

To our Municipal Clients:

In this unprecedented time in our country, we understand that you may find yourself wading through a confusing set of emergency orders, health and safety recommendations, and unforeseen circumstances that may challenge standard municipal operations. Through it all, you must continue to offer services to your residents, and handle your legal obligations appropriately. To that end, the municipal team at Drummond Woodsum offers the following guidance for COVID-19 implementation strategies, and suggestions for actions you may want to consider going forward. Please call us with any questions or if you want help implementing any of the following. We will update this page frequently.

- **Telephonic Public Meetings**
 - The Governor's Emergency Order 16 prohibits gatherings of 10 or more; this includes municipal public meetings.
 - Emergency Order 12 allows municipalities to hold public meetings telephonically. This means a physical location for the public is not required, [provided certain parameters are met](#).
 - EO 12 specifically requires that the public be able to access the meeting by [telephone](#). This means use of a conference line that can handle multiple callers, like [freeconferencecall.com](#) or [gotomeeting.com](#). [Zoom.com](#) also allows people to either video conference or call in. For [non-public](#) meetings be sure to secure the line so it is not open for others to call in. Zoom has the ability to add a password requirement to a meeting. (PLEASE NOTE: We do not endorse, nor ensure the usefulness or security of, any of these options; we only offer that some municipalities have had some success with these options).
 - This applies only to public *meetings*; for now, public *hearings* (i.e. ZBA and PB applications) still require a physical location for the meeting. We hope that the Governor may be addressing this issue soon. In the meantime, consider asking applicants for written consent to continue the application for 30 days. Remember, there are statutory deadlines for applications before land use boards, so please reach out to us for questions on these.

- **Cash Transactions and Other In-Person Transactions at our Clerk's Office**
 - Encourage and promote on-line and mail transactions/payments

- If you have a drop-box, consider requiring residents to pay with exact cash through the drop box. You should sanitize everything you receive as recommended by the CDC.
- Consider suspending certain services offered, like the issuance of marriage licenses. If you choose to proceed down that route, please consult with your attorney first.

- **Access to Playgrounds**
 - Consider taping off playgrounds, with signs at each entrance and exit area announcing the closure of the playgrounds. If playgrounds have no discernable entrance and exit, signs should be posted at regular 20-25 foot intervals stating that the playground is closed.

- **Access to Municipal Public Spaces**
 - At a minimum, consider posting at each entrance large signs outlining the CDC guideline for social distancing of 6 feet apart.
 - Monitor, if possible, and if the public spaces become crowded and social distancing is not followed, re-evaluate whether to close the area to the public. If you choose to proceed down that route, please consult with your attorney first.

- **Limiting Person-to-Person Contact at Transfer Stations.**
 - Consider prohibiting the dropping off of bulky wastes or any items requiring interaction with DPW employees or the exchange of payment.
 - At the point of entrance, consider limiting the number of vehicles that may enter the transfer station at any given time. Adjust this number based on the number of unloading zones you have in place or where in the transfer station a resident wants to go.
 - Post the entrance to the transfer station with highly-visible, large font notices laying out your specific rules clearly. We would be happy to assist with site-specific planning.

- **FD Life Safety Inspections**
 - Consider developing a protocol for Fire Department employees to keep employees safe from the virus: this includes wearing N-95 masks, gloves, and other protective clothing; employing proper disposal measures; following CDC handwashing guidelines; disinfecting gear and masks as recommended by the

CDC, and ensuring that all emergency employees also follow this protocol once employees conclude inspections and leave each building.

- **Administration of Essential Services**
 - In the absence of an Emergency Order specifically stating otherwise, municipalities must continue to provide a multitude of essential services. For assistance in developing an essential service administration protocol, please contact us.

- **COVID-19 as a Force Majeure Event for Contracts**
 - As the virus spreads, COVID-19 will likely amount to a force majeure event. Each contract should be dealt with on a case by case basis, because the answers to these questions will depend on the language in the particular contract and the relationship of the pandemic to the ability to perform the contract. If you have a specific contract in dispute, we are happy to help.

- **Police Inquiries of COVID-19 Exposure at Stops and On Calls**
 - You may have concerns about police officer safety and constitutional protections during traffic stops and emergency calls. How should police officers inquire about COVID-19 exposure without compromising a person's 4th amendment protections? If this is a source of concern for you, please contact us for assistance in formulating a protective strategy for all parties.