

FINANCE COMMITTEE MEETING
Thursday, March 30, 2006
Dennis Town Hall-Large Hearing Room
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Approved

Present: Finance Committee Members including Chair James Plath, Peter McDowell, William Crowell and Michael Brennan. Also present Town Administrator Robert Canevazzi, Assistant Town Administrator Sandra Fife, Town Accountant MaryAnne Gibbs, Selectmen Donald Trepte, Sheryl McMahon, Charles Crowell, Jane Otis and Recorder Peggie Hunter.

Absent: Robert Prall, Brian Sullivan and Ted Dumas.

The Pledge of Allegiance was recited.

Peter McDowell spoke regarding inclusion of an article regarding marked vehicles. Mr. McDowell is content with the fact the policy will be revised and administered by the Board of Selectmen.

Town Administrator Robert Canevazzi said that except for appropriate police vehicles, all other vehicles will have markings.

Chair James Plath said that Town is continuing to talk with Yarmouth regarding the school issue. We need to wait to see what Yarmouth does next week.

Article 31 War Resolution Petition

Jim Demetras, East Dennis presented the Article, which is a nonbinding resolution urging cessation of combat operations in Iraq and the return of U.S. troops.

William Crowell asked if this petition is being presented in other towns. Mr. Demetras said it was adapted from another petition and has been presented by six other towns. Mr. Demetras is involved as a member of the Cape Codders for Peace & Justice.

William Crowell stated that this does not involve finances of town.

Peter McDowell supports Mr. Crowell's viewpoint.

Michael Brennan believes war will be a long-term proposition. Proposes that Committee make no recommendation.

MOTION:

William Crowell moved and Michael Brennan seconded and Committee voted 4-0-0:
Committee voted to make no recommendation on Article 31.

Article 34 (or 35 depending upon which Warrant you are looking at) Board of Health Mutual Aid Agreements

Terry Hayes, Health Director presented this Article to see if the Town will vote to authorize the Dennis Board of Health to enter into a Inter-Municipal Agreement with one

or more other governmental units to provide public health services which the Board of Health is authorized by law to perform, and in accordance with the terms set forth in an

Inter-Municipal Mutual Aid Agreement to be entered into between the Town and various other governmental units.

The Public Health Department would be responding to infectious diseases. Jim Plath asked if this requires Town Meeting approval. Mr. Hayes said yes. Chair Plath says there is no agreement to approve.

Michael Brennan said it may be outside the area of approval by Board of Selectmen and may have to go to Town Meeting as the Town of Dennis provides services to other towns.

Town Administrator Robert Canevazzi said that any proposed agreement that would offer mutual aid is already being done by police and fire. Mr. Canevazzi said that we know what is being committed if approval is required by Board of Selectmen, especially from a contractual basis.

Chair Plath said that once you say yes at Town Meeting, you lose all authority to say no.

Mr. Hayes said that the Health Department is under pressure from the state to get these Mutual Agreements done by June 30, 2006. This is a condition of the grant. Mr. Hayes was not sure if agreement was not signed by June, if they would waive this condition.

William Crowell said that maybe reworking this article might be the solution. Mr. Hayes said this is what the Commonwealth of MA wanted.

Donald Trepte referred to Page 2 of a Kopelman and Paige document that referred to a Municipal Agreement. This implies to Mr. Trepte that completed process does require a vote by Town Meeting.

The Mass Department of Public Health is the grant holder. Peter McDowell asked what would occur if this didn't happen until September. Mr. Hayes responded he didn't know. It may make the state ineligible for further funding.

Peter McDowell asked if the Finance Committee delays its recommendation, is there a chance the Health Department might be able to generate answers to these questions. Mr. Hayes responded that on March 31, 2006, a MA DPH representative will be at a meeting he will be attending. Mr. Hayes will present questions at this meeting.

A draft of a model proposal is available, but may change. Assistant Town Administrator Sandra Fife said a model is in their packets. Mr. Hayes said that Committee's concerns were shared by at least 80 other communities.

MOTION:

Michael Brennan moved and William Crowell seconded and Committee voted 4-0-0:
Committee voted to table Article 35.

Committee adjourned for a five-minute recess.

Chair Plath called the meeting called back to order.

Article 17 Board of Health Revolving Fund

Health Director Terry Hayes presented Article to see if the Town will vote to re-authorize the establishment of a Board of Health Medicare Reimbursement Revolving Fund, as established by vote of the Dennis Annual Town Meeting on May 3, 2005 providing for a means by which reimbursements received from Medicare for flu shots may, after receipt, be applied directly and with out further appropriation to the purchase of additional vaccine or other medical supplies by the Health Director up to a limit of \$20,000.00.

Health Department had to order the vaccine in one fiscal year and pay for it the next fiscal year, and a Reserve Fund Transfer needed to take place.

William Crowell asked if re-authorization was needed every year. Mr. Hayes said yes.

MOTION:

Peter McDowell moved and Michael Brennan seconded and Committee voted 4-0-0:
Committee recommended the Article as printed.

Article 33 Hiram Pond Road Temp. Road Repairs

Joe Rodricks, Town Engineer presented the Article to see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to make temporary repairs to Hiram Pond Road in Dennis.

Donald Trepte said that you could turn it over to the Town or ask for a temporary repair. The quality of the work is the same.

This was an application in accordance with the by-law approved in May. Letters were sent out to all abutters and beneficiaries with a resulting 77% "yes" vote.

It states in both the policy and by-law, what the Town will fund.

MOTION:

Peter McDowell moved and William Crowell seconded and Committee voted 4-0-0:
Committee recommended approval of Article as written.

AMENDED MOTION:

Peter McDowell moved and William Crowell seconded and Committee voted 4-0-0:
Committee voted to recommend borrowing of \$78,300.00 for temporary repairs to Hiram Pond Road.

Article 34-Lombardi Heights Temp. Road Repairs

MOTION:

William Crowell moved and Michael Brennan seconded and Committee voted 4-0-0:
Committee voted to recommend borrowing \$45,000.00 to make temporary repairs to Lombardi Heights Road in Dennis.

Article 39 Melpet Property Deed Reverter

Valerie Foster, Commissioner of Dennis Housing Authority and Laura Schufelt reported on Article and explained the reverter clause. Having this in a deed prevents any bank from financing the land. This Article asks to have reverter clause removed so the Town can no longer take the land back and would place an affordable housing restriction on the land in perpetuity.

The Board of Selectmen has approved a total of 28 units. Chair Plath asked if Town Counsel has reviewed this and was told that they have reviewed it. The 28 units are deed restricted.

Limitations on number of bedrooms and water demands were then discussed.

Chair Plath asked why was the number of bedrooms not a part of the deed. The total acreage involved is 6.4 acres.

Henry Kelley explained why calculations don't equal 42 bedrooms. The number of 42 units was determined due to the fact that over the years the municipality could regain the use of the stables and the fields could be grazing fields. The Housing Authority said they could not donate a portion of their land to the Town because that would reduce the land they needed. Essentially the 42-bedroom figure leaves the Housing Authority without a net loss.

Discussion of putting restriction of 42 bedrooms in deed continued. Jane Otis spoke about the developing of land for family housing. Henry Kelley said that Title Five would apply even in the case of 40B applications.

Peter McDowell asked what role does a developer play and was told that the developer would deal with permitting building and managing the land after a long-term lease is secured by the Housing Authority.

MOTION:

Michael Brennan moved and William Crowell seconded and Committee voted 4-0-0:
Committee voted to table Article 40 pending Board of Selectmen decision.

Chair Plath said that the Housing Authority is coming before the Board in a week and to wait and see what the resolution is between the two Boards.

MOTION:

William Crowell moved and Michael Brennan seconded and Committee voted 4-0-0:
Committee voted to table Article 39.

Committee took a five-minute recess.

Chair Plath called the Meeting back to order.

Article 30 Demolition Delay By-Law

Nancy Thacher Reid presented the Article. The Town already has a Demolition Delay By-Law. It was one of the first on the Cape, but it now needs updating. There are 86 towns that have a Demolition Delay By-Law. The same rules and regulations will apply, but this Article will lengthen the time to 18 months for the entire process. This is an average of the other towns. Right now it is 45 days to find someone and 90 days to remove it. Group failed to include the appeal process that was in the old By-law in the new one. Group will meet on March 31, 2006 to discuss this and will check with Town Counsel. The Board of Selectmen voted to support Article subject to appeal process.

Town Administrator Robert Canevazzi clarified the appeal process. Discussion of process ensued. The present By-law has that same 75-year period. Peter McDowell said that this By-law is actually a lot longer than 18 months and that it is more like 2 years.

Chair Plath asked if a public hearing been held. Ms. Reid said yes, that it was held at the Board of Selectmen Meeting on March 28, 2006.

Michael Brennan said he thinks a year is too long and that the time frame should be around 9 months. Chair Plath agreed with Mr. Brennan. If it doesn't work at 9 months, there's no harm in coming back in two years to say it didn't work. William Crowell agreed that the time frame should be shorter than 18 months.

Donald Trepte said this By-law would apply not just to the historic district, but also to the entire Town. Peter McDowell said the time should be shorter.

MOTION:

Michael Brennan moved and Peter McDowell seconded and Committee voted 4-0-0:
Committee voted to table Article 30.

Article 50 Sesuit Harbor Dredging

Harbormaster Ed Tierney presented this Article to see if the town will vote to raise and appropriate or transfer from available funds a sum of money to fund the dredging of Sesuit Harbor. Mr. Tierney is looking for emergency funding of \$30,000.00 to be transferred from a Bass River Dredging Fund that already exists. The Federal Government may never do the dredging again. Even though Sesuit Harbor is a harbor of refuge, the President cut the budget.

Mention of the repayment should be included in the Article. Assistant Town Administrator Sandra Fife said that this Article will be re-worded. The Waterways Protection Fund was discussed and \$30,000.00 from this Fund will be reimbursed.

Peter McDowell asked about a dedicated fund for the waterways and has the Board of Selectmen given this any thought. Donald Trepte said that the Board needs to begin to allow for this. Harbormaster Ed Tierney said without the Army Corps, a fund would be very useful.

Starting in July, the Wetlands Protection Fund will grow with mooring fees going into it. There is \$61,300.00 in the Wetlands Protection Fund. The Board of Selectmen has no authority to guarantee that the money will go back.

George Macdonald gave credit to Peggy Fantozzi for completing the application.

MOTION:

Michael Brennan moved and William Crowell seconded and Committee voted 4-0-0:
Committee voted to transfer \$30,000.00 with money to be returned to the Wetlands Protection Fund.

MOTION:

Committee moved to adjourn at 10:25PM.