

ANNUAL TOWN MEETING
Town of Dennis
May 7, 2013

Robert C. Chamberlain, Moderator, called the Annual 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 Paul Corcoran, Constable. Tellers were Gladys Kearney, Daniel Chamberlain, Michael Patterson, John Schnaible, Robert Mezzadri and Paul Covell, Head Teller.

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

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

The Henry C. Boles Achievement Awards were presented by Committee Member Julia Johnson. The Henry C. Boles Achievement Award Committee was named in honor of the late Selectman Henry C. Boles, who served from 1973 to 1977. Mr. Boles' leadership and extensive personal contribution to town programs was largely responsible for Dennis winning recognition in 1978 as an All-American Town. Mr. Boles set a high standard of excellence for citizen participation in town government. He died in 1979.

The Committee honors the memory of Henry Boles by encouraging our younger residents to exhibit examples of good citizenship and community involvement. The Committee unanimously voted to present a \$50.00 check to a third grade boy and girl graduating from the Ezra Baker Elementary School. In recognition that eighth graders are attending both Nathaniel H. Wixon Middle School and Dennis-Yarmouth Regional High School this year, the committee voted to award four \$100 checks to one eighth grade young man and woman attending each of our schools. As Julia called the names of this year's winners, they came forward to receive their awards and remained on the stage. The third graders were Miss Kayla McGaffigan and Master Glen Baker. The four eighth graders were Master Camden Mazzoni, Master Lorvens Estinvil, Miss Olivia Crowell and Miss Jessica Holbrook.

As read by Committee member Julia Johnson:

"From the Ezra Baker Elementary School both Kayla McGaffigan and Glen Baker have demonstrated excellent examples of citizenship, cooperation, diligence, kindness and friendship as witnessed by their classmates and teachers. They exhibit good sportsmanship and respect for adults and fellow students. They are leaders among their peers. Kayla is the daughter of Mr. and Mrs. John McGaffigan. Glen is the son of Mr. and Mrs. Glen Baker.

Camden is an exceptional student and has achieved high honors each term this year at D-Y. He is currently enrolled in a virtual high school course as an 8th grader, which is typically a course of study taken by upperclassmen. Camden has also proven

to be an exceptional leader in his school and community. Camden has received leadership and citizenship awards at Ezra H. Baker and Nathaniel H. Wixon Schools. Along with his high academic achievement and leadership, Camden has proven to be an exceptional athlete. As of October 2012, Camden is ranked number one in tennis in New England for his age group. Additionally, Camden participates in YD Youth Hockey. Upon graduating high school, Camden aspires to attend Stanford University. He is the son of Mr. and Mrs. Stephen Mazzoni.

Lorvens is a well-rounded young man who is respected by his peers as well as the teachers of the Nathaniel H. Wixon Innovation School. He is the epitome of a responsible and diligent student. He works well in groups and frequently takes the lead in their work. Lorvens exemplifies the characteristics of good citizenship, respectful, kind and collaborative. Lorvens Estinvil is a worthy candidate for the Henry Boles Award. His brothers informed me tonight that he is a great big brother. He is the son of Ms. Roselor Achiffa.

Olivia is an optimistic, kind young woman who brightens every room with her smile. As a student she always does her best despite any challenges she is present with. She is conscientious, respectful and diligent. Although continuing her 8th grade year at Wixon, Olivia participated as a valued member of the D-Y High School Marching Band this past fall. Olivia is an ideal candidate for the Henry Boles Award. She sets a standard of behavior that others can emulate. She is the granddaughter of Mr. and Mrs. Vasco Nunez.

Jessica is our other 8th grade student at Dennis-Yarmouth Regional High School. Jessica always makes school a priority, and as a result is a high honors student. Jessica has a positive attitude and the ability to work well with others. Jessica was a member of the team that placed in the Future Cities competition held at Northeastern University earlier this year. Jessica won citizen and leadership awards at Nathaniel H. Wixon. She is well liked by her peers and is a role model in the classroom. Outside of school, Jessica participates in karate and enjoys swimming and playing basketball. She is also certified in CPR. Jessica has a desire to pursue law enforcement and psychology in college. She is the daughter of Mr. and Mrs. Paul Donahue.

All of this year's recipients are a credit to their families, their schools and our community. Congratulations"

Barbara "Bobbie" Trepte, widow of the honored Donald Trepte, presented the 2013 Donald Trepte Memorial Scholarship Awards to Sarah Peden and Alisia Cosenza.

The Donald Trepte Memorial Scholarship Committee has worked diligently since the selectmen appointed the committee in 2008. The Committee has raised funds to provide scholarship assistance to a Dennis graduating senior in Don's name. The committee, Elaine Zaiatz, Eleanor Brennan, MaryLee Pelosky, Agnes Chatelain, and Bobbie Trepte, are pleased with this year's fundraising results and thank the citizens

and the Committee for their continued financial support. With the help of the community, the Committee raised over \$20,000.

As a selectman, Don left his mark in many ways and the Committee looks for a senior who exemplified Don's commitment. This year the Committee awarded two scholarships, each in the amount of \$750.00.

ARTICLE 1: On motion of Town Clerk Theresa Bunce, duly seconded, it was unanimously voted to accept and include the Town Clerk Receipts 2012 Report in the Annual Town Report for 2012.

ARTICLE 2: On motion of Town Clerk Theresa Bunce, duly seconded, it was unanimously voted to hear and act on any heretofore unpublished committee reports.

ARTICLE 3: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted that the Town vote to assume liability in the manner provided by Section 29, Chapter 91 of the Massachusetts General Laws, as amended, for all damages that may be incurred by the work to be performed by the Mass. Department of Environmental Management for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tidewaters, foreshores, and shores along a public beach in accordance with Section 11 of Chapter 91 of the Massachusetts General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth.

ARTICLE 4: On motion of Finance Committee Chairman James Plath, duly seconded, it was unanimously voted to raise and appropriate \$27,254,146 for the article, and:

Transfer \$140,000 from overlay reserve to finance committee
Reserve fund, line item #8a.

Transfer \$53,184 from the Cable Special Revenue Fund to Town Administrator
Personal Services, Line Item #3.

Transfer \$8,250 from Cable Special Revenue Fund to Legal, Purchase of Services, Line
Item #28.

To transfer \$1,716 from Cable Special Revenue Fund to Central Purchasing Purchase
of Services, Line Item #13.

Transfer \$6,000 from Waterways Maintenance & Improvement Fund to Central
Purchasing Supplies, Line Item #14.

Transfer \$20,110 from Cable Special Revenue Fund to Central Purchasing Supplies,
Line Item #14.

Transfer \$128,815 from the Cable Special Revenue Fund to Information Tech & Data Management Personal Services, Line Item #30.

Transfer \$10,500 from the Cable Special Revenue Fund to Information Tech & Data Management Purchase of Services, Line Item #31.

Transfer \$4,992 from the Cable Special Revenue Fund to Public Property/Buildings, Personal Services, Line Item #50.

Transfer \$10,401 from the Cable Special Revenue Fund to Property/Liability Insurance, Other Charges – Expenditures, Line Item #55.

Transfer \$1,075,000 from the Ambulance Receipts Reserve for Appropriations Account to Fire Dept. Personal Services, Line Item #62.

Transfer \$50,000 from Waterways Maintenance & Improvement Fund to Harbormaster Capital Outlay, Line Item #78.

Transfer \$35,000 from Cemetery Lots Sales Account to Dept. of Public Works, Personal Services, Line Item #84.

Transfer \$1,000 from the Bass River Receipts Reserved Account to Beach Purchase of Service, Line Item #130.

Transfer \$845 from the Cable Special Revenue Fund to Fringe Benefits, Workers Comp., Line Item #151.

Transfer \$1,205 from the Cable Special Revenue Fund to Fringe Benefits, Unemployment Insurance, Line Item #152.

Transfer \$14,139 from the Cable Special Revenue Fund to Fringe Benefits, Retirement Contribution, Line Item #153.

Transfer \$24,288 from the Cable Special Revenue Fund to Fringe Benefits, Group Insurance, Line Item #154.

Transfer \$1,555 from the Cable Special Revenue Fund to Fringe Benefits, Medicare Tax, Line Item #155.

Transfer \$675,000 from the Community Preservation Estimated Annual Revenues to Retirement of Debt Principal, Line Item #147.

Transfer \$19,525 from the Septic Loan Program Account to Retirement of Debt Principal, Line Item #147.

Transfer \$181,800 from the Community Preservation Estimated Annual Revenues to Long Term Debt – Interest, Line Item #148, and any unexpended transfer be returned to the Community Preservation Act Fund.

Making a total of \$29,717,471.

OPERATING BUDGET FY 2014

GENERAL GOVERNMENT

SELECTMEN

1	Purchase of Services	3,213.00
2	Other Charges – Expenditure	8,000.00
TOTAL		11,213.00

TOWN ADMINISTRATOR

3	Personal Services	568,031.00
3A	Settlements	424,391.00
4	Purchase of Services	28,302.00
5	Other Charges - Expenditure	7,500.00
6	Capital Outlay	45,000.00
TOTAL		1,073,224.00

FINANCE COMMITTEE

7	Purchase of Services	1,200.00
8	Other Charges - Expenditure	1,400.00
8A	Reserve Fund	237,805.00
TOTAL		240,405.00

ACCOUNTANT

9	Personal Services	167,420.00
10	Purchase of Services	37,000.00
11	Supplies	500.00
12	Other Charges - Expenditure	2,505.00
TOTAL		207,425.00

CENTRAL PURCHASING

13	Purchase of Services	465,360.00
14	Supplies	456,600.00
TOTAL		921,960.00

ASSESSORS

15	Personal Services	290,586.00
16	Purchase of Services	3,134.00
17	Supplies	900.00
18	Other Charges - Expenditure	7,255.00
TOTAL		301,875.00

REVALUATION

19	Personal Services	22,924.00
20	Purchase of Services	25,000.00
21	Supplies	7,433.00
22	Other Charges - Expenditure	500.00
TOTAL		55,857.00

TREASURER/COLLECTOR

23	Personal Services	229,907.00
24	Purchase of Services	27,040.00
25	Supplies	3,387.00
26	Other Charges - Expenditure	3,020.00
TOTAL		263,354.00

LAW DEPARTMENT

27	Personal Services	81,781.00
28	Purchase of Services	165,300.00
29	Other Charges - Expenditure	2,300.00
TOTAL		249,381.00

INFORMATION TECH & DATA

30	Personal Services	213,488.00
31	Purchase of Services	176,544.00
32	Supplies	5,913.00
33	Other Charges - Expenditure	400.00
34	Capital Outlay	50,000.00
TOTAL		446,345.00

TAX TITLE/FORECLOSURE

35	Purchase of Services	12,000.00
TOTAL		12,000.00

CLERK

36	Personal Services	77,300.00
37	Purchase of Services	7,200.00
38	Supplies	400.00
39	Other Charges - Expenditure	1,520.00
TOTAL		86,420.00

ELECTIONS

40	Personal Services	12,250.00
41	Purchase of Services	11,550.00
42	Supplies	1,100.00
TOTAL		24,900.00

NATURAL RESOURCES/CONSERVATION

43	Personal Services	301,054.00
44	Purchase of Services	24,500.00

45	Supplies	14,250.00
46	Other Charges - Expenditure	2,560.00
TOTAL		342,364.00

PLANNING

47	Personal Services	119,772.00
48	Purchase of Services	400.00
49	Other Charges - Expenditure	1,000.00
TOTAL		121,172.00

PUBLIC PROPERTY/BUILDINGS

50	Personal Services	356,382.00
51	Purchase of Services	141,641.00
52	Supplies	69,725.00
53	Other Charges - Expenditure	14,300.00
54	Capital Outlay	1,900.00
TOTAL		583,948.00

PROPERTY/LIABILITY INSURANCE

55	Other Charges - Expenditure	336,480.00
TOTAL		336,480.00

TOWN REPORTS

56	Purchase of Services	8,500.00
TOTAL		8,500.00

POLICE

57	Personal Services	4,251,479.00
58	Purchase of Services	140,844.00
59	Supplies	66,101.00
60	Other Charges - Expenditure	8,012.00
61	Capital Outlay	157,500.00
TOTAL		4,623,936.00

FIRE

62	Personal Services	3,762,548.00
63	Purchase of Services	200,525.00
64	Supplies	146,700.00
65	Other Charges - Expenditure	6,900.00
66	Capital Outlay	9,400.00
TOTAL		4,126,073.00

BUILDING INSPECTOR

67	Personal Services	369,066.00
68	Supplies	2,761.00
69	Other Charges - Expenditure	8,167.00
TOTAL		379,994.00

ANIMAL CONTROL

70	Personal Services	87,082.00
71	Purchase of Services	8,050.00
72	Supplies	3,800.00
73	Other Charges - Expenditure	70.00
TOTAL		99,002.00

HARBORMASTER

74	Personal Services	202,157.00
75	Purchase of Services	33,218.00
76	Supplies	10,748.00
77	Other Charges - Expenditure	701.00
78	Capital Outlay	54,100.00
TOTAL		300,924.00

ENGINEERING/SURVEYOR

79	Personal Services	347,494.00
80	Purchase of Services	2,450.00
81	Supplies	3,150.00
82	Other Charges - Expenditure	1,100.00
83	Capital Outlay	950.00
TOTAL		355,144.00

DEPT. OF PUBLIC WORKS

84	Personal Services	1,466,546.00
85	Purchase of Services	124,132.00
86	Supplies	260,844.00
87	Supplies - Paving, Resurfacing	108,000.00
88	Other Charges - Expenditure	7,835.00
89	Capital Outlay	8,445.00
TOTAL		1,975,802.00

SNOW AND ICE REMOVAL

90	Personal Services	93,620.00
91	Purchase of Services	53,760.00
92	Supplies	38,257.00
TOTAL		185,637.00

STREET LIGHTING

93	Purchase of Services	150,000.00
TOTAL		150,000.00

WASTE COLLECT/DISPOSAL

94	Personal Services	461,088.00
95	Purchase of Services	496,650.00
96	Supplies	41,640.00
97	Other Charges - Expenditure	3,925.00

TOTAL 1,003,303.00

HEALTH INSPECTION SERVICE

98 Personal Services 322,511.00
99 Purchase of Services 28,320.00
100 Supplies 2,700.00
101 Other Charges - Expenditure 2,720.00
TOTAL 356,251.00

COUNCIL ON AGING

102 Personal Services 191,604.00
103 Supplies 2,500.00
104 Other Charges - Expenditure 6,350.00
TOTAL 200,454.00

VETERAN'S SERVICES

105 Purchase of Services 42,119.00
106 Other Charges - Expenditure 157,881.00
TOTAL 200,000.00

COMM. ON DISABILITIES

107 Purchase of Services 2,000.00
108 Other Charges - Expenditure 859.00
TOTAL 2,859.00

OTHER HUMAN SERVICES

109 Nauset Workshop 4,300.00
110 Cape Cod Child Development 5,000.00
111 ARC of Cape Cod 2,000.00
112 Consumer Assist Council 550.00
113 Independence House 3,000.00
114 Legal Services 2,700.00
115 Salvation Army 3,000.00
116 AIDS Support Group of Cape Cod 2,500.00
117 Sight Loss Services, Inc. 3,500.00
118 Elder Services/Meals 5,000.00
119 Family Pantry 5,000.00
120 Big Brothers/Big Sisters 2,000.00
121 Hands of Hope Outreach Center 4,500.00
122 Gosnold Center 3,500.00
TOTAL 46,550.00

LIBRARY

123 Personal Services 238,387.00
124 Purchase of Services 19,170.00
125 Supplies 75,500.00
126 Other Charges - Expenditure 146,559.00

TOTAL 479,616.00

RECREATION

127 Personal Services 93,274.00
128 Purchase of Services 4,200.00
TOTAL 97,474.00

BEACHES

129 Personal Services 543,688.00
130 Purchase of Services 110,451.00
131 Supplies 23,265.00
132 Other Charges - Expenditure 8,575.00
133 Capital Outlay 16,700.00
TOTAL 702,679.00

GOLF

134 Personal Services 1,106,383.00
135 Purchase of Services 261,300.00
136 Supplies 346,849.00
137 Other Charges - Expenditure 8,165.00
138 Capital Outlay 5,000.00
TOTAL 1,727,697.00

HISTORICAL COMMISSION

139 Purchase of Services 1,500.00
TOTAL 1,500.00

S. DENNIS HISTORIC DIST. COMM.

140 Personal Services 10,024.00
141 Purchase of Services 100.00
142 Supplies 224.00
TOTAL 10,348.00

HISTORICAL DIST-OKHRHD

143 Personal Services 24,559.00
144 Purchase of Services 300.00
145 Supplies 300.00
146 Other Charges - Expenditure 219.00
TOTAL 25,378.00

RETIREMENT OF DEBT PRINCIPAL

147 Debt Services 1,574,525.00
TOTAL 1,574,525.00

INTEREST LONG TERM DEBT

148 Debt Services 544,508.00

TOTAL **544,508.00**

INTEREST SHORT TERM DEBT

149 Debt Services 4,170.00
TOTAL **4,170.00**

FRINGE BENEFITS

150 Sick Pay Liability 5,000.00
151 Worker's Compensation 159,912.00
152 Unemployment Insurance 130,000.00
153 Retirement Contribution/Town 2,463,612.00
154 Group Insurance 2,213,800.00
155 Medicare Tax/Town Share 222,000.00
TOTAL **5,194,324.00**

OTHER FINANCING USES

156 Debt Services 62,500.00
TOTAL **62,500.00**

GRAND TOTAL **29,717,471.00**

ARTICLE 5: On motion of Cape Cod Regional Technical High School Committee Member Peter Nyberg, duly seconded, it was unanimously voted to approve an annual school budget for the Cape Cod Regional Technical High School in the amount of \$13,505,905 and to raise and appropriate \$1,555,738 as the Town's apportioned share of the operating expenses for the fiscal year beginning July 1, 2013.

ARTICLE 6: On motion on Dennis Yarmouth Regional School District School Committee Member Brian Carey, duly seconded, it was unanimously voted, notwithstanding the terms of the agreement between the towns of Dennis and Yarmouth establishing a regional school district, as amended in September 2006, to authorize for the Dennis-Yarmouth Regional School District a funding formula for one fiscal year only (FY 2014) that permits the town of Dennis to contribute a two and one-half percent (2.5%) increase over its FY 2013 regional school district assessment, exclusive of exempt debt; and to raise and appropriate the sum of \$15,944,241 to meet said assessment, and to approve a total Dennis-Yarmouth Regional School District budget for FY 2014 in the amount of \$52,640,817.

ARTICLE 7: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to raise and appropriate \$71,159 to fix the fiscal year 2014 salary and compensations of elected officers as provided for in Massachusetts General Laws, Chapter 41, Section 108 and acts and amendment thereof,

5 Selectmen at \$ 2,000 each

1 Moderator at \$ 450
1 Town Clerk at \$60,709

And that the salaries and compensations be fixed as given in this article and further, that all other elected officers serve without compensation.

ARTICLE 8: On motion of Finance Committee Chairman James Plath, duly seconded, it was unanimously voted to transfer \$356,376 from Article #16 of the May 8, 2012 Annual Town Meeting and transfer \$439,846 from free cash to supplement the fiscal year 2013 line item appropriations under Article 4 of the May 8, 2012 Annual Town Meeting, as follows:

a. Finance Committee, Reserve Fund, Line Item #8A	\$ 50,000
b. Central Purchasing, Supplies, Line Item #14	15,000
c. Tax Title Foreclosure, Purchase of Services, Line Item #36.	25,000
d. Police, Personal Services, Line Item #58	50,000
e. Police, Purchase of Services, Line Item #59	15,000
f. Police, Supplies, Line Item #60	10,000
g. Fire, Personal Services, Line Item #63.	356,376
h. Fire, Personal Services, Overtime, Line Item #63	40,000
i. Fire, Purchase of Services, Line Item #64.	12,000
j. Snow & Ice, Personal Services, Line Item #91.	53,787
k. Snow & Ice, Purchase of Services, Line Item #92	10,475
l. Snow & Ice, Supplies, Line Item #93.	94,084
m. Veteran's Services, Purchase of Services, Line Item #106.	34,500
n. Fringe Benefits, Unemployment, Line Item #153	<u>30,000</u>
Total	\$796,222

ARTICLE 9: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to pay for the following prior year's unpaid bills, or take any other action relative thereto:

ARTICLE 10: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted to transfer \$100,000 from free cash to reduce the tax rate for the fiscal year beginning July 1, 2013.

ARTICLE 11: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted that the Town vote to adopt a Community Preservation Committee Budget for fiscal year 2014 in the total amount of \$1,294,522 and to appropriate and transfer from the Community Preservation estimated annual revenues the following:

- 1) \$129,452 to be reserved for community housing;

- 2) \$129,452 to be reserved for open space;
- 3) \$129,452 to be reserved for historic preservation;
- 4) \$856,800 for debt service;
- 5) \$-0- for short term interest;
- 6) \$15,000 for community preservation expenses;
- 7) \$34,366 to be reserved for undesignated purposes.

ARTICLE 12: On motion of Capital Outlay Committee Member Robert Pelosky, duly seconded, it was voted by majority to appropriate and transfer \$112,100 from the Beach Capital Improvement Fund; transfer \$469,185 from free cash; transfer \$6,000 from Insurance Receipts; transfer \$35,000 from Ambulance Receipts; appropriate and transfer \$168,188 from the Golf Capital Improvement Fund; appropriate and transfer \$100,000 from the Waterways Dredge & Maintenance Capital Improvement Fund; and appropriate and transfer \$50,000 from the Waterways Improvement Fund for a total of \$940,473 to pay for the Capital Outlay items as follows:

1. <u>Beaches</u>		
a. Beach Paving Parking Lots	\$ 97,600	
b. Beach Rescue Mule	<u>14,500</u>	
		\$112,100
2. <u>Dept. of Natural Resources</u>		
a. 1991 Chevy Tahoe Replacement	\$ <u>26,000</u>	
		\$ 26,000
3. <u>Engineering</u>		
a. Secondary Roads	\$ 200,000	
b. Rt.28 Sidewalk Improvements	<u>175,000</u>	
		\$375,000
4. <u>Fire</u>		
a. Cardiac Monitor/Defibrillator	\$ <u>35,000</u>	
		\$ 35,000
5. <u>Golf</u>		
a. Highlands Bunker, Tee, & Cart Path Reno. Plan	\$ 12,500	
b. Golf Equipment Leasing Plan B	50,188	
c. Golf Equipment Leasing Plan C	93,000	
d. Pines Bunker, Tee & Cart Path Reno. Master Plan	<u>12,500</u>	
		\$168,188
6. <u>Harbor</u>		
a. Maintenance Dredging	\$100,000	
b. Bass River Work Barge	<u>50,000</u>	
		\$150,000
7. <u>Recreation</u>		
a. Tennis Courts (2) Johnny Kelley Park	\$ <u>74,185</u>	
		\$ 74,185

GRAND TOTAL**\$940,473**

ARTICLE 13: On motion of Capital Outlay Committee Member Robert Pelosky, duly seconded, it was unanimously voted to approve the capital outlay equipment or projects for fiscal year 2014 as follows:

1. <u>Animal Control</u>		
a. Animal Control Officer Vehicle	<u>\$ 27,500</u>	\$ 27,500
2. <u>DPW</u>		
a. One Ton Truck (C-1)	<u>\$ 60,000</u>	\$ 60,000
3. <u>Engineering</u>		
a. Replacement of Guard Rail Various Locations	\$ 50,000	
b. Secondary Roads	400,000	
c. Sidewalk Eng./Construction	<u>172,000</u>	\$ 622,000
4. <u>Fire Dept.</u>		
a. Engine 115- Year 3 of 4 Lease	\$ 137,000	
b. Ambulance 104- Year 2 of 3 Lease	<u>95,000</u>	\$ 232,000
5. <u>Harbormaster</u>		
a. Eng. Permit, Design Bulkhead	\$ 20,000	
b. Clipper's Launch on Swan Pond-Design/Permit	50,000	
c. Bubbler Replacement – Sesuit Harbor	<u>15,000</u>	\$ 85,000
6. <u>Health Inspection</u>		
a. Vehicle Replacement – 1998 Chevy Pickup	<u>\$ 25,000</u>	\$ 25,000
7. <u>MIS</u>		
a. Network Operating System Upgrade	<u>\$ 16,152</u>	\$ 16,152
8. <u>Police</u>		
a. IT Replacement – Year 2	\$ 20,000	
b. IT Server Replacement	<u>30,000</u>	\$ 50,000
9. <u>Public Property/Buildings</u>		
a. Beach Bathrooms/Septic Upgrades	<u>\$ 110,000</u>	\$ 110,000
10. <u>Recreation</u>		
a. Tennis Courts (2) –Johnny Kelley Park	<u>\$ 33,815</u>	\$ 33,815
11. <u>D-Y School</u>		
a. DYRSD Security Grades	\$ 25,820	
b. D-Y School Tennis Courts	<u>43,033</u>	

\$ 68,853

GRAND TOTAL

\$1,330,320

ARTICLE 14: On motion of Capital Outlay Committee Member Robert Pelosky, duly seconded, it was unanimously voted to raise and appropriate \$400,000 to fund the Capital Outlay Equipment and projects for fiscal year 2014 as follows:

1. <u>Engineering</u>		
a. Drainage	<u>\$ 150,000</u>	\$150,000
2. <u>Waste Collection/Disposal</u>		
a. Purchase 5 Containers @ Transfer Station	\$ 50,000	
b. Roll-off Truck (S-10)	<u>200,000</u>	\$250,000
	GRAND TOTAL	\$400,000

ARTICLE 15: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted to raise and appropriate \$89,487 to be deposited into the Municipal Capital Stabilization Fund to be used to purchase or fund capital equipment or projects.

ARTICLE 16: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to transfer \$500,000 from free cash to be deposited into the Capital Improvement Fund established under Chapter 104 of the Acts of 1999, to be used for capital equipment or projects.

ARTICLE 17: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was voted by majority to raise and appropriate \$455,926 to fund the Dennis Police Department Strategic Plan that consists of the hiring of five (5) additional Patrol Officers, one (1) Police Sergeant, and Dispatch coverage, contingent upon a successful Proposition 2 ½ override vote at the May 14, 2013 Annual Town Election.

ARTICLE 18: On motion of Planning Board Chairman Robert Mezzadri, duly seconded, it was voted 220 yes to 13 no to amend the Dennis Zoning By-Law by adding a new section 13 - special requirements for medical marijuana facilities exactly as follows:

13 Special Requirements for Medical Marijuana Facilities

13.1 *Purposes*

13.1.1 To provide for the establishment of Medical Marijuana Facilities in appropriate places and under strict conditions in accordance with the passage of Initiative Petition 11-11 (Question #3 on the November, 2012 state ballot).

13.1.2 To minimize the adverse impacts of Medical Marijuana Facilities on adjacent properties, residential neighborhoods, schools and other places where children

congregate, local historic districts, and other land uses potentially incompatible with said Facilities.

13.1.3 To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Medical Marijuana Facilities.

13.2 *Applicability*

13.2.1 The commercial cultivation [unless it meets the requirements for an agricultural exemption under Chapter 40A Section 3], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Medical Marijuana Facility under this Section 13.

13.2.2. No Medical Marijuana Facility shall be established except in compliance with the provisions of this Section 13.

13.2.3 Nothing in this Bylaw shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

13.2.4 If any provision of this Section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Section are severable.

13.3 *Definitions*

Medical Marijuana Facility – Shall mean a “Medical Marijuana Treatment Center” to mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. These facilities shall be located inside a structure or building.

Marijuana for Medical Use – Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as set forth in Citizens Petition 11-11.

Marijuana – The same substance defined as “marihuana” under Chapter 94C of the Massachusetts General Laws.

13.4 *Eligible Locations for Medical Marijuana Facilities.*

13.4.1 Medical Marijuana Facilities, other than agricultural operations meeting exemption standards under Chapter 40A Section 3, may be allowed by Special Permit **from** of the Dennis Planning Board in the Industrial Zoning District provided the facility meets the requirements of this Section 13.

13.5 *General Requirements and Conditions for all Medical Marijuana Facilities.*

13.5.1 All non-exempt Medical Marijuana Facilities shall be contained within a building or structure.

13.5.2 No Medical Marijuana Facility shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet.

13.5.3 A Medical Marijuana Facility shall not be located in buildings that contain any medical doctors offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.

13.5.4 The hours of operation of Medical Marijuana Facilities 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.

13.5.5 No Medical Marijuana Facility shall be located on a lot which abuts the Cape Cod Rail Trail, Tony Kent Arena, or a residential zoning district.

13.5.6 No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Medical Marijuana Facility.

13.5.7 No Medical Marijuana Facility 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.

13.5.8 Signage for the Medical Marijuana Facility shall include the following language: "Registration card issued by the MA Department of Public Health required." The required text shall be a minimum of two inches in height.

13.5.9 Medical Marijuana Facilities shall provide the Dennis Police Department, Building Commissioner and the Special Permit Granting Authority with the names, phone numbers and email addresses of all management staff and keyholders to whom one can provide notice if there are operating problems associated with the establishment.

13.6 *Special Permit Requirements*

13.6.1 A Medical Marijuana Facility shall only be allowed by special permit from the Dennis Planning Board in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.

13.6.2 A special permit for a Medical Marijuana Facility shall be limited to one or more of the following uses that shall be prescribed by the Special Permit Granting Authority:

- a) cultivation of Marijuana for Medical Use (horticulture) except that sites protected under Chapter 40A Section 3 shall not require a special permit;

- b) processing and packaging of Marijuana for Medical Use, including Marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products;
- c) retail sale or distribution of Marijuana for Medical Use to Qualifying Patients;

13.6.3 In addition to the application requirements set forth in Sections 13.5 and 13.6 of this Bylaw, a special permit application for a Medical Marijuana Facility shall include the following:

- a) the name and address of each owner of the facility;
- b) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Facility;
- c) evidence of the Applicant's right to use the site of the Facility for the Facility, such as a deed, or lease;
- d) if the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
- e) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- f) Proposed security measures for the Medical Marijuana Facility, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.

13.6.4 Mandatory Findings. The Special Permit Authority shall not issue a special permit for a Medical Marijuana Facility unless it finds that:

- a) the Facility is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, §11;
- b) the Facility demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
- c) the applicant has satisfied all of the conditions and requirements of Sections 13.5 and 13.6 herein;

13.6.5 Annual Reporting. Each Medical Marijuana Facility permitted under this Bylaw shall as a condition of its special permit file an annual report to and appear before the

Special Permit Granting Authority and the Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the Facility and/or its owners and demonstrate continued compliance with the conditions of the Special Permit.

13.6.6 A special permit granted under this Section shall have a term limited to the duration of the applicant's ownership of the premises as a Medical Marijuana Facility. A special permit may be transferred only with the approval of the Special Permit Granting Authority in the form of an amendment to the special permit with all information required in this Section 13.

13.6.7 The Board shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Medical Marijuana Facility in the event the Town must remove the facility. The value of the bond shall be based upon the ability to completely remove all the items noted in 13.7.2 and properly clean the facility at prevailing wages. The value of the bond shall be developed based upon the applicant providing the Planning Board with three (3) written bids to meet the noted requirements. An incentive factor of 1.5 shall be applied to all bonds to ensure compliance and adequate funds for the town to remove the tower at prevailing wages.

13.7 Abandonment or Discontinuance of Use

13.7.1 A Special Permit shall lapse if not exercised within one year of issuance.

13.7.2 A Medical Marijuana Facility shall be required to remove all material, plants equipment and other paraphernalia:

- a) prior to surrendering its state issued licenses or permits; or
- b) within six months of ceasing operations; whichever comes first.

ARTICLE 19: On motion of Planning Board Chairman Robert Mezzadri, duly seconded, it was unanimously voted to amend the Dennis Zoning By-Law under Section 5 definitions, by deleting the definition of "building height" and replacing it with the new definition as follows:

BUILDING HEIGHT The vertical distance between the Average Natural Grade of the ground under the footprint of a building and the highest point of the building, including the roof, parapet, or other attached structure, but excluding the height of any chimney or residential television antenna.

Average Natural Grade shall be derived from the average elevation of the grade along the exterior of the building facing the front lot line and the average elevation of the grade along the exterior of the building facing the rear lot line or, for a through lot, the other front lot line in existence as of May 7, 2013. For corner lots, the front lot line shall be the street from which the property gains its address and the rear lot line shall be the

boundary opposite the front lot line. Building heights shall be measured from the higher of Average Natural Grade or Base Flood Elevation for properties located in the FEMA established Velocity and 1% Annual Chance Floodplain.

ARTICLE 20: On motion of Board of Selectmen Member Alan Tuttle, duly seconded, it was unanimously voted to transfer \$70,840 from Article 4, Line Item #3a, Town Administrator Settlements of this Town Meeting for the purpose of funding a collective bargaining agreement between the Town and the Dennis Professional Firefighters, IAFF Local 2583 personnel for fiscal year 2014.

ARTICLE 21: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to transfer \$47,240 from Article 4, Line Item #3a, Town Administrator Settlements of this Town Meeting for the purpose of funding a collective bargaining agreement between the Town and the Mass Laborers' District Council, Local 1249 personnel for fiscal year 2014.

ARTICLE 22: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to transfer \$67,760 from Article 4, Line Item #3a, Town Administrator Settlements of this Town Meeting for the purpose of funding a collective bargaining agreement between the Town and the Service Employees International Union, Local 888 personnel for fiscal year 2014.

ARTICLE 23: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to transfer \$32,255 from Article 4, Line Item #3a, Town Administrator Settlements of this Town Meeting, for the purpose of funding a collective bargaining agreement between the Town and the Dennis Patrol Officers Local 417 Union for fiscal year 2014.

ARTICLE 24: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town will vote 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 Police Sergeants IBPO Local 579 Union for Fiscal Year 2014, or take any other action relative thereto.

ARTICLE 25: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund a collective bargaining agreement between the Town and AFSCME Council 93, Local 2977 Union for Fiscal Year 2014, or take any other action relative thereto.

ARTICLE 26: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town will vote 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 Police Superior Officers for Fiscal Year 2014, or take any other action relative thereto.

ARTICLE 27 On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was voted by majority to transfer \$99,980 from free cash to hire consultants to evaluate and make recommendations on the current utilization, capacity, maintenance and activity at Sesuit Harbor so that this Town asset, its surrounding property and the public marina continue to operate efficiently and effectively.

ARTICLE 28: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to purchase renewable energy credits from Nstar for fiscal year 2014, or take any other action relative thereto.

ARTICLE 29: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town will vote to establish a Solar Stabilization Fund as authorized by MGL Chapter 40, §5B, for the deposit of monies from the sale of any renewable energy credits to Nstar, the Dennis Water District and the Dennis-Yarmouth Regional School District, or take any other action relative thereto.

ARTICLE 30: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted to re-authorize for fiscal year 2014 the crediting to the Cable Receipts Revolving Fund, as established by vote of the Dennis Annual Town Meeting on May 4, 2010, Article 27, and pursuant to MGL Chapter 44, Section 53e ½, providing for a means by which monies received from Cable Receipts may, after receipt, be expended, and without further appropriation to fund cable related expenses, by the Board of Selectmen, up to a limit of fifty thousand dollars (\$50,000) during fiscal year 2014.

ARTICLE 31: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to re-authorize for fiscal year 2014 the crediting to the Council-On-Aging Revolving Fund, as established by vote of the Dennis Annual Town Meeting on May 2, 1995, Article 42, and pursuant to the MGL Chapter 44, Section 53e ½, providing for a means by which fees or charges received in connection with a Council-On-Aging program or activity may, after receipt, be applied directly and without further appropriation to support that program or activity, for expenditure by the Director of the Council-On-Aging, up to a limit of one hundred thousand dollars (\$100,000) during fiscal year 2014.

ARTICLE 32: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to re-authorize for fiscal year 2014 the crediting to the Council On-Aging Bus Revolving Fund, as established by vote of the Dennis Annual Town Meeting on May 4, 2010, Article 29, and pursuant to MGL Chapter 44, Section 53e ½, providing a means by which fees or charges received from the operation of the Council-On-Aging Bus may, after receipt and authorization by the Council-On-Aging Director, be applied directly and without further appropriation to support the operations of said bus, for expenditure by the Council-On-Aging Director, up to a limit of thirty-five thousand dollars (\$35,000) during fiscal year 2014.

ARTICLE 33: On motion of Board of Selectmen Member Alan Tuttle, duly seconded, it was unanimously voted to re-authorize for fiscal year 2014 the crediting to the Golf Department Revolving Fund, as established by vote of the Dennis Annual Town Meeting on May 4, 2010, Article 21, and pursuant to MGL Chapter 44, Section 53e ½, providing for a means by which 25% of Cart Rental Fees received may, after receipt, be applied directly without further appropriation to the fund to pay for the rental of golf carts. In addition, revenue from the Golf Course Pro-Shops fees or charges may be applied directly, without further appropriation to support the operations of the Golf Pro-Shops. In addition, revenue from GHIN (Golf Handicap And Information Network) be applied directly, without further appropriation to the fund to pay Massachusetts Golf Association dues for members handicaps, after receipt and authorization by the Golf Director, be applied directly and without further appropriation to support the operations for expenditure by the Golf Director, up to a limit of three hundred thousand dollars (\$300,000) during fiscal year 2014.

ARTICLE 34: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to re-authorize for fiscal year 2014 the crediting to the Town Library Revolving Fund, as established by vote of the Dennis Annual Town Meeting on May 5, 1998, Article 16, and pursuant to MGL Chapter 44, Section 53e ½, providing for a means by which fees, fines or charges received in connection with a Town Library program or activity may, after receipt, be applied directly and without further appropriation to support that program or activity, for expenditure by the Library Director up to a limit of ten thousand dollars (\$10,000) during fiscal year 2014.

ARTICLE 35: On motion of Board of Health Member Thomas Perrino, duly seconded, it was unanimously voted to re-authorize for fiscal year 2014 the crediting to the Board of Health Medicare Reimbursement Revolving Fund, as established by vote of the Dennis Annual Town Meeting on May 3, 2005, Article 18, pursuant to MGL Chapter 44, Section 53e ½, providing for a means by which reimbursements received from Medicare for flu shots may, after receipt, be applied directly and without further appropriation to the purchase of additional vaccine or other medical supplies, and costs associated with providing volunteer management and clinical support, by the Health Director up to a limit of twenty thousand dollars (\$20,000) during fiscal year 2014.

ARTICLE 36: On motion of Recreation Commission Chairman Anthony Marvullo, duly seconded, it was unanimously voted to re-authorize for fiscal year 2014 the crediting to

the Recreation Department Revolving Fund established by vote of the Dennis Annual Town Meeting on May 8, 2012, Article 26, and pursuant to MGL Chapter 44, Section 53e 1/2 , providing for a means by which fees or charges in connection with a Recreation program or activity may, after receipt, be applied directly and without further appropriation to support that program or activity, for expenditure by the Recreation Director, up to a limit of one hundred fifty thousand dollars (\$150,000) during fiscal year 2014.

ARTICLE 37: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted to transfer \$38,020 from Cable Receipts to the Capital Improvement Fund.

ARTICLE 38: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town will vote, in accordance with the Selectmen's Fee Limitation By-Law, to establish a new Electrical Institutional Maintenance Fee of \$100.00 pursuant to MGL Chapter 143, §3L, and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said by-law, or take any other action relative thereto.

ARTICLE 39: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted in accordance with the Selectmen's Fee Limitation By-Law, to increase the Plumbing Commercial 1-10 Fixtures Fee from \$127.00 to \$167.00, and further, that said fee may be amended from time-to-time by the Board of Selectmen in accordance with said By-law.

ARTICLE 40: To see if the Town will vote, in accordance with the Selectmen's Fee Limitation By-Law, to establish the following new Taxi Regulations Fees:

1. Taxi Company Business Permit Fee of \$50.00;
2. Taxi Operator's License Fee of \$25.00, and
3. Taxi Operator's Duplicate, Amended or Reinstated License Fee of \$25.00.

and further, that said fee may be amended from time to time by the Board of Selectmen in accordance with said By-law, or take any other action relative thereto.

ARTICLE 41: On motion of Board of Selectmen Member Alan Tuttle, duly seconded, it was unanimously voted in accordance with the Selectmen's Fee Limitation By-Law, to establish a new license fee for cremation burial rights for two (2) of \$325.00, and further, that said fee may be amended from time-to-time by the Board of Selectmen in accordance with said By-law.

ARTICLE 42: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to transfer \$16,000 from free cash to fund the Town's fuel assistance program.

ARTICLE 43: On motion of Beach Committee Chairman Owen Graf, duly seconded, it was unanimously voted to transfer \$7,000 from the Beach Capital Improvement Fund to purchase and install two (2) cold water rinse towers, one to be located at Corporation Beach and the other at Mayflower Beach.

ARTICLE 44: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to appropriate and transfer \$213,075 from the Beach Capital Improvement Fund to pay down the principal and interest costs associated with the borrowing authorized under Article 29 of the May 3, 2011 Annual Town Meeting for funding the design, engineering and construction of a new Corporation Beach Bathhouse.

ARTICLE 45: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to authorize the Board of Selectmen to enter into a contract for the disposal of the Town's solid waste for a period not to exceed twenty (20) years commencing on January 1, 2015, on such terms and conditions as the Board of Selectmen deem to be in the best interest of the Town, which contract may include a provision that the Town shall not be exempt from liability for the payment of contract sums in future fiscal years.

ARTICLE 46: On motion of Board of Selectmen Member Alan Tuttle, duly seconded, it was unanimously voted to accept G.L. C.59 Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans who qualify for participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled; not to exceed \$500 and not to exceed the current minimum wage of the Commonwealth per hour; and further, to see if the Town will vote to adjust the exemption by:

- 1) Allowing an approved representative for persons physically unable to provide such services to the town; or
- 2) Allowing the maximum reduction of the real property tax bill to be based on 62.5 volunteer services hours in a given year, rather than \$500.

ARTICLE 47: On motion of Board of Selectmen Member Sheryl McMahon, duly seconded, it was unanimously voted to transfer \$51,155 from Article 16, Item #4 of the May 3, 2011 Annual Town Meeting to pay for the title research, legal, engineering and associated costs of owners' unknown property in the Town.

ARTICLE 48: On motion of Board of Selectmen Member Heidi Schadt, duly seconded, it was unanimously voted to accept as Town ways Sea Oaks Drive and Old Woods Road and the layouts of the roads in East Dennis as identified in the following

paragraphs, and authorize the Board of Selectmen to acquire by gift, purchase or take by eminent domain on behalf of the Town, the lands or interest in the land within the lines of said layouts, including any drainage easements shown on the plan, subject to outstanding easements granted to public utility companies for the installation of electricity, telephone, gas, water or other services, and transfer \$3,450 from the Public Road Betterment Fund to be used for acquisition costs and improvements to said ways, and the owners of said lands benefited by said laying out and improvements shall be assessed their proportionate share of betterments in accordance with the provisions of MGL Chapter 80, and Chapter 117 of the Acts of 1997 (Town of Dennis Betterment Assessment and Fund Act).

- a. **Sea Oaks Drive** – In the village of East Dennis, running northerly from Bakers Pond Road, over the land of the Windward East Realty Trust and others, for a distance of 1,110 feet, more or less, as shown on the plan entitled “Windward East Definitive Subdivision Plan of Land in East Dennis, Massachusetts as prepared for McPhee Associates, Inc.” dated January 4, 2009, as prepared by Sweetser Engineering, and recorded in Barnstable County Registry of Deeds on August 26, 2009, in Plan Book 631, Page 32, and on plans filed with the Town Clerk.
- b. **Old Woods Road** – In the village of East Dennis, running easterly from Sea Oaks Drive to a cul-de-sac, over the land of the Windward East Realty Trust and others, for a distance of 355 feet, more or less, as shown on the plan entitled “Windward East Definitive Subdivision Plan of Land in East Dennis, Massachusetts as prepared for McPhee Associates, Inc.”, dated January 4, 2009, as prepared by Sweetser Engineering, and recorded in Barnstable County Registry of Deed on August 26, 2009, in Plan Book 631, Page 32, and on plans filed with the Town Clerk.

ARTICLE 49: On motion of Board of Selectmen Member Wayne Bergeron, duly seconded, it was unanimously voted to appropriate and transfer \$1,600 from the Shellfish Mitigation Fund to purchase 100,000 7-10mm soft shell clams as part of the Town’s soft shell clams restoration project.

ARTICLE 50: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to grant a twenty (20) foot wide easement to the Dennis Water District for the installation of a water main to be located east of the Dennis Transfer Station near the Harwich line, for the purpose of improving flows from the wells north of the Mid-Cape Highway to Dennisport, said easement is shown on a plan entitled: “Easement Plan of Land in Dennis, Massachusetts prepared for Dennis Water District Scale: 1” = 100’ March 29, 2013” prepared by Demarest Land Surveying, 338 Mayfair Road, South Dennis, 02660 and to transfer the subject land from the current custodial board for the purpose of a municipal disposal area to the same custodial board for the same municipal disposal area purpose but with the additional authorized purpose of granting the said water main easement and, furthermore, to authorize the said custodial board to grant the water main easement.

ARTICLE 51: On motion of Board of Selectmen Chairman Paul McCormick, duly seconded, it was unanimously voted to amend the Town Code by adding to it the new "Prohibition of Town Boards Meeting on the First Night of Town Meeting By-Law".

"Prohibition of Town Boards Meeting On First Night of Town Meeting By-Law

No Dennis Town Board, Committee or Commission (hereinafter "Board") however constituted, shall hold meetings that conflict in time with the first night of any Annual or Special Town Meeting. This includes both open and executive session meetings. Boards that schedule meetings on the first night that an Annual or Special Town Meeting is held must ensure that the meeting is concluded prior to the scheduled start of the Annual or Special Town Meeting. An exception to this prohibition shall be made for Boards that need to hold a meeting during or concurrent with an Annual or Special Town Meeting for the purpose of acting upon matters within the Board's jurisdiction, that will be considered during said Town Meeting."

It was unanimously voted to adjourn (dissolve) the meeting at 9:06 p.m. on May 7, 2013.

A True Copy, Attest:

Theresa T. Bunce, Town Clerk