

OCTOBER 17, 2017
TOWN OF DENNIS
SPECIAL 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 17th day of October, 2017, at 7 o'clock in the evening, then and there to act on the following articles:

DENNIS WARRANT WITH FINANCE COMMITTEE & BOARD OF SELECTMEN
RECOMMENDATIONS

ARTICLE 1

**CPC: Planning Department - Affordable
Housing Coordinator Year Two**

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$11,800 from the Community Preservation Affordable Housing Reserves Fund as a grant to the Dennis Planning Department pursuant to a grant agreement between the Board of Selectmen and the Dennis Planning Department to fund the Affordable Housing Coordinator Position, and further, authorize the Board of Selectmen 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)

Finance Committee: Voted 5-2-0 to recommend the transfer of \$11,800 from the Community Preservation Affordable Housing Reserves Fund as a grant to the Dennis Planning Department to fund the Affordable Housing Coordinator Position.

Selectmen: Voted 5-0-0 to recommend the funding of the Affordable Housing Coordinator Position under the Dennis Planning Department for \$11,800 from the Community Preservation Affordable Housing Reserves Fund.

ARTICLE 2

CPC: Habitat for Humanity - Three Houses

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$150,000 from the Community Preservation Affordable Housing Reserves Fund as a grant to the Habitat for Humanity of Cape Cod, Inc. pursuant to a grant agreement between the Board of Selectmen and the Habitat for Humanity of Cape Cod, Inc. to fund the Construction of Three Affordable Houses at 98 South Yarmouth Road, South Dennis, MA 02660, Map and Parcel, 30 Janall Drive, East Dennis, MA 02641, Map and Parcel 263-70, and 34 Janall Drive, East Dennis, MA 02641, Map and Parcel 263-71, and further, authorize the Board of Selectmen to enter into said agreement and to acquire and affordable housing restriction with respect to said property, upon such terms and conditions as it deems appropriate; or take any other action relative thereto.

(By the Community Preservation Committee)

Finance Committee: Voted 6-1-0 to recommend the transfer of \$150,000 from the Community Preservation Affordable Housing Reserves Fund as a grant to Habitat for Humanity of Cape Cod, Inc. to fund the construction of three affordable houses.

Selectmen: Voted 5-0-0 to recommend the funding of the construction of three affordable houses as a grant to Habitat for Humanity of Cape Cod, Inc. for \$150,000 from the Community Preservation Affordable Housing Reserves Fund.

ARTICLE 3

CPC: Dennis Municipal Housing Trust - Affordable Rental Housing Expansion Program

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$50,000 from the Community Preservation Affordable Housing Reserves Fund and \$300,000 from the Undesignated Reserve Fund as a grant to the Dennis Municipal Affordable Housing Trust pursuant to a grant agreement between the Board of Selectmen and the Dennis Municipal Affordable Housing Trust to fund the Affordable Rental Housing Expansion Program and further, authorize the Board of Selectmen 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)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$50,000 from the Community Preservation Affordable Housing Reserves Fund and \$300,000 from the Undesignated Reserve Fund as a grant to the Dennis Municipal Affordable Housing Trust to fund the Affordable Rental Housing Expansion Program.

Selectmen: Voted 5-0-0 to recommend the funding of the Affordable Rental Housing Expansion Program through a grant to the Dennis Municipal Affordable Housing Trust for \$50,000 from the Community Preservation Affordable Housing Reserves Fund and \$300,000 from the Undesignated Reserve Fund.

ARTICLE 4

CPC: Dennis Public Library - Digital Newspaper Archives

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$78,024 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Public Library pursuant to a grant agreement between the Board of Selectmen and the Dennis Public Library to fund the digitization of The Register and The Barnstable Patriot newspapers, and further, authorize the Board of Selectmen 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)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$78,024 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Public Library to fund the digitization of The Register and The Barnstable Patriot newspapers.

Selectmen: Voted 5-0-0 to recommend the funding of a grant for the digitization of The Register and The Barnstable Patriot newspapers to the Dennis Public Library for \$78,024 from the Community Preservation Historic Preservation Reserves Fund.

ARTICLE 5

CPC: Dennis Historical Society - Captain Theophilus Baker House at Jericho Historical Center Preservation & Restoration, Phase I

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$37,500 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Society pursuant to a grant agreement between the Board of Selectmen and the Dennis Historical Society to fund the Architectural and Consulting Services for the Captain Theophilus Baker House at the Jericho Historical Center, South Dennis, and further, authorize the Board of Selectmen to enter into said agreement and to authorize the acquisition of an historic preservation restriction on the property, upon such terms and conditions as it deems appropriate; or take any other action relative thereto.

(By the Community Preservation Committee)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$37,500 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Society to fund Architectural and Consulting Services for the Captain Theophilus Baker House at the Jericho Historical Center.

Selectmen: Voted 5-0-0 to recommend the funding of Architectural and Consulting Services for the Captain Theophilus Baker House at the Jericho Historical Center through a grant to the Dennis Historical Society for \$37,500 from the Community Preservation Historic Preservation Reserves Fund.

ARTICLE 6

CPC: Dennis Historical Society - Accessible Digital Archives

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$5,150 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Society pursuant to a grant agreement between the Board of Selectmen and the Dennis Historical Society to fund the hosting and maintenance of the Accessible Digital Archives and further, authorize the Board of Selectmen 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)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$5,150 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Society to fund the hosting and maintenance of the Accessible Digital Archives.

Selectmen: Voted 5-0-0 to recommend the funding of the hosting and maintenance of the Accessible Digital Archives through a grant to the Dennis Historical Society for \$5,150 from the Community Preservation Historic Preservation Reserves Fund.

ARTICLE 7

CPC: Dennis Historical Commission - Ava Archaeological Survey Project, Phase I

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$35,000 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Commission pursuant to a grant agreement between the Board of Selectmen and the Dennis Historical Commission to fund the Ava Archaeological Survey Project Phase One and further, authorize the Board of Selectmen 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)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$35,000 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Commission to fund the Ava Archaeological Survey Project, Phase One.

Selectmen: Vote 5-0-0 to recommend the funding of the Ava Archaeological Survey Project, Phase One through a grant to the Dennis Historical Commission for \$35,000 from the Community Preservation Historic Preservation Reserves Fund.

ARTICLE 8

CPC: Dennis Natural Resources and Council on Aging - Passive Recreation Area, Phase I

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$35,000 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Dennis Department of Natural Resources and Dennis Council on Aging pursuant to a grant agreement between the Board of Selectmen and the Dennis Department of Natural Resources and Dennis Council on Aging to create land for recreational use by funding the development of a passive recreation area and path at 416 Route 134, East Dennis, MA 02641, Map and Parcel 264-29 and 1077 Route 134, East Dennis, MA 02641, Map and Parcel 290-24, and further, authorize the Board of Selectmen 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)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$35,000 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Dennis Department of Natural Resources and Dennis Council on Aging to fund the development of a passive recreation area and path at 416 Route 134, East Dennis.

Selectmen: Voted 5-0-0 to recommend the funding of architectural plans for the development of a passive recreation area and path at 416 Route 134, East Dennis through a grant to the Dennis Department of Natural Resources and Dennis Council on Aging for \$35,000 from Community Preservation Open Space and Recreation Reserves Fund.

ARTICLE 9

CPC: Restoration of Wixon School Tennis Courts

To see if the Town of Dennis will vote, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$206,800 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 Board of Selectmen and the Dennis Recreation Department to fund the Restoration of Tennis Courts at Wixon School, and further, authorize the Board of Selectmen 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)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$206,800 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Dennis Recreation Department to fund the Restoration of Tennis Courts at Wixon School.

Selectmen: Voted 5-0-0 to recommend the funding of the Restoration of Tennis Courts at Wixon School through a grant to the Dennis Recreation Department for \$206,800 from the Community Preservation Open Space and Recreation Reserves Fund.

ARTICLE 10

Firefighter Staff

To see if the Town will vote to Raise and Appropriate \$175,772 for salary/benefits for four (4) firefighters including (Group Insurance, OPEB costs, Medicare - \$43,943 ea.) and to transfer and appropriate from Free Cash \$40,000 for training/equipment beginning January 1, 2018 to supplement the Fire Departments FY2018 Budget; or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$175,772 for salary/benefits for four (4) firefighters including (Group Insurance, OPEB costs, Medicare - \$43,943 ea.) and to transfer \$40,000 from Free Cash for training/equipment to supplement the Fire Departments FY2018 Budget.

Selectmen: Voted 4-1-0 to recommend the funding of 4 firefighters within the levy limit through the transfer of \$175,772 for salary/benefits for four (4) firefighters including (Group Insurance, OPEB costs, Medicare - \$43,943 ea.) and to transfer \$40,000 from Free Cash for training/equipment to supplement the Fire Departments FY2018 Budget.

ARTICLE 11

Proposition 2 ½ Firefighter Staff

To see if the Town will vote to raise and appropriate \$175,772 for salary/benefits for four (4) firefighters including (Group Insurance, OPEB costs, Medicare - \$43,943 ea.) in addition to the four new firefighters approved in Article 10; contingent on the passage of a Proposition 2 ½ override vote; and further to transfer and appropriate from Free Cash \$40,000 for training/equipment beginning January 1, 2018, to supplement the Fire Departments FY2018 Budget; or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Recommendation to be made at Town Meeting.

Selectmen: Voted 4-0-0 the placement of the article to fund four (4) firefighters in addition to the four new firefighters (for a total of 8) proposed under Article 10; contingent on the passage of a Proposition 2 ½ override and to transfer \$40,000 from Free Cash for training/equipment beginning January 1, 2018. Recommendation to be made at Town Meeting.

ARTICLE 12

West Dennis Beach Playground

To see if the Town will vote to transfer a sum of money from the Beach Capital Improvement Fund for the replacement of playground equipment at the West Dennis Beach; or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$9,500 from the Beach Capital Improvement Fund to fund the replacement of playground equipment at West Dennis Beach.

Selectmen: Voted 5-0-0 to recommend funding the replacement of playground equipment at West Dennis Beach for \$9,500 from the Beach Capital Improvement Fund.

ARTICLE 13

Citizens Petition Swap Shop Non-Binding Question

To see if the Town will vote the following: Should the Town of Dennis continue to operate a “Swap Shop” based recycling exchange center as part of the Dennis Transfer Station?”

(Citizen’s Petition)

Finance Committee: Voted 6-1-0 to make no recommendation.

Selectmen: Recommendation to be made at Town Meeting.

ARTICLE 14

Transfer Station Resident Recycling Only Fee

To see if the Town will vote, in accordance with the Selectmen’s Fee Limitation Bylaw, to establish a new resident only recycling fee in the amount of \$35.00 and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said bylaw; or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Recommendation to be made at Town Meeting.

Selectmen: Voted 4-0-0 to recommend the passage of the new Transfer Station Recycling Only Fee of \$35.00 in accordance with the Selectmen’s Fee Limitation Bylaw.

ARTICLE 15

Amend Dennis Zoning Bylaw

To see if the Town will vote to amend the Town’s Zoning Bylaw by adding a new Section 14, MARIJUANA ESTABLISHMENTS, that would provide as follows, and further to amend the Table of Contents to add Section 14, “Marijuana Establishments”:

Section 14 Marijuana Establishments

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Dennis; or take any 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 recommend the amendment to the Town of Dennis Zoning Bylaw as printed.

ARTICLE 16

Amend Dennis General Bylaw to Establish a New Chapter

To see if the Town will vote to amend the Town’s General Bylaw by adding a new Chapter 196, MARIJUANA ESTABLISHMENTS, that would provide as follows, and further to amend the Table of Contents to add Chapter 196, “Marijuana Establishments”:

Chapter 196

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, to including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Dennis; or take any 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 recommend the amendment to the Town of Dennis General Bylaw as printed.

ARTICLE 17

Citizens Petition Seasonal Resort Community

To see if the Town will vote a proposal that Section 12.6 of the Town of Dennis Seasonal Resort Community Bylaw be amended by striking the language stricken below and inserting the language underlined below.

12.6 Provisions Affecting All Seasonal Resort Communities

A. Seasonal Resort Communities may be open between April 1st and ~~October 31st~~ December 31st, inclusive. Seasonal Resort Communities may provide for short term use overnight occupancy, up to four days in any thirty day period, during the remainder of the year, provided that there is an occupancy permit which ensure sanitary facilities are provided.

B. Seasonal Resort Community facility office and recordkeeping. All seasonal resort communities ~~shall~~ may maintain an office on the premises. ~~The Office shall be occupied at all times the Seasonal Resort Community is open for occupation by residents.~~ Each Seasonal Resort Community shall maintain a record of unit occupancy between January 1st and March 31st, which shall be available for inspection by the Building Commissioner upon request; or take any other action relative thereto.

(Citizen's Petition)

Finance Committee: Recommendation to be made at Town Meeting.

Selectmen: Recommendation to be made at Town Meeting.

ARTICLE 18

Tourism Fund

To see if the Town will vote to transfer \$50,000 from free cash to promote tourism in the Town of Dennis; or take any other action relative thereto.

(By the Selectmen)

Finance Committee: Voted 7-0-0 to recommend the transfer of \$50,000 from free cash to fund the promotion of tourism in the Town of Dennis.

Selectmen: Voted 5-0-0 to recommend the promotion of tourism in the Town of Dennis through \$50,000 from free cash.

ARTICLE 19

Fuel Assistance

To see if the Town will vote to transfer \$8,030 from free cash to fund the fuel assistance special article; or take any other action relative there to.

(By the Selectmen)

Finance Committee: Voted 6-1-0 to recommend the transfer of \$8,030 from free cash for the funding of the Fuel Assistance special article.

Selectmen: Voted 5-0-0 to recommend the funding of the Fuel Assistance through a transfer of \$8,030 from free cash.

ARTICLE 20

Use of Bond Proceeds (Municipal Modernization Act)

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied; or to take any 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 recommend the passage of the Use of Bond Proceeds article for the Municipal Modernization Act.

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 FOURTEEN (14) 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 26th day of September in the year of our Lord, Two Thousand Seventeen.

DENNIS BOARD OF SELECTMEN



Paul R. McCormick, Chairman



Sheryl A. McMahon



Robert Mezadri



John Terrio

Cleon Turner

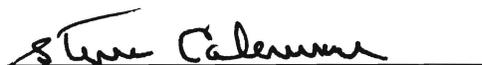
A True Copy, Attest



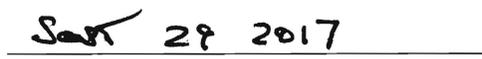
Theresa T. Bunce, Town Clerk

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 FOURTEEN (14) days before the date of the meeting, as within directed.



Constable of Dennis



Date