

FAIRHAVEN BOARD OF SELECTMEN

Agenda
Tuesday, May 25, 2021
4:30 p.m.
Town Hall banquet
40 Center Street – Fairhaven

RECEIVED
TOWN CLERK

2021 MAY 20 A 10:36

FAIRHAVEN,
MASS.

Due to the recent changes by Governor Baker to the Open Meeting Law, G.L. c. 30A. § 20, we are providing public access via the phone number and meeting ID below:

Log on to: <https://zoom.us/j/91374558244?pwd=QW5Wb0EwbE5CSm5xOTBoSUx4QTJIdz09>

Or Call: 1-929-205-6099

Meeting ID: 913 7455 8244
Passcode: 067911

The meeting can also be viewed live on Channel 18 or on FairhavenTV.com

A. DISCUSSION /POSSIBLE ACTION

1. Discuss Governor's Orders effective May 29th
2. Temporary Change of Premises, Liquor Licenses-Outdoor Seating
 - a. Traveler's Ale House

ADJOURNMENT

Subject matter listed in the agenda consists of those items that are reasonable anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (such as urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law.

MGL, Ch. 30a, § 20(f) requires anyone that intends to record any portions of a public meeting, either by audio or video, or both, to notify the Chair at the beginning of the meeting.



EMERGENCY ALERTS

Coronavirus Update

A1

COVID-19 Vaccine: Find an appointment, learn more about the vaccine *May. 3rd, 2021, 12:00 pm* [Read more](#) ♦

For the latest information on COVID-19: Guidance, reopening, case data *May. 19th, 2021, 5:00 pm* [Read more](#) ♦

HIDE ALERTS

Mass.gov

PRESS RELEASE

Baker-Polito Administration to Lift COVID Restrictions May 29, State to Meet Vaccination Goal by Beginning of June

Commonwealth Will Adopt CDC Face Covering Guidance

FOR IMMEDIATE RELEASE:

5/17/2021

Office of Governor Charlie Baker and Lt. Governor Karyn Polito

Governor's Press Office

Executive Office of Health and Human Services

Executive Office of Housing and Economic Development

MEDIA CONTACT

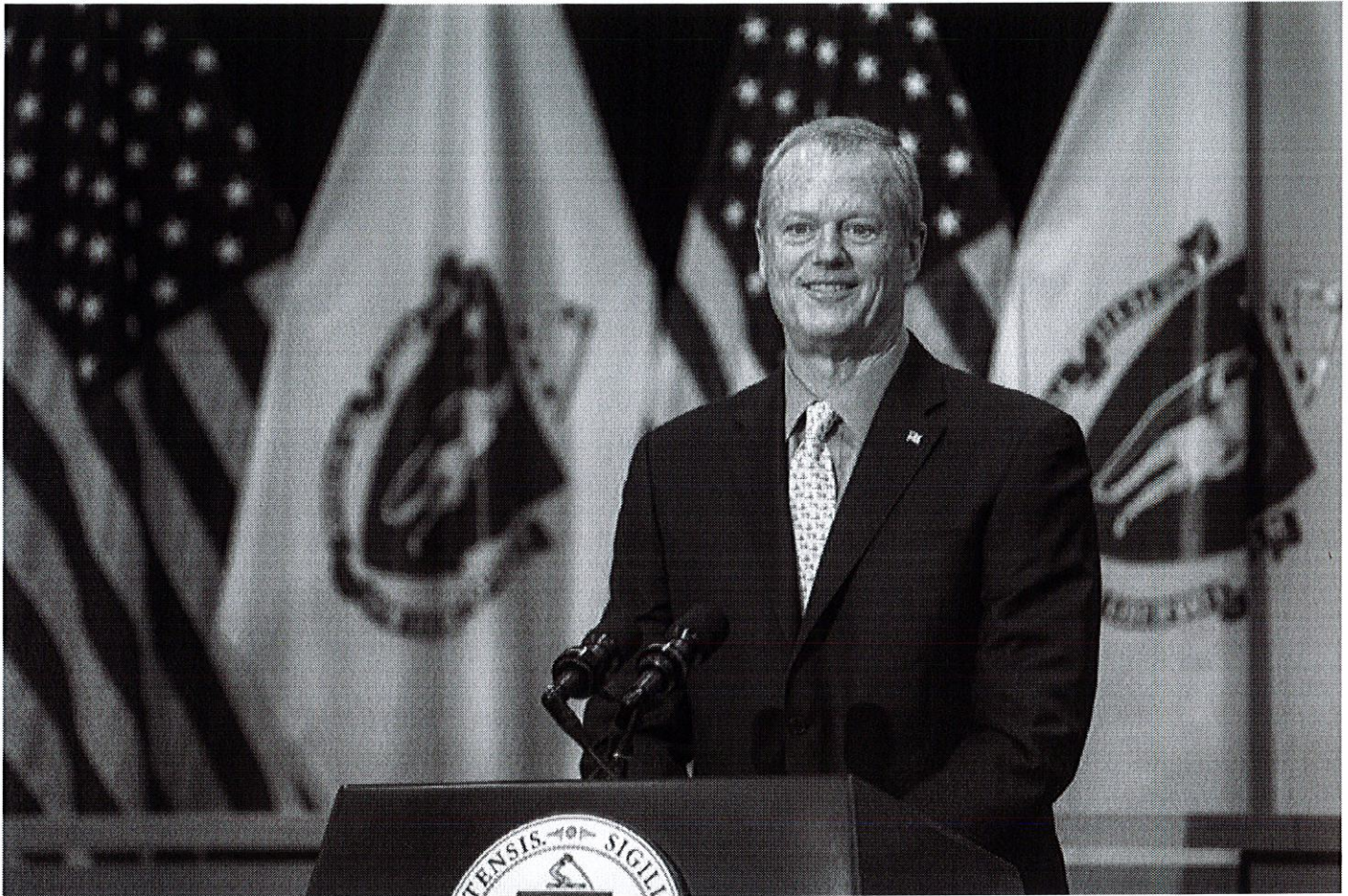
Governor's Press Office

Phone

617-725-4025 (tel:6177254025)

Online

gov.press@state.ma.us (mailto:gov.press@state.ma.us)



BOSTON — Today, the Baker-Polito Administration announced that the Commonwealth is on track to meet the goal of vaccinating 4.1 million residents by the first week of June and all remaining COVID-19 restrictions will be lifted effective May 29.

The Commonwealth's face covering order will also be rescinded on May 29. The Department of Public Health will issue a new face covering advisory consistent with the Centers for Disease Control and Prevention's updated guidance. Face coverings will still be mandatory for all individuals on public and private transportation systems (including rideshares, livery, taxi, ferries, MBTA, Commuter Rail and transportation stations), in healthcare facilities and in other settings hosting vulnerable populations, such as congregate care settings.

Governor Charlie Baker will end the State of Emergency June 15.

The Administration also announced updates that will be effective May 18 to revise face covering requirements for youth and amateur sports and other guidance relating to childcare programs and K-12 schools. The Administration will release updated guidance for summer camps effective May 29.

The Administration is able to take these steps to reopen the Commonwealth's economy because Massachusetts is on track to meet the goal set in December to fully vaccinate over 4 million individuals by the first week of June. The Commonwealth leads the nation in vaccinating residents, with 75% of adults receiving at least one dose. To date, over 4 million residents have received a first dose, with 3.2 million fully vaccinated.

New cases have dropped by 89% since January 8. COVID hospitalizations are down 88% since January 1 and the positive test rate is down by 88% from peaking at 8.7% on January 1 to 1% today.

Effective May 29

Effective May 29, all industries will be permitted to open. With the exception of remaining face-covering requirements for public and private transportation systems and facilities housing vulnerable populations, all industry restrictions will be lifted, and capacity will increase to 100% for all industries. The gathering limit will be rescinded.

All industries will be encouraged to follow CDC guidance for cleaning and hygiene protocols.

On May 18, 2020, the Administration published the reopening phases (</doc/reopening-massachusetts/download>), which called for ending restrictions when vaccines became widely available. Today, there are over 975 locations for Massachusetts residents to access vaccines without delay.

Face Covering Guidance

In line with updated CDC face covering guidance, the Administration will rescind the current face covering order and issue a new face covering advisory effective May 29.

Non-vaccinated individuals are advised to continue wearing face masks and to continue distancing in most settings. The advisory will also recommend fully vaccinated individuals no longer need to wear a face covering or social distance indoors or outdoors except for in certain situations.

Face coverings will still be required for all individuals on public and private transportation (including rideshares, livery, taxi, ferries, MBTA, Commuter Rail and transportation stations), healthcare facilities and providers, congregate care settings and health and rehabilitative day services.

Face coverings will also remain required indoors for staff and students of K-12 schools and early education providers.

[Link to mask guidance \(/info-details/mask-up-massachusetts\)](/info-details/mask-up-massachusetts)

Youth and Amateur Sports Face Covering Guidance

Effective May 18, the youth and amateur sports guidance will be updated to no longer require face coverings for youth athletes 18 and under while playing outdoor sports. Effective May 29, all youth and amateur sports restrictions will be lifted.

[Link to youth sports guidance](/doc/safety-standards-for-youth-and-adult-amateur-sports-activities-phase-iv-step-1-effective-on-51821/download)

</doc/safety-standards-for-youth-and-adult-amateur-sports-activities-phase-iv-step-1-effective-on-51821/download>

K-12, Early Education and Summer Camp Guidance

Effective May 18, guidance from the Department of Elementary and Secondary Education and the Department of Early Education and Care will be updated to no longer require masks for outdoor activities like recess and to allow for the sharing of objects in classrooms, in both K-12 and childcare settings. This guidance will remain in effect beyond May 29.

The Administration will release updated guidance for summer camps, effective May 29, which will include no longer requiring masks for outdoor activities.

[Link to DESE guidance \(https://www.doe.mass.edu/covid19/faq/\)](https://www.doe.mass.edu/covid19/faq/)

[Link to EEC guidance \(/info-details/eec-covid-19-resources-updates-and-information\)](/info-details/eec-covid-19-resources-updates-and-information)

State of Emergency Order

Governor Baker will end the **State of Emergency** (</info-details/covid-19-state-of-emergency>) June 15, and the Administration will work with legislative and municipal partners during this period in order to manage an orderly transition from emergency measures adopted by executive order and special legislation during the period of the State of Emergency.

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Media Contact

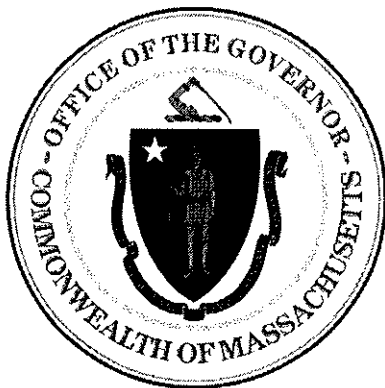
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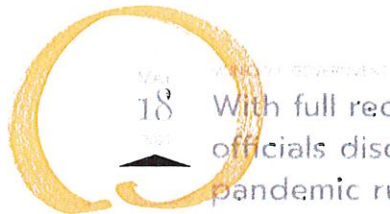
gov.press@state.ma.us (mailto:gov.press@state.ma.us)



Office of Governor Charlie Baker and Lt. Governor Karyn Polito

(/orgs/office-of-the-governor)

Governor Charlie Baker, Lt. Governor Karyn Polito and the Baker-Polito Administration are committed to serving the people of Massachusetts and making the Commonwealth a great place to live, work and raise a family.



With full reopening in sight, state and local officials discuss extension of some special pandemic rules

Home → News → Municipal Government

Twenty-four hours after the



State and local leaders convened on Zoom to discuss the reopening process. Pictured are (top row, l-r) MMA Executive Director Geoff Beckwith; Dr. Larry Madoff, medical director at the Department of Public Health; (middle row, l-r) Heath Fahle, special director for federal funds at the Executive Office of Administration and Finance; Sean Cronin, senior deputy commissioner at the Division of Local Services; (bottom row) Jana Ferguson, assistant commissioner at the Department of Public Health and Lt. Gov. Karyn Polito.

[administration announced an end to COVID-19 pandemic restrictions as of May 29](#), state and local officials participated in their 37th and final regular briefing call today with a spirit of gratitude and an examination of the path forward.

"We could not have done our jobs, in the executive office ... without your hard work and abilities," Lt. Gov. Karyn Polito told roughly 175 local officials on the call, convened by the MMA. "I'm so grateful to have had, before the pandemic hit, such a strong relationship with the MMA and municipal officials across the state. That served us well."

As the state looks to turn the page, local leaders had a number of questions about several areas of flexibility that were granted during the pandemic to help communities conduct their business and to help local economies.

With the exception of certain [face mask advisories consistent with federal guidance](#), the state is dropping business restrictions

News Categories

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SERVICES

PUBLIC WORKS,
ENERGY AND
UTILITIES

Recent posts

- [With full reopening in sight, state and local officials discuss extension of some special pandemic rules](#)
- [State to lift remaining COVID](#)

and gathering limits on May 29 and plans to end the COVID state of emergency on June 15. Pandemic executive orders that expedited permitting for dining and alcohol service outdoors and allowed local boards to meet remotely – provisions that proved popular and were considered successful – are tied to the state of emergency period and would end without intervention at the state or local level.

[restrictions](#)
[May 29 and](#)
[ease mask-](#)
[wearing rules](#)
 o [\\$2M in grants](#)
[announced](#)
[for public](#)
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Local leaders expressed concerns about extending outdoor dining and alcohol service through the summer season and into the fall and continuing remote meetings as needed. They also want to be able to offer no-excuse absentee ballots for city elections this fall. (This provision was granted through legislation, not executive orders, and is set to end on June 30.) Administration officials offered potential stopgap and longer-term solutions, but also expressed a willingness to explore state-level changes.

“There will be continued work done with you and our colleagues in the Legislature in order to ensure an orderly and smooth transition for municipal government across the Commonwealth,” Polito said, “as we shift from emergency orders and legislation to the next phase.”

She said a state-local working group is being assembled to address these issues. (A separate task force will focus on making optimal use of federal recovery funds coming to the state and local governments.)

The expedited permitting for outdoor dining would end 60 days after the end of the state of emergency, or Aug. 15. Polito said cities and towns could issue special permits for outdoor dining under “a normal process that could start now,” or could, through local legislative action, create an as-of-right allowance for outdoor dining. Regarding liquor licenses, she said, a licensing board (typically the select board in a town) can approve a change in the definition of a licensee’s premises to accommodate new or expanded outdoor use. State officials said they’re having conversations with the Alcoholic Beverages Control Commission about facilitating these local changes.

“You might want to look at your local bylaws now,” Polito said.

Local officials pointed out, however, that they may not be able to convene a town meeting to make zoning changes prior to mid-August.

“We’ll be working with our legal department on what that bridge needs to look like” to get into the fall season, Polito responded.

A number of local officials also asked about a continuation of special open meeting law exceptions that allow a local board to hold a meeting without a quorum being physically present, a

provision that would end with the state of emergency on June 15. Polito said state officials will look into it, while adding that remote public participation has been a success.

The following are some of the other questions raised and the answers from state officials:

- Can municipalities require face masks on municipal property after May 29? Yes.
- May businesses do the same? Yes.
- After May 29, can parades take place without a safety plan filed with health officials? Yes.
- Will the end of the state of emergency affect any federal recovery aid deadlines? No, those dates are all set by federal law and regulations.
- Will added costs associated with holding an outdoor town meeting set for mid-June still be eligible after the end of the Massachusetts state of emergency? Yes.
- After May 29, can municipalities resume in-person meetings? Yes.
- Are senior center and council on aging activities subject to the CDC's face mask advisory? No, the advisory applies to residential settings, but communities might want to consider whether the activities are indoors or out when setting local rules.

"While we make certain decisions that are statewide, we've always said that if a community feels it needs to do something different, that's stricter, they are permitted to do that," Polito said.

ARPA

Also during the call, Heath Fahle, special director for federal funds at the Executive Office of Administration and Finance, highlighted three key "takeaways" from the 151 pages of [guidance for the American Rescue Plan Act issued on May 10 by the U.S. Department of the Treasury](#):

- Funding requests must relate to problems created by or exacerbated by the COVID pandemic.
- Equity, and addressing the disproportionate impacts of the pandemic on certain communities, is an area of focus throughout the guidance, and should be a focus in local planning.
- The funds carry with them "significant" compliance and reporting requirements.

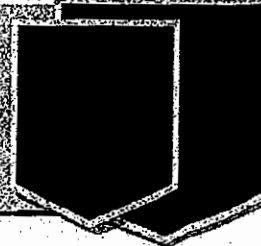
"I would strongly encourage folks to undertake a deliberate planning process," he said. "We're looking forward to helping with that process."

- [Audio of May 18 call with administration](#) (37M MP3)

Written by [John Quелlette, Publications & Digital Communications Manager](#)



**On-Premises Alcohol/Common Victualler
Outdoor Table Service
Expansion Application**



This Expansion Application is in response to the June 1, 2020 Order Governor Charlie Baker Issued regarding reopening establishments for outdoor table service only. Indoor service will remain **prohibited until further order by the Governor**. Please be aware that all expanded premises approved pursuant to this Order are only effective through November 1, 2020 or until the Order is rescinded, whichever is sooner and revert to your original licensed premises.

Business Name: Traveler's Alehouse

ABCC LICENSE # (if applicable): 05823-RS-0384

Applicant Address: 111 Hutton Ave

Business Phone: 774 510 5103

Manager (if applicable, name on ABCC license): Minh Tien

Manager Cellular #: [REDACTED] Email: minh@Travelersalehouse.com

Do you rent the property: ☒ Yes ☐ No If yes, Application must have a lease or documents that show for the right to occupy the proposed Expansion area. If not, Business must submit a letter with owner approval.

Days & Hours of Operation: Sun - Sat 11:30am - 9pm

Detailed description of Expansion:

* Drawing of the Expansion (by hand or computer) must be attached to application. *

Number of tables: 15 Number of chairs: 80

Expansion Dimensions: 54 x 45

Will Tent(s)/Canopy be installed: ☒ Yes ☐ No If Yes, provide dimensions: 40 x 20

Tents are required to obtain a permit from the local building official and are subject to the requirements of 780 CMR, Massachusetts State Building Code.

What is the seating capacity of Expansion: 74

What is the maximum occupancy of Expansion: 100

Will food be consumed in the Expansion area: ☒ Yes ☐ No

Expansion area must be enclosed by a fence, rope, or other means to prevent access from public walkway. Please describe: Fencing Panels + Rope



**On-Premises Alcohol/Common Victualler
Outdoor Table Service
Expansion Application**

Expansion area must be **EITHER**: (check one only)

- ☒ contiguous to the licensee's premise with either a clear view of the area from inside the premises **OR**
☐ the licensee will commit to providing management personnel dedicated to the area.

Will the Expansion cause potential noise concerns/complaints from neighbors: ☐ Yes ☒ No

If yes, please explain:

Camera System and someone will be out there

Are building modifications or new construction needed for Expansion: ☐ Yes ☒ No

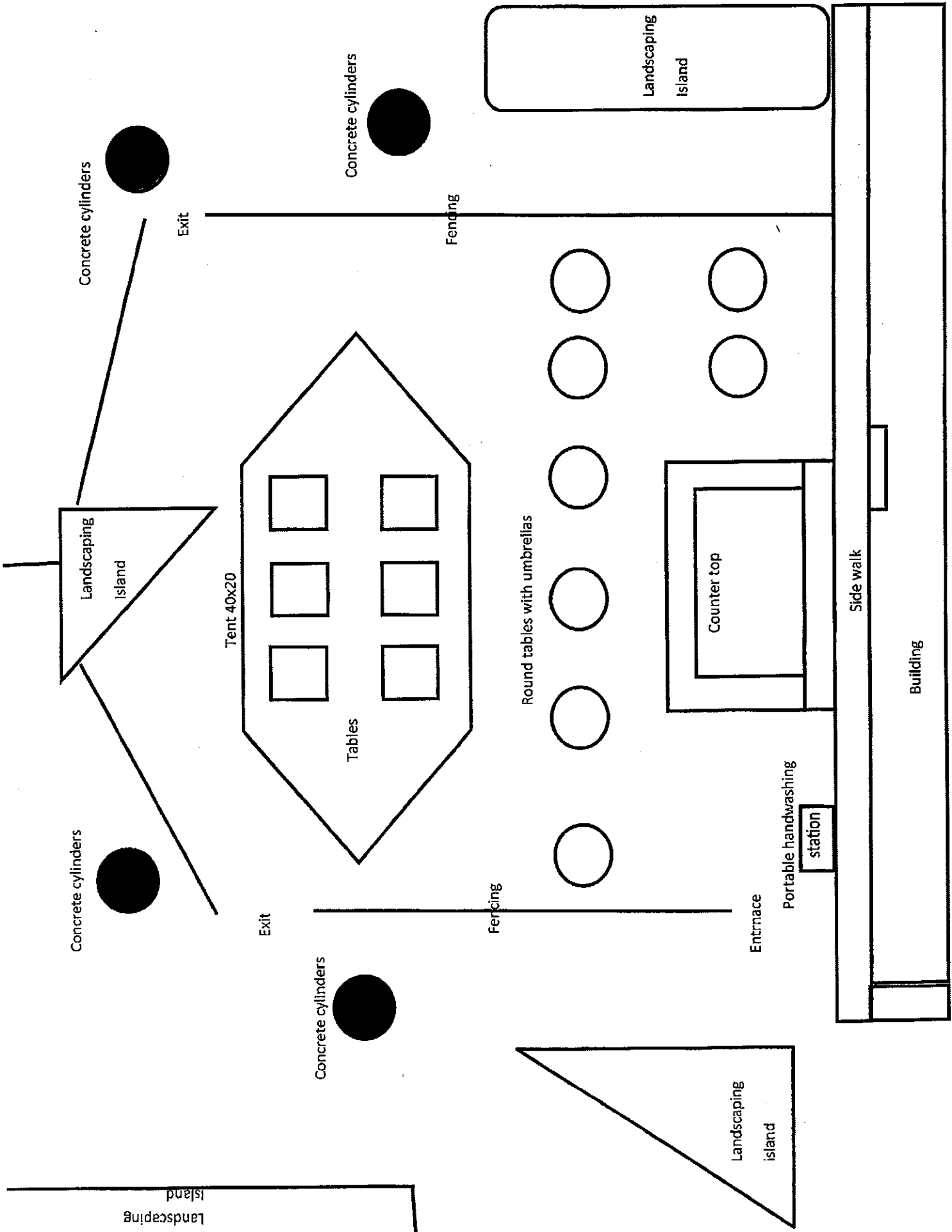
If yes, please explain:

Applicant Signature: [Signature]

Date: 5/11/2021

You may also sign and then scan to a PDF file.

Submit this completed and signed form to the Board of Selectmen's Office, or email to Selectmen@Fairhaven-MA.gov



ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.