 operating practices, it is particularly important to keep in mind that **some workers are at higher risk for severe illness from COVID-19**. These workers include individuals over age 65 and those with underlying medical conditions. Such underlying conditions include, but are not limited to, chronic lung disease, moderate to severe asthma, hypertension, severe heart conditions, weakened immunity, severe obesity, diabetes, liver disease, and chronic kidney disease that requires dialysis. Workers at higher risk for severe illness should be encouraged to self-identify, and employers should avoid making unnecessary medical inquiries. Employers should take particular care to reduce workers’ risk of exposure to COVID-19, while making sure to be compliant with relevant Americans with Disabilities Act (ADA) and Age Discrimination in Employment Act (ADEA) regulations. First and foremost, this means following CDC and the Occupational Safety and Health Administration (OSHA) guidance for reducing workplace exposure for all employees. All decisions about following these recommendations should be made in collaboration with local health officials and other state and local authorities who can help assess the current level of mitigation needed based on levels of COVID-19 community transmission and the capacities of the local public health and healthcare systems. In addition, the guidance offered below applies to workplaces generally; specific industries may require more stringent safety precautions. Finally, there may be essential workplaces in which the recommended mitigation strategies are not feasible. CDC is releasing this interim guidance, laid out in a series of three steps, to inform a gradual scale up of operations. The scope and nature of community mitigation suggested decreases from Step 1 to Step 3. Some amount of community mitigation is necessary across all steps until a vaccine or therapeutic drug becomes widely available. Scaling Up Operations:

In all Steps:

- Establish and maintain communication with local and state authorities to determine current mitigation levels in your community
- Protect employees at higher risk for severe illness by supporting and encouraging options to telework
- Consider offering workers at higher risk duties that minimize their contact with customers and other employees (eg , restocking shelves rather than working as a cashier), if agreed to by the worker
- Encourage any other entities sharing the same work space also follow this guidance
- Provide employees from higher transmission areas (earlier Step areas) telework and other options as feasible to eliminate travel to workplaces in lower transmission (later Step) areas and vice versa
- ✓ Step 1: Scale up only if business can ensure strict social distancing, proper cleaning and disinfecting requirements, and protection of their workers and customers; workers at higher risk for severe illness are recommended to shelter in place
- ✓ Step 2: Scale up only if business can ensure moderate social distancing, proper cleaning and disinfecting requirements, and protection of their workers and customers; workers at higher risk for severe illness are recommended to shelter in place

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- ✓ Step 3: Scale up only if business can ensure limited social distancing, proper cleaning and disinfecting requirements, and protection of their workers and customers

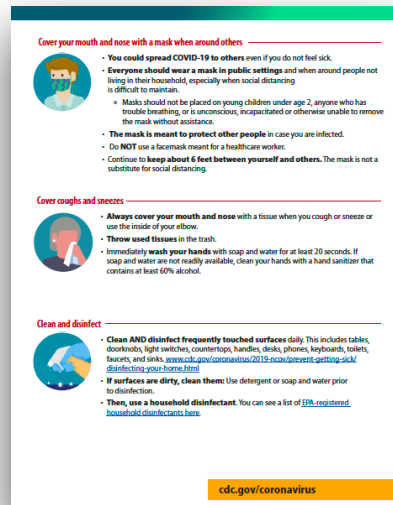
□ **Guidance on Mask Management** (World Health Organization - Advice on the use of masks in the context of COVID-19: Interim Guidance)

For any type of mask, appropriate use and disposal are essential to ensure that they are as effective as possible and to avoid any increase in transmission. WHO offers the following guidance on the correct use of masks, derived from best practices in health care settings:

- ▶ perform hand hygiene before putting on the mask;
- ▶ place the mask carefully, ensuring it covers the mouth and nose, adjust to the nose bridge, and tie it securely to minimize any gaps between the face and the mask;
- ▶ avoid touching the mask while wearing it;
- ▶ remove the mask using the appropriate technique: do not touch the front of the mask but untie it from behind.
- ▶ after removal or whenever a used mask is inadvertently touched, clean hands with an alcohol-based hand rub, or soap and water if hands are visibly dirty;
- ▶ replace masks as soon as they become damp with a new clean, dry mask;
- ▶ do not re-use single-use masks;
- ▶ discard single-use masks after each use and dispo

Resources

- Connecticut Freedom of Information Commission - <https://portal.ct.gov/FOI/Regulations/The-FOI-Act/Sec-1225--Formerly-Sec-121--Meetings-of-government-agencies-to-be-public--Recording-of-votes--Schedu>
- Public Meetings in the Time of Covid-19 - <https://icma.org/blog-posts/public-meetings-time-covid-19>
- The New Normal: Communities Adjust to Conducting Business Remotely While Maintaining Citizen Input - <https://icma.org/blog-posts/new-normal-communities-adjust-conducting-business-remotely-while-maintaining-citizen>
- Practices For Engagement In The Time Of Covid Salt, Lake City Civic Engagement Team - <https://www.slcc.gov/Can/Wp-Content/Uploads/Sites/8/2020/04/Best-Practices-For-Engagement-During-Covid-19.Pdf>
- Connecticut State Colleges & Universities - Freedom of Information Act - Public Meetings Guide - <https://www.ccsu.edu/universitycounsel/files/PublicMeetingsGuide.pdf>
- Holding Virtual Municipal Public Meetings During the COVID-19 Emergency Checklist by Practical Law Government Practice - [https://content.next.westlaw.com/Document/lc1c12d4a728911ea80afece799150095/View/FullText.html?contextData=\(sc.Default\)&transitionType=Default&firstPage=true](https://content.next.westlaw.com/Document/lc1c12d4a728911ea80afece799150095/View/FullText.html?contextData=(sc.Default)&transitionType=Default&firstPage=true)
- How to Protect Yourself and Others - <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention-H.pdf>



The information contained in this document is not intended to provide legal advice and should be used only for guidance regarding various functions performed by municipalities. Individual questions regarding the applicability of Executive Orders should be directed to the Office of Policy and Management Intergovernmental Policy and Planning Division (IGPP) or the town's legal representative.

The Advisory Commission on Intergovernmental Relations (ACIR) is a 25-member agency of the State of Connecticut created in 1985 to study system issues between the state and local governments and to recommend solutions as appropriate. The membership is designed to represent the state legislative and executive branches, municipalities and other local interests, and the general public.

The role of ACIR, as contained in Section 2-79a of the Connecticut General Statutes, is to: (1) serve as a forum for consultation between state and local officials; (2) conduct research on intergovernmental issues; (3) encourage and coordinate studies of intergovernmental issues by universities and others; and (4) initiate policy development and make recommendations to all levels of government.

For Further Information, Please Contact:

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