

WARRANT OF THE SELECT BOARD

May 8, 2021
TOWN OF DENNIS
ANNUAL TOWN MEETING

THE COMMONWEALTH OF MASSACHUSETTS
BARNSTABLE, ss.

GREETINGS

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the Inhabitants of said Town, qualified to vote in Town affairs, to meet at the Nathaniel H. Wixon School, 901 Route 134, South Dennis, in said Town, on Saturday, the 8th of May, 2021, at 1:00 in the afternoon, then and there to act on the following articles:

DENNIS WARRANT WITH FINANCE COMMITTEE & SELECT BOARD RECOMMENDATIONS

ARTICLE 1: Written Reports

To see if the Town will vote to accept the reports of the Town Officers as presented.

(By the Select Board)

Select Board: Voted 5-0-0 to place the article.

ARTICLE 2: Oral Reports

To hear and act on any heretofore unpublished committee reports.

(By the Select Board)

Select Board: Voted 5-0-0 to place the article.

ARTICLE 3: Budget Supplement (Fire OT, Snow & Ice)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to supplement the following FY2021 Line Item appropriations under Article 1 of the June 23, 2020 Annual Town Meeting; or to take any other action relative thereto.

Fire Department over-time	\$268,025
<u>Snow and Ice</u>	<u>\$ 63,224</u>
Total	\$331,249

(By the Finance Committee)

Select Board: Voted 4-0-1 to place the article and support the article.

Finance Committee: Voted 6-0-1 to transfer from free cash \$331,249 for the purpose of the article as printed in the warrant.

ARTICLE 4: Fiscal Year 2022 Budget

To see what sums of money the Town will vote to raise and appropriate or transfer from available funds for the operating expenses of the Town for the fiscal year commencing July 1, 2021 and ending June 30, 2022.

(By the Finance Committee)

Select Board: Voted 4-0-0 to recommend a total operating budget of \$39,418,862 for the purpose of this article.

The Finance Committee voted to:

Recommend to raise and appropriate \$36,228,822 for the purpose of this article.

Recommend to transfer \$100,000 from Overlay Reserve to Finance Committee Reserve Fund, Line Item #7A

Recommend to transfer \$255,900 from Cable Receipts Reserved for Appropriations to Information Technology & Data Management Personal Services, Line Item #28

Recommend to transfer \$15,000 from the Cable Receipts Reserved for Appropriations to Technology & Data Management Purchase of Services, Line Item #29

Recommend to transfer \$10,000 from the Cable Receipts Reserved for Appropriations to Property/Liability Insurance, Other Charges, Line Item #51

Recommend to transfer \$900,000 from Ambulance Receipts Reserve for Appropriations to Fire Dept. Personal Services, Line Item #58

Recommend to transfer \$1,000 from the Bass River Receipts Reserved for Appropriations to Beach Purchase of Service, Line Item #129

Recommend to transfer \$6,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Worker's Comp. Line Item #149

Recommend to transfer \$5,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Unemployment Insurance, Line Item #150

Recommend to transfer \$70,209 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Retirement Contribution, Line Item #151

Recommend to transfer \$38,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Group Insurance, Line Item #152

Recommend to transfer \$360,000 from the Community Preservation Act Fund to Long Term Debt Principal, Line Item #145

Recommend to transfer \$16,031 from the Community Preservation Act Fund to Short Term Interest, Line Item #147

Recommend to transfer \$66,250 from the Community Preservation Act Fund to Long Term Debt Interest, Line Item #146 and any unexpended shall be transferred back to the Community Preservation Act Fund.

Recommend to transfer \$20,000 from the Septic Loan Program Account to Long Term Debt Principal, Line Item #145

Recommend to transfer \$145,000 from the Waterways Dredge and Maintenance to Long Term Debt Principal, Line Item #145

Recommend to transfer \$125,625 from the Waterways Dredge and Maintenance to Long Term Debt Interest, Line Item #146

Recommend to transfer \$270,000 from the Beach Capital Improvement Fund to Long Term Debt Principal, Line Item #145

Recommend to transfer \$51,500 from the Beach Capital Improvement Fund to Long Term Interest, Line Item #146

Recommend to transfer \$75,000 from the Golf Capital Improvement Fund to Long Term Debt Principal, Line Item #145

Recommend to transfer \$40,375 from the Golf Capital Improvement Fund to Long Term Debt Interest, Line Item #146

Recommend to transfer \$170,000 from the Solid Waste/Recycle Capital Improvement Fund to Long Term Debt Principal, Line Item #145

Recommend to transfer \$149,150 from the Solid Waste/Recycle Capital Improvement Fund to Long Term Debt Interest, Line Item #146

Recommend to transfer \$300,000 from the Safer Grant Stabilization Fund to Fire Dept. Personal Services, Line Item #58

Making a total of \$39,418,862.

And further recommend that said appropriations be allocated in accordance with line item amounts defined under the column, Finance Committee Recommended FY2022.

ARTICLE 5: Elected Officials Salaries FY2022

To see if the Town will vote to fix the salary and compensation of the following elected officers of the Town for the Fiscal Year commencing July 1, 2021 and ending June 30, 2022, as provided for in Massachusetts General Laws, Chapter 41, §108 and acts and amendment thereof, and raise and appropriate or transfer from available funds a sum of money therefore; or to take any other action relative thereto.

5 Select Board	\$10,000 (\$2,000 each)
1 Moderator	\$ 450
<u>1 Town Clerk</u>	<u>\$88,580</u>
Total	\$99,030

(By the Select Board)

Select Board: Voted 5-0-0 to place and support article.

Finance Committee: Voted 7-0-0 to raise and appropriate \$99,030 for the purpose of the article as printed in the warrant.

ARTICLE 6: Cape Cod Regional Technical High School Operating Assessment

To see if the Town will vote to approve an annual school budget for the Cape Cod Regional Technical High School for the Fiscal Year beginning July 1, 2021 and see what sums of money the Town will vote to raise and appropriate or transfer from available funds for the operating expenses of the Cape Cod Regional Technical High School system for the Fiscal year beginning July 1, 2021; or to take any action relative thereto.

(By the Cape Cod Regional Technical High School)

Select Board: Voted 5-0-0 to place and support the article in the amount of \$15,812,000 for the Fiscal Year beginning July 1, 2021 to raise and appropriate \$1,469,547 as the Town’s assessment and \$729,484 for debt service for total operating expenses of \$2,199,031 of said School for the Fiscal Year beginning July 1, 2021.

Finance Committee: Vote 7-0-0 to recommend the article in the amount of \$15,812,000 for the Fiscal Year beginning July 1, 2021 to raise and appropriate \$1,469,547 as the Town’s assessment and \$729,484 for debt service for total operating expenses of \$2,199,031 of said School for the Fiscal Year beginning July 1, 2021.

ARTICLE 7: D/Y Regional School District Assessment

To see if the Town will vote to approve an annual school budget for the Dennis-Yarmouth Regional School District for the Fiscal Year beginning July 1, 2021 and to see what sums of money the Town will vote to raise and appropriate or transfer from available funds for the operating expenses of the Dennis-Yarmouth Regional School District for the Fiscal Year beginning July 1, 2021; or to take any other action relative thereto.

(By the Dennis-Yarmouth Regional School Committee)

Selectmen: Voted 5-0-0 to place and support the article in the amount of \$67,251,942 for the Fiscal Year budget and to raise and appropriate \$17,563,463 for the assessment of the Town’s share and \$607,161 for the debt service for a total assessment of \$18,170,624 for the Dennis Yarmouth Regional School District for the Fiscal Year beginning July 1, 2021.

Finance Committee: Voted 7-0-0 to recommend the article in the amount of \$67,251,942 for the Fiscal Year budget and to raise and appropriate \$17,563,463 for the assessment of the Town’s share and \$607,161 for the debt service for a total of \$18,170,624 for the Dennis Yarmouth Regional School District for the Fiscal Year beginning July 1, 2021.

ARTICLE 8: Shellfish Mitigation Stabilization Fund

To see if the Town will vote to expend from the Shellfish Mitigation Fund \$5,200 to be used for shellfish propagation:

Purchasing 185,000 R1.5 (2mm:3mm) quahog/hard clam for recreational and commercial harvesting	\$2,300
Boat Maintenance	\$ 700
Aquaculture Supplies (cages, posts, etc.):	\$2,000
Quahog relay State fee	\$ 200
<hr/> Total	<hr/> \$5,200

or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 5-0-0 to place and support article.

Finance Committee: Voted 7-0-0 to recommend \$5,200 be expended from the Shellfish Mitigation Fund to be used for the purpose of the article as written in the warrant.

ARTICLE 9: Capital Outlay – Raise & Appropriate

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to purchase or fund the following capital outlay items; or to take any action relative thereto.

Department	Project	Amount
129 – General Government	Replace 2008 Truck (Harbor 2)	\$ 60,000
151 – Information Technology	Technology Plan Part 2	\$74,000
192 – Municipal Buildings	Repair HVAC DPW Headquarters	\$25,000
411 – Engineering	Secondary Roads	\$100,000
422 – Highway	Replace 2007 Six Wheel Truck (H5)	\$74,000
433 – Sanitation	Replace Multiple Heavy-Duty Containers	\$45,000
220 – Fire	Pumper-Year 2 of 4 Year Lease	\$204,948
220 – Fire	Town Wide Defibrillator Program	\$25,000
220 – Fire	Replace Car #109	\$53,000
210 – Police	Replacement of Desktop and Laptops	\$17,000
220 – Police	Replacement of Mobile Computers	\$34,000
292 – Animal Control	Replace Animal Control Van	\$32,000
411 – Engineering	Secondary Roads	\$500,000
411 – Engineering	Drainage	\$200,000
411 – Engineering	NPDES Small MS4 General Permit	\$50,000
411 – Engineering	Sidewalks	\$100,000
422 – Highway	Replace 2003 John Deere Front End Loader	\$316,500
192 – Municipal Buildings	Design & Construct Stair Replacement Beach/Landings	\$55,000
510 – Board of Health	Wastewater Implementation Plan	\$100,000
	Total R&A	\$2,065,448
	Recommended	\$2,065,448

(By the Select Board)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 5-2-0 to raise and appropriate \$2,065,448 for the purpose of the article as outlined in the warrant.

ARTICLE 10: Capital Outlay – Other Funding Sources

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to purchase or fund the following capital outlay items, and further, to authorize the Select Board to enter into a lease purchase agreement or agreements for a term not to exceed five (5) years; or to take any other action relative thereto.

420 – Ambulance Receipts Fund	Replace Ambulance 107 Lease	\$113,333
	Subtotal	\$113,333
402 – Beach Capital Improvement Fund	Replace Beach Barrels	\$18,825
	Beach Matts	\$10,382
	Replace Rescue Mule	\$12,191
	Subtotal	\$41,398
460 – Golf Course Capital Improvement Fund	Maintenance Storage Building Repair	\$20,000
	Golf Equipment Lease-Yr. 1 of 4	\$85,218
	Cart Path Renovation Work	\$50,000
	Golf Equipment Lease:2 of 4	\$11,600
	Golf Equipment Lease:4 of 4	\$63,455
	Subtotal	\$230,273
406 – Waterways Dredge and Maintenance Fund	Maintenance Dredging - Sesuit Harbor	\$175,000
	Subtotal	\$175,000
	Total Other Funding Sources	\$560,004

(By the Select Board)

Select Board: Voted 4-0-0 to place and support the article.

Finance Committee: Voted 7-0-0 to transfer from available funds \$560,004 for the purpose of the article as outlined in the warrant.

ARTICLE 11: Revolving Accounts

To see if the Town will vote, pursuant to Chapter 44, §53E ½, of the Massachusetts General Laws and §33:1 of the Town By-Laws to establish the spending limits for existing revolving accounts for Fiscal Year 2022; or to take any other action relative thereto.

Program or Purpose	Authorized Representative or Board to Spend	FY2022 Authorization
COA Bus Revolving Fund – 562	Council on Aging Director	\$35,000
COA Revolving Fund – 565	Council on Aging Director	\$120,000
Golf Revolving Fund – 585	Golf Director	\$400,000
Board of Health Revolving Fund – 543	Health Director	\$10,000
Library Revolving Fund – 570	Library Director	\$15,000
Recreation Department Revolving Fund – 590	Recreation Director	\$250,000
Cable Revolving Fund – 591	MIS Director	\$50,000

(By the Select Board)

Select Board: Voted 4-0-0 to place and support article.

Finance Committee: Voted 4-3-0 to recommend the article as printed in the warrant.

ARTICLE 12: Community Preservation Committee Budget

To see if the Town will vote to approve a Community Preservation Committee Budget for Fiscal Year 2022 to appropriate or set-aside for future appropriation for the Fiscal Year 2022 Community Preservation Fund estimated annual revenues for each of the following purposes: community housing; open space; and historic preservation; and further, to appropriate sums of money for debt service, and for Community Preservation Committee Expenses; and to reserve for future appropriation from the Fiscal Year 2022 Community Preservation Fund estimated annual revenues a sum of money to be placed in the FY2022 Undesignated Reserve for general Community Preservation Act purposes; or to take any other action relative thereto.

(By the Community Preservation Committee)

Select Board: Voted 5-0-0 to place and support article.

Finance Committee: Voted 7-0-0 to recommend a Community Preservation Committee Budget for Fiscal Year 2022 as follows to appropriate or set-aside for future appropriation for the Fiscal Year 2022 Community Preservation Fund estimated annual revenues for each of the following purposes:

- 1. 10% Reserved for Community Housing - \$179,004**
- 2. 10% Reserved for Open Space - \$179,004**
- 3. 10% Reserved for Historic Preservation - \$179,004**
- 4. Debt Service - \$426,250**
- 5. Short Term Interest - \$16,031**
- 6. Community Preservation Committee Expenses - \$30,000**
- 7. FY2022 Budgeted Reserve Undesignated - \$780,752**

for a total of \$1,790,045 for the purpose of the article.

ARTICLE 13: Transfer to Capital Improvement Fund

To see if the Town will vote to transfer from available funds a sum of money to the Capital Improvement Fund; or to take any other action relative thereto.

(By the Select Board)

Select Board: Voted 4-0-0 to place the article and support a transfer of \$1.5 million from Free Cash to the Capital Improvement Fund.

Finance Committee: Voted 7-0-0 to recommend a transfer of \$1.5 million from Free Cash to the Capital Improvement Fund.

ARTICLE 14: Transfer Funds to Stabilization Fund

To see if the Town will vote to transfer from available funds a sum of money to the Stabilization Fund; or to take any other action relative thereto.

(By the Select Board)

Select Board: Voted 4-0-0 to place the article and support a transfer of \$1.5 million from Free Cash to the Stabilization Fund.

Finance Committee: Voted 7-0-0 to recommend a transfer of \$1.5 million from Free Cash to the Stabilization Fund.

ARTICLE 15: Other Post-Employment Benefits Liability Trust Fund Transfer

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be deposited into the Other Post-Employment Benefits Liability Trust Fund established under Chapter 479 of the Acts of 2009, to be used to fund future benefits; or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 5-0-0 to place and support article.

Finance Committee: Voted 7-0-0 to raise and appropriate \$300,000 and to transfer \$100,000 from the Solar Special Revenue Fund and \$100,000 from Free Cash to the Other Post-Employment Benefits Liability Trust Fund established under Chapter 479 of the acts of 2009 to be used to fund future benefits.

ARTICLE 16: Community Preservation Committee – Dennis Historical Commission: Historic Resource Survey and Inventory Update

To see if the Town of Dennis will vote, pursuant to Community Preservation Act, G.L. c.44B, to appropriate and transfer \$25,000 from the Community Preservation Undesignated Reserves Fund as a grant to the Dennis Historical Commission, pursuant to a grant agreement between the Select Board and Dennis Historical Commission to fund a historic resource survey and inventory update for the Town of Dennis and further, to authorize the Select Board to enter into said agreement, upon such terms and conditions as they deem appropriate; or take any other action relative thereto.

(By the Community Preservation Committee)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 6-0-0 to recommend the transfer of \$25,000 from Undesignated Reserves for the purpose of the article as outlined in the warrant.

ARTICLE 17: Community Preservation Committee – Mike Stacey and Seaview Playground Resurfacing for Wheelchair Access

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$113,000 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Dennis Recreation Department pursuant to a grant agreement between the Select Board and the Dennis Recreation Department to fund the playground resurfacing at the Mike Stacey and Seaview parks, and further, authorize the Select Board to enter into said agreement, upon such terms and conditions as it deems appropriate; or take any other action relative thereto.

(By the Community Preservation Committee)

Select Board: Voted 5-0-0 place and support the article.

Finance Committee: Voted 6-0-0 to recommend the transfer of \$113,000 from the Open Space and Recreation Reserves Fund for the purpose of the article as outlined in the warrant.

ARTICLE 18: Community Preservation Committee – Recreation Facilities Sun Shades

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$63,142 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Dennis Recreation Department pursuant to a grant agreement between the Select Board and the Dennis Recreation Department to fund the purchase and installation of sunshade structures at the Johnny Kelley, Seaview and Wixon courts, and further, authorize the Select Board to enter into said agreement, upon such terms and conditions as it deems appropriate; or take any other action relative thereto.

(By the Community Preservation Committee)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 5-0-1 to recommend the transfer of \$63,142 from the Open Space and Recreation Reserves Fund for the purpose of the article as outlined in the warrant.

ARTICLE 19: Community Preservation Committee – Help Restore The Cultural Center of Cape Cod

To see if the Town of Dennis will vote, pursuant to Community Preservation Act, G.L. c.44B, to appropriate and transfer \$51,163 from the Community Preservation Historic Preservation Reserves Fund as a grant to The Cultural Center of Cape Cod for restoration of the Cultural Center of Cape Cod, pursuant to a grant agreement between the Select Board and The Cultural Center of Cape Cod to fund the historic restoration of the current building located at 307 Old Main Street, South Yarmouth, MA 02664 and further, to authorize the Select Board to enter into said agreement, upon such terms and conditions as they deem appropriate, which shall include a historic preservation restriction to be acquired by the Town; or take any other action relative thereto.

(By the Community Preservation Committee)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 6-0-0 to recommend the transfer of \$51,163 from Historic Preservation Reserves for the purpose of the article as outlined in the warrant.

ARTICLE 20: Change Assessing Department Fee Schedule

To see if the Town will vote, in accordance with the Select Board’s Fee Limitation By-Law, to amend the following Assessing Department Abutters List Fee;

Assessing Department Abutters List Fee – increase from \$0.50 to \$15.00 to be placed into the general fund and that said fee may be amended from time to time by the Select Board in accordance with said by-law.

(By the Select Board)

Select Board: Voted 4-1-0 to place and support the article.

Finance Committee: Voted 7-0-0 to recommend the article as printed in the warrant.

ARTICLE 21: Duffy Health Center, Inc.

To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to fund the activities of the Duffy Health Center, Inc. to provide the Town with support services to those persons with a substance use disorder; or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 7-0-0 to recommend the transfer of \$10,000 from free cash for the purpose of the article.

ARTICLE 22: Adopt MGL Chapter 41, Section 110A

To see if the Town will vote, in accordance with MGL Chapter 41, Section 110A, to authorize the Town Clerk's office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office; or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 6-0-0 to recommend the article as printed in the warrant.

ARTICLE 23: Legislation for Section 15 – Package Stores

To see if the Town of Dennis will vote to authorize the Select Board to petition the General Court for special legislation to validate, ratify and confirm the Select Board’s decision to issue five (5) licenses for the sale of alcoholic beverages not to be drunk on the premises in excess of the Town’s quota as set forth in Massachusetts General Laws, Chapter 138, Section 17; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition; or take any other action relative thereto.

AN ACT RELATING TO LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES IN THE TOWN OF DENNIS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws or any other general or special law to the contrary, all votes, orders and actions taken by the licensing authority for town of Dennis providing for 5 licenses for the sale of alcoholic beverages not to be drunk on the premises in excess of the number of said licenses authorized by section 17 of chapter 138 of the General Laws are hereby validated, ratified and confirmed.

(b) The licenses authorized by this act shall be subject to all of said chapter 138, except said section 17.

(c) A license granted by the licensing authority of the town of Dennis for the sale of alcoholic beverages not to be drunk on the premises prior to the effective date of this act shall remain in full force and effect provided that the licensee continues to comply with said chapter 138 and the terms and conditions of its license.

(d) The 5 licenses authorized by this act shall be in addition to any determination of the number of licenses for the sale of alcoholic beverages not to be drunk on the premises to be granted by the town pursuant to section 17 of chapter 138 of the General Laws.

(e) If a license authorized pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant under the same conditions as specified in chapter 138 of the Massachusetts General Laws.

SECTION 2. This act shall take effect upon its passage.

Or to take any action relative thereto.

(By the Select Board)

Select Board: Voted 3-2-0 to place and support the article.

Finance Committee: Voted 5-1-0 to not recommend the article as printed.

ARTICLE 24: Land Inventory Parcels – Donations

To see if the Town will vote to transfer the care, custody, management and control from Select Board held for the purposes for which it is currently used to the Town of Dennis Conservation Commission for conservation purposes of a parcel of land located at Island Creek Lane, East Dennis, shown on Assessor’s Map as Parcel No. 421:10 as more particularly described in Deed recorded in Book 5608, Page 290 recorded with Barnstable County Registry of Deeds; or to take any other action relative thereto.

(By the Select Board)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 6-0-0 to recommend the article as printed in the warrant.

ARTICLE 25: Land Inventory Parcels – Tax Title

To see if the Town will vote to transfer the care, custody, management and control of the following parcels of land described below from the Town Treasurer for the purpose of sale at auction to the Town of Dennis Conservation Commission for conservation purposes; or to take any other action relative thereto.

Map/Parcel	Road	Book/Page	Tax Title
209:36, 209:37 and 209:38	10 Setucket Road, Dennis	Book 2048, Page 187	
15:40	4 Baker Way, W. Dennis		Certificate of Title 48683
69:73	17 Scoter Road, W. Dennis		Certificate of Title 31151
185:60	88 Mayfair Road, S. Dennis		Certificate of Title 109884
378:9	1646 Rte. 6A, E. Dennis	Book 3103, Page 317	

(By the Select Board)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 6-0-0 to recommend the article as printed in the warrant.

ARTICLE 26: Temporary Repairs to Duck Pond Road Extension

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 Duck Pond Road Ext. (from Great Western Way northeasterly for a distance of 1,600 feet, more or less, to a cul-de-sac) a private road in South Dennis, open to and used by the general public within Dennis, pursuant to the provisions of MGL Chapter 80 and the Town of Dennis “Temporary Repairs of Private Way By-Law”, Chapter 156 §3:6, adopted at the May 3, 2005 Annual Town Meeting under Article 31, and in accordance with the vote of the Board of Selectmen on March 2, 2021, declaring that the repairs to said private way are required because of public necessity and convenience, and further, that the owners of said land benefited by said temporary repairs shall be assessed their proportionate share of betterments as specified in said By-law, and in accordance with Chapter 117 of the Acts of 1997 (Town of Dennis Betterment Assessment and Fund Act); or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 5-0-0 to place and support the article.

Finance Committee: Voted 6-0-0 to recommend the article as printed in the warrant.

ARTICLE 27: Senior Center Renovations to Existing Structure

To see if the Town will vote to transfer \$280,000 from free cash to pay for the costs of the owner’s project management, architectural and engineering services for developing plans, specifications and bid documents associated with repairs to the existing Senior Center building located at 1045 Route 134, including the payment of all costs incidental and related thereto; or to take any action relative thereto.

(By the Select Board)

Select Board: Voted 4-1-0 to place and support the article.

Finance Committee: Voted 6-1-0 to recommend the transfer of \$280,000 for the purpose of the article.

ARTICLE 28: Town Hall HVAC Replacement

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to replace part of the first floor HVAC system at the Dennis Town Hall; or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 4-0-0 to place and-support the article.

Finance Committee: Voted 7-0-0 to recommend the transfer of \$261,250 from Free Cash for the purposed of the article as outlined in the warrant.

ARTICLE 29: Barrier Beach Protection/Stabilization Fund Transfer

To see if the Town will vote to transfer from the Barrier Beach Protection/Stabilization Fund \$13,400 to pay the salaries for two (2) seasonal piping plover monitors for West Dennis Beach; or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 4-0-0 to place and support the article.

Finance Committee: Voted 7-0-0 to recommend the transfer of \$13,400 from the Barrier Beach Protection/Stabilization Fund for the purposes of the article as outlined in the warrant.

ARTICLE 30: Survey of William Crowell Road

To see if the Town will vote to transfer \$9,400 from free cash to pay for environmental and survey services to include an existing condition plan for William Crowell Road Dennis, MA 02638 relative to a proposed roadway project to extend William Crowell Road from Corporation Road to the beach of Cape Cod Bay; or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 4-0-0 to place and support the article.

Finance Committee: Voted 7-0-0 to recommend the transfer of \$9,400 from Free Cash for the purpose of the article as outlined in the warrant.

ARTICLE 31: Wastewater Stabilization Allocation

To see if the Town will vote to transfer a sum of money from the Solar Special Revenue fund to the Wastewater Stabilization Fund and further to transfer a sum of money for the purpose of future wastewater needs; or to take any other action relative thereto.

(By the Select Board)

Select Board: Voted 4-0-0 to place and support the article.

Finance Committee: Voted 6-1-0 to recommend the transfer of \$300,000 from the Solar Special Revenue fund to the Wastewater Stabilization Fund.

ARTICLE 32: Town of Dennis Wastewater Survey & Preliminary Design

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to fund the survey and preliminary design for the Phase 1 Wastewater Program for the Town of Dennis only; or take any other action relative thereto.

(By the Select Board)

Select Board: Voted 4-0-0 to place and support the article.

Finance Committee: Voted 6-1-0 to recommend the transfer of \$660,000 from the Wastewater Stabilization Fund for the purpose of the article as outline in the warrant with the requirement that project follow the public bid process.

ARTICLE 33: Citizens Petition – Hire a Communications Specialist

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to hire a communications specialist under the direction of the Town Administrator, to work with the Administration and its departments, and other municipal boards and committees of the Town of Dennis, to develop and execute communications strategies that improve the visibility and understanding of municipal activities among constituents and the general public; or to take any other action relative thereto.

(By Citizens Petition)

Select Board:

Finance Committee: Voted 6-1-0 to indefinitely postpone the article.

ARTICLE 34: Citizens Petition – Commercial Single-Use Plastic Water Bottle Ban

To see if the Town will vote to adopt the following as a general by-law and to insert it into the Code of the Town of Dennis, Massachusetts.

Section 1. Sale of Single-use Plastic Water Bottles

Effective on December 31, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Dennis. Enforcement of this regulation will begin December 31, 2021.

Section 2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

Section 3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Town Manager or his/her designee. The Town Manager shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate.

Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specified in G. L. Chapter 40 § 21D. The following penalties apply:

- First violation: Written warning
- Second violation: \$150 fine
- Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Dennis.

All businesses will be routinely inspected until the Town Manager deems the inspection to no longer be required.

Rationale:

Single-use plastic bottles impact environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their lifecycle from production to use to disposal.

Over 1,500 single-use plastic water bottles are used and discarded in the U.S. per second. Elimination of the use of single-use plastic water bottles will have a significant impact on future plastic-based pollution including the nation's greenhouse gas footprint and is consistent with protection of the natural environment in Dennis, Barnstable County, our nation and our earth, which we have a common responsibility to protect and steward.

Or take any other action relative thereto.

(By Citizens Petition)

Select Board: Voted 3-0-0 to support the article.

Finance Committee: Voted 5-2-0 to not support the article.

ARTICLE 35: Citizens Petition – Special Legislation for an Annual Alcohol Liquor Store at Northside Liquors

To see if the Town of Dennis will vote to authorize the Board of Selectmen to petition the General Court for one (1) additional license for the sale of alcoholic beverages not to be drunk on the premises, as set forth below, said licenses to be exercised and located at 1381 MA:134, South Dennis, MA 02660 and not to be transferred to any other location; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition; or take any other action relative thereto

AN ACT AUTHORIZING THE TOWN OF DENNIS TO GRANT ONE ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. (a) Notwithstanding Section 17 of Chapter 138 of the General Laws the licensing authority of the Town of Dennis may grant one (1) additional license for the sale of alcoholic beverages to not be drunk on the premises pursuant to Section 15 of said Chapter 138 to Frank R. Manoli, or its successors or assigns, for an establishment to be located at 1381 MA:134, South Dennis, MA 02660, in the town of Dennis. The license shall be subject to all of said Chapter 138 except said Section 17.

(b) 'The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same locations under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

or to take any other action relative thereto.

(By Citizens Petition)

Select Board:

Finance Committee: Voted 7-0-0 to not support the article.

ARTICLE 36: Citizens Petition – Special Legislation for an Annual Alcohol Liquor Store at Dennis Food & Package

To see if the Town of Dennis will vote to authorize the Select Board to petition the General Court for one (1) additional license for the sale of alcoholic beverages not to be drunk on the premises, as set forth below, said licenses to be exercised and located at 894 Route 134, South Dennis, MA 02660 and not to be transferred to any other location; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, or take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF DENNIS TO GRANT ONE ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. (a) Notwithstanding Section 17 of Chapter 138 of the General Laws the licensing authority of the Town of Dennis may grant one (1) additional license for the sale of alcoholic beverages to not be drunk on the premises pursuant to Section 15 of said Chapter 138 to Saeed A. Chaudhry, or its successors or assigns, for an establishment to be located at 894 Route 134, South Dennis, MA 02660, in the town of Dennis. The license shall be subject to all of said Chapter 138 except said Section 17.

(b) The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

or to take any other action relative thereto.

(By Citizens Petition)

Select Board:

Finance Committee: Voted 7-0-0 to not support the article.

ARTICLE 37: Citizens Petition – To Amend 93 Article II §93:5 Area of unlawful discharge around Swan Pond & Great Island

To see if the Town will vote to Consider an amendment to 93:5. Area of unlawful discharge. To eliminate and make unlawful the discharge of firearms on and around Swan Pond and Great Island or within a distance of two hundred (200) feet from the waters of Swan River. The undersigned residents are forced to endure gunshots beginning at dawn and throughout the day into the evening. This continues to present a clear danger to adults and children who kayak & paddle board in the winter (Yes, there are many). The intended targets of this hunting of waterfowl in the area is widened to include swans, ducks, & fish. Every week swans are brought into the Cape Wildlife Center in Barnstable with extreme symptoms of lead poisoning. They feed off the muddy bottom of Swan Pond which is presently littered with lead shot. Without timely intervention, the swans typically die from this and even, then sometimes it is too late. The continued lead pollution of Swan Pond is devastating to all the creatures that inhabit the area. Bald Eagles, swans, ducks and fish are in peril from this pollution. In addition, shell casings can be found in Great Island and on the shores of Swam Pond.

(By Citizens Petition)

Select Board:

Finance Committee: Voted 7-0-0 to recommend indefinite postponement of the article.

**TOWN OF DENNIS
ANNUAL TOWN ELECTION**

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby notified and warned, the inhabitants of the Town of Dennis, who are qualified to vote in elections to meet at several precincts in Dennis at the following places:

Precinct 1: Carleton Hall, 1006 Old Bass River Road, Dennis
Precinct 2: Dennis Senior Center, 1045 Route 134, South Dennis
Precinct 3: Dennis Public Library, 5 Hall St., Dennis Port
Precinct 4: 1867 West Dennis Graded School House, 67 School Street, West Dennis
Precinct 5: Dennis Police Station, 90 Bob Crowell Road, South Dennis

In said Dennis on Tuesday, the eleventh day of May 2021, from 12:00noon to 6:00pm then and there to vote for election of the following officers:

- One Select Board Member for three years.
- One Town Clerk for three years
- One Dennis-Yarmouth School Committee Member for three years.
- One Dennis-Yarmouth School Committee Member for two years
- One Old Kings Highway Regional Historic District Commissioner for four years.
- One Dennis Housing Authority Member for five years
- One Water District Commissioner for three years.
- One Moderator for Water District for three years.

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