

**BRUNSWICK TOWN COUNCIL**  
**Special Meeting**  
**Agenda March 30, 2020**  
**Meeting – 6:30 P.M.**  
**MEETING VIA ELECTRONIC DEVICES**

*THIS MEETING IS BEING CONDUCTED VIA ELECTRONIC DEVICES  
WITH TOWN COUNCIL MEMBERS PARTICIPATING FROM REMOTE LOCATIONS*

*THERE IS NO OPPORTUNITY FOR THE PUBLIC TO VIEW THIS MEETING IN PERSON.  
THE PUBLIC CAN VIEW OR LISTEN TO THE MEETING ON TV3 (Channel 3 on Comcast) or  
VIA LIVE STREAM FROM THE TOWN'S WEBSITE*

<http://tv3hd.brunswickme.org/CablecastPublicSite/watch/1?channel=1>

The public may send e-mail messages to the Town Council at: [towncouncil@brunswickme.org](mailto:towncouncil@brunswickme.org)

**All Votes to be Taken Via Roll Call**

Roll Call of Members/Acknowledgement Notice

Pledge of Allegiance

Adjustments to Agenda

**Public Comments/Announcements** *NO PUBLIC COMMENT WILL BE TAKEN*

**TOWN MANAGER'S REPORT**

TBD

**NEW BUSINESS**

47. The Town Council will receive and discuss the latest updates on the COVID-19 pandemic, and will take any appropriate action. (Town Manager)

**DISCUSSION/ACTION**

**CORRESPONDENCE/COMMITTEE REPORTS**

NO ITEMS

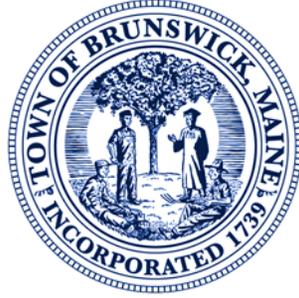
**CONSENT AGENDA**

NO ITEMS

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE  
COMMUNICATION SHOULD CONTACT  
THE TOWN MANAGER'S OFFICE AT 725-6659 (TDD 725-5521)**

To email Town Council: [towncouncil@brunswickme.org](mailto:towncouncil@brunswickme.org)

# Town of Brunswick, Maine



## *Emergency Proclamation and Order of the Town Manager*

The following proclamation and order are issued pursuant to Chapter 2, Division 4 of the Municipal Code of Ordinances of the Town of Brunswick ("Code of Ordinances").

**WHEREAS**, on March 13<sup>th</sup> the President of the United States issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease; and

**WHEREAS**, on March 18<sup>th</sup> the Governor of the State of Maine declared a Civil State of Emergency related to the spread of coronavirus disease 2019 ("COVID-19");

**WHEREAS**, the risk of community spread of COVID-19 seriously impacts the life, health and safety of the public, and public health is imperiled by the person-to-person spread of COVID-19, and these risks are likely to continue for at least 7 days; and

**WHEREAS**, the Town Council declared by order on March 23, 2020 that this Proclamation and Order are necessary and reasonable in order to respond to the public health concerns outlined above, and authorized pursuant to Section 2-122 of the Town Code, that this Order remain in place for 7 days from the date of its adoption, subject to revocation by the Town Manager or extension by the Town Council.

**NOW THEREFORE**, pursuant to the powers vested in me through the statutes of the State of Maine, the Code of Ordinances, and common law authority to protect the public's health, safety and welfare in the event of an emergency, I, John S. Eldridge, Town Manager of Brunswick, Maine after consultation with the chairperson of the Brunswick Town Council do hereby find and **PROCLAIM** an emergency exists as defined in section 2-121 of the Code of Ordinances.

**FURTHER**, I, John S. Eldridge, Town Manager of Brunswick, Maine, in consultation with the chairperson of the Town Council, do hereby **ORDER** as follows:

1. No auditorium, stadium, arena, large conference room, meeting hall, theater, gymnasium, fitness center, private club, movie theater, museum, dance club, music venue, adult entertainment facility, casino, gymnasium, fitness center, yoga studio, or indoor cycling studio shall be open while this **ORDER**, and the renewal thereof, remains in effect.
2. No dining facilities, including but not limited to restaurants, take-outs, and bars, shall be open, except as allowed under the subsection below, while this **ORDER**, and the renewal thereof, remains in effect.
  - a. Notwithstanding the prohibitions cited above, a dining facility may operate in a delivery, take-out, or drive-through fashion provided that:
    - i. no customer enters any such restaurant and all transfers of food or other product shall occur either outside of the facility, or through or at an open window or doorway; and

- ii. the facility takes steps to ensure that no groups of individuals, other than those remaining in motor vehicles, congregate on its premises; and
    - iii. under no condition shall facility permit the food provided to be eaten at the site where it is provided, or at any other gathering site on that facility's premises.
  - b. Notwithstanding the prohibitions cited above, schools and other entities that typically provide free food services to students or members of the public may continue to do so under this **ORDER** on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site on the premises.
  - c. Notwithstanding the prohibitions cited above, the restrictions shall not apply to any entity that serves meals, and is exempt from these regulations on the list of "Exempt Businesses or Organizations" on the attached EXHIBIT A.
3. No other establishment of any kind that sells or otherwise provides goods or services shall be open while said **ORDER**, and the renewal thereof, remains in effect except those listed as "Exempt Businesses and Organizations" on the attached Exhibit A.

A single employee or agent may be in an establishment closed under this **ORDER** in order to perform necessary business functions that do not involve in-person contact with others. No customers or clients may enter the establishment, and no more than one employee or agent may be in the establishment at once.

An entity exclusively of employees, contractors, or other agents performing activities at their own residences or places of rest are not subject to this **ORDER**.

This Emergency Proclamation and Order of the Town Manager supersedes the one issued by the Town Manager on March 17th. It shall remain in effect until it is revoked or expires.

Issued at Brunswick, Maine this 23<sup>rd</sup> day of March 2020.

/s/  
*John S. Eldridge, Town Manager*

/s/  
*John M. Perreault, Council Chair*

## EXHIBIT A

### Exempt Businesses and Organizations

The following business are exempted from the Emergency Proclamation and Order of the Town Manager dated March 23, 2020. These entities are deemed to be essential.

1. Health care operations and pharmacies;
2. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
3. Food cultivation and processing, including farming, livestock, and fishing;
4. Businesses and organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
5. Newspapers, television, radio, and other media services;
6. Gas stations and auto-supply, auto-repair, and related facilities;
7. Banks and related financial institutions;
8. Hardware and building material stores;
9. Plumbers, electricians, exterminators, building cleaning and maintenance, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Organizations;
10. Businesses and organizations providing mailing and shipping services, including post office boxes;
11. Colleges, universities, community colleges, trade schools, and other schools exclusively for the purposes of facilitating distance learning, no in-person instruction is authorized;
12. Laundromats, dry cleaners, and laundry service providers;
13. Businesses that manufacture or supply products needed for people to work from home;
14. Businesses that manufacture or supply other essential businesses with the support or supplies necessary to operate;
15. Businesses that ship or deliver groceries, food, goods or services directly to residences;
16. Airlines, taxis, public transportation, and other transportation providers providing transportation services necessary for purposes expressly authorized in this Regulation;
17. Home-based care for seniors, adults, or children;
18. Residential facilities and shelters for seniors, adults, and children;
19. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;

20. Childcare facilities providing services that enable employees of essential businesses and organizations as defined herein to work as permitted. To the extent possible, childcare facilities are recommended to operate under the following conditions:

- A. Childcare should be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day).
- B. Children should not change from one group to another.
- C. If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other.
- D. Childcare providers should remain solely with one group of children.

21. Medical marijuana facilities;

22. Funeral homes, crematoriums and cemeteries;

23. Animal shelters, veterinary clinics, animal feed and pet supply stores;

24. Government facilities, agencies, and services needed to ensure the continuing operation of the government and provide for the public health, safety and welfare, including but not limited to police, fire, EMS, code enforcement, and trash collection;

25. Businesses and organizations providing for the construction and maintenance of essential infrastructure, including utilities such as electricity, water, wastewater, and telecommunications;

26. Industrial manufacturing facilities;

27. Construction businesses;

28. Insurance businesses;

29. Hotels and other places of accommodation, except to the extent that said hotels and places of accommodation include bars, restaurants, meeting facilities, and other facilities required to be closed by Town or State emergency declaration, including but not limited to section 2 of the Emergency Proclamation and Order of the Town Manager dated March 23, 2020.



OFFICE OF  
THE GOVERNOR

NO. 19 FY 19/20  
DATE March 24, 2020

## **AN ORDER REGARDING ESSENTIAL BUSINESSES AND OPERATIONS**

**WHEREAS**, I proclaimed a state of emergency on March 15, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of COVID-19; and

**WHEREAS**, Executive Order No. 14 FY 19/20 dated March 18, 2020 restricted certain social gatherings and certain use of restaurants and bars, and strongly recommended use of social distancing to reduce the transmission of COVID-19, which is highly contagious; and

**WHEREAS**, the Maine Center for Disease Control and Prevention advises that additional social distancing measures are warranted to slow the spread of this life-threatening virus in order to save lives and improve the ability of the health care system to respond; and

**WHEREAS**, a governor's emergency powers expressly include the authorities to:

- a. Control the movement of persons and occupancy of premises within the State pursuant to 37-B M.R.S. §742(1)(C)(8);
- b. Enlist the aid of any person to assist in the effort to control the emergency and aid in the caring for the safety of persons pursuant to 37-B M.R.S. §742(1)(C)(5) and 37-B M.R.S. §827;
- c. Utilize all available resources of the State as reasonably necessary to cope with the emergency pursuant to 37-B M.R.S. §742(1)(C)(2); and
- d. Take whatever action is necessary to mitigate a danger that may exist within the State pursuant to 37-B M.R.S. §742(1)(C)(12);

**NOW, THEREFORE**, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the provisions referenced above, do hereby Order as follows:

### **I. EFFECTIVE DATE**

This Order takes effect at 12:01 AM on March 25, 2020 and terminates at 12:00 AM on April 8, 2020 unless amended, rescinded or renewed.

## **II. ORDERS**

### **A. BUSINESSES AND OPERATIONS COVERED BY THIS ORDER**

For purposes of this Order, covered businesses include any for-profit, non-profit, or entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure and their operations.

### **B. ACTIVITIES OF ESSENTIAL BUSINESSES AND OPERATIONS**

All Essential Businesses and Operations shall continue their activities consistent with the guidance on social distancing set for the below. For purposes of this Order, Essential Businesses and Operations are those:

1. Identified by the United States Department of Homeland Security, Cybersecurity & Infrastructure Security Agency Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response dated March 19, 2020. A copy thereof is attached and incorporated herein by this reference; and
2. In addition or for clarity here in Maine, include the following: food processing and agriculture; fishing and aquaculture; industrial manufacturing; construction and maintenance of essential infrastructure; trash collection and transfer stations; grocery and household goods (including convenience stores); forest products; essential home repair, hardware and auto repair; pharmacy and other medical, psychiatric, and long-term care facilities; group homes and residential treatment facilities; biomedical, life science, behavioral health, health care, dental care, and long-term services and supports providers and organizations; child care providers; post offices and shipping outlets; banks and credit unions; gas stations and laundromats; veterinary clinics, animal welfare and animal feed and supply stores; truck delivery and distribution of goods; public transportation; legal, business, professional, environmental permitting and insurance services; hotel and commercial lodging; and all utilities such as electricity, water, wastewater, and telecommunications.

Essential Businesses and Operations shall to maximum extent practicable have their employees work remotely and otherwise comply with social distancing requirements set forth below, including maintaining six-foot social distancing for both employees and members of the public at all times, including but not limited to, when customers are standing in line.

As urged in Maine Center for Disease Control and Prevention guidance on March 15, 2020, non-urgent medical and dental procedures, elective surgeries, and appointments should be postponed based on consultations between individuals and providers; the use of telehealth and telephone consultation is strongly encouraged.

### **C. ACTIVITIES OF NON-ESSENTIAL BUSINESS AND OPERATIONS**

All Non-Essential Businesses and Operations must cease activities at sites that are public facing and thereby allow customer, vendor or other in-person contact; or are at sites that require more than 10 workers to convene in space where social distancing is not possible. Non-Essential Businesses and Operations may continue those activities that:

1. do not allow customer, vendor or other visitor in-person contact;
2. do not require more than 10 workers to convene in space where social distancing is not possible; and
3. are facilitated to the maximum extent practicable by employees working remotely.

Such permitted activities may include taking orders by phone, email or other remote means and preparing such orders by delivery; maintaining the value of the business's inventory; preserving the condition of the business's physical plant and equipment; ensuring security; and processing payroll, employee benefits and related functions.

For clarity, Non-Essential Business and Operations include, but are not limited to, shopping malls, theaters, casinos, fitness and exercise gyms, spas, barber shops, hair salons, tattoo and piercing parlors, parlors, massage facilities, nail technicians, cosmetologists and estheticians, electrolysis services, laser hair removal services, and similar personal care and treatment facilities and services.

### **D. SOCIAL DISTANCING REQUIREMENTS FOR ALL BUSINESSES**

Businesses covered by this Order, especially "big box" stores that attract more people, shall make all best efforts to implement and actively enforce social distancing requirements in and around their facilities including but not limited to:

1. Designate with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
2. Have hand sanitizer and sanitizing products readily available for employees and customers;
3. Implement separate operating hours for elderly and vulnerable customers; and
4. Post online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

### **III. EXECUTIVE 14 FY 19/20 CONTINUED**

Executive 14 FY 19/20 dated March 18, 2020, restricting certain gatherings of more than 10 people and closure of certain services by restaurants and bars is hereby renewed and extended to apply until April 8, 2020 unless otherwise directed.

#### **IV. INTERPRETATION**

The Department of Economic and Community Development is designated as the lead agency for addressing questions regarding the interpretation and application of this Order.

#### **V. ENFORCEMENT**

This Order may be enforced by any governmental department or official that regulates licenses, permits or any other authorization to operate a business or occupy a building. A violation of this Order may be construed a violation of any such license, permit and other authorization to which pertinent penalties may be assessed. This Order may also pursuant to 37-B M.R.S. Section 786 be enforced by law enforcement if necessary.



Janet T. Mills  
Governor



**CISA**  
CYBER+INFRASTRUCTURE

March 19, 2020

**MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL  
INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE**

FROM: Christopher C. Krebs  
Director  
  
Cybersecurity and Infrastructure Security Agency (CISA)

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As the Nation comes together to slow the spread of COVID-19, on March 16<sup>th</sup>, the President issued updated Coronavirus Guidance for America. This guidance states that:

*"If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule."*

The Cybersecurity and Infrastructure Security Agency (CISA) executes the Secretary of Homeland Security's responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall federal effort to ensure the security and resilience of the Nation's critical infrastructure. CISA uses trusted partnerships with both the public and private sectors to deliver infrastructure resilience assistance and guidance to a broad range of partners.

In accordance with this mandate, and in collaboration with other federal agencies and the private sector, CISA developed an initial list of "Essential Critical Infrastructure Workers" to help State and local officials as they work to protect their communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. The list can also inform critical infrastructure community decision-making to determine the sectors, sub-sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance.

The attached list identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability, including staffing operations centers, maintaining and repairing critical infrastructure, operating call centers, working construction, and performing management functions, among others. The industries they support represent, but are not necessarily limited to, medical and healthcare, telecommunications, information technology systems, defense, food and agriculture, transportation and logistics, energy, water and wastewater, law enforcement, and public works.

We recognize that State, local, tribal, and territorial governments are ultimately in charge of implementing and executing response activities in communities under their jurisdiction, while the Federal Government is in a supporting role. As State and local communities consider COVID-19-related restrictions, CISA is offering this list to assist prioritizing activities related to continuity of operations and incident response, including the appropriate movement of critical infrastructure workers within and between jurisdictions.

**Accordingly, this list is advisory in nature. It is not, nor should it be considered to be, a federal directive or standard in and of itself.**

In addition, these identified sectors and workers are not intended to be the authoritative or exhaustive list of critical infrastructure sectors and functions that should continue during the COVID-19 response. Instead, State and local officials should use their own judgment in using their authorities and issuing implementation directives and guidance. Similarly, critical infrastructure industry partners will use their own judgment, informed by this list, to ensure continued operations of critical infrastructure services and functions. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

CISA will continue to work with you and our partners in the critical infrastructure community to update this list as the Nation's response to COVID-19 evolves. We also encourage you to submit how you might use this list so that we can develop a repository of use cases for broad sharing across the country.

Should you have questions about this list, please contact CISA at [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov).

**Attachment:** "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response"

## HEALTHCARE / PUBLIC HEALTH

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

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## LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, and corrections, including front line and management
- Emergency Medical Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors – who maintain digital systems infrastructure supporting law enforcement and emergency service operations.

## FOOD AND AGRICULTURE

- Workers supporting groceries, pharmacies and other retail that sells food and beverage products
- Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
- Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs
- Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers
- Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- Company cafeterias - in-plant cafeterias used to feed employees
- Workers in food testing labs in private industries and in institutions of higher education
- Workers essential for assistance programs and government payments
- Employees of companies engaged in the production of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants and associated regulatory and government workforce
- Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

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## ENERGY

### Electricity industry:

- Workers who maintain, ensure, or restore the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- Workers needed for safe and secure operations at nuclear generation
- Workers at generation, transmission, and electric blackstart facilities
- Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- Mutual assistance personnel
- IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management
- Vegetation management crews and traffic workers who support
- Environmental remediation/monitoring technicians
- Instrumentation, protection, and control technicians

### Petroleum workers:

- Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- Crude oil storage facilities, pipeline, and marine transport
- Petroleum refinery facilities
- Petroleum security operations center employees and workers who support emergency response services
- Petroleum operations control rooms/centers
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Onshore and offshore operations for maintenance and emergency response
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

### Natural and propane gas workers:

- Natural gas transmission and distribution pipelines, including compressor stations
- Underground storage of natural gas
- Natural gas processing plants, and those that deal with natural gas liquids
- Liquefied Natural Gas (LNG) facilities
- Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation
- Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- Propane gas service maintenance and restoration, including call centers

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## Essential Critical Infrastructure Workforce

- Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers

### WATER AND WASTEWATER

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

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

### TRANSPORTATION AND LOGISTICS

- Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel)
- Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- Mass transit workers
- Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- Maritime transportation workers - port workers, mariners, equipment operators
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- Automotive repair and maintenance facilities
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- Postal and shipping workers, to include private companies
- Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

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## PUBLIC WORKS

- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues
- Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

## COMMUNICATIONS AND INFORMATION TECHNOLOGY

### Communications:

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations, Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting
- Dispatchers involved with service repair and restoration

### Information Technology:

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as

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## Essential Critical Infrastructure Workforce

manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure

- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

### OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

### CRITICAL MANUFACTURING

- Workers necessary for the manufacturing of materials and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base.

### HAZARDOUS MATERIALS

- Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- Workers who support hazardous materials response and cleanup
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations

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## FINANCIAL SERVICES

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

## CHEMICAL

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

## DEFENSE INDUSTRIAL BASE

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities

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CITY OF PORTLAND  
Executive Department  
Jon P. Jennings, City Manager

## PROCLAMATION DECLARING CONTINUED STATE OF EMERGENCY AND REQUIREMENT TO STAY AT HOME

**WHEREAS**, there is currently an outbreak of novel coronavirus disease 2019 (“COVID-19”), a respiratory illness, first detected in Wuhan City, Hubei Province, China, and it continues to expand to a growing number of international locations, including the United States; and

**WHEREAS**, on January 31, 2020, the United States Secretary of Health and Human Services announced a nationwide public health emergency to respond to COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization (the “WHO”) declared that global health crisis involving COVID-19 is a pandemic; and

**WHEREAS**, on March 12, 2020, the State of Maine identified and confirmed its first case of COVID-19; and

**WHEREAS**, on March 13, 2020, the City of Portland, Maine identified and confirmed its first case of COVID-19; and

**WHEREAS**, on March 16, 2020, the City of Portland declared an emergency and issued an emergency proclamation wherein in, among other things, restaurants and bars were to be closed for in-person gatherings and only open for take-out dining; and

**WHEREAS**, on March 19, 2020 the Federal Cybersecurity and Infrastructure Security Agency issued guidance identifying 14 critical infrastructure sectors whose workers provide services and functions that are essential to maintain in order to support a strong response to COVID-19 pandemic; and

**WHEREAS**, as of March 24, 2020, there are 118 cases in the State of Maine, and 74 cases in Cumberland County of COVID-19; and

**WHEREAS**, the City of Portland is the largest city in Cumberland County, and is the service center for the region; and

**WHEREAS**, COVID-19 has been detected in hundreds of thousands of people worldwide and is primarily spread from person to person; and

**WHEREAS**, COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety; and

**WHEREAS**, this worldwide outbreak of COVID-19 is emerging and rapidly evolving; and

**WHEREAS**, Governor Janet T. Mills issued an executive order on March 15, 2020 prohibiting gatherings of more than ten (10) people throughout the State, and closing all restaurants and bars dine-in facilities; and

**WHEREAS**, on March 24, 2020, Governor Mills issued further guidance to businesses and the public regarding COVID-19;

**WHEREAS**, under conditions of this emergency, the City of Portland recommends and encourages all landlords throughout the City to not undertake or process any evictions; and

**WHEREAS**, the City of Portland also recommends that persons not advertise or encourage the use or rental of short-term rentals throughout the City for vacation purposes or otherwise; and

**WHEREAS**, as the City Manager, I have identified additional services and functions that likewise are essential to promote the public health, safety and welfare of the City of Portland, and therefore it is imperative to ensure workers providing critical services and functions in those designated sectors may continue to work to ensure community resilience and continuity of response efforts, and while at the same time continue to encourage social distancing at these services, no in-person dining, and curbside pick-up of any goods where practicable;

**NOW THEREFORE**, pursuant to the powers vested in me through the statutes of the State of Maine; the Portland City Code, Chapter 2, sections 2-406 and 2-408; the City Charter; and common law authority to protect the public's health, safety and welfare in the event of an emergency, I, Jon P. Jennings, City Manager for the City of Portland, in consultation with the Mayor and City Council of the City of Portland, do hereby declare and order as follows:

1. A civil state of emergency continues to exist within the City of Portland.
2. This Proclamation is issued in accordance with, and incorporates by reference, the March 15, 2020 Executive Order issued by Governor Janet T. Mills. More specifically, the following provisions should still be complied with within the City of Portland:
  - A. Gatherings of more than ten (10) people are prohibited throughout the State. Gatherings subject to the Governor's Executive Order are those that are primarily social, personal, and discretionary events other than employment. Such gatherings include, without limitation, community, civic, public, leisure, and faith-based events; social clubs; sporting events with spectators; concerts, conventions, fundraisers, parades, fairs, and festivals; and any similar event or activity in a venue such as an auditorium, stadium, arena, large

conference room, meeting hall, theatre, gymnasium, fitness center or private club; and

- B. All restaurants and bars shall close their dine-in facilities. Such businesses that offer carry-out, delivery, and drive-through food and beverage service may continue to do so but eating and drinking inside restaurants and bars is still temporarily prohibited.
3. The business, production and service sectors identified in Exhibit A are hereby designated as “COVID-19 Essential Services.” I shall amend and publish updates to Exhibit A as I determine necessary in response to conditions as they develop.
  4. All individuals currently living within the City of Portland are ordered to stay at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six (6) feet from any other person with whom they don’t share a household when they are outside their residence. All persons may leave their residences only to access COVID-19 Essential Services or as otherwise expressly provided herein. Individuals experiencing homelessness are exempt from this requirement, but are strongly urged to obtain shelter, and be at least six (6) feet from any other person, to the maximum extent practicable and possible.
  5. All travel including, but not limited to, travel on foot, bicycle, scooter, motorcycle, golf carts, automobile, or public transit, for COVID-19 Essential Services is permitted. Outdoor exercise and/or dog walking is also specifically permitted. All individuals are encouraged to not use or congregate on City playgrounds, and it is recommend that all individuals should seek, to the maximum extent possible, to be at least six (6) feet from any other person with whom they do not share a household with when engaged in any travel or exercise activities on City streets, trails, grounds, fields, tennis or basketball courts or other outdoor areas.
  6. The requirements in Paragraphs 4 and 5, above, shall not apply to police officers, peace officers, firefighters, EMS, or other emergency personnel or civilians engaged in police or emergency work, persons performing essential governmental functions, nor shall it apply to health-care providers or workers traveling to or coming from work assignments in hospitals or other health-care facilities whether in or outside of the City of Portland. Those requirements shall also not apply to authorized representatives of any news service, newspaper or radio or television station or network.
  7. All businesses with a facility in the City of Portland that do not provide COVID-19 Essential Services, shall close their physical workspaces and facilities (“brick-and-mortar premises”) to workers, customers, and the public as of the effective date and time of this proclamation. Businesses that do not provide COVID-19 Essential Services are encouraged to continue operations through remote means that do not require workers, customers, or the public to enter or appear at the brick-and-mortar premises closed pursuant to this proclamation. With that said, such non-essential businesses may continue to access their brick-and-mortar premises in order to conduct essential business functions including, but not limited to, processing mail, depositing checks, completing payroll and paying vendors; as long as social distancing requirements are being implemented, and the fewest number of employees possible are on premises when conducting such services. Churches, temples, mosques, and other places of worship shall not be required to close their brick-and-mortar premises to employees or to the public; provided, however, that

such institutions shall be required to comply with all limitations on gatherings established by Governor Janet T. Mills' March 15, 2020 executive order outlined in paragraph 2 above.

9. All businesses providing COVID-19 Essential Services are strongly encouraged to remain open. To the greatest extent feasible, COVID-19 Essential Services shall comply with social distancing protocols by maintaining at least six (6) feet of physical distance from other people, including other employees and members of the public, including, but not limited to, when any customers are standing in line, and allow and encourage remote working where practical.
10. This proclamation shall be effective as of **March 25, 2020 5:00 p.m.**
11. As per Chapter 2, section 2-407, this order shall remain in effect for five (5) days unless and until it is renewed by the Portland City Council.
12. Violation of or failure to comply with this Order is punishable by a fine of \$500.00 per occurrence plus the costs of prosecution.
13. If any provision of this Proclamation or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Proclamation are severable.

Dated: March 24, 2020

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Jon P. Jennings, City Manager

## EXHIBIT A

**COVID-19 Essential Services** include, but are not limited to, the following:

1. Health care operations and pharmacies;
2. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
3. Food cultivation and processing, including farming, livestock, and fishing;
4. Businesses and organizations that provide food, shelter, medical, and social services, and other necessities of life for economically disadvantaged or otherwise needy or homeless individuals, and any associated parking in a parking garage that is related to these services;
5. Newspapers, television, radio, and other media services;
6. Gas stations and auto-supply, auto-repair, and related facilities;
7. Banks and related financial institutions;
8. Hardware and building material stores;
9. Plumbers, electricians, exterminators, building cleaning and maintenance, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and essential businesses;
10. Businesses and organizations providing mailing and shipping services, including post office boxes;
11. Colleges, universities, community colleges, trade schools, and other schools exclusively for the purposes of facilitating distance learning, no in-person instruction is authorized;
12. Laundromats, dry cleaners, and laundry service providers;
13. Businesses that manufacture or supply products needed for people to work from home;
14. Businesses that manufacture or supply other essential businesses with the support or supplies necessary to operate;
15. Businesses that ship or deliver groceries, food, goods or services directly to residences;
16. Airlines, taxis, public transportation, marine transport, and any other transportation providers providing transportation services necessary for purposes expressly authorized in this Proclamation;

17. Home-based care for seniors, adults, or children;
18. Residential facilities, housing authorities, and homeless and other shelters for seniors, adults, and children;
19. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
20. Childcare facilities providing services that enable employees of Essential Services as defined herein to work as permitted. To the extent possible, childcare facilities are recommended to operate under the following conditions: Childcare should be carried out in stable groups of 10 or fewer (“stable” means that the same 10 or fewer children are in the same group each day); Children should not change from one group to another; If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other; and Childcare providers should remain solely with one group of children.
21. Medical marijuana facilities;
22. Funeral homes, crematoriums and cemeteries;
23. Animal shelters, veterinary clinics, animal feed and pet supply stores;
24. The State or Federal Judicial Branch;
25. Government facilities, agencies, and services needed to ensure the continuing operation of the government and provide for the public health, safety and welfare, including but not limited to police, fire, EMS, code enforcement, and trash collection;
26. Businesses and organizations providing for the construction and maintenance of essential infrastructure, including utilities such as electricity, water, wastewater, and telecommunications;
27. Industrial manufacturing facilities;
28. Construction businesses; only existing or ongoing construction projects conducted by these businesses may continue so as long as, to the maximum extent possible, all persons must be at least six (6) feet from any other person;
29. Insurance businesses;
30. Security companies; and
31. Hotels and other places of accommodation, except to the extent that said hotels and places of accommodation include bars, restaurants, meeting facilities, and other facilities required to be closed by City or State emergency proclamation or executive order.

## **Businesses Requiring Clarification – COVID-19 Business list**

- Restaurants without a window
- Title companies
- Large offices/support of manufacturing or essential services
- Internet service providers/communications companies
- Red Cross blood drives
- Tax preparers/accountants
- Daycare
- Wilburs – retail?
- Smoke shop – retail?
- Car dealerships
- Attorneys/estate planning services
- Manufacturing other than industrial