



**Declaration and Continuance
Town of Wareham
Special Town Meeting
Saturday, January 16, 2021
(December 19, 2020)**

Pursuant to Massachusetts General Laws, Chapter 39, § 10A, I Claire L. Smith, do hereby declare this day of **November 30, 2020** that the Town of Wareham Special Town Meeting scheduled for Saturday **December 19, 2020** be recessed and continued until **Saturday, January 16, 2021** at Wareham High School. In consultation with the Board of Selectmen, Public Safety Officials, and the Board of Health, I have determined that a public safety emergency may prevent voters from attending the meeting on Saturday, December 19, 2020.

The nature of the emergency is the outbreak of the 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. Although the Governor's orders explicitly exempt municipal legislative bodies (in other words, town meetings), turnout for town meetings regularly exceeds 50 individuals and the exemption does not diminish the health risk to anyone attending the meeting.

In addition to consulting with the Selectmen, Public Safety Officials, 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 and the increasing up-swing of cases in MA, the present lack of containment, and the risk to vulnerable populations inherent in public gatherings; I conclude that delaying the Special 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 a town meeting previously called pursuant to a warrant.

Thus, under the statute, I do not have the authority to continue the Special Town Meeting for longer than 30 days from December 19, 2020 but I do have the authority to issue further continuances. If It is highly unlikely that the COVID-19 emergency will have abated by **January 16, 2021**, 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, Public Safety officials and the Board of Health.

Claire L. Smith
Town Moderator

Posted by: *Nicholas Bismuth* Date: **11-30-2020**
Wareham Town Clerk