

**FIFTH DECLARATION OF RECESS AND CONTINUANCE OF  
CONCORD ANNUAL TOWN MEETING 2020**

August 28, 2020

Pursuant to Massachusetts General Laws, Chapter 39, §10A, I declare on this date, August 28, 2020, that the Concord Annual Town Meeting originally posted for April 27, 2020, subsequently recessed and continued to May 29, 2020 by my Declaration of April 15, 2020, further recessed and continued to June 27, 2020 by my Declaration of May 26, 2020, further recessed and continued to July 29, 2020 by my Declaration of June 4, 2020, and further recessed and continued to August 28, 2020 by my Declaration of July 27, 2020 **will be further recessed and continued to September 13, 2020 at 1:00 p.m. at the Concord-Carlisle Regional High School on the Doug White Fields, with a “rain date” of 5:00 pm on September 14, 2020 at the same location.** I make this Declaration on the basis of my determination, following prior consultation with the Select Board, Town Manager, Police Chief, Fire Chief, Public Works Director, and Director of Public Health, pursuant to the Town Meeting Weather or Public Safety Emergency Protocol jointly adopted by the Moderator and the Select Board on March 19, 2020, that a public health and safety emergency may prevent voters from attending the meeting on August 28, 2020, and that this further continuance will permit the Town to hold its Annual Town Meeting in an outdoor venue, with appropriate public health safeguards in place.

The nature of the emergency is the outbreak of the 2019 novel Coronavirus (“COVID-19”). In making this Declaration, I note that Governor Baker’s declaration of a state of emergency in the Commonwealth made on March 10, 2020 remains in effect and that the Governor authorized entry into Phase III “Vigilant” stage of his reopening plan on July 6, 2020, which includes outdoor and indoor theater and performance venues of moderate capacity (COVID-19 Order No. 43. Although the Governor has lifted the ban on outdoor gatherings in unenclosed spaces where social distancing is possible (COVID-19 Order No. 44), the MA Department of Public Health’s “Safer At Home” advisory of May 18, 2020, cautioning that “People over the age of 65 and people with 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 health care needs,” as well as the March 19, 2020 Declaration of Emergency for the Town of Concord, by which the Select Board and Director of Public Health recognized the public health threat posed directly to residents of the Town of Concord by the outbreak of COVID-19, remain in effect. In addition, while the Governor’s Public Health Indicators for Massachusetts have improved since June (with three factors in a positive trend, and three in progress), the indicators outside of Massachusetts have deteriorated significantly, resulting in the Governor’s issuance of an order to take effect on August 1, 2020, requiring travelers from outside New England/New York/New Jersey (including returning MA residents) to Massachusetts to produce a negative COVID-19 test performed within the preceding 72 hours, or to quarantine for two weeks.

Although the Governor’s orders explicitly exempt municipal legislative bodies (including town meetings), and the “Safer At Home” advisory is not mandatory, the public health determinations underlying the Governor’s orders and advisory and the Town’s Declaration of Emergency support a determination that there would be a health risk to Concord voters, particularly those over 65 years old and those with underlying health conditions, in attending town meeting on August 28, 2020. According to the U.S. Census Bureau, approximately 20% of Concord’s population is over the age of 65, which translates to approximately 25% of Concord’s registered voters. Further, although reported COVID-19 cases in the Concord area currently are very few, postponement of Annual Town Meeting to September 13 with an observed continuation of this positive public health trend will provide voters with greater confidence that they may safely participate in the Meeting.

In addition to consulting with Town Officials, I have reviewed guidance from the Massachusetts Department of Public Health and the U.S. Centers for Disease Control and Prevention, case studies on the transmission of COVID-19 in public settings published in the New England Journal of Medicine, and the Planning Guide for Town Meeting During a Pandemic, published by the Massachusetts Moderators Association. I conclude that, because the current risk of transmission of COVID-19 to vulnerable populations inherent in public gatherings gives voters reasonable reluctance to attend a town meeting on August 28, and because voter confidence in the ability safely to attend an outdoor meeting will be enhanced by a continued low rate of COVID-19 in the Concord area between now and September 13, a further delay of Annual Town Meeting is in the best interest of the Town of Concord and its citizens.

My Declaration today recesses Annual Town Meeting to September 13, 2020 at 1:00 pm, six hours earlier than the originally posted time in order to take advantage of daylight hours, consistent with the plan to conduct the meeting outdoors. This further continuance is consistent with the recitation in my Declaration of July 27, 2020 that anticipated that the COVID-19 emergency would not have abated sufficiently by August 29 render the public health risk to voters low enough to hold the meeting, and that at least one additional recess and continuance, to September 13, 2020 at 1:00 p.m., should be expected. In considering any further continuances of the meeting, I will continue to follow the Town Meeting Weather or Public Safety Emergency Protocol.

Issued in Concord, Massachusetts at 12:00 p.m.,  
28th day of August, 2020.

*Carmin C. Reiss*

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Carmin C. Reiss  
Town Moderator