

SELECTMEN'S MEETING

Tuesday, February 24, 2009

6:00 PM

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Attendees: Board of Selectmen Sheryl McMahon, Paul McCormick, Charlie Crowell, Heidi Schadt, Wayne Bergeron, Town Administrator Rick White, Assistant Town Administrator Sandra Fife

HEARINGS

6:30 PM Transfer from Christy's to Hess- Licensing Chair, Charles Crowell read public Hearing notice from Hess Corporation. Robert Laurie- Hess Corporation explained request to transfer below ground fuel license from Christy's of Cape Cod for 18,000 gallons of fuel located at 505 Main St. Rte. 28 Dennisport, MA.

Motion:

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

6:45 PM: Adoption of Marijuana By-Law- Chief Mike Whalen updated the Board on the proposed by law prohibiting public consumption of marijuana on public property. Chief Whalen stated by-law models Attorney General's by-law. Fines for violation will be set at \$100 first, \$200 for the second, and \$300 for third or subsequent offense. An article will be placed on town meeting warrant to adopt by-law. Mr. Derrick raised various questions on the by-law and the need for such a by-law. Chief Whalen stated you will not have a CORI record under the by-law or any civil citation. Public records law does require the Town to release names of those issued a civil citation. State Rep. Cleon Turner stated he received a lot of issues on this. Mr. Turner filed legislation to make rules and regulations of use on public property and collect fines similar to what the by law does.

Motion:

Wayne Bergeron moved to support the by-law as presented. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Chair McMahon recused her self for the next two hearings because she was a member of Waste Water Task force and an employee of Water District.

7:00 PM –. Storm Water By-Law- Mr. McCormick read the notice and explained the intent of the by-law and stated several committees are still reviewing with their members and next week the sub-committee will be meeting with Town Administrator and members of committees to address the concerns raised by departments. Mr. McCormick asked for public comment and requested that this hearing be continued for two weeks.

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Motion:

Heidi Schadt moved to continue the hearing until March 10, 2009. Wayne Bergeron seconded. The Board of Selectmen voted 4-0-0. The motion was carried.

7:15 PM - Adoption of a trench, street opening and curb cut Regulations – Mr. McCormick read the notice. Mr. Rodricks by-law promulgated regulations that require Towns to adopt local regulations. By-Law was prepared by Terry Hayes, BOH Director along with Brian Florence, Building Commissioner. Mr. Rodricks explained the highlights of the draft and stated the by-law requires a permit and gives the department a level of accountability. At this time we are not required for enforcement just notification to the State. Permit of \$50.00 is required for any trench greater to 3 feet deep. An application for trench excavations applicable to MGL 82A S1 may submit an application for an annual permit for \$500. If purchased notification is the only requirement. Mr. McCormick asked that the Water District be exempt from fees.

Motion:

Heidi Schadt moved to adopt the trench, street opening and curb cut regulations and to exempt Water District from fees and to appoint Joe Rodrick, Brian Florence and Terry Hayes as Permit Granting Authorities by the Commonwealth. Heidi Schadt seconded. The Board of Selectmen voted 3-0-1 (SM). The motion was carried.

Chair McMahan returned to the panel of Selectmen.

AGENDA ITEMS

Donation of Police Department Donation-

Motion:

Heidi Schadt move to accept donation of \$20.00 from a West Dennis resident to Police Dept. Donation Account. Wayne Bergeron seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Resignation from Dennis Library Board –

Motion:

Wayne Bergeron moved to accept the resignation from Carolyn Rounsville with many thanks. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

DPW Equipment Surplus-

Greg Rounsville stated these items are no longer in use and include 1 recycling bin, 4-1 bucket, and a glass crusher- Mr. Rounsville stated a public bid will be held for last items declared surplus on March 14th.

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Motion:

Heidi Schadt moved to declare the equipment surplus. Charlie Crowell seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Wrinkle Point Private Road Repair-

Francis Mello explained the request. The Association has 80% support from all residents. Ms. McMahon stated this comes under Temporary Repairs to Private Roads By Law- Wrinkle Point. Total cost of project is \$205,000. This requires action at town meeting.

Motion:

Charlie Crowell moved to place an article on the annual town meeting to ask the town to borrow \$205,000 to make repairs at Wrinkle Point according to the Temporary Repair of Private Roads By-Law. Wayne Bergeron seconded. The Board of Selectmen voted 5-0-0.

Consider Alternate Bid for Aerators for Sea View Park- A memo was received from the Engineering department. Ms. McMahon explained the reason for using proprietary specifications. Kaestle Boos researched appropriate solutions for standalone aerators for Pound Pond. There is only one vendor that offers solar powered aerators.

Motion:

Heidi Schadt moved that the Dennis Board of Selectmen approve to use proprietary specifications for the solar powered pond aerators to be installed. Wayne Bergeron seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

State Budget- Mr. Cleon Turner updated Board on the status of the state budget. Mr. Turner stated the house budget may be less than Governor's budget. Some local options for Towns to raise revenues will also be proposed. Questions were raised on the formulas used to distribute revenues. Mr. Turner said based on representation the formulas will not be easily changed and encouraged towns to look at local options.

Review and Approve preliminary design services for photovoltaic panels for Police Station- Denise Atwood stated Committee recommends Police Station for the photovoltaic array to be placed on roof not ground. This will maximize space and minimize costs. Committee thanked Greg Rounesville for his assistance.

Motion:

Wayne Bergeron moved to approve the location of the solar panel, as the Police Station and have Greg Rounesville to act as agent along with committee to bring permitting application to OKH. Heidi Schadt seconded. The Board of Selectmen voted 5-0-0. The motion was carried.

Greg Rounesville introduced the proposal for volunteer services for time and labor to assist in preparing a RFP for the installation of a photovoltaic array from Liz Argo, Green Energy Towns.

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Motion:

Heidi Schadt moved to accept the donation and to send a letter of thanks. Paul McCormick seconded. The Board of Selectmen voted 5-0 -0. The motion was carried.

Review Consider National Grid Pipeline Project –Mr. Rodricks stated National Grid has finished their design and has a proposed set of plans. Mr. Rodricks and the Town Administrator met with National Grid and have asked for additional information, a detailed schedule and details of National Grids plans within the Town of Dennis. This information will be forwarded to the Board ASAP to be discussed at a future meeting.

Dredging Scheduling Sesuit Harbor - The Board asked Cleon Turner if there was any new information on the dredging issue. Mr. Turner stated the issue is fish hatchery and the narrow scope of time that dredging can be done. Parties are still discussing the issue but to date no changes have been made to the timeframe at this point. Mr. Rodricks stated he is working with the Harbormaster and the Louis Berger Group on the dredging of inner harbor.

Budget Discussion/Operating Budget Update

Mr. White updated the Board on the status of the budget. Currently there is a gap of \$579,000 and tomorrow we will have clearer direction with the county dispatch issue and the employee's consideration of no cola increases. Mr. White stated he is optimistic on balancing budget without layoffs. Mr. White reviewed various items he is working on and is hopeful the D-Y School District comes in with a lower assessment numbers. Mr. White distributed and reviewed the budget with a program summary format. Next week you will see overall increase that is less than one half percent. Mr. White will address the issue of underfunding in the fire overtime account and will be recommending a transfer from ambulance receipts to fund this. Mr. White concluded all departments are getting minimal increase, if any, in order to balance budget and maintain staffing levels.

Capital Financing Proposal

Mr. White introduced a capital proposal and discussed his intent to prepare a comprehensive capital replacement program next year based on total inventory needs, GASB replacement recommendations based on useful life.

Mr. White proposes by using \$258,000 from Capital Improvement Plan over next three years will allow you to finance 1.25 million worth of assets. Mr. White stated the proposal also includes bonding within the tax levy by drawing down from the Capital Improvement Fund limiting the impact to tax levy by \$50,000. Timing of debt service would start in 2011.

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Mr. White recommends using this money to fund Infrastructure Improvements such as roadwork, sidewalks, and drainage. Also included is a request for a \$226,500 10 wheel truck allowing staff to be work efficiently. The majority of the work would start in September. The proposal would put \$1 million work of construction work on the streets during these tough economic times.

Discussion followed on the street light budget, looking at the cost savings, the adopt a light program and funding in the future would include projects funded by debt exclusion, funding capital with levy and funds needed for cash capital because there are two small or have a short useful life. Mr. White suggested maybe using the local option taxes if adopted by prudently earmarking for funds capital equipment.

9:00 PM

Motion:

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