

ANNUAL TOWN MEETING
Town of Dennis
May 7, 2024

Robert C. Chamberlain, Moderator, called the Annual Town Meeting held at the Dennis-Yarmouth Intermediate Middle School, 286 Station Ave., South Yarmouth, MA 02664. He declared a quorum present and noted that the Warrant had been posted by Wayne Bergeron, Constable. Tellers were Maggie McCormick, Tracy Monroe, Dan Chamberlain, John Terrio, Jr. and Paul McCormick Jr, Head Teller.

Don Trepte Memorial Scholarship Award: Award presented by Margaret McCormick, the Chair of the Donald Trepte Scholarship Committee.

“This year, we were privileged to review outstanding applications, a testament to the impressive young talent within our town of Dennis.

Tonight, I'm delighted to introduce our deserving recipients: Molly Gedutis and Alexandra Terziyska. They embody the values and spirit of former Selectman Donald Trepte.

Alexandra has her sights set on a nursing major, while Molly is pursuing cell and molecular biology—a reflection of their intelligence and dedication.

Supporting these bright minds isn't just a gesture; it's an investment in our community's future.

Molly and Alexandra, your achievements make us all immensely proud. On behalf of the people of Dennis, congratulations! Enjoy your graduation and your time in college, take every opportunity.”

Moderator Chamberlain asked the assembly to kindly rise and salute the flag.

On motion of Finance Committee Chairman Robert Prall, duly seconded, it was unanimously voted to waive the formal reading of the Warrant.

ARTICLE 1. On motion of Town Moderator, Robert Chamberlain, duly seconded, since there were no reports presented, no vote was needed.

ARTICLE 2. On motion of Town Moderator, Robert Chamberlain, duly seconded, since there were no unpublished committee reports presented, no vote was needed.

ARTICLE 3. On motion of Finance Committee Chair, Robert Prall, duly seconded, it was unanimously voted to transfer \$25,012 from Free Cash, \$425,287 from the Ambulance Receipts Reserved for Appropriation Fund and \$40,830 from the Private Road Betterments for a total of \$491,129 to supplement the Fiscal Year 2024 Line Item appropriations under Article 4 of the May 2, 2023 Annual Town Meeting.

Explanation:

A. Snow & Ice	\$ 25,012
B. Fire Overtime	\$425,287
C. Short-Term Interest for Private Road Betterments	<u>\$ 40,830</u>
Total	\$491,129

ARTICLE 4. On motion of Finance Committee Chair, Robert Prall, duly seconded, it was unanimously voted to raise and appropriate \$44,316,060 for the operating expenses of the Town for the fiscal year commencing July 1, 2024 and ending June 30, 2025, and further, to transfer

\$455,836 from PEG Access and Cable Related Fund,
\$1,017,295 from Ambulance Receipts Fund,
\$13,548 from the Safer Grant Stabilization Fund,
\$1,000 from the Bass River Receipts Fund,
\$247,500 from the Community Preservation Fund,
\$15,000 from the Septic Loan Program Fund,
\$272,000 from the Waterways Dredge and Maintenance Capital Improvement Fund,
\$322,875 from the Beach Capital Improvement Fund,
\$118,000 from the Golf Capital Improvement Fund,
\$321,400 from the Solid Waste/Recycle Capital Improvement Fund and
\$300,000 from the Solar Special Revenue Fund,
For a total of \$47,400,514.

OPERATING BUDGET FY 2025

GENERAL GOVERNMENT

SELECT BOARD

1	Purchase of Services	365,224.00
2	Other Charges – Expenditure	10,000.00
TOTAL		375,224.00

TOWN ADMINISTRATOR

3	Personal Services	739,560.00
3A	Settlements	156,000.00
4	Purchase of Services	57,150.00
5	Other Charges - Expenditure	5,250.00
TOTAL		957,960.00

FINANCE COMMITTEE

6	Purchase of Services	1,200.00
7	Other Charges - Expenditure	3,400.00
7A	Reserve Fund	395,805.00
TOTAL		400,405.00

ACCOUNTANT

8	Personal Services	313,704.00
9	Purchase of Services	57,000.00
10	Supplies	1,000.00
11	Other Charges - Expenditure	8,000.00
TOTAL		379,704.00

CENTRAL PURCHASING

12	Purchase of Services	780,853.00
13	Supplies	465,000.00
14	Other Charges – Expenditure	1,560.00
TOTAL		1,247,413.00

ASSESSORS

15	Personal Services	276,505.00
16	Purchase of Services	72,500.00
17	Supplies	1,700.00
18	Other Charges - Expenditure	4,333.00
TOTAL		355,038.00

REVALUATION

19	Purchase of Services	0.00
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TREASURER/COLLECTOR

20	Personal Services	449,344.00
21	Purchase of Services	152,000.00
22	Supplies	1,387.00
23	Other Charges - Expenditure	3,280.00
TOTAL		606,011.00

LAW DEPARTMENT

24	Personal Services	0.00
25	Purchase of Services	255,000.00
26	Other Charges - Expenditure	0.00
TOTAL		255,000.00

**INFORMATION TECH & DATA
MANAGEMENT**

27	Personal Services	388,176.00
28	Purchase of Services	365,619.00
29	Supplies	6,355.00
30	Cable Related Expenditures	50,000.00
31	Capital Outlay	47,000.00
TOTAL		857,150.00

TAX TITLE FORECLOSURE

32	Purchase of Services	0.00
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CLERK

33	Personal Services	102,499.00
34	Purchase of Services	9,200.00
35	Supplies	400.00
36	Other Charges - Expenditure	7,655.00
TOTAL		119,754.00

ELECTIONS

37	Personal Services	84,647.00
38	Purchase of Services	24,685.00
39	Supplies	3,300.00
TOTAL		112,632.00

NATURAL RESOURCES/CONSERVATION

40	Personal Services	505,393.00
41	Purchase of Services	22,650.00
42	Supplies	10,385.00
43	Other Charges - Expenditure	2,450.00
TOTAL		540,878.00

PLANNING

44	Personal Services	171,657.00
45	Purchase of Services	1,200.00
46	Other Charges - Expenditure	1,300.00
TOTAL		174,157.00

PUBLIC PROPERTY/BUILDINGS

47	Personal Services	678,589.00
48	Purchase of Services	269,970.00
49	Supplies	112,075.00
50	Other Charges - Expenditure	9,485.00
TOTAL		1,070,119.00

PROPERTY/LIABILITY INSURANCE

51	Other Charges - Expenditure	847,015.00
TOTAL		847,015.00

TOWN REPORTS

52	Purchase of Services	0.00
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POLICE

53	Personal Services	6,272,722.00
54	Purchase of Services	239,886.00
55	Supplies	58,136.00
56	Other Charges - Expenditure	14,257.00
57	Capital Outlay	352,500.00
TOTAL		6,937,501.00

FIRE

58	Personal Services	6,409,517.00
59	Purchase of Services	347,363.00
60	Supplies	208,995.00
61	Other Charges - Expenditure	32,097.00
62	Capital Outlay	60,000.00
TOTAL		7,057,972.00

BUILDING INSPECTOR

63	Personal Services	451,264.00
64	Purchase of Services	2,524.00
65	Supplies	4,875.00
66	Other Charges - Expenditure	8,500.00
TOTAL		467,163.00

ANIMAL CONTROL

67	Personal Services	147,376.00
68	Purchase of Services	5,880.00
69	Supplies	3,550.00
70	Other Charges - Expenditure	0.00
TOTAL		156,806.00

HARBORMASTER

71	Personal Services	347,710.00
72	Purchase of Services	52,830.00
73	Supplies	13,198.00
74	Other Charges - Expenditure	1,201.00
75	Capital Outlay	7,100.00
TOTAL		422,039.00

ENGINEERING/SURVEYOR

76	Personal Services	446,655.00
77	Purchase of Services	53,600.00
78	Supplies	6,825.00
79	Other Charges - Expenditure	1,800.00
TOTAL		508,880.00

DEPT. OF PUBLIC WORKS

80	Personal Services	2,258,954.00
81	Purchase of Services	323,058.00
82	Supplies	268,935.00
83	Supplies - Paving, Resurfacing	108,000.00
84	Other Charges - Expenditure	17,576.00
85	Capital Outlay	10,000.00
TOTAL		2,986,523.00

SNOW AND ICE REMOVAL

86	Personal Services	93,620.00
87	Purchase of Services	118,123.00
88	Supplies	38,257.00
TOTAL		250,000.00

STREET LIGHTING

89	Purchase of Services	60,000.00
TOTAL		60,000.00

WASTE COLLECT/DISPOSAL

90	Personal Services	686,491.00
91	Purchase of Services	1,175,127.00
92	Supplies	34,115.00
93	Other Charges - Expenditure	4,665.00
94	Capital Outlay	10,000.00
TOTAL		1,910,398.00

HEALTH INSPECTION SERVICE

95	Personal Services	433,372.00
96	Purchase of Services	120,795.00
97	Supplies	3,425.00
98	Other Charges - Expenditure	4,500.00
TOTAL		562,092.00

COUNCIL ON AGING

99	Personal Services	340,846.00
100	Supplies	3,700.00
101	Other Charges - Expenditure	6,313.00
TOTAL		350,859.00

VETERAN'S SERVICES

102	Purchase of Services	65,198.00
103	Other Charges - Expenditure	162,000.00
TOTAL		227,198.00

COMM. ON DISABILITIES

104	Purchase of Services	12,175.00
105	Other Charges - Expenditure	8,000.00
TOTAL		20,175.00

OTHER HUMAN SERVICES

106 Capabilities	6,200.00
107 Calmer Choice	0.00
108 Cape Cod Children's Place	3,500.00
109 Outer Cape Health Services	0.00
110 Consumer Assist Council	0.00
111 Alzheimers Family Support	0.00
112 Independence House	5,200.00
113 South Coastal Legal Services	4,500.00
114 Salvation Army	0.00
115 AIDS Support Group of Cape Cod	0.00
116 Sight Loss Services INC.	5,200.00
117 Elder Services/Meals	7,700.00
118 Family Pantry	7,000.00
119 Big Brothers/Big Sisters	3,000.00
120 Hands of Hope	8,000.00
121 Gosnold Center	0.00
122 SSCAC Fuel Assistance	12,100.00
TOTAL	62,400.00

LIBRARY

123 Personal Services	353,360.00
124 Purchase of Services	75,901.00
125 Supplies	113,163.00
126 Other Charges - Expenditure	152,345.00
TOTAL	694,769.00

RECREATION

127 Personal Services	97,335.00
128 Purchase of Services	14,500.00
129 Supplies	30,000.00
130 Other Charges - Expenditure	300.00

TOTAL **142,135.00**

BEACHES

131 Personal Services	943,679.00
132 Purchase of Services	152,800.00
133 Supplies	37,415.00
134 Other Charges - Expenditure	11,725.00
135 Capital Outlay	16,700.00
TOTAL	1,162,319.00

GOLF

136 Personal Services	1,505,584.00
137 Purchase of Services	268,416.00
138 Supplies	348,649.00
139 Other Charges - Expenditure	9,723.00
140 Capital Outlay	5,000.00
TOTAL	2,137,372.00

HISTORICAL COMMISSION

141 Purchase of Services	0.00
TOTAL	0.00

S. DENNIS HISTORIC DIST. COMM.

142 Personal Services	0.00
143 Purchase of Services	0.00
TOTAL	0.00

HISTORICAL DIST-OKHRHD

144 Personal Services	0.00
145 Purchase of Services	0.00
TOTAL	0.00

RETIREMENT OF DEBT PRINCIPAL

146 Debt Services	2,645,000.00
TOTAL	2,645,000.00

INTEREST LONG TERM DEBT

147 Debt Services	1,104,825.00
TOTAL	1,104,825.00

INTEREST SHORT TERM DEBT

148 Debt Services	12,300.00
TOTAL	12,300.00

FRINGE BENEFITS

149 Sick Pay Liability	75,000.00
150 Worker's Compensation	130,000.00
151 Unemployment Insurance	135,697.00
152 Retirement Contribution/Town	4,338,065.00
153 Group Insurance- HRA	3,897,200.00
154 OPEB Contribution	300,000.00
155 Mitigation Agreement	10,000.00
156 Government Taxes/Tn. Share	337,366.00
TOTAL	9,223,328.00

OTHER FINANCING USES

157 Debt Services	0.00
GRAND TOTAL	47,400,514.00

Making a total of \$47,400,514.00

ARTICLE 5. On motion of Select Board Chair, Chris Lambton, duly seconded, it was unanimously voted to fix the salary and compensation of the following elected officers of the Town for the Fiscal Year commencing July 1, 2024 and ending June 30, 2025, 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.

5 Selectmen	\$10,000 (\$2,000) each
1 Moderator	\$450
1 Town Clerk	\$96,413
<u>Total</u>	<u>\$106,863</u>

ARTICLE 6. On motion of Cape Cod Regional Technical School Committee Chair, William Bradford Crowell, duly seconded, it was unanimously voted to approve an annual school budget for the Cape Cod Regional Technical High School in the amount of \$17,484,000 for the Fiscal Year beginning July 1, 2024 to raise and appropriate \$1,267,190 as the Town's assessment and \$547,571 for debt service for total operating expenses of \$1,812,761 of said School for the Fiscal Year beginning July 1, 2024.

ARTICLE 7. On motion of Dennis-Yarmouth School Committee Chair, Jeni Landers, duly seconded, it was unanimously voted to approve an annual School Budget for the Dennis-Yarmouth Regional School District in the amount of \$80,899,651 for the Fiscal Year budget and to raise and appropriate \$19,378,586 for the assessment of the Town's share and \$1,420,782 for the debt service for a total of \$20,799,368 for the Dennis Yarmouth Regional School District for the Fiscal Year beginning July 1, 2024.

ARTICLE 8. On motion of Select Board Chair, Chris Lambton, duly seconded, it was unanimously voted to appropriate \$25,665 from the PEG Access and Cable Related Fund for PEG Access Television per an Agreement with Dennis/Yarmouth Regional School District.

ARTICLE 9. On motion of Select Board Chair, Chris Lambton, duly seconded, it was unanimously voted to appropriate \$205,320 from the PEG Access and Cable Related Fund for PEG Access Television per an Agreement with Cape Media Center.

ARTICLE 10. On motion of Select Board Member, James Plath, duly seconded, it was unanimously voted to raise and appropriate \$2,139,496, transfer \$23,013 from the DPU TNC Ride Share Fund and transfer \$298,081 from the closed articles listed below for the purpose of the article.

Article	Amount
09ATM#48 - GAGES WAY ENGINEERING.	10,000.00
11STM#20 - HEMLOCK/BELMGROVE	2,048.00
14ATM#40 - BASS RIVER IMPROVEMENTS	10,463.00
16ATM#13 - PARKING LOT SEAL	9,211.00
18ATM#15 - RTE28 DP/HAR CORRIDOR	47,844.00
19ATM#14 - RTE 28 WD SIDEWALK	102,466.00
20ATM#12 - SEIU/NAGE CLASS STUDY	6,000.00
21ATM#9 - DPW HVAC HDQ REPAIR	6,178.00
22ATM#9 - NEW TRACK LOADER	2,689.00
22ATM#9 - OFF RD VEHICLES	1,568.00
22ATM#9 - REPLACE 1 TON DUMP TRUCK	7,693.00
22ATM#9 - REPLACE CONTAINERS	975.00
23ATM#11 - REPLACE 2011 ESCAPE	1,706.00
23ATM#11- REPLACE 2011 SUV	1,706.00
23ATM#11 - REPLACE ENTRY GATE	12,534.00
23ATM#11- ROUTE 28 CORRIDOR	50,000.00
BEACH CASHLESS FEASIBILITY STUDY	25,000.00
Total	298,081.00

To purchase or fund the following capital outlay items;

Department	Project	Amount
129-Gen. Gov. (Fleet)	Replace 2012 Truck (Harbor 1)	\$128,500
129-Gen. Gov. (Fleet)	Replace 2011 Truck (Town 3)	\$83,500
155-Inform. Technology	Replacement of Servers	\$112,000
210-Police	Taser Replacements	\$29,690
210 - Police	Police Motorcycle replacement	\$25,000
410 - Cemetery	Cemetery Paving Maintenance	\$30,000
411 - Engineering	Sidewalks Engineering/Construction	\$350,000
411 - Engineering	Replace Survey Total Station Equipment	\$50,000
422 - Public Works	Replace 2009 Utility Truck (M-1)	\$89,700
422 - Public Works	Replace 2005 6 Wheel Truck (H-19)	\$180,400
422 - Public Works	Tilt Deck Equipment Trailer	\$15,000
433 - Sanitation	Replace Heavy Duty Containers	\$9,900

220-Fire	Town Wide Defibrillator Program	\$82,000
410-Cemeteries	Cemetery Water Main Replacement	\$20,000
411-Engineering	Secondary Roads	\$650,000
411-Engineering	Drainage	\$300,000
411-Engineering	Guardrail Replacement	\$24,800
422-Public Works	Replace 2008 Backhoe (H-22)	\$93,000
422-Public Works	Replace Mower	\$19,300
422-Public Works	Replace 2020 Chev. Tahoe (DPW-1)	\$66,300
422-Public Works	Facilities Van (M-4)	\$71,100
422-Public Works	Landscape Trailer - Cemeteries	\$13,300
433-Sanitation	Replace Four-Wheeled Utility Vehicle	\$17,100
	Total	\$2,460,590

ARTICLE 11. On motion of Select Board Member, James Plath, duly seconded, it was unanimously voted to appropriate the sum of \$2,970,000 to be expended to replace Ladder Truck 110 and Ambulance 196 and costs related thereto, and, that to meet this appropriation the Treasurer with the approval of the Select Board is hereby authorized to borrow \$2,970,000 pursuant to M.G.L. c.44, §§ 7 and 8, or any other enabling authority and to issue bonds and notes therefore.

Department	Description	Amount
220 Fire Department	Replace 1994 Ladder Truck 110	\$2,250,000
220 Fire Department	Replace Ambulance 107	\$720,000
	Total	\$2,970,000

ARTICLE 12. On motion of Select Board Member, James Plath, duly seconded, it was unanimously voted to appropriate \$1,296,250 and further to transfer \$375,000 from the Beach Capital Improvement Fund, \$225,000 from the Waterways Dredge & Maintenance Fund and \$696,250 from the Golf Course Capital Improvement Fund for the purpose of this article, and to authorize the Select Board to enter into one or more tax exempt lease purchase financing agreements for a term not to exceed the useful life of the equipment as determined by the Select Board.

Fund	Project	Amount
402 Beach Capital Improvement Fund	WD Beach Bathhouse OPM/Design	\$175,000
	Beach Stairs and Structure Replacement	\$75,000
	Beach Parking Lot	\$125,000
	Total Beach Capital Improvement Fund	\$375,000
406 Waterways Dredge & Maintenance Fund	Dredging - Sesuit (Outer)	\$200,000
	Replace 22' Response Vessel	\$25,000
	Total Waterways Dredge & Maintenance Fund	\$225,000
460 Golf Course Capital Improvement Fund	Golf Equipment 4 of 4 Year Lease	\$85,500
	Toro Golf Equipment 3 of 4 Year Lease	\$75,000
	Kubota Tractor Lease 3 of 4 Year Lease	\$21,500
	Ventrac Lease 1 of 4	\$14,250

	Cart Barn Upgrade Highlands (for electric carts)	\$500,000
	Total Golf Course Capital Improvement Fund	\$696,250
		\$1,296,250

ARTICLE 13. On motion of Select Board Member, James Plath, duly seconded, it was unanimously voted to transfer \$950,000 from Free Cash and \$300,000 from the Select Board Budget line of the May 7, 2024 ATM, Article 4 for the repairs and maintenance of Town buildings under the direction of the Select Board for a total of \$1,250,000.

ARTICLE 14. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to expend from the Shellfish Mitigation Fund \$6,702 to be used for shellfish propagation:

- | | |
|---|------------------|
| 1. Purchasing 50,000 R-2 seed oyster for recreational harvesting at Old Field Bend, West Dennis Beach | \$ 847.50 |
| 2. Purchasing 50,000 R-8 seed oyster for recreational harvesting at Old Field Bend, West Dennis Beach | \$3,047.50 |
| 3. Purchasing 50,000 R-3 seed quahogs for recreational harvesting in Bass River | \$1,161.00 |
| 4. Quahog relay State Fee (\$1 per bushel)
146.00 | \$ |
| 5. Boat Maintenance (gas, winterizing, etc): | \$1,000.00 |
| 6. Aquaculture Supplies (cages, posts, etc): | <u>\$ 500.00</u> |
| | \$6,702.00 |

ARTICLE 15. On motion of Select Board Chair, Chris Lambton, duly seconded, it was unanimously voted to reserve \$701,700 for future spending from estimated receipts and appropriate \$277,500 from the Community Preservation Undesignated Fund Balance for the purpose of the article.

ARTICLE 16. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to authorize the Select Board to acquire by eminent domain, gift or purchase the fee title for wastewater purposes a certain parcel of land shown on Assessor's Map having a Parcel ID No. 165-1-0, located at 120 Theophilus P. Smith Road, and shown on a plan of land entitled "Town of Dennis, Plan of Land in South Dennis, Duck Pond Disposal Area Extension," dated February 26, 1971, prepared by S. R. Sweetser, Engineer, recorded with Barnstable County Registry of Deeds in Plan Book 244, Page 38, containing 96.68± acres, according to said plan, and to authorize the Select Board to amend and confirm the Order of Taking dated June 24, 1975 recorded with said Deeds in Book 2207, Page 113 to clear the title of said premises.

ARTICLE 17. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to authorize the Select Board to acquire by purchase, gift or eminent domain the fee to and/or permanent and temporary easements, leasehold, license and/or other real property interests in for wastewater purposes, including without limitation, for the construction, operation, maintenance and repair of a wastewater treatment facility, pumping stations and related appurtenances and for any and all purposes incidental or related thereto in, on, over, across, under and along all or any portion of the land as shown on a plan entitled "Proposed Phase 1 Pumping Station Locations", dated April 2024, prepared by CDM Smith, a copy of which is on file with the office of the Town Clerk, and as may be amended, on such terms and conditions as the Select Board may determine, and further to authorize the Select Board to enter into all agreements and take any and all actions necessary to or appropriate to effectuate the foregoing purposes.

ARTICLE 18. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to transfer the care, custody, management and control of a portion of the Ezra Baker Elementary School Site located at 810 Route 28, as shown on a plan entitled 'Ezra Baker, Profile A', dated October 2023, a copy of which is on file with

the office of the Town Clerk, from the Select Board held for school purposes, to the Select Board for wastewater purposes.

ARTICLE 19. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to accept Chapter 44, Section 53F 1/2 of the Massachusetts General Laws and thereby create a Wastewater Enterprise Fund. Such Fund may be appropriated and spent for operations, maintenance, improvements, investments to wastewater infrastructure assets, and debt service as may be required; provided that this vote shall take effect for the Fiscal Year commencing on July 1, 2025.

ARTICLE 20. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to transfer \$725,000 from the Wastewater Stabilization Fund for consulting services for Wastewater infrastructure planning and design.

ARTICLE 21. On motion of Select Board member, Carlyn Carey, duly seconded, it was voted by majority to transfer \$144,000 from free cash for the security improvements and upgrades at Dennis municipal facilities.

ARTICLE 22. On motion of Select Board Member, Carlyn Carey, duly seconded, it was unanimously voted to transfer \$84,000 from the Administration Budget line of the May 7, 2024 ATM, Article 4 to fund a classification market adjustment for the MLDC and CM bargaining units.

ARTICLE 23. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to transfer \$50,000 from the Beach Capital Improvement Fund to the Finance Committee Reserve Fund for sand nourishment and soil testing for the Corporation Beach Coastal Bank.

ARTICLE 24. On motion of Select Board Member, Carlyn Carey, duly seconded, it was unanimously voted to raise and appropriate \$15,000 for the fuel assistance program.

ARTICLE 25. On motion of Select Board Chair, Chris Lambton, duly seconded, it was unanimously voted to transfer \$200,000 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 26. On motion of Select Board Member, James Plath, duly seconded, it was unanimously voted to transfer \$540,000 from Free Cash to the Capital Stabilization Fund.

ARTICLE 27. On motion of Select Board Member, James Plath, duly seconded, it was unanimously voted to transfer \$250,000 from Free Cash to the General Purpose Stabilization Fund.

ARTICLE 28. On motion of Citizens Petitioner, Kyle Pedicini, duly seconded, it was voted 130 yes to 98 no. Article failed by a hand count, which required a 2/3's vote, to amend the Town of Dennis General Bylaw Chapter 128-1 - Marijuana Establishments Prohibited, and Section 14 of the Zoning Bylaw by deleting them.

And to replace Section 14 of the Zoning Bylaw with: (amendments were made on the floor by the Petitioner, Kyle Pedicini, and amendments were passed 161 yes to 50 no)

Recreational Marijuana Establishments.

1. "Recreational Marijuana Establishment" shall mean a marijuana retailer as defined in MGL c. 94G, § 1 or the Cannabis Control Commission Regulations 935 CMR 500.00.
2. Recreational Marijuana Establishments (RME) shall conform to 935 CMR 500.000: Adult Use of Marijuana and shall only be permitted pursuant to this Section and the requirements stated herein.

3. A RME is a commercial use and shall only be allowed by special permit from the Dennis Planning Board in accordance with G.L. c. 40A, §9. In the following zoning districts: Industrial, General Commercial I.
4. A special permit granted under this section shall have a term limited to the duration of the applicant's ownership or lease of the premises for an RME, as licensed by the Massachusetts licensing authority. Any new license for an existing RME location or transfer of an existing license to a new owner of an RME shall require a new special permit.
5. In accordance with MGL c. 94G, § 3(a)(2), the number of RMEs shall be limited to fewer than 20% of the number of licenses issues within the Town for retail sale of alcoholic beverages not to be drunk on the premises where sold under section 15 of chapter 138.
6. On-site consumption of recreational marijuana products at RMEs shall be prohibited unless permitted by a local ballot initiative process, as allowed by MGL c. 94G, § 3(b).
7. No RME shall be located on a lot which abuts the Cape Cod Rail Trail, Tony Kent Arena, or a residential zoning district.
8. The hours of operation of RMEs shall be set by the Special Permit Granting Authority, but in no event shall said Facilities be open and/or operating between the hours of 8:00 PM and 8:00 AM.
9. No RME shall be located within 500 feet, as measured from each lot line of the subject lot, of the following pre-existing uses: a K-12 educational use; childcare center; public park; playground; or children's camp.
10. No RME shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

This by-law refers to retail recreational marijuana establishments. All other adult-use marijuana establishments as defined under MGL 935 CMR 500 including, but not limited to cultivation and manufacturing, are hereby prohibited.

It was unanimously voted to adjourn (dissolve) the meeting at 8:09 pm on May 7, 2024.

A True Copy, Attest:

Theresa T. Bunce, MMC/CMMC
Dennis Town Clerk