

DECLARATION OF RECESS AND CONTINUANCE

Pursuant to Massachusetts General Laws, Chapter 39, §10A, I declare the Manchester-by-the-Sea Annual Town Meeting scheduled for April 6, 2020 recessed and continued, this 17th day of March, 2020. In consultation with the Board of Selectmen and the Board of Health, I have determined that a public safety emergency may prevent voters from attending the meeting on April 6.

The nature of the emergency is the outbreak of the 2019 novel Coronavirus ("COVID-19"). In making this Declaration, I note that on March 10, 2020, Governor Charles D. Baker declared a state of emergency in the Commonwealth and prohibited gatherings of more than 250 people throughout Massachusetts. On March 15, 2020, the Governor reduced the number constituting a prohibited gathering to more than 25 people. Although the Governor's orders explicitly exempt municipal legislative bodies (in other words, town meetings), turnout for Manchester-by-the-Sea town meetings regularly exceeds 250 voters, and the exemption does not diminish the health risk to voters in attending the meeting on April 6. In addition to consulting with the Selectmen and Board of Health, I have reviewed guidance from the Massachusetts Department of Public Health and the U.S. Centers for Disease Control and Prevention. Given the rapid spread of the disease, the limited testing conducted to date, the present lack of containment, and the risk to vulnerable populations inherent in public gatherings, I conclude that delaying the Annual Town Meeting is in the best interest of the Town and its citizens.

M.G.L. Ch. 39, §10A mandates that the moderator "shall announce the declaration of recess and continuance as far in advance of the town meeting being continued as possible." It also requires that a town meeting recessed pursuant to this statute "shall be convened by the moderator not later than 30 days following the date and time of the moderator's original announcement of the declaration of recess and continuance." Thus, under the statute, I do not have the authority to continue the Annual Town Meeting for longer than 30 days from the date of this Declaration, but I do have the authority to issue further continuances. I therefore declare that the continued date of the Annual Town Meeting shall be April 13, 2020, to convene at 7:00 p.m. at the Memorial School Gymnasium. It is highly unlikely that the COVID-19 emergency will have abated by April 13. I intend to declare additional continuances of up to 30 days each as necessary to defer the meeting until it can be held safely. In considering further deferrals, I will continue to consult with the Board of Selectmen and the Board of Health.

Given at Manchester-by-the-Sea at
9:18 a.m. this 17th day of March, 2020.

Alan Wilson

Alan Wilson
Town Moderator
Manchester-by-the-Sea

Filed in the Office of the Town Clerk
Manchester-by-the-Sea
Massachusetts

Date: March 17, 2020 Time: 9:18 am

Christy Plued
Town Clerk