

**SPECIAL TOWN MEETING  
Town of Dennis  
October 16, 2018**

Robert C. Chamberlain, Moderator, called the Special Town Meeting held at the Nathaniel H. Wixon Innovation School to order at 7:00 p.m. He declared a quorum present and noted that the Warrant had been posted by Korrin Dean, Constable. Tellers were MaryEllen Fabiano-Stowe, Helene Savicki, Tracey Monroe, Katie Clancy and Paul Covell, Head Teller.

Moderator Chamberlain asked the assembly to kindly rise and salute the flag as we recite the Pledge of Allegiance.

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

**ARTICLE 1:** On motion of Finance Committee Chairman James Plath, duly seconded, it was unanimously voted to raise and appropriate \$11,500 to increase line item #91 Personal Services – 100433 Waste Collection/Disposal in the Fiscal Year 2019 Budget.

**ARTICLE 2:** On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was voted by majority, in accordance with the Selectmen's Fee Limitation By-Law, to establish a new fee for one single bag or one 33 gallon barrel in the amount of \$6.00 per bag/barrel with purchase of the Recycling Permit and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law.

**ARTICLE 3:** On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was voted by majority, that the Town vote in accordance with the Selectmen's Fee Limitation By-law, to amend the Solid Waste and Recycling Fees as follows:

INITIAL PASS (Residential/Household Trash)

Current \$152          Proposed \$182

RECYCLING ONLY STICKER

Current \$35          Proposed \$42

HOUSEHOLD TRASH (per bag/barrel without pass)

Current \$5          Proposed \$10 for initial bag/barrel, \$6 per bag/barrel thereafter;

and that said fees may be amended from time to time by the Board of Selectmen in accordance with said by-law.

**ARTICLE 4:** On motion of Board of Selectmen Member Christopher Flanagan, duly seconded, it was unanimously voted that the Town vote to transfer \$10,510 from Free Cash to fund the fuel assistance special article.

**ARTICLE 5:** On motion of Community Preservation Committee Member Diane Rochelle, duly seconded, it was unanimously voted pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$100,000 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Cemetery Advisory Committee pursuant to a grant agreement between the Board of Selectmen and the Dennis Cemetery Advisory Committee to fund the South Dennis Congregational Church Cemetery and West Dennis Cemetery Burial Marker Preservation and Repair, and further, authorize the Board of Selectmen to enter into said agreement, upon such terms and conditions as it deems appropriate.

**ARTICLE 6:** On motion of Community Preservation Committee Member Regina White, duly seconded, it was unanimously voted, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$10,000 from the Community Preservation Affordable Housing Reserves Fund as a grant to the Housing Assistance Corporation pursuant to a grant agreement between the Board of Selectmen and the Housing Assistance Corporation to fund the Cape Housing Institute, and further, authorize the Board of Selectmen to enter into said agreement, upon such terms and conditions as it deems appropriate.

**ARTICLE 7:** On motion of Board of Selectmen Member Christopher Flanagan, duly seconded, it was unanimously voted, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$57,150 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Town of Dennis Recreational Department pursuant to a grant agreement between the Board of Selectmen and Town of Dennis Recreational Department to fund the Johnny Kelley Basketball Courts Restoration/Repair Project, and further, authorize the Board of Selectmen to enter into said agreement, upon such terms and conditions as it deems appropriate.

**ARTICLE 8:** On motion of Community Preservation Committee Member Dorria DiManno, duly seconded, it was unanimously voted, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$11,372 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Swan Lake Cemetery Association, Inc. pursuant to a grant agreement between the Board of Selectmen and the Swan Lake Cemetery Association, Inc. to fund the Repair of Historic gravestones, and further, authorize the Board of Selectmen to enter into said agreement, upon such terms and conditions as it deems appropriate.

**ARTICLE 9:** On motion of Community Preservation Committee Member Christopher Foley, duly seconded, it was unanimously voted, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$30,750 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Josiah Dennis Manse Committee pursuant to a grant agreement between the Board of Selectmen and the Josiah Dennis Manse Committee to fund the West Schoolhouse Stabilization Phase I at the historic West Schoolhouse, located at 61 Whig Street, and further, authorize the

Board of Selectmen to enter into said agreement, upon such terms and conditions as it deems appropriate.

**ARTICLE 10:** On motion of Community Preservation Committee Member Jeffrey Treiber, duly seconded, it was unanimously voted, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$63,200 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Town of Dennis Recreational Department pursuant to a grant agreement between the Board of Selectmen and the Town of Dennis Recreational Department to fund the Wixon Courts Restoration and further, authorize the Board of Selectmen to enter into said agreement, upon such terms and conditions as they deem appropriate.

**ARTICLE 11:** On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted, to authorize the Dennis Water District to participate in the Town of Dennis' previously established Other Post-Employment Benefits (OPEB) Trust Fund, subject to any procedures and criteria established by the Town's board of trustees of the OPEB Trust Fund, in accordance with and subject to any and all other requirements of G.L. c. 32B, §20(k).

**ARTICLE 12:** On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted, to authorize the Board of Selectmen to file a home rule petition as follows:

AN ACT ESTABLISHING A DEPARTMENT OF MUNICIPAL FINANCE IN THE TOWN OF DENNIS.

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

SECTION 1. There shall be a Department of Municipal Finance in the Town of Dennis, which shall be responsible for the performance of all fiscal and financial activities of the Town, including those duties and responsibilities related to municipal finance activities which prior to the effective date of this Act were performed by or under the authority of the Town Accountant and the Town Treasurer-Collector. The Board of Assessors and Director of Assessing shall be part of the Department of Municipal Finance, however, the Board of Assessors shall continue to exercise all of the duties and responsibilities of a Board of Assessors under the General Laws, except as otherwise provided in Section 3 of this Act. The Department of Municipal Finance shall have such additional powers, duties and responsibilities with respect to municipal finance-related functions and activities as the Town may from time to time provide by by-law.

SECTION 2. The Department of Municipal Finance shall be under the direct control and supervision of a Director of Municipal Finance who shall be appointed by and be responsible to the Board of Selectmen. The Director of Municipal Finance shall be a person especially fitted by education, experience and training to perform the duties of the office. The educational qualifications shall consist of a Master's Degree, preferably

in Accounting or Business Administration, granted by an accredited degree-granting college or university. The professional experience shall include at least 3 years of prior full-time compensated service in accounting or business administration. Alternatively, 5 years or more of such professional experience and a Bachelor's Degree in an appropriate discipline shall qualify an applicant. Seven years or more of prior full-time compensated experience in accounting or business administration shall also qualify any applicant. The salary, fringe benefits and other conditions of employment of the Director of Municipal Finance, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of their duties or office, liability insurance, conditions of discipline, termination, dismissal, reappointment, performance standards and leave may be established by contract.

SECTION 3. The Director of Municipal Finance shall be responsible for the supervision and coordination of all activities of the Department in accordance with the General Laws, Town By-laws, administrative codes and rules and regulations. The Director of Municipal Finance may serve as the Town Accountant and have all the powers, duties and responsibilities of, and be subject to the liabilities and penalties conferred and imposed by law on the office of Town Accountant, and shall be responsible for coordinating the fiscal management procedures of the offices of the Town Treasurer-Collector,

Board of Assessors and Town Accountant, and shall be the administrator of budgeting, including financial reporting, accountability and control, as well as an advisor on financial and programmatic implications of current and future policies to all Town departments, the Town Administrator and the Board of Selectmen. The Director of Municipal Finance shall be responsible for coordinating all financial tasks required by the General Laws, and shall accomplish such tasks in accordance with the dates specified in the Massachusetts Department of Revenue municipal calendar, as it may be amended from time to time.

SECTION 4. Notwithstanding any general or special law to the contrary, and except as provided in this Act, there shall be a Treasurer-Collector in the Town of Dennis who shall have the powers, duties and responsibilities of, and be subject to the liabilities and penalties conferred and imposed by law on the office of Treasurer and Collector under the General Laws. The Board of Selectmen shall appoint the Treasurer-Collector. The Treasurer-Collector shall be a person especially fitted by education, experience and training to perform the duties of the office.

SECTION 5. Upon the effective date of this Act, the appointed Town Accountant holding office shall become the Director of Municipal Finance in the Town of Dennis. The appointed incumbent holding the office of Treasurer-Collector for the Town of Dennis, as of the effective date of this Act, shall continue to hold said office and to perform the duties thereof and further this Act shall have no effect on the incumbent's salary or benefits. Thereafter, appointments to the position of Treasurer-Collector shall be made in accordance with Section 4 of this Act. The Treasurer-Collector and Director of Assessing shall be employees of the Department of Municipal Finance under the direction and supervision of the Director of Municipal Finance.

SECTION 6. Contracts or liabilities in force on the effective date of this Act shall not be affected by consolidation of certain financial functions of the Town as provided in this Act.

SECTION 7. Chapter 11 of the Acts of 1996 is hereby repealed.

SECTION 8. This Act shall take effect upon its passage.

**ARTICLE 13:** On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to amend the General bylaws of the Town by repealing in its entirety Chapter 14 of the Town Code entitled Design Review Panel.

**ARTICLE 14:** On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to authorize the Board of Selectmen to acquire by gift for general municipal purposes and for drainage, septic system and parking for the Senior Center Project, the fee interest in the property located at 7 Pine Wood Road, Dennis, Massachusetts, containing 34,863 square feet, more or less, and shown as Lot 7 on a plan of land entitled " Rescission, Plan of Land in East Dennis, Massachusetts, as Prepared for Friends of Dennis Senior Citizens, Inc.," dated September 8, 2017, prepared by Sweetser Engineering, recorded with Barnstable County Registry of Deeds in Plan Book 673, Page 85, on such terms and conditions as the Board of Selectmen deem in the best interests of the Town, and further to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town to effect said acquisition.

**ARTICLE 15:** On motion of Board of Selectmen Member Robert Mezzadri, duly seconded, it was unanimously voted to amend the General Bylaws, Article X Chapter 19 Section 19-13 of the Town Code, Waterways Dredge and Maintenance Program Receipts Reserved Capital Improvements Fund as follows:

§19-13 Authority to increase deposit.

In accordance with Chapter 118 of the Acts of 2008, the Board of Selectmen is hereby authorized to increase the portion of the revenue derived from the Waterways fees to be deposited into said fund as follows:

- A. One hundred percent of transient fees.
- B. Fifty **Seventy five** percent of the parking fees.
- C. Fifty percent of the non-resident slip holders fees.
- D. Fifty percent of the resident slip holders fees.
- E. ~~Sixty~~ **One hundred** percent of private dock and rack fees;

**ARTICLE 16:** On motion of Board of Selectmen Member Robert Mezzadri, duly seconded, it was unanimously voted to amend the General Bylaws, Article X of the Town Code, Waterways Dredge and Maintenance Program Receipts Reserved Capital Improvements Fund, as follows; provided that in addition to the requirements of General Laws Chapter 40, Section 32, this bylaw amendment shall not take effect until the Home

Rule Petition amending Chapter 118 of the Acts of 2008 approved in Article 16 of the October 16, 2018 Special Town Meeting is adopted by the General Court and signed into law:

§ 19-13. Authority to increase deposit.

In accordance with Chapter 118 of the Acts of 2008, the Board of Selectmen is hereby authorized to increase the portion of the revenue derived from the Waterways fees to be deposited into said fund as follows:

- A. One hundred percent of the transient fees.
- B. Fifty percent of the parking fees.
- C. Fifty percent of the non-resident slip holders fees.
- D. Fifty percent of the resident slip holders fees.
- E. Sixty percent of private dock and rack fees.
- F. One hundred percent of Waterways Special Use permit fees;**

**ARTICLE 17:** On motion of Board of Selectmen Member Robert Mezzadri, duly seconded, it was unanimously voted in accordance with the Selectmen's Fee Limitation By-law, to establish new daily parking fees as follows:

Daily parking – Sesuit East Side (vehicle) per day \$10  
Daily parking – Sesuit East Side (vehicle with trailer) per day \$15

Delete Current Fee:

~~Daily parking – East side (car, car and trailer) \$8 Daily/\$10 Weekends~~

and that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law.

**ARTICLE 18:** On motion of Board of Selectmen Member Robert Mezzadri, duly seconded, it was unanimously voted in accordance with the Selectmen's Fee Limitation By-law, to establish new daily parking fees as follows:

June 1 to September 30 \$4/ft/night  
October 1 to May 31 \$2/ft/night

Delete Current Fees:

~~Summer per ft. daily: \$2/ft/night  
Spring and Fall per ft. daily: \$1.50ft/night  
Late Fall, early Spring, Winter per ft. daily: \$1/ft/night~~

and that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law.

It was unanimously voted to adjourn (dissolve) the meeting at 7:33 p.m. on October 16, 2018.