

SELECTMEN'S MEETING

Tuesday, November 24, 2009, 6:00 PM

Dennis Town Hall

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Attendees: Selectmen; Paul McCormick, Sheryl McMahon, Heidi Schadt, Alan Tuttle and Wayne Bergeron. Town Administrator Richard White and Wendy Pells Recording Secretary.

The Pledge of Allegiance was recited.

PUBLIC INFORMATION

Sheryl McMahon mentioned that the State reduced the D-Y School transportation aid by \$700,000.00. These reductions will definitely impact the school budget. Governor Patrick did not make cuts to the Ch. 70 Aid.

TOWN ADMINISTRATOR'S REPORT

Richard White mentioned that the Town as met with a composting company. This company can produce compost in an eight-week period. This compost would then be sent to top soil companies. They would have a biofilter on the unit which will reduce the odor. This project will need lots of transparency. It will need to be bid publicly. This endeavor will create additional revenue for the Town.

Paul McCormick mentioned that this is an ideal situation. This will take a lot of the organic material out of our transfer station reducing our cost.

Alan Tuttle stated that he would support the concept. In the future he would like to see these items on the agenda.

Motion:

Heidi Schadt moved to send a letter to send a letter to the D-Y School Committee stating that Both the Board of Selectmen and Finance Committee have embraced a 2½% budget planning increase guideline for the Dennis/Yarmouth School District in developing its Fiscal Year 2011 budget. Wayne Bergeron seconded. The Board of Selectmen voted 5-0-0. The Motion was carried.

Richard White also stated that he has received the approved license agreement for the former Henderson Hardware property in Dennis port.

Motion:

Wayne Bergeron moved to support and signs the licensing agreement with the property owner of Henderson Hardware. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

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CONSENT AGENDA

Accept \$11,000.00 Donation from the Chamberlain Foundation
Accept \$100.00 Donation from Louis L. Fink to the Dennis Public Library
Vote to Accept 50% Interest in Lot 10 Viking Shores
Declare 2005 Crown Victoria Surplus
Appoint Election Worker's

Motion:

Sheryl McMahan moved that the Board accept with our many thanks the very generous donation of \$11,000 from the Chamberlain Foundation for roadway improvements to the South Dennis Congregational Church Cemetery and to acknowledge same by way of letter to Mrs. Jean Chamberlain; to accept a \$100 donation to the Dennis Public Library from the Louis L. Fink Trust with a letter of appreciation; to accept for conservation purposes the remaining 50% interest in Lot 10 Viking Shores as a gift of land from Deborah H. Lovequist with a letter of gratitude and; to declare a 2005 Ford Crown Victoria as surplus in order to reduce the number of fleet vehicles and to authorize the Department of Public Works to dispose of it in the best interest of the Town. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Motion:

Sheryl McMahan moved to appoint the following elections workers with terms to expire on August 1, 2010: George Holland, Mariester Robbins, Richard Bolles, Karen Bolles, Camille Boullie, Marie Jennings, Sybil O'Brien, Marylee Pelosky, Josephine White, Anne Healy-Armington and Andrea Knox Kuehn. Wayne Bergeron seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

HEARING TAX RATE CLASSIFICATION 6:30 PM

Scott Fahle addressed the Board to explain the various options to the Selectmen.

He stated the Town of Dennis evaluation in 2008 was \$6.5 billion. The average tax bill will remain the same. The tax classification hearing is held to determine whether or not the Selectmen choose to shift the tax classification. Splitting the tax rate to the personal and industrial will place a burden on a very small group of businesses.

Motion:

Heidi Schadt moved to close the hearing. Sheryl McMahan seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

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Motion:

Sheryl McMahon moved to adopt a residential factor of 1 for all classes of properties. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Motion:

Sheryl McMahon moved not to grant a discount to the open space class. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Motion:

Sheryl McMahon moved not to grant a residential exemption discount. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Motion:

Sheryl McMahon moved not to grant a small commercial exemption. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Motion:

Wayne Bergeron moved to authorize Paul McCormick to sign the State LA 5 Form. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

HEARING REQUEST TO ACCESS TOWN PROPERTY 6:45 PM

Cape Cod Engineering requests to access Harbor View Public Beach for the purpose of making repairs to an exiting rock revetment.

Bob Perry of Cape Cod Engineering requested the Selectmen to grant their permission to access and utilize the Harbor View public beach parking area and portion of the public beach off of Harbor Rd. for the purposes of delivering equipment and materials for the reconstructions of a stone revetment at 76 Harbor Rd.

Motion:

Wayne Bergeron moved approval of public access. Heidi Schadt seconded and required a \$10,000.00 performance bond from the contractor. The Board of Selectmen voted 5-0-0. The motion was carried.

ADMINISTRATIVE MATTERS

GIS Street Light Review

Rick White introduced GIS expert, Alicia Messier. She provided a PowerPoint presentation that showed all the street lights in Town. She also showed the percentage of lights in each village that would be terminated. She explained that there are 2,174 street lights in Town. There are currently 614 scheduled to be terminated.

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The Selectmen discussed how they could make the software application available to the general public.

Wayne Bergeron stated that he still does not have a comfort level with turning off the street lights. He mentioned that the Adopt-A Program is still up in the air.

Alicia Messier mentioned that software application program is very user friendly.

Alan Tuttle stated that this discussion has been going on for a year. The wheels of government move very slowly.

Harris Stredo asked what the savings to the Town would be.

Paul McCormick stated that the annual savings to the Town would be \$55,000.00 annually. The first year would be roughly \$25,000.00.

The Selectmen thanked Ms. Messier for her presentation.

Sheryl McMahon stepped down.

Wastewater Discussion

Rick White provided an overview and back ground on the filing of the legislation. He stated that the CWMTF needs time to review the current legislation.

Wayne Bergeron stated that the Water District would be the appropriate body to manage the wastewater. We don't have the data right now and it would be premature to make a decision right now.

Alan Tuttle stated the water district should be the entity to manage the system. Accepting the legislation would put the Town in a better position to act. He added that he doesn't agree with postponing, as the legislation would still need to be approved at Town meeting.

Peter McDowell stated the question is who will construction the waste water system. The Dennis Water Commissioners have recently had a change of thought and have now decided that the Town would be the best authority to construct a waste water system. He mentioned that he recently met with Chairman McCormick and it was agreed that the CWMTF needs to take on a better direction.

Richard White stated that he finds the legislation restrictive and very focused.

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Wayne Bergeron stated that the Board of Water Commissioner recently voted to delay the legislation. He stated that he doesn't feel comfortable supporting this if the Board of Water Commissioner doesn't want to move forward with it right now.

Motion:

Wayne Bergeron moved to delay adopting the current waste water legislation. Heidi Schadt seconded. The Board of Selectmen voted 3-1-1. The motion was carried.

Paul McCormick stated that this issue really belongs with the Town. He stated that he is not convinced that the Water District is the entity to handle this project. The Town needs to be in charge of its own waste water.

Sheryl McMahon returned to the panel of Selectmen.

ANNUAL LICENSING RENEWALS

Set Seasonal Population

Motion:

Sheryl McMahon moved to set the seasonal population at 40,000 people. Wayne Bergeron seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Extend Seasonal Alcohol License

Motion:

Wayne Bergeron moved to extend the seasonal wine and malt license for Original Seafood to January 15, 2009. Alan Tuttle seconded. The Board of Selectmen voted 4-0-1.

Renew Taxi Licenses

Paul McCormick moved to renew the following Taxi Licenses: Cape Livery, Checker Transportation, John's Taxi and Town Taxi. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Renew Class I, II & III Auto Dealers Licenses

Motion:

Wayne Bergeron moved to renew the following licenses: Camper's Haven: Class I and II, Robert Child's: Class I, II and III, Dennis Auto Sales: II, New For You: II and Center Street Auto Wreckers: III. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Renew Junk Dealers License

Motion:

Board of Selectmen Approved 12-10-09

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Wayne Bergeron moved to renew the following junk dealers licenses: S & J Exco and Lorraine's Antiques. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Paul McCormick stepped down.

Renew Annual Alcohol Licenses

All Alcohol Licenses

Motion:

Sheryl McMahon moved to approve the following list of licenses:

ALL AMERICAN BAR & GRILL ,BLUE MOON BISTRO LLC, BUNCEYS PIZZA & SPORTS CAFÉ, BZ's RESTAURANT, CHAPIN BEACH BAR, CLANCY'S, GRACIE'S TABLE, DOG LEG GRILL JASON'S MARKETPLACE, LA SCALA RESTAURANTE, LOST DOG PUB, PINES CLUB, MARSHSIDE RESTAURANT, OCEAN HOUSE RESTAURANT, RED PHEASANT INN, ROYAL PALACE, SCARGO CAFÉ, SKELLIG'S CALLING LLC, SUNDANCERS, DENNIS OYSTER COMPANY and TWENTY EIGHT CLUB. Wayne Bergeron seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Annual Wine & Malt Licenses

Motion:

Wayne Bergeron moved to renew the following list of annual wine & malt licenses:

BROTHERS PIZZA, DENNISPORT HOUSE OF PIZZA, NORABELLA, MARATHON RESTAURANT AND SHOWTIME PIZZA PASTA & DELI. Alan Tuttle seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Annual All Alcohol Package Stores

Motion:

Wayne Bergeron moved to renew the following list of annual all alcohol package stores: A. J. LUKE'S OF DENNISPORT, FINLEY'S 28 INC. HARNEY'S CAPE COD LIQUORS, MARINE PACKAGE STORE, PATRIOT SPIRITS, SEVEN G'S LIQUORS, SWAN RIVER LIQUORS AND TEDESCHI FOOD SHOP. Sheryl McMahon seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

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Annual Wine & Malt Package Stores

Motion:

Wayne Bergeron moved to renew the following list of annual wine & malt package stores: DENNIS FOOD & PACKAGE STORE AND DENNIS PUBLIC MARKET. Alan Tuttle seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Annual Inn holder Licenses

Motion:

Wayne Bergeron moved to renew THE DENNIS INN. Alan Tuttle seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Annual Club License:

Motion:

Wayne Bergeron moved to renew the WEST DENNIS YACHT CLUB. Alan Tuttle seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Renew Annual Entertainment Licenses

Alan Tuttle read a letter from the manager of the Plantation Condominiums.

The letter stated that the manager and the president of the owners association have asked the owner of O' Shea's Olde Inne to keep the noise down. The letter also stated that they have tried to talk to him on several occasions, but the music is still too loud.

Sheryl McMahon stated that that the owner has to turn it down. She stated that she has heard the music from across the street while eating at the Royal Palace.

The consensus from the Board was to have Joe Shea meet with, Heidi Schadt and the manager of the Plantation to try and resolve the noise problems.

Annual Entertainment License

Motion:

Wayne Bergeron moved to renew the following list annual entertainment license: BUNCEY'S PIZZA AND SPORTS CAFÉ, CAPE MUSEUM OF FINE ARTS CLANCY'S, DENNIS INN, ALL AMERICAN PUB, LOST DOG PUB, OCEAN HOUSE RESTAURANT, OYSTER COMPANY, SKELLIG'S CALLING/O'SHEA'S, RED PHEASANT INN, CINEMA DESIGN GROUP, TELE VEND Inc., SCARGO CAFÉ, SUNDANCERS, TWENTY-EIGHT CLUB AND WEST DENNIS YACHT CLUB. Sheryl McMahon seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

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Approve Temporary Closures

Motion:

Wayne Bergeron moved approval of the following list for a temporary closure: Dennis Port House of Pizza, Ocean House, Morrell's, Marshside, Marathon Restaurant, Brother's Pizza, Blue Moon Bistro, Red Pheasant Inn, Sundancer's and Pines Club. Sheryl McMahon seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Motion:

Wayne Bergeron moved to not to approve the request from the Dog Leg Grill. Sheryl McMahon seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Approve New Years Eve 1-hour extensions

Motion:

Wayne Bergeron moved to approve the following list: Norabella, Rum Runner's, Ocean House, The Oyster Company, Blue Moon Bistro, Red Pheasant Inn, Royal Palace, Chapin's Restaurant, Scargo Café, Lost Dog Pub, and All American Pub. Sheryl McMahon seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Selectmen to Attest to Annual Fire Safety Inspections

Motion:

Wayne Bergeron moved to Attest to having on file the following fire safety inspections; Chapin's Restaurant, Showtime Pizza, NoraBella, Blue Moon Bistro, Jason's Market Place, Twenty-Eight Club, The Dennis Inn, Marathon Restaurant, All American Bar & Grill, Buncey's Pizza & Sports Café, BZ'S Restaurant, Clancy's, Gracie's Table, Dennis Pines Club House, Dennis Highlands Club House/ Dog Leg Grill, Lost Dog Pub, Marshside Restaurant, La Scala Restaurante, Red Pheasant Inn, Ocean House Restaurant, Sundancers, Royal Palace, Scargo Café, O'Shea's Olde Inne, Dennis Oyster Company, Dennisport House of Pizza, West Dennis Yacht Club and Brothers Pizza. Sheryl McMahon seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

Paul McCormick returned to the panel of Selectmen.

9:45PM

Motion:

Wayne Bergeron moved to adjourn. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.