

Present: Chair Jim Path, William Crowell, Michael Brennan, Peter McDowell, Robert Pall and Brian Sullivan and Selectmen Sheryl McMahon and Donald Trepte, Town Administrator Robert Canevazzi and Recorder Peggie Hunter.

Absent: Ted Dumas

Article 14 & 15 DY Agreement – Mark Abrahams

Donald Trepte gave a brief overview of the meetings that he, Jim Path, Mark Abrahams (Dennis consultant) and Mark Daley (Yarmouth's consultant) had over the course of the summer. Mr. Trepte pointed out a memo before the Finance Committee from School Superintendent Carol Woodbury stating that the School Committee did accept the recommendation of Yarmouth and Dennis. Mr. Trepte detailed this memo. Mr. Abrahams was asked to come this evening to review the analysis that took place to get to this decision. Mr. Abrahams pointed out materials before the Committee that the Committee has seen before, only with preliminary numbers. Paragraphs H and I were then detailed. The statutory method for regions was discussed. For years Dennis and Yarmouth have been following paragraph I-the regional agreement alternative assessment method.

Michael Brennan asked about there being no choice and that it was either the statutory method or the regional alternative assessment method. Mr. Abrahams said that it would either be the statutory method or the method in the regional agreement.

Peter McDowell asked about Attachment B, the proposed regulations.

Donald Trepte said that the agreement is to modify the regional agreement to incorporate the amendments which are based on Attachment A. Mr. McDowell asked what the effect would be if Attachment B were torn up and thrown away, would it still be part of your agreement. Discussion ensued on this topic. Mr. McDowell asked if the Town will now follow MA law as defined. Mr. Trepte said that is correct. This agreement provides stability to both communities. It shows how the revenue will be distributed and acceptance does signify an endorsement of the regulation. The formula we will be dealing with will end up being comparable to the Town's regional agreement and that there will be a leveling off. Mr. McDowell pointed out the \$1700.00 almost \$1800.00 imbalance needed to educate students.

Mr. Abrahams addressed this imbalance. Dennis is 2.4 million over the target and Yarmouth is under the target. This means that the Town of Dennis will see a reduction in its local contributions in the upcoming years. Dennis has been paying more, but eventually Yarmouth will hit that target. There will be a shift in the local contributions particularly over the next five years. Mr. McDowell asked if there's a shift in the ratio, will that have an effect on these percentages. Mr. Brennan said he is bothered by the under funding and we are paying more per pupil and this doesn't seem like an equitable

way of doing business. Chair Plath said this has the making and the stamp of the legislature. There is no way out we could either accept no money or break away from the district. Donald Trepte said that Section 41.6 specifies how the School Committee can utilize E&D Funds.

William Crowell asked about the 20% and what it is based on. Mr. Abrahams said it is based on how the formula works. This will continue for the next five years.

Mr. Brennan said that approval of this document removes a level of flexibility. Mr. Trepte said that in essence the state has done that. Mr. McDowell asked if they can ask for more money sometime during the year and increase their budget. Mr. Trepte said that he and Bob Canevazzi will check into this.

Chair Plath read Article 14. Mr. Trepte read a piece on the apportionment of operating costs.

MOTION:

William Crowell moved and Peter McDowell seconded and the Finance Committee voted 5-1-0: (Michael Brennan)

The Finance Committee voted to recommend Article 14 as printed.

Article 15 was read by Chair Trepte. Robert Canevazzi explained that Article 15 contains Item number 2 under Attachment A. Attachment B is the proposed regulation changes to 4105. In substance what you see tonight is what you get.

MOTION:

Peter McDowell moved and William Crowell seconded and the Finance Committee voted 5-1-0 (Michael Brennan)

The Finance Committee voted to support Article 15 as printed.

Robert Prall said he and Mr. McDowell agreed that the leaf blower requested by the Golf Department is an appropriate request after their field trip to the golf course. Chair Plath said that Article 23 now needs to be voted on.

Article 5-CPC-Johnny Kelley Park

This request was made for \$154,000.00. The concern expressed at the meeting of September 7, 2006 was for the resurfacing of the Braille Trail. Mr. Prall went to the Park and said that it does need to be resurfaced. Also the signage for \$3000.00 is very much needed. The municipal work force use was then discussed. The CPC should recommend a sum of money sufficient for the administering of the projects. CPC appropriations close at the end of the year.

MOTION:

Robert Prall moved and Brian Sullivan seconded and the Finance Committee voted 6-0-0:
The Finance Committee voted to recommend Article 5 as written.

Mr. McDowell asked for reconsideration of a prior vote. If there is any discussion, Henry Kelley would appreciate consideration of the CPC to also discuss. Mr. Kelley then spoke about a precedent.

MOTION:

Peter McDowell moved and Robert Prall seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to approve Mr. McDowell's request for unanimous consent to change his "yes" vote to a "no" vote for Article 11, Dennisport Partners, and this would make the new recorded vote 5-2-0.

Article 23-Capital

MOTION:

Peter McDowell moved and William Crowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to approve the Article 23 totaling \$831,672.44 for various capital improvements.

Article 25-Seasonal Employee Housing

Dan Fortier spoke about this Article and has been working with the Economic Development Committee to address the needs of businesses for seasonal help. It will provide an opportunity to upgrade these older septic systems. It would be a special permit process. Two possible locations would be The Lamplighter and the Jonathan Edwards properties. Brian Sullivan asked about the season and without designation of time, there might be some abuse. The time period has been defined as the "normal summer season." Mr. Fortier doesn't believe there will be a lot of use of these properties during the winter. The special permits need to be very specific said Peter McDowell. The permits need to be in clear black and white. The special permit shall include the months of occupancy said Mr. Fortier, although some businesses are open through New Year's Day. The EDC has already developed a two page code of conduct. There are other communities that have talked about this By-Law, especially those coastal communities, but they haven't really pursued it.

Jim Eagan of South Dennis said he was shocked when he first heard about this By-Law at a Board of Selectmen's meeting and that once again the unwanted stuff ends up in Dennisport not on the northside. Mr. Eagan asked the Finance Committee to stand up for Dennisport. Mr. Eagan suggested a work study program for the schools and the business community. Mr. Eagan petitioned the Board of Selectmen and the Finance Committee to reject this By-Law.

Chair Plath said the area would not be limited to Dennisport and covers the commercial district along Route 28 and Upper County Road and West Dennis along Route 28 as well as the resort district.

Mr. McDowell said that the standards are different for Dennisport.

Mr. Fortier said that there is a black market for seasonal housing and that this By-Law will make for a legal mechanism and will make for better conditions for seasonal workers. The department heads for the golf, beaches and DPW agree that seasonal housing is a real problem. Mr. Fortier is hoping for reinvestment in these properties.

Mr. Eagan said that we need to be more concerned about our own residents being employed.

Chair Plath was unsure as to Mr. Eagan's objection. Mr. Fortier said that this Article came from the EDC and several employers in Town, the Lighthouse Inn, the Ebb Tide and others tied into the seasonal aspects of employment. Mr. Eagan asked would the Lighthouse Inn or the Ebb Tide want a dormitory for their workers and he said that Sea View Playland is a mess. Mr. Eagan is looking for fairness in all parts of the Town.

MOTION:

William Crowell moved and Michael Brennan seconded and the Finance Committee voted 4-2-0: (Jim Plath and Peter McDowell)

The Finance Committee voted to approve Article 25 as printed.

Article 26-Rescind Affordable Housing Legislation

MOTION:

Chair Plath moved and William Crowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to rescind Article 26.

Article 27-Acceptance Ch 44 Section 55C as amended

Sheryl McMahan spoke to Article 27 creating a Town of Dennis Municipal Affordable Housing Trust Fund By-Law. The Town needs a mechanism to dispense of funds. Ms. McMahan outlined the history of this Article and how the By-Law would work.

Nancy Davison spoke and helped to clarify the By-Law.

MOTION:

Peter McDowell moved and Michael Brennan seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to adoption of Article 27 as printed.

Article 21-ATM Budget Transfer Dept 910 to 193 of \$20,000.00

Robert Canevazzi said that the numbers were a typographical error.

MOTION:

Peter McDowell moved and William Crowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to recommend Article 21.

Article 22-Supplements 2007

Mr. Canevazzi said that this Article includes the services for consultant.

MOTION:

William Crowell moved and Peter McDowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to approve Article 22 as written.

Article 28 Acceptance Chapter 79 Acts 2008-Reg Meetings

Chair Plath read the Article.

MOTION:

Michael Brennan moved and William Crowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to approve this Article as written.

Robert Canevazzi spoke about this Article. Chair Plath asked for an explanation of Section B. Sheryl McMahon said she spoke with Betsy Lane about this Article. Chair Plath has a problem with the B part, not the A part.

Article 30-Prior Year Bills

Chair Plath outlined the bills and said the funding would come from free cash.

MOTION:

Robert Prall moved and Michael Brennan seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted approval of Article 30 as printed from Free Cash.

Article 29-Petition

Robert Canevazzi spoke to this Article to restore outside lighting at the Dennis Public Library. We do have remaining funds that can accomplish this task.

MOTION:

William Crowell moved and Peter McDowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted an indefinite postponement of this Article.

Article 16-AFSCME

MOTION:

Robert Prall moved and Peter McDowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted for an indefinite postponement of this Article.

Article 31-Capital Improvement Fund

A better handle is needed on long term capital plan in October with the Board of Selectmen. Chair Plath suggested this Article be put on the Warrant for purposes of discussion. Sheryl McMahon gave a brief overview of free cash and said that there is 1 million dollars left. Ms. McMahon is not in favor as Selectmen to set money aside at this time. Ms. McMahon would like to see a discussion on various funds take place. There is a need to get these policies together in a document. Ms. McMahon asked what the goal is and what the strategy is and said it doesn't make sense to put money in to take it back out. Donald Trepte said he shares Ms. McMahon's point of view. A joint planning meeting is being set up by the Assistant Town Administrator's office.

Peter McDowell said that we are not saying "no" to many requests. Some policy may be needed as well with the CPA funds. Donald Trepte said the Board of Selectmen have been judicious on how they are handling the capital, but we need to be concerned with our infrastructure. It isn't just a Free Cash issue, and that we need a better financial plan. William Crowell said that we need to do this transfer at some point. Michael Brennan said he agrees with Mr. Trepte and Ms. McMahon and we should hold off. Mr. McDowell said why not put even \$100,000.00 in and once again it was stated why put anything in if it will need to be taken out.

MOTION:

Michael Brennan moved and Peter McDowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to indefinitely postpone Article 31.

Chair Plath said that at Special Town Meeting on September 26, 2006, that the Finance Committee should feel free to express their opinions even if they disagree with the recommendation.

MOTION:

Peter McDowell moved and William Crowell seconded and the Finance Committee voted 6-0-0:

The Finance Committee voted to adjourn at 10PM.