

## ***Declaration of Recess and Continuance***

*Pursuant to Chapter 53, Section 2A of the Acts of 2020, I, William C. Coffey, Norwell Town Moderator, declare that the 2020 Norwell Annual and Special Town Meeting scheduled for June 15, 2020 is recessed and continued to July 7, 2020 at 7:30 p.m. at the Norwell Middle School, 328 Main Street, Norwell, Massachusetts. In consultation with local public safety and health officials and the Board of Selectmen, I have determined that a public health and safety emergency may prevent voters from attending the meeting on June 15.*

On March 10, 2020 Governor Charles Baker declared a state of emergency caused by the “outbreak of the 2019 novel Coronavirus (“COVID-19”).” The state of emergency remains in effect. On May 18, 2020, the governor and his administration issued orders and guidance as part of a four-phased plan to increase permissible business and other activities (the “Reopening Plan”).<sup>1</sup> Notably, municipal legislatures – such as Norwell Town Meeting – are exempted from the restrictions contained in the Reopening Plan. Nevertheless, some of the restrictions and guidance in the Reopening Plan suggest that it is premature to hold Norwell Town Meeting on June 15. On June 1, the governor issued an order associated with Phase II of the Reopening Plan (“Covid-19 Order 35”).<sup>2</sup> While Covid-19 Order 35 loosened restrictions on certain businesses that can comply with certain conditions, it maintains an earlier general prohibition on indoor gatherings of more than 10 people. Further, Covid-19 Order 35 specifies that activities taking place in environments more akin to town meetings such as “[i]ndoor theaters, concert halls and other performance venues of moderate capacity” will not be reopened until a later date. Finally, the Commonwealth of Massachusetts Department of Public Health’s (“DPH”) “Safer at Home” advisory, which has not yet been updated since its original release states that “[p]eople over the age of 65 and people who have underlying health conditions – who are at high risk for COVID-19 – should continue to stay home except for essential errands such as going to the grocery store and to attend to healthcare needs.” As a result, recessing and continuing Norwell’s Town Meeting is the prudent action to take.

Town meetings may be recessed pursuant to this statute for up to 30 days at a time. In considering further deferrals, which are possible given the state of emergency remains in place, I will continue to consult with Norwell’s public safety and health officials, the Board of Selectmen as well as relevant guidance from the Commonwealth and federal government.

### STATUTORY BASIS:

Ch. 39, sec. 10A, as amended by Acts 2020 Chapter 53 section 2A, provides that;

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<sup>1</sup> See, e.g., Covid-19 Order 33, “Order Implementing a Phased Reopening of Workplaces and Imposing Workplace Safety Measures to Address Covid-19” by Governor Charles Baker (May 18, 2020) (“Covid-19 Order 33”); Reopening Massachusetts by Massachusetts Reopening Advisory Board (May 18, 2020); Safer at Home, by Commonwealth of Massachusetts Department of Public Health (May 18, 2020)

<sup>2</sup> Covid-19 Order 35, “Order Clarifying the Progression of the Commonwealth’s Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparation at Phase II Workplaces” by Governor Charles Baker (June 1, 2020).

*Notwithstanding any general or special law, charter provision or by-law to the contrary, during and for a period of 5 days after the termination of any weather-related, public safety or public health emergency, the town moderator or person designated to perform the duties of **town moderator may, in consultation with local public safety or public health officials and the board of selectmen, recess and continue a town meeting previously called pursuant to a warrant issued pursuant to section 10 to a time, date and place certain; provided, however, that any such recess and continuance period shall not exceed 30 days. The moderator or person designated to perform the duties of town moderator may renew the declaration of recess and continuance period for up to 30 days at a time but not more than 30 days following the date of rescission of a state of emergency declared by the governor.***

Given at 2:00 p.m. in Norwell on this 8th day of June 2020

/s/ William C. Coffey  
William C. Coffey  
Town Moderator  
Norwell