

Board of Selectmen's Meeting
Tuesday, April 1, 2008
Dennis Town Hall, Hearing Room
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Attendees: Selectmen: Jane Otis, Charles Crowell, Paul McCormick, Sheryl McMahon and Heidi Schadt. Town Administrator Robert Canevazzi, Assistant Town Administrator Sandra Fife and Wendy Pells Recording Secretary.

Public Information

Mr. Wayne Bergeron addressed the Selectmen to announce that the Citizens for a Capital Over-ride will meet on Saturday at Buncey's Restaurant at 9:00 AM.

Jim Plath announced that the Finance Committee will meet at 5:30 PM on April 7, 2008. The Finance Committee would like to meet jointly with the Board of Selectmen on April 8, 2008 to discuss the over-ride. Jim Plath mentioned that the Finance Committee will also meet on April 14 & April 17, 2008.

Rick Buffington, Tax Collector, announced to the Board of Selectmen that the Finance Team recently met. It was at this meeting that they discussed enforcing the Town by-law to collect payment for back taxes.

Heidi Schadt announced that green cards are still being accepted for the Town Administrator Search Committee.

Paul McCormick mentioned that South Side Civic will meet at the Library this Thursday.

Sheryl McMahon announced that the Water District Elections will be held on April 28, 2008. The Annual Water District Meeting will be held on April 29, 2008.

Charles Crowell announced that Bridge St. is almost complete.

Robert Canevazzi announced that NOAH officials have confirmed their attendance for a May 8, 2008 ribbon cutting ceremony. Also, the Mass Technology Collaborative has agreed to go forward with additional research with the MET Towers.

Sandra Fife announced that tickets are still available for the Bigelow Family Pasta Dinner. The Fundraiser will be held at the West Dennis Graded School House on April 11, 2008.

ADMINISTRATIVE MATTERS

D-Y School Budget Discussion

Supt. of D-Y Schools, Carol Woodbury stated that we are living in challenging times.

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Carol Woodbury explained that the school budget only went up by 1%. It's the fixed costs and the cost to fund special needs that cost so much. The school will also start charging \$50.00 for student parking for those students that wish to drive to school. The School Committee was able to reduce health care benefits by \$129,000.00. Also 39 positions will be eliminated.

Wayne Bergeron stated that we have talked about getting both Boards together with the School Committee. We need to get together earlier in order to reduce the panic.

Sheryl McMahon stated that we need to be fair. We need to be sure our own house is in order. We all wish we could put our budget together earlier.

Jim Plath, Chairman of the Dennis Finance Committee, stated that he disagrees with Wayne Bergeron. The Dennis Board of Selectmen and Finance Committee did meet with the School Committee in the very beginning. They were given a clear set of expectations from the Town of Dennis. Until we change the fiscal year, the budget process will be complicated.

Henry Kelley inquired as to how many positions will be lost.

Supt. Carol Woodbury stated that there are a total of 55 positions that will be eliminated.

Sheryl McMahon stated that she would support an over-ride for the schools.

Motion:

Sheryl McMahon moved to place an Article on the Annual Town Meeting Warrant to support the D-Y School budget in the amount of \$14,582,610 contingent upon a successful vote for an override in the amount of \$257,464.00. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Jane Otis asked Carol Woodbury if the School District owns any excess land.

Carol Woodbury responded that she will check into it.

INTERVIEWS AND APPOINTMENTS

Tony Kent Arena, Dennis Representative.

Mr. Jim Manning introduced himself to the Selectmen. He stated that he has several children involved in skating programs at the rink. He added that the ice arena is an important part of our community. These are difficult times to keep a business running. Utility bills are skyrocketing.

Motion:

Heidi Schadt moved to appoint Jim Manning as the Dennis Representative to the Tony Kent Arena for a term to expire on March 31, 2009. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Request to Paint Fence at Melpet Farm

Laura May-McDowell stated that Girl Scout Troop #1219 is working on their neighborhood badge. They are willing to donate the elbow service on one day in May to paint and make repairs to the fence in front of the Melpet Farm Pasture. The Troop will use white latex paint. They are looking at the first Saturday in May, providing the weather cooperates.

Motion:

Heidi Schadt moved to accept the donation of services from GSA Troop #1219. Charles Crowell seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Harneys Package Store Request to Change Corporate Name

Licensing Chairman, Charles Crowell read the public hearing notice.

Marc Reingold stated that the package store was originally owned by his mother-in-law. A few years ago she sold the business to him and now he is selling back to his mother-in-law, Judith Zukor. Marc Reingold stated that he would remain as store manager.

Motion:

Heidi Schadt moved to approve the request to change the corporate name from Tyas Corp. to Jill's Corp. for Harney's Cape Cod Liquors. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Over-Ride Discussion

Paul McCormick mentioned that people may be confused with a \$2.5 million over-ride request and the term Proposition 2 1/2 .

The Board of Selectmen reviewed their individual priority lists of Capital needs.

There was a consensus among the Board members to replace the Police Cruisers and replace the Carbon Monoxide Oximeters.

Harbormaster's Office

Town of Dennis Harbormaster, Terry Clen, stated that the most important thing is to get the equipment.

There was a consensus among the Board members to request the Portable Fire Pumps for the Harbor in the amount of \$17,000.00.

MIS Dept.

There was a consensus among the Board members to support the PC replacement program in the amount of \$44,875.00.

Golf Dept.

Motion:

Sheryl McMahon moved to remove the hydro-seeder from the Capital override list. Jane Otis seconded. The Board of Selectmen voted 3-2-0 (HS & CC). The motion was carried.

Motion:

Sheryl McMahon moved that the Board of Selectmen establish a budget subject to a successful over-ride. Paul McCormick seconded. The Board of Selectmen voted 3-2-0 (CC & JO). The motion was carried.

Henry Kelley addressed the Selectmen to request those with the dissenting votes to explain their dissenting votes.

Jane Otis and Charles Crowell stated that they would prefer that this not be a permanent over-ride, but would rather see it funded year to year.

REVIEW WARRANT ARTICLES

Article #21 Affordable Housing Trust Fund Amendment

Valerie Foster, Chairman of the Committee stated that this is a five member committee. We have had ten meetings. The committee would like to increase the size of the Committee by adding two additional members. Valerie Foster stated that the Committee has drafted an Article for Town Meeting making this request for a change in legislation.

Motion:

Sheryl McMahan moved to support Article #21 as amended. Charles Crowell seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article # 22 Land located at 25 Cross Street

Valerie Foster stated that this Article is a request from the Committee to build one low or moderate income home. The purchaser shall grant to the Town an affordable housing restriction enforceable in perpetuity meeting the requirements of MGL Ch. 194, Sec. 31 & 32.

Jim Plath asked who would convey the property.

Esmat Nouri mentioned that Habitat for Humanity operates on the principle that the land is free. Initially there was some opposition to the Cross Street site. In addition, there maybe some drainage issues with the Mill St. site.

Sheryl McMahan suggested the construction be limited to a nonprofit developer.

Motion:

Sheryl McMahan moved to place Articles 22, 23, & 24 on the ATM Warrant and to limit the conveyance to a nonprofit developer. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article # 27 Right to Farm By-Law

Brian Malone, Dir. of Natural Resources introduced William Snowden of Yarmouth and Leo Koukounis of Harwich. Brian Malone stated that these two gentlemen have been instrumental in establishing an Agriculture Commission in the Towns of Yarmouth and Dennis. They have been a great source of information and guidance in developing this Article. Brian Malone then provided a five minute overview to the Selectmen.

The Board of Selectmen made some modifications to the Article.

Motion:

Heidi Schadt moved to support the Article #27 as amended. Charles Crowell seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article # 28 Dennis Right to Farm By-Law

There was a consensus among the Board members to support Article 28.

Article # 32 Hiram Pond Road

Motion:

Sheryl McMahon moved to support Article #32. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article # 33 Lombardi Heights

Motion:

Sheryl McMahon moved to support Article # 33. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried

Article #35 Community Preservation Act

Sheryl McMahon, Park Commissioner for The CPA reviewed the CPA budget in the amount of \$1,407,889.00. The breakdown is as follows: Community Housing: \$140,789, Open Space \$140,789 Historic Preservation \$140,789. She added that the expenses for the committee are \$25,000; this is very low and this is a credit to the committee.

Motion:

Heidi Schadt moved to place Article #35 on the agenda. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article #43 Melpet Farm Property

Robert Canevazzi stated to the Selectmen that this Article's intention is to lease off a portion of the property for recreation purposes.

Jane Otis explained that when the Town first acquired the property we told the public that the pasture and barn would be used to keep horses.

Article #3

Motion:

Heidi Schadt moved to support Article # 3. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article # 7

Motion:

Sheryl McMahon moved to support Article # 7. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article #6

Heidi Schadt moved to support Article # 6. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article #8

Motion:

Heidi Schadt moved to support Article # 8. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Articles #13, #14, & #15

Motion:

Heidi Schadt moved to support Articles 13, 14 and 15. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article #29

Motion:

Paul McCormick moved to support Article #29. Sheryl McMahon seconded. The Board of Selectmen voted 4-1-0 (HS). The motion was carried.

Article # 30

Motion:

Heidi Schadt moved to support Article # 30. Paul McCormick seconded. The Board of Selectmen voted 4-1-0 (SM)

Article # 31

Motion:

Paul McCormick moved to support Article # 31. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article #35

Motion:

Sheryl McMahon moved to hear the report and to make recommendations. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article #37

Motion:

Paul McCormick moved to support Article # 37. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article # 41 Pond Street

Brian Malone stated that this parcel of land will make a beautiful future site for a blueberry patch.

Motion:

Heidi Schadt moved to support Article # 41. Charles Crowell seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Article #46

Motion:

Heidi Schadt moved to support Article # 46. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Request to place Temporary Trailer at 197 Main St. Dennisport

Robert Canevazzi explained that this request comes to the Board of Selectmen because the home was a complete loss due to a recent fire.

Motion:

Sheryl McMahon moved to approve the temporary trailer for up to one year. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Discuss Foreclosure Properties

Town of Dennis Tax Collector, Rick Buffington, stated that the property owners have had an opportunity to redeem the properties. The redemption period has now expired.

Sheryl McMahon mentioned that the other Committees, Commissions and Boards may want to review these properties and send a report with their findings back to the Selectmen.

Motion:

Sheryl McMahon moved to have the Conservation Commission, Zoning Board of Appeals, Building Dept. and Board of Health review the list of properties and to provide a report to the Board of Selectmen with their findings or recommendations.

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Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

4 Baker's Way

Motion:

Sheryl McMahon moved to hold on the disposition of this property. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

7 Cove Lane

Motion:

Sheryl McMahon moved to hold on the disposition of this property. Charles Crowell seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

46 & 52 Indian Trail

Motion:

Sheryl McMahon moved to hold on the disposition of this property. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

57 Indian Trail

Motion:

Paul McCormick moved to sell this property at auction. Sheryl McMahon seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

50B Depot St.

Motion:

Sheryl McMahon moved to sell this parcel at auction. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

21 Oak Leaf Lane

Motion:

Sheryl McMahon moved to hold on the disposition of this property. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

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Off Main (Center) Street

Charles Crowell moved to hold on the disposition of this property. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Lowland

Sheryl McMahon moved to hold on the disposition of this property. Paul McCormick seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Wayne Bergeron inquired of the Selectmen how they would determine whether or not the Town is acquiring property that has toxic elements on it.

Robert Canevazzi explained that the property is being sold *as is*. It would be incumbent on the buyer to have a proper inspection conducted.

SELECTMEN'S DISCUSSION

Heidi Schadt noted that Brad Crowell is the Dennis Representative to the Cape Cod Commission. His term expires on April 24, 2008 and he is not seeking reappointment. Heidi Schadt stated that the Selectmen are now accepting green cards for this important position.

10:30 PM

Motion:

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