

The Ethical Culture Society of Essex County

Minutes of Board Meeting 9/18/20

Present: Tom Cunningham, Jeanine Rosh, Elaine Durbach, Lisa Novemsky, Marshall Norstein, Zia Durrani, Jackie Herships, Jill Farrer, Peggy Toy

The meeting was called to order by Tom Cunningham, President, at 9:09am. A quorum was present.

The primary topic on the agenda for this meeting was to discuss and determine if the society is ready to reopen the ECS building to outside groups during the current pandemic. The other item that will be covered at the end of the meeting is the honoring of Meredith Sue Willis by the South Orange Maplewood Community Coalition on Race.

Tom introduced three pieces of information for the members to include in their consideration of whether or not to reopen the building to outside groups:

- the information Jeanine provided to members in June, which included government mandates and insurance information
- the documents Jeanine put together and emailed to members for this meeting, including releases and a procedural guide for reopening
- information from the meeting of Societies with Buildings attended by Zia, Tom and Jeanine.

Jeanine summarized the documents she provided to members, which included:

- waivers of liability
- procedures for reopening
- a statement of the society's philosophy on reopening during the time of COVID
- a list of regulations to be signed by the person responsible for any group using the building
- a sign-in log.

Tom summarized the meeting of societies with buildings that he, Zia and Jeanine attended:

- No buildings were opening up for their own platforms or their own sponsored programs.
- We need to consider our outdoor spaces and backyards to be part of the facility and therefore governed by the constraints of the facility.
- Some societies are allowing groups that are licensed by the state, e.g. preschools, to use their buildings with memoranda of agreement in place to follow all state regulations.
- Some societies are allowing groups run by a major, established organization, such as the Boy Scouts, that have their own liability insurance, to use their building.
- Most groups were not allowing smaller or informal groups to use their buildings.

Jeanine added that the Westchester society was preparing to allow a 12-Step group to use the building starting in October and are putting up plexiglass in front of the podium.

Zia reported that the Bergen society has a preschool in place. Activities are all outside but with indoor access to bathrooms.

Questions were raised by members-

-Do groups who use the building have their own insurance?

Marshall: 12-Step Groups are part of a national organization and they are insured; the Apostolic Church provided their insurance documents when they signed the lease.

-What does our insurance cover? Does it cover an illness?

Jeanine: It may not cover an illness. More and more insurance companies are excluding certain types of illness from coverage.

Suggestions were made that we get further clarification around issues of insurance - specifically going over the policy to be clear about what is and what is not covered, going over our planned procedures and guidelines with the insurance company and asking for their approval of the plan.

Tom asked if we should be seeking outside counsel/professional advice from someone working in the insurance field. It was decided that we would go directly to the insurance company for the information we need at this time.

Tom asked Jeanine, our liaison with the insurance company, for her guidance on some of the outstanding questions regarding liability issues, specifically looking at our policy and looking at what we should be asking for from renters, particularly the Apostolic Church, in terms of liability insurance.

Jeanine answered a question raised as to what we would need to do if someone who was present in the building contracted COVID-19. She went through our proposed steps for reporting and contact tracing.

Jeanine and Marshall reviewed the guidelines proposed for using the building after a concern was raised that safety and social distancing might not be possible. Marshall explained the extra precautions he has proposed and will undertake as well as the mathematical calculations he used to assure safe distancing. He also noted that attendance by no more than 12 would be permitted.

Marshall further explained that the Apostolic Church had asked to use the library and parlor for their Bible study groups on Thursdays but at this time only three people at one time would be allowed in those rooms. The 12-Step programs are not meeting indoors yet because their groups tend to be large, but Marshall said they could put chairs and meet outside. He indicated that anyone coming into the building would also have to get their temperature taken at the door.

Tom suggested that the safety procedures we have proposed for reopening appear to go above and beyond state or other recommended guidelines and suggested that members move to

focus on the immediate question of whether or not to open the building for use by the Apostolic Church.

Members voiced opinions on reopening to the Apostolic Church group:

- We could lose the Apostolic Church because they have said they are thinking of looking for another location if we can't accommodate them.
- We are opening ourselves up to liability issues, even with a signed waiver.
- We are opening ourselves and the building to contamination.
- We will lose revenue if the groups are not paying rent or are paying a reduced amount. The full rent for the Apostolic Church is \$670/month. Marshall indicated that the Bible study group could potentially use the meeting room for their Thursday night meeting if it is not being used, but at this time they would start with one meeting a week. Jeanine said we would lose \$8,000 a year but we have \$64,000 in Fidelity and \$30,000 in the bank.
- The primary risk, other than to attendees at a meeting, who are assuming the risk voluntarily, would be to Marshall and Elaine, who are taking care of the building. Marshall and Elaine are willing to open the building.
- Recent news reports appear to indicate that contraction of the illness is through the air rather than contact with surfaces.
- This is a whole new field of liability and we don't know that even with a waiver we would not be called into court.
- There's a risk that meeting attendees won't comply with the regulations we set forth or that some may be carrying the sickness without having symptoms.
- We have a role in the community and want to maintain a benevolent presence by maintaining our relationships with community groups.

Tom moved to a Board vote to open the building to the Apostolic Church. Amid continued expressions of uncertainty by some members and some wanting further clarification re insurance issues, Tom suggested if the Board voted no, we would move the decision to the October meeting.

The Board voted not to reopen the building to any outside groups at this time. Jeanine will write a letter to the Apostolic Church explaining our decision. Tom will call them.

Tom shared with the group that Meredith Sue Willis is being honored by the South Orange Maplewood Community on Coalition on Race at a virtual event on October 17 at 7pm. The donation is \$100 per person. The Board voted to make a \$100 donation in her honor.

The meeting was adjourned at 10:26am

Minutes submitted by Peggy Toy

