

ANNUAL TOWN MEETING
Town of Dennis
May 6, 2025

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 Korrin Dean, Constable. Tellers were Tracy Monroe, Dan Chamberlain, John Terrio, Jr., Luke Furey, Robert Duffy, Joe Bunce and Dustin Pineau, Head Teller.

Don Trepte Memorial Scholarship Award: Award presented by Mary McCormick, member of the Donald Trepte Scholarship Committee.

“Good Evening Everyone, I’m Mary McCormick, member of The Donald Trepte Scholarship Committee. This scholarship is intended for a Dennis resident, graduating high school. This student should demonstrate dedication, honesty and integrity - both in and out of school - be well rounded and active in co-curricular activities including community service. It is intended to further an educational goal.

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 recipient:

Darby Rounseville. Darby has set her sights on sport psychology and sports management. Darby is the captain of her high school varsity hockey team and is a volunteer coach for unprivileged children dreaming to learn and play hockey. She was recruited by UMass Boston to play division three hockey. Darby embodies the values and spirit of Former Selectmen Don Trepte. She is well integrated in her team, school and community and is committed to utilizing her talents to help others.

Supporting bright minds isn’t just a gesture. It’s an investment in our community’s future. Darby, your achievements make us all immensely proud. On behalf of the people of Dennis, congratulations!”

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

On motion of Finance Committee Chairman Carl Monroe, 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 Finance Committee Chair, Carl Monroe, duly seconded, it was unanimously voted to transfer \$4,199 from Free Cash to pay for a prior year bill; Election Office Supplies \$4,199.

ARTICLE 3. On motion of Finance Committee Chair, Carl Monroe, duly seconded, it was unanimously voted to transfer \$157,024 from Free Cash, \$450,000 from the Ambulance Receipts Reserved for Appropriation Fund and \$60,900 from the Wastewater Stabilization Fund for a total of \$667,924 to supplement the Fiscal Year 2025 Line Item appropriations under Article 4 of the May 7, 2024 Annual Town Meeting and further that any unused portion of the Ambulance Receipts transferred will be returned to the Ambulance Receipts Reserved for Appropriation Fund.

A. Snow & Ice	\$ 157,024
B. Fire Overtime	\$ 450,000
C. Legal	\$ 60,900
Total	<u>\$ 667,924</u>

ARTICLE 4. On motion of Finance Committee Chair, Carl Monroe, duly seconded, it was voted by majority to raise and appropriate \$45,649,180 for the purpose of this article, and further, to transfer:

\$487,359 from PEG Access and Cable Related Fund,
\$1,000,000 from Ambulance Receipts Fund,
\$407 from the Safer Grant Stabilization Fund,
\$1,000 from the Bass River Receipts Fund,
\$167,000 from the Community Preservation Fund,
\$10,000 from the Septic Loan Program Fund,
\$246,080 from the Waterways Dredge and Maintenance Capital Improvement Fund,
\$22,295 from the Sesuit Harbor Dredge Capital Project Fund,
\$118,375 from the Golf Capital Improvement Fund,
\$321,150 from the Solid Waste/Recycle Capital Improvement Fund,
\$400,000 from the Solar Special Revenue Fund,
\$99,306 from the CPC Grant 24STM#6,
\$77,057 from the CDBG Small Cities Miscellaneous Fund,
\$50,000 from Sale of Cemetery Lots and
\$41,000 from the Private Road Betterment Fund,
For a total of \$48,690,205.

OPERATING BUDGET FY 2026

GENERAL GOVERNMENT

SELECT BOARD

1	Personal Services	3,500.00
2	Purchase of Services	65,224.00
3	Other Charges – Expenditure	10,300.00
TOTAL		79,024.00

TOWN ADMINISTRATOR

4	Personal Services	820,565.00
4A	Settlements	800,000.00
5	Purchase of Services	57,150.00
6	Other Charges - Expenditure	5,250.00
TOTAL		1,682,965.00

FINANCE COMMITTEE

7	Purchase of Services	1,200.00
8	Other Charges - Expenditure	3,400.00
8A	Reserve Fund	425,000.00
TOTAL		429,600.00

ACCOUNTANT

9	Personal Services	330,239.00
10	Purchase of Services	59,000.00
11	Supplies	1,000.00
12	Other Charges - Expenditure	8,000.00
TOTAL		398,239.00

CENTRAL PURCHASING

13	Purchase of Services	784,853.00
14	Supplies	465,000.00
15	Other Charges – Expenditure	1,560.00
TOTAL		1,251,413.00

ASSESSORS

16	Personal Services	295,536.00
17	Purchase of Services	78,175.00
18	Supplies	1,700.00
19	Other Charges - Expenditure	4,405.00
TOTAL		379,816.00

REVALUATION

20	Purchase of Services	0.00
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TREASURER/COLLECTOR

21	Personal Services	477,470.00
22	Purchase of Services	152,000.00
23	Supplies	1,387.00
24	Other Charges - Expenditure	3,280.00
TOTAL		634,137.00

LAW DEPARTMENT

25	Purchase of Services	260,000.00
26	Other Charges - Expenditure	0.00
TOTAL		255,000.00

**INFORMATION TECH & DATA
MANAGEMENT**

27	Personal Services	408,136.00
28	Purchase of Services	410,644.00
29	Supplies	6,355.00
30	Cable Related Expenditures	50,000.00
31	Capital Outlay	47,000.00
TOTAL		922,135.00

TAX TITLE FORECLOSURE

32	Purchase of Services	0.00
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CLERK

33	Personal Services	113,423.00
34	Purchase of Services	9,200.00
35	Supplies	400.00
36	Other Charges - Expenditure	7,655.00
TOTAL		130,678.00

ELECTIONS

37	Personal Services	30,350.00
38	Purchase of Services	24,340.00
39	Supplies	1,900.00
TOTAL		56,590.00

NATURAL RESOURCES/CONSERVATION

40	Personal Services	499,994.00
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41	Purchase of Services	25,000.00
42	Supplies	21,985.00
43	Other Charges - Expenditure	3,321.00
TOTAL		550,300.00

PLANNING

44	Personal Services	327,720.00
45	Purchase of Services	2,200.00
46	Other Charges - Expenditure	2,500.00
TOTAL		332,420.00

PUBLIC PROPERTY/BUILDINGS

47	Personal Services	793,753.00
48	Purchase of Services	336,689.00
49	Supplies	112,075.00
50	Other Charges - Expenditure	9,485.00
TOTAL		1,252,002.00

PROPERTY/LIABILITY INSURANCE

51	Other Charges - Expenditure	873,506.00
TOTAL		873,506.00

TOWN REPORTS

52	Purchase of Services	0.00
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POLICE

53	Personal Services	6,365,309.00
54	Purchase of Services	270,600.00
55	Supplies	64,836.00
56	Other Charges - Expenditure	14,257.00
57	Capital Outlay	390,557.00
TOTAL		7,105,559.00

FIRE

58	Personal Services	6,474,722.00
59	Purchase of Services	387,812.00
60	Supplies	238,889.00
61	Other Charges - Expenditure	32,097.00
62	Capital Outlay	60,000.00
TOTAL		7,193,520.00

BUILDING INSPECTOR

63	Personal Services	479,179.00
64	Purchase of Services	72,524.00
65	Supplies	4,875.00
66	Other Charges - Expenditure	8,500.00
TOTAL		565,078.00

ANIMAL CONTROL

67	Personal Services	149,599.00
68	Purchase of Services	8,380.00
69	Supplies	3,550.00
TOTAL		161,529.00

HARBORMASTER

70	Personal Services	359,081.00
71	Purchase of Services	52,830.00
72	Supplies	13,198.00

73	Other Charges - Expenditure	1,201.00
74	Capital Outlay	7,100.00
TOTAL		433,410.00

ENGINEERING/SURVEYOR

75	Personal Services	465,262.00
76	Purchase of Services	53,600.00
77	Supplies	6,825.00
78	Other Charges - Expenditure	1,800.00
TOTAL		527,487.00

DEPT. OF PUBLIC WORKS

79	Personal Services	2,191,342.00
80	Purchase of Services	364,128.00
81	Supplies	293,410.00
82	Supplies - Paving, Resurfacing	108,000.00
83	Other Charges - Expenditure	20,335.00
84	Capital Outlay	18,100.00
TOTAL		2,995,315.00

SNOW AND ICE REMOVAL

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

STREET LIGHTING

88	Purchase of Services	62,000.00
TOTAL		62,000.00

WASTE COLLECT/DISPOSAL

89	Personal Services	722,304.00
90	Purchase of Services	1,193,347.00
91	Supplies	33,615.00
92	Other Charges - Expenditure	4,665.00
93	Capital Outlay	10,000.00
TOTAL		1,963,931.00

HEALTH INSPECTION SERVICE

94	Personal Services	460,183.00
95	Purchase of Services	79,145.00
96	Supplies	3,425.00
97	Other Charges - Expenditure	6,500.00
TOTAL		549,253.00

COUNCIL ON AGING

98	Personal Services	374,539.00
99	Supplies	3,700.00
100	Other Charges - Expenditure	6,313.00
TOTAL		384,552.00

VETERAN'S SERVICES

101	Purchase of Services	72,125.00
102	Other Charges - Expenditure	162,000.00
TOTAL		234,125.00

COMM. ON DISABILITIES

103 Purchase of Services	12,375.00
104 Other Charges - Expenditure	13,000.00
TOTAL	25,375.00

OTHER HUMAN SERVICES

107 Capabilities	6,200.00
108 Cape Kid Meals	0.00
109 Behavioral Health Innovators	2,000.00
110 Calmer Choice	10,000.00
111 Cape Cod Children's Place	4,500.00
112 Consumer Assist Council	0.00
113 Independence House	6,000.00
114 South Coastal Legal Services	4,600.00
115 Salvation Army	0.00
116 Aids Support Group of Cape Cod	3,500.00
117 Sight Loss Services Inc.	5,200.00
118 Elder Services/Meals	0.00
119 Family Pantry	7,150.00
120 Big Brothers/Big Sisters	3,000.00
121 Hands of Hope2	10,000.00
TOTAL	62,150.00

LIBRARY

122 Personal Services	370,515.00
123 Purchase of Services	73,997.00
124 Supplies	118,449.00
125 Other Charges - Expenditure	152,345.00
TOTAL	715,306.00

RECREATION

126 Personal Services	101,594.00
127 Purchase of Services	14,500.00
128 Supplies	30,000.00
129 Other Charges - Expenditure	300.00
TOTAL	146,394.00

BEACHES

130 Personal Services	1,000,156.00
131 Purchase of Services	168,800.00
132 Supplies	41,050.00
133 Other Charges - Expenditure	13,000.00
134 Capital Outlay	16,700.00
TOTAL	1,239,706.00

GOLF

135 Personal Services	1,619,772.00
136 Purchase of Services	271,791.00
137 Supplies	384,674.00
138 Other Charges - Expenditure	10,323.00
139 Capital Outlay	5,000.00
TOTAL	2,291,560.00

HISTORICAL COMMISSION

140 Purchase of Services	0.00
TOTAL	0.00

S. DENNIS HISTORIC DIST. COMM.

141 Personal Services	0.00
142 Purchase of Services	0.00
TOTAL	0.00

HISTORICAL DIST-OKHRHD

143 Personal Services	0.00
144 Purchase of Services	0.00
TOTAL	0.00

RETIREMENT OF DEBT PRINCIPAL

145 Debt Services	2,280,000.00
TOTAL	2,280,000.00

INTEREST LONG TERM DEBT

146 Debt Services	1,002,988.00
TOTAL	1,002,988.00

INTEREST SHORT TERM DEBT

147 Debt Services	41,300.00
TOTAL	41,300.00

FRINGE BENEFITS

148 Sick Pay Liability	75,000.00
149 Worker's Compensation	130,000.00
150 Unemployment Insurance	135,697.00
151 Retirement Contribution/Town	4,420,344.00
152 Group Insurance- HRA	4,108,649.00
153 OPEB Contribution	0.00
154 Mitigation Agreement	10,000.00
155 Government Taxes/Tn. Share	347,487.00
TOTAL	9,227,177.00

OTHER FINANCING USES

156 Debt Services	0.00
GRAND TOTAL	48,690,205.00

Making a total of \$48,690,205.00

ARTICLE 5. On motion of Select Board Member, Paul McCormick, duly seconded, it was voted 72 in favor to 294 opposed, thus defeated, to transfer \$272,698 from the Wastewater Stabilization Fund for FY2026 Wastewater Enterprise Fund budget.

ARTICLE 6. On motion of Select Board Member, Carlyn Carey, duly seconded, it was unanimously voted to fix the Fiscal Year 2026 salaries and compensation of elected officers commencing July 1, 2025 and ending June 30, 2026, as provided for in Massachusetts General Laws, Chapter 41, §108 and acts and amendment thereof, and raise and appropriate \$110,720 for this purpose.

5 Selectmen	\$10,000 (\$2,000) each
1 Moderator	\$450
1 Town Clerk	\$100,270
Total	\$110,720

ARTICLE 7. On motion of Cape Cod Regional Technical High School Committee Member, Brad 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 \$18,467,000 for the annual school operating and capital budget and to raise and appropriate \$1,569,233 as the Town's assessment and \$595,853 for debt services for total operating expenses for the Town of \$2,165,086 for the Cape Cod Regional Technical High School for the Fiscal Year beginning July 1, 2025.

ARTICLE 8. On motion of Dennis/Yarmouth School Committee Member, Marilyn Bemis, duly seconded, it was voted by majority to approve an annual School Budget for the Dennis-Yarmouth Regional School District in the amount of \$84,438,405 for the Fiscal Year budget and to raise and appropriate \$20,261,669 for the assessment of the Town's share and \$1,286,074 for the debt service for a total of \$21,547,743 for the Dennis Yarmouth Regional School District for the Fiscal Year beginning July 1, 2025.

ARTICLE 9. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to appropriate \$24,462 from the PEG Access and Cable Related Fund for PEG Access Television per an Agreement with Dennis/Yarmouth Regional School District.

ARTICLE 10. On motion of Select Board member, Paul McCormick, duly seconded, it was unanimously voted to appropriate \$195,699 from the PEG Access and Cable Related Fund for PEG Access Television per an Agreement with Cape Media Center.

ARTICLE 11. On motion of Select Board Member, Jim Plath, duly seconded, it was unanimously voted to raise and appropriate \$2,249,420, transfer \$173,868 from the Capital Improvement Fund and transfer \$286,036 from closed capital articles for a total of \$2,709,324,

Article (closed capital articles)	Amount
24STMFEB#3 187 UPPER COUNTY RD	210.00
24STMFEB#4 DEMO 187 UPPER CNTY	250,000.00
17ATM #17 PLOVER MANAGEMENT	400.00
23ATM#11 BAKER SCH FIRE ALARM	10,947.00
19ATM #38 1005B OLD BASS ACQ	9,000.00
24ATM#10 DPW TILT DECK TRAILER	501.00
24ATM#10 DPW BACKHOE H-22	550.00
24ATM#10 DPW MOWER	1,602.00
23ATM#11 REPLACE 2012 ROLL OFF	12,326.00
24ATM#10 TS HEAVY CONTAINERS	500.00
Total	286,036.00

to purchase or fund the following capital outlay items;

Department	Project	Amount
129-Administration	Replace 2012 Truck (Town 7)	\$ 87,700
210-Police	Surveillance Equipment	\$ 27,024
220-Fire	Purchase Vehicle Diagnostic Scanner	\$ 13,700
220-Fire	2011 Dive Truck 116 Replacement	\$ 97,000
220-Fire	Purchase Vehicle Lift	\$ 59,300
220-Fire	Purchase Polaris UTV	\$ 85,000
301-DYRSD	D/Y Reg. H. S. Masonry Repairs	\$ 46,500

301-DYRSD	E. H. Baker Exterior & Interior Painting	\$ 50,000
410-Cemeteries	Paving Maintenance	\$ 30,000
410-Cemeteries	Water Main Replacement	\$ 20,000
410-Cemeteries	Oak Ridge Cemetery Expansion	\$ 163,200
411-Engineering	Secondary Roads	\$ 650,000
411-Engineering	Drainage	\$ 300,000
411-Engineering	Sidewalks Engineering/Const	\$ 350,000
411-Engineering	Guardrail Replacement	\$ 50,000
422-Public Works	Replace 2017 Packer Truck (H-11)	\$ 232,000
422-Public Works	Asphalt hot box	\$ 52,000
422-Public Works	Traffic Signal Repairs	\$ 75,000
422-Public Works	Replace 2013 Truck (H-1)	\$ 123,700
422-Public Works	Mobile Command Post	\$ 44,500
422-Public Works	Fertilizer sprayer spreader	\$ 19,400
433-Waste Collection	Replace Heavy Duty Containers	\$ 63,300
630-Recreation	Tennis/pickleball resurfacing	\$ 70,000
	Total	\$2,709,324

ARTICLE 12. On motion of Select Board Member, Jim Plath, duly seconded, it was unanimously voted to appropriate the sum of \$2,085,000 to replace the 2007 Pumper Truck 111 and the 1999 Forestry Truck 108 and costs related thereto, and, that to meet this appropriation the Treasurer with the approval of the Select Board is hereby authorized to borrow \$2,085,000 pursuant to M.G.L. ch. 44, §§ 7 and 8, or any other enabling authority and to issue bonds and notes of the Town therefor. No amounts shall be borrowed or expended pursuant hereto unless the Town shall have voted to exclude the amounts required to repay any such borrowing from the property tax levy limitations of G.L. c., 59, s. 21C (also known as Proposition 2 ½)

Department	Description	Amount
220 Fire Department	Pumper Truck (Replace 2007 Pumper Truck 111)	\$1,603,000
220 Fire Department	Brush Truck (Replace 1999 Forestry Truck 108)	\$ 482,000
	Total	\$2,085,000

ARTICLE 13. On motion of Select Board Member, Jim Plath, duly seconded, it was unanimously voted to appropriate the sum of \$754,090 to be expended to replace Loader L-1 and Roll-off Truck S-2 and costs related thereto, and, that to meet this appropriation the Treasurer with the approval of the Select Board is hereby authorized to borrow \$754,090 pursuant to MGL c.44, §7(1), or any other enabling authority and to issue bonds and notes of the Town therefor. While any borrowing authorized by this vote shall constitute a pledge of the Town's full faith and credit, it is the Town's expectation that the borrowing authorized by this vote shall be paid, in the first instance, from amounts in the Solid Waste and Recycling Capital Improvement Fund.

Department	Description	Amount
433 – Waste Collection	Loader (Replace 2013 Loader L-1)	\$383,790
433 – Waste Collection	Rolloff Truck (Replace 2015 Rolloff Truck S-2)	\$370,300
	Total	\$754,090

ARTICLE 14. On motion of Select Board Member, Jim Plath, duly seconded, it was unanimously voted to appropriate \$1,339,885 and further that to meet this appropriation

transfer \$250,000 from the Beach Capital Improvement Fund, \$200,000 from the Waterways Dredge & Maintenance Fund, \$38,000 from the Ambulance Receipts Fund, \$821,000 from the Capital Improvement Fund, \$738,750 from the Golf Course Capital Improvement Fund and \$113,135 from the Golf Revolving Fund for the purpose of the 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	Beach Stairs and Structure Replacement	\$ 125,000
402-Beach Capital Improvement Fund	Beach Parking Lot	\$ 125,000
	Total Beach Capital Improvement Fund	\$ 250,000
406-Waterways Dredge & Maintenance Fund	Dredging - Sesuit (Outer)	\$ 200,000
	Total Waterways Dredge & Maintenance Fund	\$ 200,000
420-Ambulance Receipts Fund	Town Wide Defibrillator Program	\$ 38,000
	Total Ambulance Receipts Fund	\$ 38,000
401 Capital Improvement Fund	Replace 2008 Sweeper (H-17 Elgin)	\$ 341,500
401 Capital Improvement Fund	Replace 2010 10 Wheel Truck (H-12)	\$ 479,500
	Total Capital Improvement Fund	\$ 821,000
460-Golf Course Capital Improvement Fund	Toro Golf Equipment 4 of 4 Year Lease	\$ 75,000
460-Golf Course Capital Improvement Fund	Kubota Tractor Lease 4 of 4 Year Lease	\$ 21,500
460-Golf Course Capital Improvement Fund	Ventrac Lease 2 of 4	\$ 14,250
460-Golf Course Capital Improvement Fund	Toro Golf Equipment Year 1 of 4 Lease	\$ 110,000
460-Golf Course Capital Improvement Fund	Cart Barn Upgrade Pines (electric carts)	\$ 518,000
	Total Golf Course Capital Improvement Fund	\$ 738,750
585-Golf Revolving Fund	Dump Truck (Pines)	\$ 85,000
585-Golf Revolving Fund	Heavy Equipment Trailer	\$ 15,000
585-Golf Revolving Fund	Range Machine Ball Washers	\$ 13,135
	Total Golf Revolving Fund	\$ 113,135
		\$ 2,160,885

ARTICLE 15. On motion of Select Board Member, Jim Plath, duly seconded, it was unanimously voted to transfer \$2,100,000 from Free Cash and \$2,100,000 from the Capital Improvement Fund for the repairs and maintenance of Town buildings under the direction of the Select Board for a total of \$4,200,000.

ARTICLE 16. On motion of Select Board Member, Carlyn Carey, duly seconded, it was unanimously voted to transfer \$294,000 from free cash for the cost of OPM and Designer Services for Carleton Hall renovations and transfer \$360,000 from free cash for the cost of OPM and Designer Services for West Dennis Graded School renovations, or any other costs related thereto.

ARTICLE 17. On motion of Select Board Chair, Christopher Lambton, duly seconded, it was unanimously voted to appropriate \$275,000 from the Private Road Betterment

Fund to retire \$275,000 of a Bond Anticipation Note issued to pay for private road repairs.

ARTICLE 18. On motion of Select Board Chair, Christopher Lambton, duly seconded, it was unanimously voted to reserve \$571,581 for future spending from estimated receipts and appropriate \$197,000 from the Community Preservation Undesignated Fund Balance as outlined:

- 1. Part 1 Reserves:
 - A. \$190,527 for Open Space;
 - B. \$190,527 for Historic Resources;
 - C. \$190,527 for Community Housing;
- 2. Part 2 Other Appropriations:
 - A. \$167,000 for Debt Service from Undesignated Fund Balance;
 - B. \$30,000 for CPC Administrative Expenses from Undesignated Fund Balance;

ARTICLE 19. On motion of Select Board Member, John Terrio, duly seconded, it was voted 351 in favor, 5 opposed to transfer \$55,000 from the Capital Improvement Fund for the cost of computer software and technology, to purchase seven election tabulators and any other costs related thereto.

ARTICLE 20. On motion of Select Board Member, John Terrio, duly seconded, it was voted by majority to transfer from free cash \$360,000 for the cost of computer software and technology, and any other costs related thereto.

ARTICLE 21. On motion of Select Board Chair, Christopher Lambton, duly seconded, it was unanimously voted to appropriate the sum of \$525,250 to make temporary repairs to Lombardi Heights, a private road in Dennis Village, open to and used by the general public within Dennis, pursuant to the provisions of MGL Chapter 80 and the Town of Dennis "Temporary Repairs of Private Way By-Law", Chapter 156 §3-6, adopted at the May 3, 2005 Annual Town Meeting under Article 31, and in accordance with the vote of the Select Board on March 1, 2022, declaring that the repairs to said private way are required because of public necessity and convenience, and further, that the owners of said land benefited by said temporary repairs shall be assessed their proportionate share of betterments as specified in said by-law, and in accordance with Chapter 117 of the Acts of 1997 (Town of Dennis Betterment Assessment and Fund Act); that to meet this appropriation, the Town Treasurer, with the approval of the Select Board is hereby authorized to borrow \$525,250 and to issue bonds and notes of the Town therefor pursuant to General Laws Chapter 44, Sections 7 or 8, Chapter 371 of the Acts of 2010, or any other enabling authority.

ARTICLE 22. On motion of Select Board Member, Paul McCormick, duly seconded, it was voted by majority to transfer \$81,325 from the Town Administrator Budget Settlement Line of the May 6, 2025 ATM, Article 4 to fund seasonal salary increases.

ARTICLE 23. On motion of Select Board Member, John Terrio, duly seconded, it was unanimously voted, pursuant to Chapter 44, §53E ½, of the Massachusetts General Laws and §33-1 of the Town By-Laws to establish the spending limits for existing revolving accounts for Fiscal Year 2026

Program or Purpose	Authorized Representative or Board to Spend	FY2026 Authorization
COA Bus Revolving Fund - 562	Council on Aging Director	\$35,000

COA Revolving Fund - 565	Council on Aging Director	\$200,000
Golf Revolving Fund - 585	Golf Director	\$475,000
Board of Health Revolving Fund - 543	Health Director	\$10,000
Library Revolving Fund - 570	Library Director	\$15,000
Recreation Dept Revolving Fund - 590	Recreation Director	\$450,000

ARTICLE 24. On motion of Select Board Member, John Terrio, duly seconded, it was unanimously voted to accept General Laws Chapter 59, Section 5, Clause 22I, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025 and further to accept General Laws Chapter 59, Section 5, Clause 22J, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by 100% of the personal exemption amount, subject to the conditions in Clause 22J, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

ARTICLE 25. On motion of Select Board Chair, Christopher Lambton, duly seconded, it was unanimously voted to transfer \$500,000 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, Carlyn Carey, duly seconded, it was voted by majority to amend the Dennis Zoning By-laws by Amending the following Sections:

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| 1. <u>§2.2.2</u> (Use Regulation Schedule); | Page |
| 1 | |
| 2. <u>§2.2.2 Note 8</u> (Use Regulation Schedule Note); | Page 1 |
| 3. <u>§2.3.2</u> (Intensity of Use); | Page 2 |
| 4. <u>§2.3.3.6</u> (Accessory Structures); | Page 2 |
| 5. <u>§2.4.1.2</u> (Non-Conforming Conditions); | Page 2 |
| 6. <u>§4.11. A</u> (Protected ADU); and Existing <u>§4.11</u> ADU; | Pages 3-6 |
| 7. <u>§5: DEFINITIONS.</u> | Page 7 |

NOTE: Proposed New Language is Underlined in Bold Italic print in Times New Roman font.

1. §2.2.2 (Use Regulation Schedule); Protected ADU shall be added to the Use Regulation Schedule.
 - 1.1. ADD "*by Special Permit*" to 2.k for second ADU or ADU over 900 sf requiring a Special Permit.
 - 1.2. ADD row 2.L for "*Protected Accessory Dwelling Unit*" allowed in all districts except Industrial.

PRINCIPAL USES	DISTRICT									
	R-40 R-60	Quivet Neck/ CPRPD	RR	LB	EB	GC-I	GC-II GC-III	I	DPVC Area A	DPVC Area B
2 Residential Uses										
k. Accessory Dwelling Unit by Special Permit	S	N	S	S	N	N	S	N	S	S
<u>L. Protected Accessory Dwelling Unit</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>

2. §2.2.2 Note 8 (Use Regulation Schedule Note); Language clarifying State law on “Lot Merger”:

2.1. ADD §2.2.2 Note 8

⁸Lot Merger: New houses proposed on previously non-conforming, non-buildable “remainder” lots, must first provide a title attorneys opinion, to be confirmed by Town Counsel, that at the time of recording or endorsement, the lot conformed to then existing requirements of area, frontage, width, yard or depth before issuance of a Building Permit and the new single-family residential structure constructed on said lot shall have a recorded notice that the structure shall not exceed 1,850 square feet of heated living area, shall contain not less than 3 bedrooms and shall not be used as a seasonal home or short-term rental before issuance of a Certificate of Occupancy. NOTE: Pursuant to M.G.L. c. 40A, § 3, ¶ 11 and 760 CMR 71.00, Section 10 of Massachusetts Chapter 150 of the Acts of 2024

3. §2.3.2 (Intensity of Use); Add lines to §2.3.2 for maximum Height for Accessory Structures.

3.1. ADD the word “FEET” to the title of the Height column;

3.2. ADD “ACCESSORY STRUCTURES” to type of structure column (first column).

3.3. ADD “IN ALL DISTRICTS W/ LESS THAN 6:12 SLOPE” in 1st and 18’ in Height column,

3.4. ADD “IN ALL DISTRICTS W 6:12 – 12:12 SLOPE” in 1st column and 25’ in Height column,

§2.3.2 Intensity of Use Schedule

	MINIMUM LOT REQUIREMENTS		MINIMUM YARD SETBACKS				MAXIMUM	
	AREA SF	FRONTAGE	WIDTH ft.	FRONT Ft	SIDE ft.	REAR ft.	TOTAL SITE COVER % LOT	HEIGHT STORIES/ <u>FEET</u>
<u>ACCESSORY STRUCTURES</u>								
<u>IN ALL DISTRICTS W/ LESS THAN 6:12 SLOPE</u>								<u>18’</u>
<u>IN ALL DISTRICTS WITH 6:12 – 12:12 SLOPE</u>								<u>25’</u>

4. §2.3.3.6 (Accessory Structures); Add 2.3.3.6. c. for All Accessory Structures Height.
 - 2.3.3.6.A.i-v for Accessory Structures with a footprint of 200 square feet or less... exists.
 - 2.3.3.6.B.i-iv for all other Accessory Structures exists.
- 4.1. ADD §2.3.3.6. c. for All Accessory Structures - Height

§2.3.3.6. c. All Accessory Structures

- i. Height: The top of the ridge of the roof of an accessory structure may not be greater than Eighteen (18) feet above the top of the lowest floor elevation, except that a maximum height of twenty-five (25) feet shall be allowed for a structure with a roof pitch between 6:12 and 12:12.

5. §2.4.1.2 (NON-CONFORMING CONDITIONS); Add §2.4.1.2(A)(7): Protected ADU permitted by the Building Commissioner.

§ 2.4 (NON-CONFORMING CONDITIONS)

§ 2.4.1.2 Change, Extension or Alteration: Buildings or structures that are nonconforming by dimensi...

§ 2.4.1.2.A. Building Department...

In the following circumstances, alteration, reconstruction, extension or structural change (collectively "alteration") to a single- or two-family residential structure shall not be considered an increase in the nonconforming nature of the structure and shall be permitted as of right by the building commissioner without the need for further zoning relief from the Zoning Board of Appeals:

ADD §2.4.1.2(A)(7):

§2.4.1.2(A)(7) Accessory Dwelling Units ("ADUs") By-right Pursuant to G.L. c. 40A, § 3, ¶ 11 and 760 CMR 71.00.

6. §4.11. A (Protected ADU);

To Dennis ZBL §4.11 Regulations Specific to Accessory Dwelling Units (ADU)

- 6.1. ADD §4.11. A (Protected ADU) before existing §4.11.

§ 4.11.A: Accessory Dwelling Units ("ADUs") By-right Pursuant to G.L. c. 40A, § 3, ¶ 11 and 760 CMR 71.00, one Protected Use ADU is allowed on a lot in the following Zoning Districts: R-40, R-60, Quivet Neck/Crowe 's Pasture Resource Protection District, RR, LL, GC-II, GC-III, DPVC Area A, and DPVC Area BA. Protected Use ADU is defined as a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in Gross Floor Area than 1/2 the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller and is proposed to be located on a Lot in a Single-Family Residential Zoning District and no other Accessory Dwelling Unit is located on said Lot. For purposes of this section, Gross Floor Area shall be the sum of the areas of all floors of the building, including basements, cellars, mezzanine and intermediate floored tiers and penthouses of headroom height, measured from the exterior faces of exterior walls or from the centerline of walls separating buildings, but excluding: (i) covered walkways, open roofed-over areas, porches and similar spaces; and (ii) pipe trenches, exterior terraces or steps, chimneys, roof overhands and similar features.

- a) Any Protected Use ADU created shall be prohibited from serving as a Short-Term Rental defined in General Laws Chapter 64G, Section 1. The minimum leasing term for the Accessory Dwelling Unit or the Principal Dwelling Unit shall be for a term greater than thirty-one (31) days.
- b) Any Protected Use ADU shall be subject to all state and local laws, rules and regulations promulgated, enforced, or otherwise within the jurisdiction of the Building Code, Board of Health Regulations and Conservation

Commission and shall be subject to all Lot Coverage, Setback and Dimensional requirements and thresholds in the Dennis zoning bylaws.

- c) Any Protected Use ADU shall be housed in a structure subject to Building and Health Codes.
- d) Any Protected Use ADU may only be created on lots on which there already exists a Principal Dwelling.
- e) A Protected Use ADU shall be considered an “accessory use” to the principal use on the lot and shall be restricted so that the ADU is never divided by ownership from the principal structure.
- f) A Protected Use ADU shall be designed so that the appearance of the ADU will be consistent with the character and design of the principal dwelling as much as feasibly possible, as determined by the Building Inspector. To ascertain this, architectural or design plans must be submitted at the time of application for a Building Permit.
- g) For ADU’s not allowed by right, such as more than one (1) ADU 900 square foot or less in a single-family residential zoning district, or an ADU larger than 900 square feet in a single-family residential zoning district, or an ADU in an any district other than a single-family residential zoning district, there shall be a Special Permit for the use of land or structures for an accessory dwelling unit per § 4.11 of the Dennis Zoning Bylaws.

6.2. ADD the following language to the existing ADU bylaw (§4.11) for ADU that still require a Special Permit.

§4.11.1 Any ADU not protected pursuant to M.G.L. c. 40A, § 3, ¶ 11 and 760 CMR 71.00 as described above in § 4.11.A , shall require a Special Permit, for which the following Special Permit requirements apply. Any special permit issued for an ADU shall be subject to all state and local laws, rules and regulations promulgated, enforced, or otherwise within the jurisdiction of the Board of Health of the Town of Dennis. An applicant must follow all statutes, by-laws and regulations.

§4.11.2 An Accessory Dwelling Unit (ADU) by Special Permit may be created by converting space within an existing dwelling. An ADU may also be created by building or by creating new space attached by new or existing Conditioned Space (as defined in the Massachusetts Building Code 780 CMR 202) to a Principal Residential Structure. The following additional standards and conditions shall govern special permits issued under this subsection:

§4.11.3 An ADU by Special Permit may only be created on lots on which there already exists a Principal Residential Structure, and may only be created within an existing dwelling or by creating new space attached by new or existing Conditioned Space to such Principal Residential Structure.

§4.11.4 An ADU by Special Permit shall be subject to the following additional restrictions.

§4.11.4.1 Lot must be a minimum of 15,000 sf.

§4.11.4.2 There shall not be more than one ADU on a lot.

§4.11.4.3 Lots that exceed maximum lot coverage, i.e. pre-existing non-conforming lots shall not be permitted an ADU.

§4.11.4.4 Lots that are below 15% maximum lot coverage may be permitted to construct an addition up to the maximum lot coverage to accommodate an Accessory Dwelling Unit.

§4.11.4.5 Parking:

§4.11.4.5.1 Shall be on-site.

§4.11.4.5.2 Shall be incorporated to blend in with the existing residential parking on-site (i.e. garage and/or within the driveway or expanded driveway area)

§4.11.4.5.3 Shall not encroach on the 10 foot side line green area required under Section 2.3.4.1.b.

§4.11.4.6 An ADU by Special Permit shall not be located in a designated AE or V flood zone as regulated by the Dennis Flood Maps adopted on May 6, 2014.

§4.11.5 An ADU by Special Permit shall be considered an “accessory use” to the principal use on the lot and shall be restricted so that the ADU is never divided by ownership from the principal structure.

§4.11.6 Any lot containing an ADU by Special Permit shall be subject to a recorded restriction that shall restrict the lot owner’s ability to convey interest in the ADU separate from the owner of the Principal Residential Structure.

§4.11.7 A dwelling proposed to include an ADU by Special Permit:

§4.11.7.1 Shall be subject to the granting of a Special Permit by the Dennis Planning Board;

§4.11.7.2 May be expanded by the granting of a Special Permit which is based upon a finding by the Planning Board that the conditions present on the site are adequate to support the proposed use, protect the surrounding neighborhood and be consistent with all other restrictions found in this by-law.

§4.11.8 For the purposes of §4.11, ADU by Special Permit, one unit shall be owner occupied on a year-round basis, except for bona fide temporary absences during which the owner-occupied unit is not rented.

§4.11.9 The principal dwelling or the ADU will be used as the principal residence of the owner and the remaining dwelling will be leased for a minimum of twelve (12) consecutive months, with no subletting or assigning to occur and is prohibited from any use as rental units on a monthly, weekly or daily basis including, but not limited to, seasonal rental and rental through vacation rental services and websites. An ADU shall not be used for boarding, transient lodging, or other commercial use.

§4.11.10 Contextual Design

§4.11.10.1 If the primary entrance of an ADU by Special Permit is not proposed to be shared with that of the principal dwelling, such entrance shall be less visible from the street view of the principal dwelling than the main entrance of the principal dwelling.

§4.11.10.2 An ADU by Special Permit shall be designed so that, to the maximum extent practical, the appearance of the property on which it is to be located remains that of a single-family residential property and the privacy of abutting properties is maintained, considering the following: building architectural details, roof design, building spacing and orientation, building screening, door and window location, and building materials.

§4.11.11 Maximum Permits for ADUs by Special Permit,

(a) shall not exceed 9 in any calendar year.

(b) Any unused permits in any one calendar year shall not roll over to any subsequent calendar year.

(c) This provision will allow the Planning Board and other committees to study the impact of ADUs on the Town of Dennis and recommend future actions if needed. This provision 4.11.11 shall expire automatically on December 31, 2027 without further Town Meeting Action.

§4.11.12 Enforcement

4.11.12.1 Real property containing an ADU by Special Permit, as described in this Section, for which a validly-issued Variance, Special Permit, Building Permit, or Occupancy Permit does not exist, may apply to the Building Department for an Occupancy Permit to continue use as an accessory dwelling unit provided the provisions of Section 4.11 and 3.1.2 are complied with.

4.11.12.2 To qualify under this Section, the unpermitted ADU must be a single accessory dwelling unit that is accessory to a single-family dwelling and must have been in existence prior to the date of adoption of this bylaw. It shall be the burden of the applicant to prove to the Building Department that the unlawful apartment was in existence before that date.

§4.11.13 Monitoring and Other Provisions, *for an ADU by Special Permit:*

4.11.13.1 Prior to the issuance of a building permit or Special Permit, a copy of the deed shall be provided illustrating the continued ownership and an affidavit verifying continued occupancy of the property by the applicant for a minimum of the most recent six months.

§4.11.13.2 Prior to the issuance of a building permit or a Special Permit, a certificate in the form of a notarized affidavit to verify that the owner is and shall be in residence in one of the units shall be submitted to the Building Commissioner and to the Special Permit Granting Authority.

§4.11.13.3 The unit to be leased shall maintain a rental permit with the Dennis Board of Health.

§4.11.13.4 The property owner shall be required to annually file, on or before January 31st, with the Building Commissioner:

§4.11.13.4.1 A copy of the Dennis Board of Health Rental Permit;

§4.11.13.4.2 An affidavit stating that either the principal dwelling or the accessory dwelling unit will be used as the principal residence of the owner; and

§4.11.13.4.3 A lease stating that the leased premises will be leased for a minimum of twelve (12) consecutive months, with no subletting or assigning to occur.

7. § 5 (Definitions). ADD the following language to Section 5 of the Dennis Zoning Definitions.

7.1. Per Section 7 of Chapter 150 and G.L. c. 40A, § 3, ¶ 11 and 760 CMR 71.00, the existing definition of ADU shall be removed; and

7.2. Per Section 7 of Chapter 150 and G.L. c. 40A, § 3, ¶ 11 and 760 CMR 71.00, the existing definition of ADU shall be Replaced by the following Definition: Accessory Dwelling Units ("ADUs") By-right Pursuant to G.L. c. 40A, § 3, ¶ 11 and 760 CMR 71.00, one Protected Use ADU is allowed on a lot in the following Zoning Districts: R-40, R-60, Quivet Neck/Crowe's Pasture Resource Protection District, RR, LL, GC-II, GC-III, DPVC Area A, and DPVC Area BA Protected Use ADU is defined as a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in Gross Floor Area than 1/2 the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller and is proposed to be located on a Lot in a Single-Family Residential Zoning District and no other Accessory Dwelling Unit is located on said Lot. For purposes of this section, Gross Floor Area shall be the sum of the areas of all floors of the building, including basements, cellars, mezzanine and intermediate floored tiers and penthouses of headroom height, measured from the exterior faces of exterior walls or from the centerline of walls separating buildings, but excluding: (i) covered walkways, open roofed-over areas, porches and similar spaces; and (ii) pipe trenches, exterior terraces or steps, chimneys, roof overhands and similar features.

7.3. Per Section 10 of Chapter 150 and G.L. c. 40A, § 3, ¶ 11 and 760 CMR 71.00, we need to add the following new definition allowing Lots of a certain age and

size, that have been undersized for many decades to be developed with conditions.

New houses proposed on previously non-conforming, non-buildable "remainder" lots, that at the time of recording or endorsement, the lot conformed to then existing requirements of area, frontage, width, yard or depth and the new single-family residential structure constructed on said lot shall not exceed 1,850 square feet of heated living area, shall contain not less than 3 bedrooms and shall not be used as a seasonal home or short-term rental.

ARTICLE 27. On motion of Select Board Member, Carlyn Carey, duly seconded, it was voted by majority to amend the Dennis Zoning By-laws by adding the language shown below in bold underlined and deleting language shown in strikethrough text

§2.2.2 Note 8 (Use Regulation Schedule Note): ADD §2.2.2 Note 8

⁸ Lot Merger: New houses proposed on previously non-conforming, non-buildable lots, must first provide a title attorneys opinion, to be confirmed by Town Counsel, that at the time of recording or endorsement, the lot conformed to then existing requirements of area, frontage, width, yard or depth and contain 10,000 square feet of lot area and 75 feet of frontage before the issuance of a Building Permit for a single-family dwelling. The new single-family residential structure constructed on said lot shall have a recorded notice that the structure shall not exceed 1,850 square feet of heated living area, shall contain not less than 3 bedrooms and shall not be used as a seasonal home or short-term rental before issuance of a Certificate of Occupancy.

ARTICLE 28. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to vote to transfer \$225,661 from the Town Administrator Budget Settlement Line of the May 6, 2025 ATM, Article 4 to fund a collective bargaining agreement between the Town of Dennis and the Dennis Patrol Officers MassCOP, Local 504 Union, for Fiscal Year 2026.

ARTICLE 29. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to transfer \$21,183 from the Town Administrator Budget Settlement Line of the May 6, 2025 ATM, Article 4 to fund a collective bargaining agreement between the Town of Dennis and the Dennis Police Sergeants MassCOP, Local 505 Union, for Fiscal Year 2026.

ARTICLE 30. On motion of Select Board Chair, Christopher Lambton, duly seconded, it was unanimously voted to transfer \$48,859 from the Town Administrator Budget Settlement Line of the May 6, 2025 ATM, Article 4 to fund a collective bargaining agreement between the Town of Dennis and the Dennis Superior Officers MassCop, Local 520 Union for Fiscal Year 2026.

ARTICLE 31. On motion of Select Board Chair, Christopher Lambton, duly seconded, it was voted by majority to indefinitely postpone the article to raise and appropriate or transfer from available funds a sum of money to fund a collective bargaining agreement between the Town and the Dennis Professional Firefighters, IAFF, Local 2583 personnel for Fiscal Year 2026.

ARTICLE 32. On motion of Select Board Member, John Terrio, duly seconded, it was unanimously voted to appropriate the sum of \$7,500,000 for the cost of irrigations system replacements of the Dennis Highlands and Dennis Pines Golf Courses and costs related thereto, and, that to meet this appropriation the Treasurer with the approval of the Select Board is hereby authorized to borrow \$7,500,000 pursuant to M.G.L. c.44, §§ 7 and 8, or any other enabling authority and to issue bonds and notes of the Town therefor. While any borrowing authorized by this vote shall constitute a pledge of the Town's full faith and credit, it is the Town's expectation that fifty percent of the amount required to repay any borrowing for this project shall be paid, in the first

instance, from Golf Capital Improvement Fund revenues. No amounts shall be borrowed or expended pursuant hereto unless the Town shall have voted to exclude the amounts required to repay any such borrowing from the property tax levy limitations of G.L. c. 59, s. 21C (also known as Proposition 2½).

ARTICLE 33. On motion of Select Board Chair, Christopher Lambton, duly seconded, it was voted 79 in favor, 235 opposed, thus defeated, to appropriate the sum of \$8,000,000 for the cost of the Sesuit Harbor West Design and Construction Project and costs related thereto, and, that to meet this appropriation transfer \$1,000,000 from free cash and the Treasurer with the approval of the Select Board is hereby authorized to borrow \$7,000,000 pursuant to M.G.L. c.44, §§ 7 and 8, or any other enabling authority and to issue bonds and notes therefor. While any borrowing authorized by this vote shall constitute a pledge of the Town's full faith and credit, it is the Town's expectation that one-third of the amount required to repay any borrowing for this project shall be paid, in the first instance, from amounts held in the Waterways Dredge Capital Improvement Fund. No amounts shall be borrowed or expended pursuant hereto unless the Town shall have voted to exclude the amounts required to repay any such borrowing from the property tax levy limitations of G.L. c. 59, s. 21C (also known as Proposition 2½).

ARTICLE 34. On motion of Select Board Member, Carlyn Carey, duly seconded, it was voted by majority to amend Ch. 79 of the General By-Laws of the Town Code to read as follows:

Part 1: Amend §79.5. Leashing and restraining, by adding the following new paragraphs E, F and G: as shown below, with additions shown in *italics* and deletions shown in ~~strikethrough~~:

E – No dog shall be tethered to a stationary object for longer than five hours in a 24-hr period or tethered outdoors between 10pm and 6am, unless not for more than 15 minutes and when the owner/guardian/keeper is present.

F – A person shall not leave a dog outside when a weather advisory, warning, or watch is issued by a local, state, or federal authority, or when outside environmental conditions including, but not limited to, extreme heat, cold, wind, rain, snow, or hail pose an adverse risk to the health or safety of the dog, unless the tethering is not for more than 15 minutes.

G. Violations and penalties. Any person who violates the provisions of Article II, § 79-5E and F, shall be subject to a written warning or punished by a fine of not more than \$50 for the first offense, shall be punished by a fine of not more than \$200 for the second offense, shall be punished by a fine of not more than \$500 for the third and subsequent offenses and be subject to impoundment of the dog in a local shelter at the owner's, keeper's or guardian's expense pending compliance with this section, or loss of ownership of the dog. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

Part 2: Amend §79.9. Dog Waste Removal Required, as shown below, with additions shown in *italics* and deletions shown in ~~strikethrough~~:

§79.9 ~~Dog~~ *Pet or companion animal* waste removal required

A-1 Removal of ~~dog~~ *pet or companion animal* waste from public property or property of others. No person owning or having the care, custody, or control of any ~~dog~~ *pet or companion animal* shall permit such ~~dog~~ *pet or companion animal* to soil or defile or commit any nuisance upon any sidewalk, street, thoroughfare, beach, or wetland, in or upon any public property or in or upon the property of persons other than the owner or persons having the care, custody, or control of such ~~dog~~ *pet or companion animal*, unless said person picks up any such waste and disposes of same in a sanitary manner. Anyone having custody or control of a dog in a public place shall have in their possession a device or equipment to pick up and remove ~~dog~~ *pet or companion animal* feces. Individuals with disabilities aided by service animals and law enforcement, emergency or rescue officials with animals carrying out official duties are exempt from this section.

A-2 *No person owning or having the care, custody, or control of any horse or livestock shall permit such horse or livestock to soil or defile or commit any nuisance upon any*

sidewalk, street, thoroughfare, beach, or wetland, in or upon any public property or in or upon the property of persons other than the owner or persons having the care, custody, or control of such horse or livestock, unless said person picks up any such waste and disposes of same in a sanitary manner. Anyone having custody or control of a horse or any livestock in a public place shall have in their possession a device or equipment such as a small plastic type shovel and grain feed type bag to pick up and remove the manure immediately.

B-1 Violations and penalties. Any person found in violation of Article V by the Animal Control Officer or Assistant Animal Control Officer shall be subject to a *warning for the first offense*, a payment of a fine of ~~\$30~~ \$150 for the ~~first~~ *second* offense; ~~\$50~~ \$200 for the ~~second~~ *third* offense and ~~\$150~~ *payment of \$300* for the ~~third~~ *fourth* and subsequent offenses. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

ARTICLE 35. On motion of Select Board Member, Jim Plath, duly seconded, it was voted by majority to transfer \$1,000,000 from Free Cash to the Capital Improvement Fund.

ARTICLE 36. On motion of Select Board Member, Jim Plath, duly seconded, it was unanimously voted to transfer \$315,000 from Free Cash to the General Purpose Stabilization Fund.

ARTICLE 37. On motion of Select Board Member, John Terrio, duly seconded, it was voted by majority to transfer \$85,000 from free cash for the demolition/disposal of Fire Station 2, Old Bass River Road, including any hazardous materials, and any other costs incidental and related thereto.

It was unanimously voted to adjourn (dissolve) the meeting at 9:38 pm on May 6, 2025.

A True Copy, Attest:

Theresa T. Bunce, MMC/CMMC
Dennis Town Clerk