

MAY 2, 2017
TOWN OF DENNIS
ANNUAL TOWN MEETING

THE COMMONWEALTH OF MASSACHUSETTS
BARNSTABLE, ss.

GREETING

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 Auditorium, 901 Route 134, South Dennis, in said Town, on Tuesday, the 2nd day of May, 2017, at 7 o'clock in the evening, then and there to act on the following articles:

DENNIS WARRANT WITH FINANCE COMMITTEE RECOMMENDATIONS

ARTICLE 1 **Oral Report**

To hear and act on any heretofore unpublished committee reports.

(By the Selectmen)

Finance Committee: Voted 6-0-0 to recommend the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 2 **Written Reports**

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

(By the Selectmen)

Finance Committee: Voted 6-0-0 to recommend the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 3

Elected Officials

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, 2017 and ending June 30, 2018, as provided for in Massachusetts General Laws, Chapter 41, Section 108 and acts and amendment thereof, and raise and appropriate or transfer from available funds a sum of money therefore:

- 5 Selectmen at \$2,000 each
- 1 Moderator at \$450
- 1 Town Clerk at \$74,460

And that the salaries and compensations be fixed as given in this article and further, that all other elected officers serve without compensation, or take any other action relative thereto;

(By the Selectmen)

Finance Committee: Voted 6-0-0 to recommend the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 4

Prior Year's Unpaid Bills

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to pay for the following prior year's unpaid bill, or take any other action relative thereto;

(By the Selectmen)

Finance Committee: Voted 6-0-0 to recommend the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 5

Fiscal Year 2017 Budget Supplements

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to supplement the following Fiscal Year 2017 Line Item appropriations under Article 6 of the May 3, 2016 Annual Town Meeting or take any other action relative thereto:

- A. Snow and Ice, \$ 250,000
- B. Fire Department over-time, \$ 172,206

(By the Finance Committee)

Finance Committee: Voted 7-0-0 to transfer \$250,000 from free cash for snow and ice expenses and \$172,206 for Fire Department over time for a total of \$422,206 to supplement the following Fiscal Year 2017 Line Item appropriations under Article 6 of the May 3, 2016 Annual Town Meeting.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 6

Fiscal Year 2018 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, 2017 and ending June 30, 2018.

(By the Finance Committee)

The Finance Committee voted 7-0-0 to;

Recommend to raise and appropriate \$32,357,286 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 \$71,985 from the Cable Receipts Reserved for Appropriations to Town Administrator Personal Services, Line Item #3

Recommend to transfer \$5,000 from Cable Receipts Reserved for Appropriations to legal, Purchase of Services, Line Item #27.

Recommend to transfer \$1,000 from Cable Receipts Reserved for Appropriations to Central Purchasing Purchase of Services, Line Item #12.

Recommend to transfer \$23,000 from Cable Receipts Reserved for Appropriations to Central Purchasing Supplies, Line Item #13.

Recommend to transfer \$145,000 from Cable Receipts Reserved for Appropriations to Information Technology & Data Management Personal Services, Line Item #29.

Recommend to transfer \$10,500 from the Cable Receipts Reserved for Appropriations to Technology & Data Management Purchase of Services, Line Item #30.

Recommend to transfer \$10,000 from the Cable Receipts Reserved for appropriations to Property/Liability Insurance, Other Charges, Line Item #54.

Recommend to transfer \$605,515 from Ambulance Receipts Reserve for Appropriations to Fire Dept. Personal Services, Line Item #61.

Recommend to transfer \$36,000 from Waterways Maintenance & Improvement Fund to Harbormaster Capital Outlay, Line Item #77.

Recommend to transfer \$1,000 from the Bass River Receipts Reserved for Appropriations to Beach Purchase of Service Line Item #130.

Recommend to transfer \$1,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Worker's Comp. Line Item #154.

Recommend to transfer \$3,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Unemployment Insurance, Line Item #155

Recommend to transfer \$20,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Retirement Contribution, Line Item #156.

Recommend to transfer \$27,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Group Insurance, Line Item #167

Recommend to transfer \$690,000 from the Community Preservation Act Fund to Retirement of Debt Principal, Line Item #147.

Recommend to transfer \$20,000 from the Septic Loan Program Account to Retirement of Debt Principal, Line Item #150.

Recommend to transfer \$112,200 from the Community Preservation Act Fund to Long Term Debt Interest; Line Item #148 and any unexpended shall be transferred back to the Community Preservation Act Fund.

Making a total of \$34,239,486

And further recommend that said appropriations be allocated in accordance with line item amounts defined under the column, Finance Committee Recommended FY2018.

Selectmen: Voted 5-0-0 to place & support the article with the Town Administrator's contract.

ARTICLE 7

Community Preservation Act Committee Budget

To see if the Town will vote to approve a Community Preservation Committee Budget for Fiscal Year 2018 as follows: to appropriate or set-aside for future appropriation for the Fiscal Year 2018 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 2018 Community Preservation Fund estimated annual revenues a sum of money to be placed in the FY2018 Budgeted Reserve for general Community Preservation Act purposes, or take any other action relative thereto.

(By the Community Preservation Committee)

Finance Committee: Voted 7-0-0 to recommend that the following amounts be appropriated from the Community Preservation Fund: 1) 10% Reserved for Community Housing - \$141,319; 2) 10% Open Space - \$141,319; 3) 10% Reserved for Historic Preservation - \$141,319; 4) Debt Service - \$802,200; 5) Short-term interest - \$12,000; 6) Community Preservation Committee Expenses - \$30,000; and 7) FY 2018 Budgeted Reserve - \$145,035; for a total of \$1,413,192 for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 8

Acceptance of Uncle Bill's Way

To see if the Town will vote to accept as a Town way, as laid out by the Board of Selectmen, the road in South Dennis, known as Uncle Bill's Way, and further, to authorize the Board of Selectmen to acquire by gift, purchase or take by eminent domain on behalf of the Town, the lands or interest in the land within the lines of said layout, including any drainage easements as shown on the layout plan, subject to outstanding easements granted to public utility companies for the installation of electricity, telephone, gas, water or other services, and to raise and appropriate, transfer from available funds or borrow a sum of money to be used for acquisition costs and improvements to said way, and the owners of said lands benefited by said laying out and improvements shall be assessed their proportionate share of betterments in accordance with the provisions of MGL Chapter 80, and Chapter 117 of the Acts of 1997 (Town of Dennis Betterment Assessment and Fund Act).

Or to take any other action relative thereto;

(By the Selectmen)

Finance Committee: Voted 7-0-0 to borrow a sum of money not to exceed \$438,200 for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 9

Fee Limitation By-Law

To see if the Town vote will vote to authorize the Town Clerk to correct the clerical error on Article V11, §36-8.1 of the Town General Bylaws that occurred when the Fee Limitation Bylaw was published pursuant to an amendment that was voted under Article 40 of the 2009 Annual Town Meeting, so that the bylaw will read:

Notwithstanding any By-Law to the contrary, no public facility user fee license or permit fee or charge which is authorized by bylaw or which may be authorized by By-Law to be set by the Selectmen, excluding all Golf Fees with the exception of Golf Membership fees shall be valid or collected for a fee of One Hundred Dollars (\$100) or more if an increase in such fee in any calendar year exceeds an amount greater than five percent (5%) of the amount effective the previous calendar year, and for a fee of less than One Hundred Dollars (\$100) if an increase in such fee in any calendar year exceeds an amount greater than fifteen percent (15%) of the amount effective the previous calendar year, unless, in either event, such amount is set by vote of a Dennis Town Meeting. Any portion of the applicable maximum fee increase for any year set forth above which is not exercised shall not be waived and may be applied to an increase in such fee in a future year. For any such fee that is in effect April 1, 1990, an increase which is greater than the applicable percentage set forth above shall be established by vote of a Dennis Town Meeting. Any such fee or charge not in effect on April 1, 1990, shall not be set or collected unless such fee is established by vote of a Dennis Town Meeting. This By-Law shall not prohibit rounding up a fee increase to the next highest dollar amount. No such fee or charge in effect on April 1, 1990, shall be reduced by adoption of this By-Law.

Or to take any other action relative thereto;

(By the Selectmen)

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

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 10**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 take any other action relative thereto;

Department	Project	Amount
Dept. of Natural Resources	Replace 1985 Boat, motor & trailer	\$18,300
	Piping Plover Management Pan	\$34,100
Engineering	Secondary Roads	\$400,000
	Sidewalks Eng./Construction	\$150,000
	Dennis Port Rte.28 Sidewalks	\$50,000
	Guardrail Replacement	\$25,000
	Drainage	\$150,000
Fire Dept.	Fire Station #2/ Feasibility Plan	\$50,000
	Replace Ambulance Computers	\$35,000
	Portable Fire Radio Equipment	\$19,000
	Replace 2006 Ford Expedition	\$45,000
	Town wide Defibrillator Program	\$53,000
General	Nobscussett Rd. Land Purchase DEBT	\$102,925
GIS	Encroachments on Town Owned Land	\$25,000
	Surveying & Appraisals Owner's Unknown North of the Dennis Transfer Station	\$25,000
Golf	Dennis Highlands Golf Course Renovations	\$100,000
	Dennis Highlands Clubhouse Renovations	\$18,000
Harbor	Infrastructure: Bulkheads, Piers & Docks	\$250,000
Public Works	Replace 2008 One Ton (H2)	\$52,000
	Refurbish 2005 Street Sweeper (H27)	\$115,000
	Replace 2007 Pick-up Truck	\$64,000
Municipal Buildings	Beach Bathrooms/Septic Upgrades	\$130,000
Police	Portable Radio Replacement Digital Upgrade	\$43,000
	Mobile Radio Replacement Digital Upgrade	\$35,000
Sanitation	Transfer Station Design/ Construction	\$127,305
	TOTAL	\$2,116,630

(By the Selectmen)

Finance Committee: Voted 7-0-0 to Raise & Appropriate \$2,116,630 for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 11**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 Board of Selectmen to enter into a lease purchase agreement or agreements for a term not to exceed five (5) years, or take any other action relative thereto;

	Free Cash	
Beach	Beach Improvement Fund	
	Beach Parking Lots	\$63,000
	Corporation Beach Coastal Bank	\$116,978
		\$179,978
Health	Solar Stabilization Fund	
	Water Resource Management Planning	\$250,000
Fire	Ambulance Fund	
	Replace Ambulance 106-2 nd Year of 3 Year Lease	\$89,000
Golf	Golf Improvement Fund	
	Golf Equipment Lease	\$118,000
	Dennis Highlands Renovations	\$275,000
		\$393,000
Waterways	Dredge Fund	
	Bass River Dredge	\$55,000
	Sesuit Harbor (Outer) Dredge	\$165,000
	Bass River Dredge	\$28,000
		\$248,000
	Waterways Maintenance/Improvement Fund	
	Bass River Dredge	\$35,000
	TOTAL	\$1,194,978

(By the Selectmen)

Finance Committee: Voted 7-0-0 to transfer \$179,978 from the Beach Improvement Fund, \$250,000 from the Solar Stabilization Fund, \$89,000 from the Ambulance Fund, \$393,000 from the Golf Improvement Fund, \$248,000 from the Dredge Fund and \$35,000 from the Waterways/Improvement Fund for a total from other funding sources of \$1,194,978 for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 12

**Ezra Baker School Entry Reconfiguration &
Security Upgrades**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to pay for the Ezra Baker School entry reconfiguration and security upgrades or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Vote 7-0-0 to transfer from balances in completed capital articles; Article #10 ATM May, 2014- \$44,038.03, Article #8 ATM May, 2015- \$4,415.00, Article #9 ATM May, 2015-\$1,150.00, Article #9 ATM May, 2015-\$3,674.00, Article #10 ATM May, 2015-\$63,605.50 and transfer \$617.47 from free cash for a total of \$117,500 for the purpose of the article.

Selectmen: Vote 4-0-0 to place and support the article.

ARTICLE 13

Nathaniel H. Wixon School Asbestos Abatement

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to apply to the Nathaniel H. Wixon School asbestos abatement or take any other action relative thereto;

(By the Selectmen)

Finance Committee: Recommendation to be made at Town Meeting.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 14

Municipal Building Rental Fees

To see if the Town will vote, in accordance with the Selectmen's Fee Limitation by-Law, to amend the following Municipal Building Rental Fees:

- a. Carleton Hall: 12 Month Contract for 1 use per month fee increase from \$903 to \$1370 Annually
- b. Carleton Hall: 12 Month Contract for 12 rentals at 1 rental per month fee increase from \$73 to \$115 Per Use
- c. Carleton Hall: 12 Month Contract for 2 rentals per month for 24 uses per year fee increase from \$1348 to \$2042 Annually
- d. Carleton Hall: 12 Month Contract for 24 rentals at 2 rental per month fee increase from \$58 to \$85 Per Use
- e. Carleton Hall: 12 Month Contract for 1 rental per week for 52 weeks fee increase from \$2255 to \$3413 Annually
- f. Carleton Hall: 12 Month Contract for 1 rental per week for 52 weeks fee increase from \$41 to \$65 Per Use
- g. Carleton Hall: One time use daily rental fee increase from \$136 to \$175

and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law, or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Voted 6-0-0 to recommend the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 15

Dennis- Yarmouth School Assessments

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, 2017 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, 2017, or take any other action relative thereto;

(By the Dennis-Yarmouth Regional School Committee)

Finance Committee: Voted 7-0-0 to recommend to raise and appropriate \$16,627,414 for the Fiscal Year 2018 operating expenses of the D-Y School District and a total budget of \$58,336,399 in accordance with the Ch.70 formula.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 16

Cape Cod Tech Operating Budget

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, 2017 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, 2017 or take any other action relative thereto;

(By the Cape Cod Regional Technical High School)

Finance Committee: Voted 7-0-0 to recommend to raise and appropriate \$1,303,183 for the purpose of the article and a total budget of \$14,732,000 in accordance with the Ch.70 formula.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 17

Zoning Amendment Section 6 Flood Zone

To see if the Town will vote to amend Section 6.6 Definitions by adding the following:

“Attendant structure” means an area to accommodate utilities, laundry facilities or mechanicals which are otherwise typically located within a basement area.

“Existing structure” means any commercial or municipal structure or residential dwelling that currently exists, or existed prior to the catastrophic event, at the time a request is made to elevate.

“Highest applicable flood elevation standard” means the one-percent (1%) FEMA base flood elevation plus up to an additional three (3) feet.

“New and appropriate elevation” means any elevation to which a structure is raised, or is to be raised, that is equal to or higher than the applicable FEMA base flood elevation, provided, however, in no case shall the new and appropriate elevation exceed the highest applicable flood elevation standard.

“Original dimensions” means the exact vertical and horizontal dimensions of a structure as it presently exists.

Add new Section 6.7 Special Provisions for Lifting Existing Structures to New And Appropriate Elevations

(1) Notwithstanding the provisions of any other provision of the Dennis Zoning By-law to the contrary, except as otherwise provided pursuant to paragraph (3) of this subsection, a person shall be allowed to lift an existing structure located in an Area of Special Flood Hazard to a new and appropriate elevation, or constructing a staircase or other attendant structure necessitated by such raising without the need for Board of Appeals relief, provided, however, this exemption shall apply only to the minimum extent or degree necessary to allow the structure to meet the new and appropriate elevation with adequate means of ingress, egress and accommodation of typical basement facilities.

(2) Appurtenant to lifting an existing structure, the existing structure may be relocated elsewhere on the lot as long as said relocation does not create a new, or increase the intensity of a setback nonconformity. For the purposes of accomplishing meeting the new and appropriate elevation, the restrictions found in Section 2.4.1.2 D 2 (a.k.a. the 40% rule) shall not apply.

(3) The exemption established pursuant to paragraph (1) of this subsection shall not be available to a person who has altered or is seeking to alter the original dimensions of a structure if, had the alteration not been made, the structure could have been raised to meet the new and appropriate elevation either without the exemption or with an exemption of lesser degree than is needed with the alteration, or take any other action relative thereto;

(By the Selectmen)

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

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 18

**To Impose a Local Sales Tax on the Sale of
Medical Marijuana**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town to impose a local sales tax on the sale of medical marijuana; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

**AN ACT AUTHORIZING THE TOWN OF DENNIS TO IMPOSE A LOCAL SALES TAX ON
THE SALE OF MEDICAL MARIJUANA**

Section 1. (a) Notwithstanding the provisions of section 6 of chapter 64H or any other general or special law to the contrary, the Town of Dennis is hereby authorized to impose a local sales tax upon (1) the retail sale of medical marijuana sold by a medical marijuana treatment center licensed by the commonwealth pursuant to chapter 369 of the acts of 2012 originating within the town, (2) the wholesale sale of medical marijuana by a treatment center located in the town to another treatment center located in another municipality, (3) the wholesale sale of medical marijuana cultivated in the Town of Dennis to a licensed medical marijuana treatment center located in another municipality, and (4) the wholesale value of medical marijuana cultivated in the Town of Dennis and sold by a licensed medical marijuana treatment center located in another municipality. The sales tax imposed under this Act shall be at a rate of 5 per cent of the gross receipts from the retail or wholesale sale of medical marijuana. The sales tax imposed under this section shall be paid to the Treasurer of the Town on a quarterly basis.

Section 2. This act shall take effect upon passage.

Or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Voted 5-1-0 to recommend the article as printed in the warrant.

Selectmen: Voted 3-2-0 to place & support the article.

ARTICLE 19

Citizens Petition to refrain from using Town funds and other resources to enforce federal immigration laws

To see if the Town will vote to request the Dennis Selectmen to authorize all Town officials to refrain from using Town funds and other resources to enforce federal immigration laws. In keeping with current practices, refrain from action against immigrants, unless presented with a criminal warrant or other evidence of probable cause as required by the Fourth Amendment of the United States Constitution; and to see if the Town will request the Dennis Selectmen to advocate for the civil liberties and human rights of all Dennis residents and visitors regardless of race, ethnicity, religion, ability, sexual and gender identity, national origin or citizenship and immigration status.

(Citizen's Petition)

Finance Committee: 7-0-0 to indefinitely postpone the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 20

Citizens Petition Affecting All Seasonal Resort Communities

To see if the Town will vote to amend Section 12.06 (Seasonal Resort Community: Provisions Affecting All Seasonal Resort Communities of the Zoning Bylaw to ensure compliance with use limitations during the off-season, or take any other action relative thereto;

(Citizen's Petition)

Finance Committee: 7-0-0 to indefinitely postpone the article.

Selectmen: Voted 4-0-1 to not support the article.

ARTICLE 21

Cable Receipts Transfer

To see if the Town will vote to transfer \$44,478 from Cable Receipts to the Capital Improvement Fund, or take any other action relative thereto;

(By the Selectmen)

Finance Committee: Vote 6-0-0 to transfer \$44,478 from Cable Receipts to the Capital Improvement Fund for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 22

**Cable Receipts Special Revenue Fund to
Receipts Reserved for Appropriation Fund**

To see if the Town will vote to change the Cable Receipts Special Revenue Fund to a Receipts Reserved for appropriation fund and adopt MGL Chapter 44 § 53F ¾ or take any other action relative thereto;

(By the Selectmen)

Finance Committee: Voted 6-0-0 to change the cable special revenue to receipts reserved for appropriation.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 23**Revolving Accounts**

To see if the Town will vote, pursuant to Chapter 44, Section 53E ½ , of the Massachusetts General Laws: to reauthorize the use of existing revolving accounts to be applied directly and without further appropriation for Fiscal Year 2018, or take any other action relative thereto:

Program or Purpose	Authorized Representative or Board to Spend	Department Receipts	FY2018 Authorization
COA Bus Revolving Fund	Council On Aging Director	Fees and charges received from the operation of the Council-On-Aging Bus after receipts are to be applied to support the operations of said bus.	35,000
COA Revolving Fund	Council On Aging Director	Fees or charges received in connection with the Council-On-Aging program or activity after receipt are to be applied to support that program or activity.	120,000
Golf Revolving Fund	Golf Director	25% of Golf Cart Rental Fees received are to pay for the Towns lease of golf carts, revenue from the Golf Course Pro-Shops fees or charges are to support the operations of the Golf Pro-Shops and a portion or all of the Assistant Golf Directors' salary along with benefits may be paid from the golf revolving fund revenue from the Golf Handicap & Information Network are to pay the Massachusetts Golf Association dues for member's handicaps.	350,000
Board of Health Revolving Fund	Health Director	Reimbursements received from Medicare for flu shots are to purchase additional vaccine or other medical supplies, and costs associated with providing volunteer management and clinical support.	20,000
Library Revolving Fund	Library Director	Fees, fines and charges received in connection with a Town Library program or activity, after receipt, are to be applied to support that program or activity.	15,000
Recreation Department Revolving Fund	Recreation Director	Fee or charges in connection with a recreation program or activity after receipt are to be applied to support that program or activity.	150,000
Cable Revolving Fund	MIS Director	Monies received from Cable Receipts may, after receipt, be expended, and without further appropriation to fund cable related expenses.	50,000

(By the Selectmen)

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

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 24

**Revolving Account New By-Law
Modernization Act**

To see if the Town will vote to amend the General Bylaws by adding a new by-law section to read as follows:

Revolving Accounts;

There are hereby established the following Revolving Accounts:

Program or Purpose	Authorized Representative or Board to Spend	Department Receipts
COA Bus Revolving Fund	Council On Aging Director	Fees and charges received from the operation of the Council-On-Aging Bus after receipts are to be applied to support the operations of said bus.
COA Revolving Fund	Council On Aging Director	Fees or charges received in connection with the Council-On-Aging program or activity after receipt are to be applied to support that program or activity.
Golf Revolving Fund	Golf Director	25% of Golf Cart Rental Fees received are to pay for the Towns lease of golf carts, revenue from the Golf Course Pro-Shops fees or charges are to support the operations of the Golf Pro-Shops and a portion or all of the Assistant Golf Director’s salary along with benefits may be paid from the golf revolving fund, revenue from the Golf Handicap & Information Network are to pay the Massachusetts Golf Association dues for member’s handicaps.
Board of Health Revolving Fund	Health Director	Reimbursements received from Medicare for flu shots are to purchase additional vaccine or other medical supplies, and costs associated with providing volunteer management and clinical support.
Library Revolving Fund	Library Director	Fees, fines and charges received in connection with a Town Library program or activity, after receipt, are to be applied to support that program or activity.
Recreation Department Revolving Fund	Recreation Director	Fee or charges in connection with a recreation program or activity after receipt are to be applied to support that program or activity.
Cable Revolving Fund	MIS Director	Monies received from Cable Receipts may, after receipt, be expended, and without further appropriation to fund cable related expenses.

All revolving accounts are subject to the annual limitations on expenditure established by Town Meeting, and limitations as otherwise set forth in General laws Chapter 44, Section 53E and ½; or to take any other action relative thereto.

(By the Selectmen)

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

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 25

Mayflower Beach Bathhouse Construction

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to pay for the construction of the Mayflower Beach Bathhouse, to determine whether the payment of the principal and interest on any borrowing authorized under this article shall be made from the Beach Capital Improvement Fund, or take any other action relative thereto;

(By the Selectmen)

Finance Committee: Voted 7-0-0 to borrow \$1,043,000 for the construction of the Mayflower Beach Bathhouse.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 26

Solid Waste & Recycling / Transfer Station

To see if the Town will vote, in accordance with the Selectmen's Fee Limitation by-Law, to amend the following Transfer Station Fee:

Second Transfer Station Pass fee increase from \$15 to \$20

and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law, or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Recommendation to be made at Town Meeting.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 27

Special Act Solid Waste & Recycling Capital Improvement Fund

To see if the Town will vote to authorize the Board of Selectmen to seek special legislation to establish a Solid Waste and Recycling Capital Improvement Fund.

SECTION 1. Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, there shall be a special fund in the Town of Dennis to be known as the Solid Waste and Recycling Capital Improvement Fund. There shall be deposited into the fund, without further appropriation, a portion of the fees collected from the sale of Transfer Station Permits and Recycling revenue. Appropriations from the fund shall be made by the Town of Dennis by a vote of Town Meeting only for Transfer Station related capital improvements provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

SECTION 2. 5% of fees collected from the sale of Transfer Station permit and 5% of recycling revenue shall be deposited into the Solid Waste and Recycling Capital Improvement Fund. Thereafter, the Board of Selectmen of the Town of Dennis may, if authorized by by-law, increase or decrease the portion of the transfer station sticker or recycling revenue deposited into the fund.

SECTION 3. The Solid Waste and Recycling Capital Improvements Fund shall be maintained by the town treasurer as a separate account, subject to any applicable provisions of chapter 44 of the General Laws and any interest earned thereon shall be credited to or become part of the separate account.

SECTION 4. This act shall take effect upon its passage. Or take any other action relative thereto;

(By The Selectmen)

Finance Committee: Voted 4-3-0 to support the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 28

DEM MA CH.91 §29

To see if the Town will vote to assume liability in the manner provided by Section 29, Chapter 91 of the Massachusetts General Laws as amended, for all damages that may be incurred by the work to be performed by the Mass. Department of Environmental Management for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tidewaters, foreshores, and shores along a public beach in accordance with Section 11 of Chapter 91 of the Massachusetts General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth.

(By the Selectmen)

Finance Committee: Voted 6-0-0 to recommend the article.

Selectmen: Voted 5-0-0 to place & support.

ARTICLE 29

Shellfish Mitigation Fund Transfer

To see if the Town will vote to transfer from the Shellfish Mitigation Fund a sum of money for the purpose of:

1. Purchasing 100,000 R-6mm soft shell clams for transplant into Chapin Beach and Bass River (\$1600);
2. Purchasing 200,000 R1.5 (2mm-3mm) quahog/hard clam for recreational and commercial harvesting (\$2400);
3. Purchasing 20,000 R-8 (12mm) “field plant” Oyster Seed for grow out at Crowes Pasture (\$990);
4. Purchasing 300 bags of remote set oysters for recreational harvesting in West Dennis & Bass River Restoration (\$4500); or to take any other action thereto;

(By the Selectmen)

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

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 30

Town Clerk Poll Pads

To see if the Town will vote to raise and appropriate or transfer \$7,450 from available funds to purchase four Electronic Poll Pads and to upgrade the existing Poll Pad, or take any other action relative there to;

(By the Selectmen)

Finance Committee: Voted 7-0-0 to transfer \$7,450 from free cash for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 31

Amend Waterways Regulation- Prohibited Storage 55-9

To see if the Town will vote to delete the following section:

55-9 Prohibited Storage.

The existing policy of not permitting dead storage of boats on Town property adjacent to Sesuit Harbor shall be continued until other action is taken by Town Meeting, or take any other action relative thereto;

(By the Selectmen)

Finance Committee: Voted 6-0-1 to recommend the article as printed in the warrant.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 32

Waterways Boat Storage Fee

To see if the Town will vote, in accordance with the Selectmen's Fee Limitation By-Law, to establish a new boat storage fee of \$20 per foot, and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law, or take any other action relative thereto.

(By the Selectmen)

Finance Committee: 6-1-0 to recommend the article as printed in the warrant.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 33

Special Act Waterways Capital Improvement Fund

To see if the Town will vote to authorize the Board of Selectmen to seek special legislation to establish a Waterways Capital Improvement Fund

SECTION 1. Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, there shall be a special fund in the Town of Dennis to be known as the Waterways Capital Improvement Fund. 50% percent of the fees collected for boat storage shall be deposited into the fund, without further appropriation. Appropriations from the fund shall be made by the Town of Dennis for improvements to the waterways groundwork provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

SECTION 2. 50% of fees collected from the boat storage fee revenue shall be deposited into the Waterways Capital Improvement Fund .Thereafter, the Board of Selectmen of the Town of Dennis may, if authorized by by-law, decrease the portion deposited into the fund.

SECTION 3. The Waterways Capital Improvement Fund shall be maintained by the town treasurer as a separate account, subject to any applicable provisions of chapter 44 of the General Laws and any interest earned thereon shall be credited to or become part of the separate account.

SECTION 4. This act shall take effect upon its passage. Or take any other action relative thereto;

(By The Selectmen)

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

Selectmen: Voted 3-0-1 to place & support the article.

ARTICLE 34

**Change Capital Stabilization Fund to
Wastewater Stabilization Fund and Allocation**

To see if the Town will vote to change the name and purpose of the Capital Stabilization Fund to the Wastewater Stabilization Fund and 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 take any other action relative thereto;

(By the Selectmen)

Finance Committee: Voted 7-0-0 to transfer \$300,000 from the Solar Special Revenue Fund to the Wastewater Stabilization Fund.

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

ARTICLE 35

**Shellfish & Water Quality Project for Swan
Pond River**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$125,000 to establish a Swan Pond Shellfish Program to purchase oyster seed, oyster cages, necessary labor and related equipment for the creation of a shellfish implementation project as recommended by the Dennis Comprehensive Wastewater Management Program Study, or to take any other action relating thereto;

(By the Board of Selectmen)

Finance Committee: Voted 7-0-0 to transfer \$125,000 from the Wastewater Stabilization for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 36

**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 Selectmen)

Finance Committee: Voted 6-0-0 to transfer \$300,000 from the Solar Special Revenue Fund to the OPEB Liability Trust Fund.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 37

**Natural Resources Department New Off Season
ORV Sticker Fees**

To see if the Town will vote, in accordance with the Selectmen's Fee Limitation By-Law, to establish a new Off Road Vehicle (ORV) Off Season (valid after Labor Day – to May 1) Sticker fee of \$100, effective December 1, 2017, and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law, or take any other action relative thereto.

(By the Selectmen)

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

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 38

**Department of Natural Resources Off Road
Vehicle Fees**

To see if the Town will vote, in accordance with the Selectmen's Fee Limitation by-Law, to amend the following Department of Natural Resources Fees:

- a. Resident Off Road Vehicle (ORV) Pass -increase from \$100 to \$150
- b. Non-Resident Off Road Vehicle (ORV) Pass- increase from \$200 to \$300

with an effective date of December 1, 2017, and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law, or take any other action relative thereto.

(By the Selectmen)

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

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

ARTICLE 39

Dr. Bottero Road Protection Preliminary Engineering Design

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to pay for the Preliminary Engineering Design and the State Environmental Notification Form (ENF) filing for Dr. Bottero Road Protection.

The purpose of the article is to develop a preliminary (25%) engineering design based on the final Dr. Bottero Road Expanded Alternatives Analysis completed in August 2016. The design would be used to file an Environmental Notification Form (ENF) and start the MA Environmental Policy Act (MEPA) process with the state and federal permitting agencies. Through this process the Town will be able to determine what additional studies will be required to satisfy agency concerns (such as shellfish surveys, endangered species evaluation, sediment budget analysis, etc.). This process will also identify if an Environmental Impact Report (EIR) will be required.

The MEPA process will provide comments from the agencies which will set the specific permitting requirements which must be met as we move forward to finalize a final engineering design. Additional monies will be requested at the Fall town meeting to continue with the design and permitting process or take any other action relative thereto;

(By The Selectmen)

Finance Committee: Voted 5-2-0 to transfer \$200,000 from free cash for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 40

Police Department-Bicycle Patrol

To see if the Town will vote to transfer \$8,000 from available funds to purchase four police bicycles for seasonal patrols or take any other action relative there to; (By the Selectmen)

Finance Committee: Voted 6-0-0 to transfer \$8,000 from free cash for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 41

Dennis Pines Clubhouse Improvements

To see if the Town will vote to transfer the balance of \$50,000 from Article 19, 8A and \$60,000 from Article 19 8B from the May 6, 2014 Annual Town Meeting and to raise and appropriate \$27,000 from the Capital Outlay for a total of \$137,000 for the replacement of siding, trim, windows and doors and any necessary incidental work related thereto at the Dennis Pines Clubhouse; or take any other action relative thereto;

(By the Selectmen)

Finance Committee: Voted 7-0-0 to recommend the article providing the BOS amend the article to transfer \$50,000 from Article 19, 8A and \$60,000 from Article 19 8B from the May 6, 2014 Annual Town Meeting and to raise and appropriate \$27,000 from the Capital Outlay for a total of \$137,000 for the purpose of the article.

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 42

Route 28 Easements – Dennis Port Sidewalk Project

To see if the Town will vote to authorize the Board of Selectmen, for purposes of constructing, operating and maintaining sidewalks and for all other purposes for which sidewalks are now or hereafter may be used in the Commonwealth, to grant the fee, permanent utility easements and temporary construction easements and any other easements or property interests associated with the Massachusetts Department of Transportation (MassDOT) Route 28 Sidewalk Reconstruction Project in Dennis Port in, on, over, across, under and along the parcels as shown on a plan entitled “Plan and Profile on Main Street (Route 28) in the Town of Dennis, Barnstable County, Preliminary Right-of-Way, prepared by Vanasse, Hangen, Brustli, Inc. dated August 1, 2013, revised January 20, 2017, a copy of which is on file with the Town Clerk and as may be amended, on such terms and conditions as the Board of Selectmen may determine, and further, to authorize the Board of Selectmen to take all related actions necessary to effectuate this project, or take any action relative thereto.

(By the Selectmen)

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

Selectmen: Voted 5-0-0 to place & support the article.

ARTICLE 43

**Citizens Petition Transfer Funds to Capital
Improvement Fund**

To see if the Town will vote to transfer from available funds a sum of monies to the Capital Improvements Fund.

(Citizen's Petition)

Finance Committee: Voted 7-0-0 to transfer \$400,000 from free cash to the Capital Improvement Fund.

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

ARTICLE 44

**Citizens Petition Transfer Funds to Stabilization
Fund**

To see if the Town will vote to transfer from available funds a sum of monies to the Stabilization Fund.

(Citizen's Petition)

Finance Committee: Voted 7-0-0 to \$400,000 from free cash to the Stabilization Fund.

Selectmen: Voted 4-0-0 to place and support 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, East 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 ninth day of May 2017, at 7:00 a.m. then and there to vote for election of the following officers:

Two Selectman for three years, one Dennis-Yarmouth School Committee Member for three years, one Old Kings Highway Regional Historic District Committee member for four years, and one Water District Commissioner for three years.

Question

Shall the Town of Dennis prohibit the operation of all types of marijuana establishments as defined in G.L. c.94G, §1, including marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other type of licensed marijuana-related businesses, within the Town of Dennis (not including medical marijuana)?

Non-Binding Public Advisory Question

Whereas, the original design for the Pilgrim Nuclear Power Station (PNPS) spent fuel pool was for 880 assemblies and now holds over 2,822 densely racked and tightly packed assemblies, and,

Whereas, the PNPS spent fuel pool holds over 11 times the amount of cesium released at Chernobyl, and;

Whereas, the MA Attorney General Office 2006 report cited an accident at PNPS could result in 24,000 latent cancers, \$488 billion in damages, and contamination of hundreds of miles downwind, and;

Whereas, 885 Boraflex panels, which prevent criticality and fire, will be susceptible to unacceptable levels of deterioration by September, 2017, and;

Whereas, the PNPS spent fuel pool is vulnerable to terrorist and cyber attack, and;

Whereas, citizens of the Town of Dennis find this to be an unacceptable threat to our health and safety and must be resolved in the most timely manner.

Therefore, Should the people of the Town of Dennis direct the town's government to communicate with Governor Baker to employ all means available to ensure spent nuclear fuel generated by the Pilgrim Nuclear Power Station be placed in secure dry casks as soon as technically feasible and consistent with the highest standards, ready to be moved to a permanent federal facility when available in order to protect the health, welfare, and economic interest of the Town of Dennis and its inhabitants and visitor?

And you are directed to serve this WARRANT by posting up attested copies thereof at EACH OF THE POST OFFICES in said TOWN OF DENNIS at least SEVEN (7) days before the time of holding the said meeting.

HEREOF FAIL NOT, and make a due return of this WARRANT with your doings thereon to the TOWN CLERK, at the time and place of the meeting aforesaid.

Given unto our hands this 18th day of April in the year of our Lord, Two Thousand Seventeen.

DENNIS BOARD OF SELECTMEN

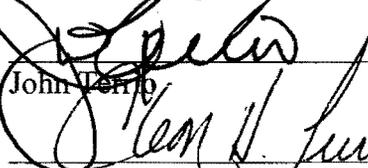


Paul R. McCormick, Chairman

Sheryl A. McMahon



Wayne A. Bergeron

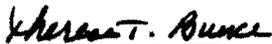


John W. Wingo



Cleon Turner

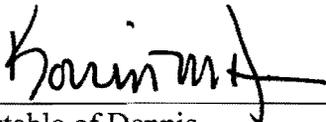
A True Copy, Attest



Theresa T. Bunce, Town Clerk

BARNSTABLE, ss.

PERSUANT TO THE WITHIN WARRANT, I have notified and warned the Inhabitants of the Town of Dennis by posting up attested copies of the same at EACH OF THE POST OFFICES AND ON THE PRINCIPAL BULLETIN BOARD IN THE TOWN HALL OFFICES, SOUTH DENNIS SEVEN (7) days before the date of the meeting, as within directed.



Constable of Dennis

APRIL 20, 2017

Date