

**TOWN OF DENNIS
SPECIAL TOWN MEETING
NOVEMBER 19, 2013**

Robert C. Chamberlain, Moderator, called the Special Town Meeting held at the Nathaniel H. Wixon Middle School to order at 7:00 p.m. He declared a quorum present and noted that the Warrant had been posted by Gerald M. DeSalvatore, Constable. Tellers were Daniel Chamberlain, Robert Duffy, Gladys Kearney, Robert Mezadri, Elizabeth Chamberlain-Patterson and Paul Covell, Head Teller.

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

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

ARTICLE 1: On motion of Community Preservation Committee Member James Wick, duly seconded, it was unanimously voted, pursuant to the Community Preservation Act, G.L. C.44b, to appropriate and transfer \$4,000 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Society, Inc. pursuant to a grant agreement between the Board of Selectmen and the Dennis Historical Society, Inc. for the purchase of UV glass for the protection of historic artifacts, and further authorize the Board of Selectmen to enter into a grant agreement with the Dennis Historical Society, upon such terms and conditions as it deems appropriate.

ARTICLE 2: On motion of Community Preservation Committee Member Frank Verny, and amended by Finance Committee Chairman James Plath, duly seconded, it was unanimously voted, pursuant to the Community Preservation Act, G.L. C.44b, to appropriate and transfer \$9,000 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Society, Inc. pursuant to a grant agreement between the Board of Selectmen and the Dennis Historical Society, Inc. for the restoration and preservation of historic paintings, and further authorize the Board of Selectmen to enter into a grant agreement with the Dennis Historical Society, upon such terms and conditions as it deems appropriate.

ARTICLE 3: 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 \$15,000 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Jacob Sears Memorial Library Board of Trustees, pursuant to a grant agreement between the Board of Selectmen and said trustees for the restoration and preservation of the Jacob Sears Memorial Library's roof, and further, authorize the Board of Selectmen to enter into said grant agreement upon such terms and conditions as they deem appropriate.

ARTICLE 4: 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 \$45,000 from the Community Preservation Historic Preservation Reserves Fund to the Dennis Historical Commission for the restoration and preservation of the Captain Bernard O'Neil Flag.

ARTICLE 5: On motion of Community Preservation Committee Member Frank Dahlstrom, duly seconded, it was unanimously voted pursuant to the Community Preservation Act, G.L. C.44b, to appropriate and transfer \$58,500 from the Community Preservation Historic Preservation Reserves Fund as a grant to the Dennis Historical Society, Inc. pursuant to a grant agreement between the Board of Selectmen and the Dennis Historical Society, Inc. to fund the continuation of the accessible digital archives project, and further authorize the Board of Selectmen to enter into a grant agreement with the Dennis Historical Society, upon such terms and conditions as it deems appropriate, which agreement shall include, but not be limited to, requirements that the historical society make such digitally archived materials available to the general public and, in the event that the historical society decides to terminate the project and/or can

no longer host public access to the same, turn such digitalized material over to the town.

ARTICLE 6: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was voted 131 yes to 62 no, pursuant to the Community Preservation Act, G.L. C.44b, to appropriate and transfer \$102,785 from the Community Preservation Historic Preservation Reserves Fund as a grant to the South Dennis Orthodox Congregational Church, pursuant to a grant agreement between the Board of Selectmen and said church for the installation of a fire sprinkler system and related interior painting, and further, authorize the Board of Selectmen to enter into said grant agreement, upon such terms and conditions as they deem appropriate, and further, to authorize the Board of Selectmen or the Dennis Historical Commission to accept a historical preservation restriction on said property in perpetuity or for a term on years pursuant to G.L. c.184.

ARTICLE 7: On motion of Community Preservation Committee Member Henry Kelley II, duly seconded, it was voted by majority to rescind the vote taken under Article 11 of the September 26, 2006 Special Town Meeting which appropriated \$375,000 in Community Preservation Funds for a grant to Dennisport Partners for an affordable housing project located off of Elkanah Howland Road, and to return the unspent balance to the following funds: \$300,000 to the Community Preservation Affordable Housing Reserves Fund and \$75,000 to the Community Preservation Undesignated Reserves Fund.

ARTICLE 8: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to transfer \$18,376.21 from free cash to return to the Capital Improvement Fund the remaining balances in the fiscal year 2012 and fiscal year 2013 capital outlay equipment and projects voted under under Article 16 of the May 3, 2011 Annual Town Meeting and Fiscal Year 2013 capital outlay equipment or projects voted under Article 13 of the May 8, 2012 Annual Town Meeting.

Fiscal Year 2012

1. Fire - Refurbish Ladder Truck.....	\$ 20.70
2. Mun.Bldgs. W.D. Graded School House Painting	9,040.00
3. Police – Item Replacement.....	<u>22.54</u>
Total	\$9,083.24

Fiscal Year 2013

1. Fire – Replace Fire Pumper 115 (2 nd yr. lease)	\$ 181.71
2. Mun. Bldgs. – Roofing/ Siding & Trim.....	<u>9,111.26</u>
Total	\$9,292.97

ARTICLE 9: On motion of Board of Selectmen Member Alan Tuttle, duly seconded, it was unanimously voted to raise and appropriate \$365,285 to hire four (4) firefighter/paramedic positions to provide for the full-time staffing and associated costs of the North Side Fire Station as previously approved by Town Meeting on May 8, 2012, and an override ballot question on May 15, 2012.

ARTICLE 10: On motion of Comprehensive Wastewater Task Force Committee Chairman Diane Chamberlain, duly seconded, it was voted by majority to transfer \$235,000 from free cash to hire a consultant to identify and propose mitigation options concerning nitrogen loading in the Town’s ponds and estuaries.

ARTICLE 11: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to transfer \$40,000 from the Beach Capital Improvement Fund to pay for engineering, design and permitting for stabilization of the coastal bank at Corporation Beach.

ARTICLE 12: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to transfer \$30,000 from free cash to pay for the engineering, design and the state environmental notification form filing for extension of the rock revetment at the Dr. Bottero road landing.

ARTICLE 13: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to transfer \$33,000 from the Beach Capital

Improvement Fund to pay for the design, permitting and construction of sand fencing at specific locations on Chapin Beach.

ARTICLE 14: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to indefinitely postpone the article.

ARTICLE 15: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was voted 149 yes to 29 no that the sum of \$4,100,000 be appropriated to finance the cost of design, engineering, construction and equipping of an addition to the Route 134 Town Offices Building, including all costs incidental and related thereto; that to meet this appropriation the sum of \$500,000 be transferred from the Capital Improvement Fund, the sum of \$500,000 be transferred from free cash, and that the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow \$3,100,000 under G.L. C.44, §7(3) or 7(3a), or any other enabling authority for a period not to exceed twenty (20) years; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. C.59, §21c (proposition 2 ½) the amounts required to pay the principal of and interest on the borrowing authorized by this vote.

ARTICLE 16: On motion of Board of Selectman Chairman Paul McCormick, duly seconded, it was unanimously voted to authorize the Board of Selectmen to convey the land and the buildings thereon shown on Assessor's Map 74 as Parcel 65, the former Town Inspectional Services Office Building located at 465 Main Street, Dennisport, pursuant to the provisions of G.L. C.30b, and to authorize the Board of Selectmen to enter into all agreement and execute any and all instruments as may be necessary or convenient on behalf of the town to affect said conveyance, subject to such terms and conditions and for such consideration as may be nominal consideration, as the Board of Selectmen deem appropriate, including any use restrictions to be imposed on said property.

ARTICLE 17: On motion of, Selectman Sheryl McMahon, duly seconded, it was unanimously voted to indefinitely postpone the article.

ARTICLE 18: On motion of, Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to indefinitely postpone the article.

ARTICLE 19: On motion of, Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to indefinitely postpone the article.

ARTICLE 20: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted to transfer \$5,000 from the Beach Capital Improvement Fund to pay for the design and permitting of a walkway at Howes Street Beach.

ARTICLE 21: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to transfer \$59,234.18 from Line Item #3a, of Article 4 of the May 7, 2013 Annual Town Meeting in order to fund a collective bargaining agreement between the Town and AFSCME Council 93, Local 2977 Union for fiscal year 2014.

ARTICLE 22: On motion of Board of Selectman Member Sheryl McMahon, duly seconded, it was unanimously voted to transfer \$14,983 from Line Item #3a, of Article 4 of the May 7, 2013 Annual Town Meeting in order to fund a collective bargaining agreement between the Town and the Dennis Police Sergeants IBPO Local 579 Union for fiscal year 2014.

ARTICLE 23: On motion of Finance Committee Chairman James Plath, duly seconded, it was unanimously voted to transfer \$25,641.84 from Article 4 of the May 7, 2013 Annual Town Meeting, Line Item #15 Assessor's Personal Services to Line Item #16, Assessor's Purchase of Services in said article.

ARTICLE 24: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to transfer \$30,000 from free cash to promote tourism in the Town of Dennis.

ARTICLE 25: On motion of Board of Selectmen Member Alan Tuttle, duly seconded, it was unanimously voted to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, four (4) perpetual sidewalk easements located at #222 Upper County Road (Map 90, Parcel 31), #232 Upper County Road (Map 90, Parcel 14), #242 Upper County Road (Map 90, Parcel 12) And #246 Upper County Road (Map 90, Parcel 13), and further, vote to transfer \$500.00 from free cash to pay for the cost of the acquisition and any expenses related thereto, and to authorize the Board of Selectmen to take all related actions necessary or appropriate to effect this acquisition.

ARTICLE 26: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to transfer \$47,566.53 from free cash to pay for the prior year's unpaid bills as follows:

1. Cape Cod Hospital.....	\$ 44,110.53
2. Cape Cod Anesthesia Associates, Inc.	<u>3,456.00</u>
	\$ 47,566.53

It was unanimously voted to adjourn (dissolve) the meeting at 9:03 p.m. on November 19, 2013

A True Copy Attest:

Theresa T. Bunce, Town Clerk