

**TOWN OF DENNIS  
SPECIAL TOWN MEETING  
FEBRUARY 27, 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 George Sawyer, Constable. Tellers were Daniel Chamberlain, Robert Duffy, Gladys Kearney, Robert Tucker, and Paul Covell, Head Teller.

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

On motion of Finance Committee Member William Crowell, duly seconded, it was unanimously voted to waive the formal reading of the Warrant.

**ARTICLE 1:** On motion of Dennis Yarmouth Regional School Committee Member Brian Carey, duly seconded, it was voted by majority, consistent with Section 6 of the agreement between the towns of Dennis and Yarmouth establishing a regional school district as amended in September, 2006 (hereinafter "agreement"), to authorize an amendment to, and to amend, Section 13 of said agreement by striking the first sentence, and replacing the language with the following: "Subject to the provisions of this Section 13 and Section 14, all pupils in grades kindergarten through three shall receive their education in facilities that are located in the respective towns in which the pupils reside, except that in the case of children with special needs, the committee may provide for other appropriate arrangements," so as to no longer require the education of pupils in grades four through eight in facilities that are located in the respective towns in which the pupils reside, to approve and to authorize any necessary action by the Dennis-Yarmouth Regional School Committee to effectuate this provision.

**ARTICLE 2:** On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was voted by majority to request its representatives in the General Court to introduce legislation amending Chapter 108 of the Acts of 2011, an act establishing the Barrier Beach Protection Stabilization Fund Act in the Town of Dennis, provided that the General Court may make clerical or editorial changes only to said bill, and provided further that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition. Such Act to read as follows:

An Act Amending the Town of Dennis Barrier Beach Protection Stabilization Fund Act.

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

Section 1. Chapter 108 of the Acts of 2011, An Act Establishing a Barrier Beach Protection Stabilization Fund in the Town of Dennis, is hereby amended by deleting section 1 in its entirety and replacing it with the following: Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law, rule or regulation to the contrary, there shall be in the Town of Dennis a special fund to be known as the Barrier Beach Protection Stabilization Fund. There shall be deposited into the fund, without further appropriation, monies in the amount of 40 per cent of the fees collected by the Town of Dennis from the sale of off road vehicle permits. Appropriations from the fund shall be made by a two-thirds vote of Town Meeting and shall be used exclusively for barrier beach protection, including, permitting, law enforcement and restoration. The percentage amount of the off road vehicle permit fees to be deposited in the fund may from time to time be increased or decreased by a majority vote of a Town Meeting.

Section 2. This Act shall take effect upon passage;

**ARTICLE 3:** On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to transfer \$22,894 from the Barrier Beach Protection/Stabilization Fund and \$5,860 from the Beach Capital Improvement Fund for a total of \$28,754 to fund a cost and benefits analysis for erosion management at Chapin Beach and Corporation Beach.

**ARTICLE 4:** On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to grant an easement to the Dennis Water District for the upgrade of its septic system that services its main offices at 80 Old Bass River Road, and located within the layout of Old Bass River Road, South Dennis, said easement is shown on a plan entitled "Easement Plan of Land prepared for the Dennis Water District, Jan. 16, 2013, Scale 1" = 40', ols #198-84" prepared by Outermost Land Survey, Inc.

**ARTICLE 5:** On motion of Board of Selectmen Member Sheryl McMahan, duly seconded, it was unanimously voted to amend the Town Code under Chapter 19, Article VII, Affordable Housing Trust Fund By-law, by deleting the second sentence in section 19-11: Meetings of the Trust, and in place thereof, add the following new sentence: "Notice of all meetings of the Trust shall be in accordance with the provisions of the Open Meeting Law, G.L.Chapter 30A, §§18-25".

It was unanimously voted to adjourn (dissolve) the meeting at 7:24 p.m. on February 27, 2013.

A True Copy Attest:

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Theresa T. Bunce, Town Clerk