



Town of New Castle, NH
Settled 1623
Incorporated 1693

March 30, 2020

Town Board and Committee Chairs:

We hope this note finds you all well. The purpose of this memo is to clarify the Town's strategies relative to public meetings and public hearings.

The Governor has issued two emergency orders relative to meetings at this time, Emergency order #16 and Emergency order #12 both are attached hereto. Emergency order #16 prohibits gatherings of 10 or more people, this includes municipal public meetings. Emergency order #12 allows municipalities to hold public meetings telephonically. Thus a physical location for the public is not required and we can conduct meetings through electronic means as long as, to the extent feasible, we preserve the public's right to notice of such meetings and we provide the ability to observe and listen contemporaneously. It is important to note that this only applies to public meetings. At present, Public Hearings still require a physical location for the meeting.

First, if your Board or Committee has an application that requires a public hearing or has a public hearing scheduled prior to May 4, 2020, we request that you contact the applicant via email and if appropriate through mail to have them extend their application through the end of May 2020. The extension should be a simple note from them that under the circumstances, they are okay with extending their application until the end of May. This will allow enough time for Town Hall to reopen in May and will accommodate notice and the meeting itself. We realize this puts a burden on applicants, but this is an extraordinary time requiring patience and understanding. Please advise Planning Board Chairwoman, Darcy Horgan – email: Darcyhorgan@msn.com of any issues related to this and copies of the signed extensions when received.

Next, we ask that each Board or Committee review its regular business and applications not requiring a public hearing to determine if there is a need to hold a meeting prior to May 4, 2020. If it does not appear necessary, we recommend cancelling all meetings until your regularly scheduled meeting in May. If that is before May 4, 2020, then it is recommended you contact the Select Board Administrator, Pam Cullen, to schedule an alternate time in May that works for the Town and your Board or Committee.

If a public meeting is necessary, the Town will provide access to a virtual meeting provider that will meet the State requirements regarding meetings. Please contact Selectman Stewart at Bill.Stewart@NewCastleNH.org to discuss meetings.

Be Safe and Be Well,

New Castle Select Board



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Emergency Order #12 Pursuant to Executive Order 2020-04

Temporary modification of public access to meetings under RSA 91-A

Pursuant to Section 18 of Executive Order 2020-04 it is hereby ordered, effective immediately, that:

1. Pursuant to Executive Order 2020-04, paragraph 8 provides: "State and local government bodies are permitted and encouraged to utilize the emergency meeting provisions of RSA 91-A to conduct meetings through electronic means while preserving, to the extent feasible, the public's right to notice of such meetings and ability to observe and listen contemporaneously."
2. Pursuant to Emergency Order #2 issued pursuant to Executive Order 2020-04, gatherings of fifty people or more are prohibited.
3. To implement these orders and recommendations, the requirement in RSA 91-A:2, III(b), that a quorum of a public body be physically present unless immediate action is imperative, is waived for the duration of the State of Emergency declared in Executive Order 2020-04.
4. To further implement these orders and recommendations, the requirement in RSA 91-A:2, III(c), that each part of a meeting of a public body be audible or otherwise discernible to the public "at the location specified in the meeting notice as the location of the meeting," is waived for the duration of the State of Emergency declared in Executive Order 2020-04 so long as the public body:
 - a) Provides public access to the meeting by telephone, with additional access possibilities by video or other electronic means;
 - b) Provides public notice of the necessary information for accessing the meeting;
 - c) Provides a mechanism for the public to alert the public body during the meeting if there are problems with access; and
 - d) Adjourns the meeting if the public is unable to access the meeting.

Given under my hand and seal at the Executive Chambers in Concord, this 23rd day of March, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.


GOVERNOR OF NEW HAMPSHIRE



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Emergency Order #16 Pursuant to Executive Order 2020-04

Temporary prohibition on scheduled gatherings of 10 or more attendees

Pursuant to section 18 of Executive order 2020-04, it is hereby ordered, effective immediately, that:

1. In accordance with updated CDC guidelines, the following activities are hereby prohibited within the State of New Hampshire:

Scheduled gatherings of 10 people or more for social, spiritual and recreational activities, including but not limited to, community, civic, public, leisure, faith based, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities. This prohibition does not apply to the General Court, day-to-day operations of for profit or not for profit organizations and State Government, or gatherings for urgent medical purposes such as blood drives or meetings of medical personnel to discuss efforts to combat the COVID-19 pandemic.

2. Section 1 of Emergency Order #2 is hereby superseded by this Order.
3. The Division of Public Health shall enforce this Order and if necessary may do so with the assistance of State or local police.
4. This Order shall remain in effect until Monday, April 6, 2020.

Given under my hand and seal at the Executive Chambers in Concord, this 23rd day of March, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.

A handwritten signature in blue ink that reads "Christopher T. Sununu".

GOVERNOR OF NEW HAMPSHIRE