

**LAW OFFICE OF C. STEPHEN DEW**

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January 23, 2023

Robert Menicocci, Town Manager  
Nicole Beverly, Town Clerk  
Jane Patton;  
Randal Fippinger;  
Jeff Johnson;  
Hugh Daley; and  
Andrew Hogeland, Members of the Select Board  
Williamstown Town Hall  
31 North Street  
Williamstown, MA 01267  
(413) 458-3500

**Re: A Safe Venue for the 2023 Williamstown Town Meeting**

To the Town Manager, the Town Clerk, and members of the Select Board:

I write to request that you select a venue for the 2023 Williamstown Town Meeting that will enable all of the citizens of Williamstown who wish to attend this year to do so safely given the fact that the SARS-CoV-2 virus is still circulating widely in our community.

Farley-Lamb Field at Williams College, which was the venue for the Town Meeting in 2020 and 2021, seems like an easy decision in 2023.

Title II of the Americans with Disabilities Act almost certainly requires a public entity like the Town of Williamstown to provide a reasonable accommodation to qualified persons with disabilities within the meaning of the statute as long as the transmission level of the SARS-CoV-2 virus remains elevated in Berkshire County. See 42 U.S.C. § 12101, et seq.

No one should have to risk severe illness or death during periods of elevated SARS-CoV-2 transmission in order to participate in town government, especially when there is a readily available and safe alternative venue that's been successfully used in previous years.

As of the date of this letter, Berkshire County is listed at the highest level of Community Transmission on the Centers for Disease Control and Prevention's COVID-19 Integrated County View webpage:

[https://covid.cdc.gov/covid-data-tracker/#county-view?list\\_select\\_state=Massachusetts&data-type=Risk&list\\_select\\_county=25003](https://covid.cdc.gov/covid-data-tracker/#county-view?list_select_state=Massachusetts&data-type=Risk&list_select_county=25003)

If you follow that link, you'll see that Berkshire County has a Community Transmission level of "High," which is depicted in red on the map. Franklin County and Hampshire County have Community Transmission levels of "Substantial," which is depicted in orange on the map. Every

other mainland county in Massachusetts has a Community Transmission level of High, including Hampden County and its largest city, Springfield.

As a citizen of Williamstown and the attorney who reluctantly made that argument in Berkshire Superior Court last year, I'm asking you to do the right thing this year and make the Town Meeting accessible to all of us.

Yours,

Steve Dew