

ANNUAL TOWN MEETING
Town of Dennis
May 2, 2023

Robert C. Chamberlain, Moderator, called the Annual Town Meeting held at the Nathaniel H. Wixon School to order at 7:00 p.m. He declared a quorum present and noted that the Warrant had been posted by Gerry DeSalvatore, Constable. Tellers were Paul McCormick, Jr., Robert Duffy, Katie Clancy, Tracy Monroe, Maggie McCormick, John Terrio, Jr. and Paul Covell, Head Teller.

Proclamations:

1.) Given by Select Board Chair, Chris Lambton, to Christopher Flanagan:

WHEREAS, Dennis Select Board Member, Christopher Richard Flanagan was born and raised in Easton, Massachusetts to his parents, Thomas and Linda Flanagan along with his two siblings. Christopher graduated from Oliver Ames High School before attending Emanuel College for his Undergrad, Class of 2010. After completing his Undergrad, Christopher attended US Naval War College, Class of 2013, earning his Master's Degree.

WHEREAS, Christopher completed his Master's program, and soon after he began working with Senator John F. Kerry, where he worked for 3 years as Administrative Director before joining the State Department to work in Secretary Kerry's personal office. On a work assignment in Washington DC, Christopher met his future wife Ashley, who also worked for the State Department.

WHEREAS, Christopher and Ashely bought a home and moved to Dennis in 2016 and recently bought their family home in South Dennis in 2022. Christopher and Ashley have three beautiful children; Aubrey who is 3, and twins Nathan and Dylan who are 4 months old. Chris loves to spend time with his family. He can be found running around with Aubrey at the park or Library or enjoying baby giggles with the boys.

WHEREAS, On January 4, 2023, Christopher was sworn in as State Representative in Boston. He is very excited to start his new role as State Representative and plans to take the journey as it comes. Christopher is honored to serve the Dennis Community, as well as the neighboring communities of Yarmouth and Brewster. To Christopher, the Town of Dennis means Family, Community and Home.

THEREFORE, BE IT RESOLVED, On this 2nd day of May, 2023, we the Dennis Select Board take the opportunity to recognize Christopher Flanagan's major contributions to the Town of Dennis and thank him for his exceptional service. Christopher's unwavering loyalty and dedication to serving his community is admired, commended, and will be truly missed.

2.) Given by Select Board member, John Terrio, to Carol Woodbury:

WHEREAS, Dennis-Yarmouth Regional School Superintendent, Carol Woodbury was born and grew up in Baldwinsville, New York to her parents Carl and Patricia Hibbard, and is the oldest of 8 children. Carol graduated from Charles W. Baker High School before attending the State University of Geneseo. While at SUNY Geneseo, Carol met her husband and they went on to have three sons, and today, a granddaughter.

WHEREAS, Carol completed her undergraduate degree, went on to attend Endicott College and Westfield State College, receiving Masters of Education from both universities. Carol began her career in Monson, Massachusetts as an elementary school teacher. From 2000-2002, Carol transitioned to being the Director of Curriculum and Instruction at Monson. In 2002, Carol was named Superintendent of Monson Schools. In the Fall of 2005, Carol moved to Cape Cod where she became Superintendent of the Dennis Yarmouth Regional School District on October 31, 2005.

WHEREAS, Carol is very proud of the Dennis Yarmouth Regional School district. She is very excited to be able to spend more time with her family, especially her granddaughter, Nadia. She is excited for this next chapter in her life.

THEREFORE, BE IT RESOLVED, On this 2nd day of May, 2023, we the Dennis Select Board take the opportunity to recognize Carol Woodbury's major contributions to the Town of Dennis and thank her for her exceptional service. Carol's unwavering loyalty and dedication to serving her community is admired, commended, and will be truly missed.

Don Trepte Memorial Scholarship Award: Award presented by Margaret McCormick, the Chair of the Donald Trepte Scholarship Committee.

"Tonight, our recipient, Daniel Julian, is here to accept our scholarship. Daniel plans to major in business and start his own company here in Dennis. Among Daniel's many accolades in school - he also finds time for volunteering locally, helping the less fortunate, along with giving back to his community.

The Committee felt that Daniel truly embodied what former Selectman Donald Trepte stood for and personified. Mr. Trepte is remembered by colleagues as someone who went out of his way to make sure anyone whom wished to speak at a meeting received the opportunity and everyone who came to Mr. Trepte with a problem or question was treated with dignity and respect. Mr. Trepte not only served in the Navy on the USS Rankin, but also contributed in his later years on many school boards and town committees - ultimately serving as Chair of Dennis Select Board.

We all believe it is important to support young Dennis students because they are our future. This fund has been depleted over the pandemic. We are looking forward to raising another \$1,500 dollars in order to continue this wonderful scholarship opportunity. We urge your support of this scholarship so that we may continue the vision and philanthropy of the Donald Trepte Scholarship to award Dennis students in the future.

If anyone would like to contribute please let me know, I will be available after the meeting. Checks can also be mailed to Town Hall, attention Town Clerk's Office, written to the Donald Trepte Memorial Scholarship. I ask the Dennis Voters to continue supporting our students as they are our future. I can't emphasize this enough.

A Senior at D/Y, we congratulate Danial. We are very proud to have such an amazing student like yourself be part of Dennis. We look forward to watching your continued success and one day support your future small business. Enjoy the rest of your Senior Year at D/Y."

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

On motion of Finance Committee Chairman Robert Prall, 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 Town Moderator, Robert Chamberlain, duly seconded, since there were no reports presented, no vote was needed.

ARTICLE 3. On motion of Finance Committee Chair, Bob Prall, duly seconded, it was unanimously voted to transfer \$181,636 from the Ambulance Receipts Reserved for Appropriation Fund and transfer \$100,000 from Free Cash for a total of \$281,636

A. Fire Department over-time	\$181,636
B. Snow & Ice	<u>\$100,000</u>
Total	\$281,636

to supplement the Fiscal Year 2023 Line Item appropriations under Article 4 of the May 3, 2022 Annual Town Meeting.

ARTICLE 4. On motion of Finance Committee Chair, Bob Prall, duly seconded, it was unanimously voted to raise and appropriate \$41,852,346 for the purpose of this article, and further, to transfer

\$242,122 from PEG Access and Cable Related Fund to Information Technology & Data Management Personal Services, Line Item #26,

\$119,720 from the PEG Access and Cable Related Fund to Information Technology & Data Management Purchase of Services, Line Item #27,

\$2,224 from the PEG Access and Cable Related Fund to Information Technology & Data Management Supplies, Line Item #28,

\$50,000 from the PEG Access and Cable Related Fund to Information Technology & Data Management Cable Related Expenditures, Line Item #29,

\$16,450 from the PEG Access and Cable Related Fund to Information Technology & Data Management Capital Outlay, Line Item #30,

\$900,000 from Ambulance Receipts Fund to Fire Dept. Personal Services, Line Item #55,

\$1,000 from the Bass River Receipts Fund to Beach Purchase of Service, Line Item #126,

\$190,000 from the Community Preservation Fund to Long Term Debt Principal, Line Item #142,

\$45,250 from the Community Preservation Fund to Long Term Debt Interest, Line Item #143,

\$7,000 from the Community Preservation Fund to Short Term Interest, Line Item #144 and any unexpended shall be transferred back to the Community Preservation Fund,

\$15,000 from the Septic Loan Program Fund to Long Term Debt Principal, Line Item #142,

\$160,000 from the Waterways Dredge and Maintenance Capital Improvement Fund to Long Term Debt Principal, Line Item #142,

\$110,250 from the Waterways Dredge and Maintenance Capital Improvement Fund to Long Term Debt Interest, Line Item #143,

\$295,000 from the Beach Capital Improvement Fund to Long Term Debt Principal, Line Item #142,

\$23,125 from the Beach Capital Improvement Fund to Long Term Interest, Line Item #143,

\$85,000 from the Golf Capital Improvement Fund to Long Term Debt Principal, Line Item #142,

\$32,375 from the Golf Capital Improvement Fund to Long Term Debt Interest, Line Item #143,

\$190,000 from the Solid Waste/Recycle Capital Improvement Fund to Long Term Debt Principal, Line Item #142,

\$131,150 from the Solid Waste/Recycle Capital Improvement Fund to Long Term Debt Interest, Line Item #143 and

\$300,000 from the Safer Grant Stabilization Fund to Fire Dept. Personal Services, Line Item #55,

For a total of \$44,768,012;

And further recommend that said appropriations be allocated in accordance with line item amounts defined under the column, Finance Committee Recommended FY2024.

OPERATING BUDGET FY 2024

GENERAL GOVERNMENT

SELECT BOARD

1	Purchase of Services	68,200.00
2	Other Charges – Expenditure	10,000.00
TOTAL		78,200.00

TOWN ADMINISTRATOR

3	Personal Services	608,470.00
3A	Settlements	0.00
4	Purchase of Services	57,150.00
5	Other Charges - Expenditure	5,250.00
TOTAL		670,870.00

FINANCE COMMITTEE

6	Purchase of Services	1,200.00
7	Other Charges - Expenditure	3,400.00
7A	Reserve Fund	395,805.00
TOTAL		400,405.00

ACCOUNTANT

8	Personal Services	301,269.00
9	Purchase of Services	55,000.00
10	Supplies	1,000.00
11	Other Charges - Expenditure	8,000.00
TOTAL		365,269.00

CENTRAL PURCHASING

12	Purchase of Services	780,853.00
13	Supplies	515,000.00
14	Other Charges – Expenditure	2,560.00
TOTAL		1,298,413.00

ASSESSORS

15	Personal Services	268,644.00
16	Purchase of Services	52,600.00
17	Supplies	1,700.00
18	Other Charges - Expenditure	4,333.00
TOTAL		327,277.00

TREASURER/COLLECTOR

19	Personal Services	432,179.00
20	Purchase of Services	217,000.00
21	Supplies	1,387.00
22	Other Charges - Expenditure	3,280.00
TOTAL		653,846.00

LAW DEPARTMENT

23	Personal Services	0.00
24	Purchase of Services	190,000.00
25	Other Charges - Expenditure	0.00
TOTAL		190,000.00

INFORMATION TECH & DATA

26	Personal Services	361,211.00
27	Purchase of Services	342,057.00
28	Supplies	6,355.00
29	Cable Related Expenditures	50,000.00
30	Capital Outlay	47,000.00
TOTAL		806,623.00

CLERK

31	Personal Services	99,748.00
32	Purchase of Services	9,200.00
33	Supplies	400.00
34	Other Charges - Expenditure	2,720.00
TOTAL		112,068.00

ELECTIONS

35	Personal Services	50,960.00
36	Purchase of Services	17,341.00
37	Supplies	900.00
TOTAL		69,201.00

NATURAL RESOURCES/CONSERVATION

38	Personal Services	453,303.00
39	Purchase of Services	22,650.00
40	Supplies	10,385.00
41	Other Charges - Expenditure	2,450.00
TOTAL		488,788.00

PLANNING

42	Personal Services	156,359.00
43	Purchase of Services	400.00
44	Other Charges - Expenditure	1,300.00
TOTAL		158,059.00

PUBLIC PROPERTY/BUILDINGS

45	Personal Services	671,131.00
46	Purchase of Services	258,390.00
47	Supplies	115,675.00
48	Other Charges - Expenditure	8,235.00
TOTAL		1,053,431.00

PROPERTY/LIABILITY INSURANCE

49	Other Charges - Expenditure	796,200.00
TOTAL		796,200.00

POLICE

50	Personal Services	6,183,344.00
51	Purchase of Services	235,312.00
52	Supplies	58,136.00
53	Other Charges - Expenditure	14,257.00
54	Capital Outlay	289,000.00
	TOTAL	6,780,049.00

FIRE

55	Personal Services	6,211,886.00
56	Purchase of Services	305,828.00
57	Supplies	183,000.00
58	Other Charges - Expenditure	32,097.00
59	Capital Outlay	60,000.00
	TOTAL	6,792,811.00

BUILDING INSPECTOR

60	Personal Services	393,234.00
61	Supplies	4,875.00
62	Other Charges - Expenditure	8,500.00
	TOTAL	406,609.00

ANIMAL CONTROL

63	Personal Services	143,283.00
64	Purchase of Services	5,880.00
65	Supplies	3,550.00
66	Other Charges - Expenditure	0.00
	TOTAL	152,713.00

HARBORMASTER

67	Personal Services	319,251.00
68	Purchase of Services	52,830.00
69	Supplies	13,198.00
70	Other Charges - Expenditure	1,201.00
71	Capital Outlay	7,100.00
	TOTAL	393,580.00

ENGINEERING/SURVEYOR

72	Personal Services	407,776.00
73	Purchase of Services	53,600.00
74	Supplies	6,900.00
75	Other Charges - Expenditure	1,800.00
	TOTAL	470,076.00

DEPT. OF PUBLIC WORKS

76	Personal Services	2,170,752.00
77	Purchase of Services	285,130.00
78	Supplies	266,785.00
79	Supplies - Paving, Resurfacing	108,000.00
80	Other Charges - Expenditure	13,835.00
81	Capital Outlay	9,000.00
	TOTAL	2,853,502.00

SNOW AND ICE REMOVAL

82	Personal Services	93,620.00
83	Purchase of Services	118,123.00
84	Supplies	38,257.00
TOTAL		250,000.00

STREET LIGHTING

85	Purchase of Services	60,000.00
TOTAL		60,000.00

WASTE COLLECT/DISPOSAL

86	Personal Services	668,563.00
87	Purchase of Services	1,073,095.00
88	Supplies	34,115.00
89	Other Charges - Expenditure	4,665.00
90	Capital Outlay	9,400.00
TOTAL		1,789,838.00

HEALTH INSPECTION SERVICE

91	Personal Services	368,703.00
92	Purchase of Services	50,795.00
93	Supplies	3,425.00
94	Other Charges - Expenditure	4,500.00
TOTAL		427,423.00

COUNCIL ON AGING

95	Personal Services	316,969.00
96	Supplies	3,100.00
97	Other Charges - Expenditure	6,313.00
TOTAL		326,382.00

VETERAN'S SERVICES

98	Purchase of Services	57,141.00
99	Other Charges - Expenditure	162,000.00
TOTAL		219,141.00

COMM. ON DISABILITIES

100	Purchase of Services	15,100.00
101	Other Charges - Expenditure	0.00
TOTAL		15,100.00

OTHER HUMAN SERVICES

102	Capabilities	5,800.00
103	Calmer Choice	10,000.00
104	Cape Cod Children's Place	1,600.00
105	Outer Cape Health Services	0.00
106	Consumer Assist Council	1,100.00
107	Alzheimers Family Support	0.00
108	Independence House	5,000.00
109	South Coastal Legal Services	3,600.00
110	Salvation Army	4,000.00
111	AIDS Support Group of Cape Cod	3,000.00
112	Sight Loss Services INC.	5,000.00
113	Elder Services/Meals	7,300.00
114	Family Pantry	6,500.00

115 Big Brothers/Big Sisters	2,000.00
116 Hands of Hope	7,500.00
117 Gosnold Center	0.00
118 SSCAC Fuel Assistance	0.00
TOTAL	62,400.00

LIBRARY

119 Personal Services	330,925.00
120 Purchase of Services	74,693.00
121 Supplies	108,660.00
122 Other Charges - Expenditure	152,345.00
TOTAL	666,623.00

RECREATION

123 Personal Services	160,161.00
124 Purchase of Services	4,200.00
TOTAL	164,361.00

BEACHES

125 Personal Services	890,735.00
126 Purchase of Services	143,254.00
127 Supplies	37,415.00
128 Other Charges - Expenditure	11,725.00
129 Capital Outlay	16,700.00
TOTAL	1,099,829.00

GOLF

130 Personal Services	1,469,620.00
131 Purchase of Services	187,146.00
132 Supplies	406,649.00
133 Other Charges - Expenditure	9,623.00
134 Capital Outlay	5,000.00
TOTAL	2,078,038.00

HISTORICAL COMMISSION

135 Purchase of Services	1,000.00
TOTAL	1,000.00

S. DENNIS HISTORIC DIST. COMM.

136 Personal Services	12,606.00
137 Purchase of Services	474.00
138 Supplies	0.00
TOTAL	13,080.00

HISTORICAL DIST-OKHRHD

139 Personal Services	31,661.00
140 Purchase of Services	1,050.00
141 Supplies	0.00
TOTAL	32,711.00

RETIREMENT OF DEBT PRINCIPAL

142 Debt Services	2,647,779.00
TOTAL	2,647,779.00

INTEREST LONG TERM DEBT

143 Debt Services	947,202.00
TOTAL	947,202.00

INTEREST SHORT TERM DEBT

144 Debt Services	7,300.00
TOTAL	7,300.00

FRINGE BENEFITS

145 Sick Pay Liability	75,000.00
146 Worker's Compensation	130,000.00
147 Unemployment Insurance	135,697.00
148 Retirement Contribution/Town	4,030,074.00
149 Group Insurance- HRA	3,608,504.00
150 OPEB Contribution	300,000.00
151 Mitigation Agreement	35,000.00
152 Government Taxes/Tn. Share	327,540.00
TOTAL	8,641,815.00

GRAND TOTAL 44,768,012.00

Making a total of \$44,768,012.00

ARTICLE 5. On motion of Select Board member, Chris Flanagan, duly seconded, it was unanimously voted to fix the Fiscal Year 2024 salaries and compensation of elected officers:

5 Selectmen	\$10,000 (\$2,000) each
1 Moderator	\$450
1 Town Clerk	<u>\$93,605</u>
Total	\$104,055

and that the Town vote to raise and appropriate \$104,055 for this purpose.

ARTICLE 6. 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 \$16,750,000 for the Fiscal Year beginning July 1, 2023 to raise and appropriate \$1,318,861 as the Town's assessment and \$604,941 for debt service for total operating expenses of \$1,923,802 of said School for the Fiscal Year beginning July 1, 2023.

ARTICLE 7. On motion of School Committee chair, Jeni Landers, duly seconded, it was voted by majority to approve an annual School Budget for the Dennis-Yarmouth Regional School District in the amount of \$76,019,508 and to raise and appropriate \$18,645,546 for the assessment of the Town's share and \$1,407,909 for the debt service for a total of \$20,053,455 for the Dennis Yarmouth Regional School District for the Fiscal Year beginning July 1, 2023.

ARTICLE 8. On motion of Select Board member, Christopher Flanagan, duly seconded, it was voted by majority to transfer \$23,549 from the PEG Access and Cable Related Fund for cable related expenditures of educational access television per an Agreement with the Dennis/Yarmouth Regional School District.

ARTICLE 9. On motion of Select Board Member, Christopher Flanagan, duly seconded, it was voted by majority to appropriate \$110,444 from the PEG Access and Cable Related Fund for PEG Access Television per an Agreement with Cape Media Center.

ARTICLE 10. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to expend from the Shellfish Mitigation Fund \$4,470 to be used for shellfish propagation:

- | | |
|--|----------------|
| 1. Purchasing 100,000 R3 seed quahogs for recreational harvesting | \$2,020 |
| 2. 10 bags of remote set oysters for recreational harvesting at Old Field Bend/West Dennis Beach | \$ 200 |
| 3. Upweller maintenance (roof construction) | \$ 600 |
| 4. Boat Maintenance, gas, winterizing, etc. | \$1,000 |
| 5. Aquaculture Supplies (cages, posts, etc.) | \$ 500 |
| 6. Quahog relay State fee | <u>\$ 150</u> |
| | \$4,470 |

ARTICLE 11. On motion of Select Board member, Jim Plath, duly seconded, it was unanimously voted to raise and appropriate \$2,434,967 for the purpose of the article.

Department	Project	Amount
129 - Gen. Gov. (Fleet)	Replace 2011 Truck (Town 1)	\$74,300
129 - Gen. Gov. (Fleet)	Replace 2011 SUV (Town 6)	\$30,200
210 - Police	Ballistic Vests	\$10,000
210 - Police	Firearms Optics	\$32,000
210 - Police	Surveillance Equipment - Thermal Imaging	\$10,000
220 - Fire	Pumper 112- Year 4 of 4 Year Lease	\$204,948
220 - Fire	Replace Car 109- 2012 Explorer	\$72,000
301 - DYRSD	E. H Baker Innovation School Fire Alarm - Panel/Detectors	\$150,000
301 - DYRSD	D/Y Reg. H. S. Masonry Repairs, Pointing & Flashing	\$46,500
301 - DYRSD	D/Y Reg. H. S. Repair Lower Tennis Courts (\$80,000 total)	\$24,800
410 - Cemeteries	Water Main Replacement	\$19,069
411 - Engineering	Secondary Roads	\$600,000
411 - Engineering	Drainage	\$250,000
411 - Engineering	Sidewalks Engineering/Construction	\$300,000
411 - Engineering	Route 28 (DP-Harwich) Corridor Improvement Project	\$50,000
411 - Engineering	Guardrail Replacement	\$25,200
422 - Public Works	Replace 2011 Escape (DPW-5)	\$30,200
422 - Public Works	Traffic Signal Repairs	\$75,000
433 - Sanitation	Replace Entry Gate Operator	\$34,000
433 - Sanitation	Replace 2012 Roll off Truck (S-1)	\$334,200
433 - Sanitation	Replace Heavy Duty Containers (3-4)	\$51,250
630 - Recreation	Johnny Kelley Park fence replacement field 1	\$11,300
	Total R&A	\$2,434,967
	Recommended	\$2,434,967

ARTICLE 12. On motion of Select Board member, Jim Plath, duly seconded, it was voted 290 YES to 2 NO to appropriate \$1,713,200

402 Beach Capital Improvement Fund	Beach Stairs and Structure Replacement	\$55,000
	Beach Parking Lot	\$125,000
	Beach Mule Replacement (two)	\$34,200
	Subtotal:	\$214,200
406 Waterways Dredge & Maintenance Fund	Dredging - Sesuit (Outer)	\$200,000
	Subtotal:	\$200,000
420 Ambulance Receipts Reserved for Appropriation Fund	Replace Ambulance 106	\$720,000
	Subtotal:	\$720,000
460 Golf Course Capital Improvement Fund	Golf Equipment 4 of 4 Year Lease	\$11,500

	Toro Equipment 3 of 4 Year Lease	\$85,500
	Toro Equipment 2 of 4 Year Lease	\$75,000
	Kubota Tractor Lease 2 of 4 Year Lease	\$20,500
	Cart Path Repair	\$100,000
	Dennis Pines - Replace Four HVAC Units	\$142,000
	Dennis Highlands - Kitchen Hood Make-up Air	\$50,000
	Dump Truck	\$94,500
	Subtotal:	\$579,000
	Total Other Funding Sources	\$1,713,200

and further to transfer \$214,200 from the Beach Capital Improvement Fund, \$200,000 from the Waterways Dredge & Maintenance Fund, \$720,000 from the Ambulance Receipts Reserved for Appropriation Fund, and \$579,000 from the Golf Course Capital Improvement Fund for the purpose of this 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.

ARTICLE 13. On motion of Select Board member, Jim Plath, duly seconded, it was voted by majority to transfer \$589,235 from free cash and \$60,765 from the Solid Waste & Recycling Capital Improvement Fund for a total of \$650,000 for the repairs and maintenance of Town buildings under the direction of the Select Board.

ARTICLE 14. On motion of Select Board member, Paul McCormick, duly seconded, it was unanimously voted, pursuant to Chapter 44, Section 53E ½, of the Massachusetts General Laws to set the spending limits for the various revolving funds for the Fiscal Year 2024.

Program or Purpose	Authorized Representative or Board to Spend	FY2024 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	\$350,000
Cable Revolving Fund - 591	MIS Director	\$50,000

ARTICLE 15. On motion of Select Board Chair, Christopher Lambton, duly seconded, it was unanimously voted to approve a Community Preservation Committee Budget for Fiscal Year 2024 as follows to appropriate or set-aside for future appropriation for the Fiscal Year 2024 Community Preservation Fund estimated annual revenues for each of the following purposes:

1. 10% Reserved for Community Housing – \$197,591
2. 10% Reserved for Open Space – \$197,591
3. 10% Reserved for Historic Preservation – \$197,591
4. Debt Service – \$235,250
5. Short Term Interest – \$7,000
6. Community Preservation Committee Expenses – \$30,000
7. FY2024 Budgeted Reserve – \$1,110,884

for a total of \$1,975,907 for the purpose of the article.

ARTICLE 16. On motion of Select Board member, Jim Plath, duly seconded, it was unanimously voted to transfer \$515,000 from free cash and raise and appropriate \$24,000 to be added to Line 3 of the Town Administrator Budget, Article 4 of the May 2, 2023 Annual Town Meeting for a total of \$539,000 for the security improvements and upgrades at Dennis municipal facilities.

ARTICLE 17. On motion of Select Board member, Paul McCormick, duly seconded, it was unanimously voted to transfer \$23,350.10 from Free Cash and \$258,046.57 from FY2023 Rooms Tax Revenue in the General Fund to the Wastewater Stabilization Fund for a total of \$281,396.67 for the purpose of future wastewater needs.

ARTICLE 18. On motion of Select Board member, Paul McCormick, duly seconded, it was unanimously voted, pursuant to Section 5B of Chapter 40 of the General Laws to amend the prior vote of Town Meeting under Article 50 of the May 7, 2019 Annual Town Meeting, by changing the percentage allocation of the Local Rooms Excise Tax to be dedicated to the Wastewater Stabilization Fund from 25 percent to 33 percent.

ARTICLE 19. On motion of Select Board member, Paul McCormick, duly seconded, it was unanimously voted to transfer \$39,274 from free cash for the migration of the Town's website platform.

ARTICLE 20. On motion of Select Board member, Paul McCormick, duly seconded, it was voted by majority to transfer \$25,000 from free cash for the cost of implementing an Electric Vehicle Charging Station Pilot Program and further to authorize the Select Board to enter into a five-year lease agreement for the leasing of the charging stations or any other costs related thereto.

ARTICLE 21. On motion of Select Board member, John Terrio, duly seconded, it was unanimously voted to transfer \$350,000 from the Landfill Solar Special Revenue Fund and \$570,000 from free cash to the Wastewater Stabilization Fund for a total of \$920,000 for the purpose of future wastewater needs.

ARTICLE 22. On motion of Select Board member, John Terrio, duly seconded, it was voted 273 YES to 9 NO to borrow \$524,579 to make temporary repairs to Old Hills Road (from Old Bass River Road to Old Bass River Road, Assessor Map #330,331), a private road in Dennis, 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 \$524,579 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 23. On motion of Select Board member, Paul McCormick, duly seconded, it was unanimously voted to transfer from the Barrier Beach Protection/Stabilization Fund \$2,750 to be used to install rope and post fencing along the toe of dune and the edge of salt marsh at the west end of West Dennis Beach.

ARTICLE 24. On motion of Select Board member, Jim Plath, duly seconded, it was unanimously voted to transfer \$18,500 from the Beach Capital Improvement Fund to the Finance Committee Reserve Fund for storm damage to the Haigis Beach sea wall.

ARTICLE 25. On motion of Select Board member, Jim Plath, duly seconded, it was unanimously voted to transfer \$39,000 from the Beach Capital Improvement Fund to the Finance Committee Reserve Fund for sand nourishment and soil testing for the Corporation Beach Coastal Bank.

ARTICLE 26. On motion of Select Board member, John Terrio, duly seconded, it was unanimously voted to transfer \$3,429,877 from free cash to the Capital Improvement Stabilization Fund.

ARTICLE 27. On motion of Select Board member, Chris Lambton, duly seconded, it was voted by majority to eliminate §40-3 of the Town By-Laws to strike the publication of warrants section as follows:

~~**§ 40-3. Publication of warrants. [Amended 10-25-1973 STM, Art. 8]**~~

~~All warrants for Special Meetings shall be published in one or more newspapers circulated within the Town~~

ARTICLE 28. On motion of Select Board member, Chris Flanagan, duly seconded, it was unanimously voted to replace Section 6 Flood Zone in its entirety and replace it with a New Section 6 Flood Zone as written below:

Section 6: Floodplain District

6.1 STATEMENT OF PURPOSE AND BOUNDARIES

The purposes of the Floodplain District are to:

- 1) Ensure public safety through reducing the threats to life and personal injury;
- 2) Eliminate new hazards to emergency response officials;
- 3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
- 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
- 5) Eliminate costs associated with the response and cleanup of flooding conditions;
- 6) Reduce damage to public and private property resulting from flooding waters.

6.1.1 FLOODPLAIN DISTRICT BOUNDARIES

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Dennis designated as Zone A, AE, AH, AO, A99, V, or VE on the Barnstable County Flood Insurance Rate Map (FIRM) dated July 16, 2014 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

6.2 ADMINISTRATION

6.2.1 ABROGATION AND GREATER RESTRICTION

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

6.2.2 DISCLAIMER OF LIABILITY

The degree of flood protection required by this bylaw [ordinance] is considered reasonable but does not imply total flood protection.

6.2.3 SEVERABILITY

If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

6.2.4 DESIGNATION OF COMMUNITY FLOODPLAIN ADMINISTRATOR

The Town of Dennis hereby designates the position of Building Commissioner to be the official floodplain administrator for the town.

6.2.5 PERMITS

- a) The Town of Dennis requires a permit for all proposed construction

or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

- b) All applicants for development plans impacted by an “Area of Special Flood Hazard,” shall complete the Town of Dennis Staff Review process, which coordinates review by the Dennis Planning, Natural Resources, Health, Engineering, Building, Police and Fire Departments, prior to filing for the first required permit.
- c) Dennis requires the applicant to obtain and submit documentation of all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. This includes but is not limited to those regulations listed in Section 6.4.1.

6.2.6 REQUIREMENT TO SUBMIT NEW TECHNICAL DATA

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

FEMA Region I Risk Analysis Branch Chief
99 High St., 6th floor, Boston, MA 02110

And copy of notification to:

Massachusetts NFIP State Coordinator
MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA
02114

6.2.6 NOTIFICATION OF WATERCOURSE ALTERATION

In a riverine situation, the Natural Resources Director shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and
Recreation 251 Causeway Street, 8th Floor
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management
Agency, Region I 99 High Street, 6th
Floor
Boston, MA 02110

6.3 USE REGULATIONS

6.3.1 REFERENCE TO EXISTING REGULATIONS

- a) The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the

Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR);
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);
- Minimum Requirements of the Subsurface Disposal of Sewage Regulations Town of Dennis
- Dennis Wetland Protection By-law

b) Any variances from the provisions and requirements of the above referenced state or local regulations may only be granted in accordance with the required variance procedures of these state or local regulations.

c) Variances to the flood-resistant standards as found in the MA State Building Code may only be issued by the MA State Building Code Appeals Board.

Upon learning that an applicant intends to file for a variance from the State Building Code Appeals Board, the Town/City shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

The Town/City will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

6.3.2 OTHER USE REGULATIONS

- a) In Zone A and AE, along watercourses that have a regulatory floodway designated on the Town of Dennis FIRM Map encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit

encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

- b) Man-made alteration of sand dunes within Zone VE which would increase potential flood damage are prohibited.
- c) All new construction within Zone VE must be located landward of the reach of mean high tide.
- d) All subdivision proposals must be designed to assure that:
 - a) such proposals minimize flood damage;
 - b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c) adequate drainage is provided to reduce exposure to flood hazards.
- e) Existing contour intervals of site and elevations of existing structures must be included on plan proposal.
- f) When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
- g) In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
- h) Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
- i) In Zones A, AH, AE, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements, be on the site for less than 180 consecutive days, or be fully licensed and highway ready.

6.4 SPECIAL PROVISIONS FOR LIFTING EXISTING STRUCTURES TO NEW AND APPROPRIATE ELEVATIONS

(1) Notwithstanding the provisions of any other provision of the Dennis Zoning By-law to the contrary, except as otherwise provided pursuant to paragraph (3) of this subsection, a person shall be allowed to lift an existing structure located in an Area of Special Flood Hazard to a new and appropriate elevation, or constructing a staircase or other attendant structure necessitated by such raising without the need for Board of Appeals relief, provided, however, this exemption shall apply only to the minimum extent or degree necessary to allow the structure to meet the new and appropriate elevation with adequate means of ingress, egress and accommodation of typical basement facilities.

(2) Appurtenant to lifting an existing structure, the existing structure may be relocated elsewhere on the lot as long as said relocation does not create a new, or increase the intensity of a setback nonconformity. For the purposes of accomplishing meeting the new and appropriate elevation, the restrictions found in Section 2.4.1.2 D 2 (a.k.a. the 40% rule) shall not apply.

(3) The exemption established pursuant to paragraph (1) of this subsection shall not be available to a person who has altered or is seeking to alter the original dimensions of a structure if, had the alteration not been made, the structure could have been raised to meet the new and appropriate elevation either without the exemption or with an exemption of lesser degree than is needed with the alteration.

6.5 PERMITTED USES

The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

- 1) Agricultural uses such as farming, grazing, truck farming, horticulture, etc.
- 2) Forestry and nursery uses.
- 3) Outdoor recreational uses, including fishing, boating, play areas, etc.
- 4) Conservation of water, plants, wildlife.
- 5) Wildlife management areas, foot, bicycle, and/or horse paths.
- 6) Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
- 7) Buildings lawfully existing prior to the adoption of these provisions.

6.6 VARIANCES TO THESE FLOODPLAIN DISTRICT ZONING BYLAWS

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

6.7 ENFORCEMENT

Violations of any section or provision of this Bylaw may be enforced by the institution of enforcement actions, either criminal or civil, either legal or equitable or both, or by fines of not more than three hundred (300) dollars for each offense. Each day that such offense continues shall constitute a separate offense.

6.8 DEFINITIONS

AREA OF SPECIAL FLOOD HAZARD is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, AE, V, or VE.

ATTENDANT STRUCTURE means an area to accommodate utilities, laundry facilities or mechanicals which are otherwise typically located within a basement area.

BASE FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year.

COASTAL HIGH HAZARD AREA means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on a FIRM as Zone VE.

DEVELOPMENT means any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

DISTRICT means floodplain district.

EXISTING STRUCTURE means any commercial or municipal structure or residential dwelling that currently exists, or existed prior to the catastrophic event, at the time a request is made to elevate.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY means an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOODWAY means the channel of a river, creek, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HIGHEST APPLICABLE FLOOD ELEVATION STANDARD means the one-percent (1%) FEMA base flood elevation plus up to an additional three (3) feet.

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- (1) By an approved state program as determined by the Secretary of the Interior or
- (2) Directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, PROVIDED that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

NEW AND APPROPRIATE ELEVATION means any elevation to which a structure is raised, or is to be raised, that is equal to or higher than the applicable FEMA base flood elevation, provided, however, in no case shall the new and appropriate elevation exceed the highest applicable flood elevation standard.

NEW CONSTRUCTION means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of the first floodplain management regulation adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement. For the purpose of determining insurance rates, NEW CONSTRUCTION means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

ORIGINAL DIMENSIONS means the exact vertical and horizontal dimensions of a structure as it presently exists.

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY - see FLOODWAY

SPECIAL FLOOD HAZARD AREA means the land area subject to flood and/or flood-related erosion hazards, and shown on a Flood Insurance Rate Map (FIRM) as Zone AE or VE.

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual

start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. **STRUCTURE**, for insurance coverage purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration, or repair, but does not include building materials or supplies intended for use in such construction, alteration, or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR.

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation.

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

ZONE A means an area of special flood hazard without water surface elevations determined.

ZONE AE means area of special flood hazard with water surface elevations

determined.

ZONE AH means areas of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet, and with water surface elevations determined.

ZONE AO means area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. (Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.)

ZONES X means an area of minimal or moderate flood hazards or areas of future-conditions flood hazard.

ZONE V means area of special flood hazards without water surface elevations determined, and with velocity, that is inundated by tidal floods (coastal high hazard area).

ZONE VE means area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (see also Coastal High Hazard Area).

ARTICLE 29. On motion of Select Board member, John Terrio, duly seconded, it was unanimously voted to raise and appropriate \$15,000 for the fuel assistance program.

ARTICLE 30. On motion of Select Board Chair, Chris Lambton, duly seconded, it was unanimously voted to transfer \$200,000 from the Landfill Solar Special Revenue Fund 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 31. On motion of Select Board member, John Terrio, duly seconded, it was unanimously voted to amend Article XI, Section 19-14 of Chapter 19 of the General By-Laws of the Town by changing the percentage allocation of Transfer Station Permits and Recycling Revenue in the Solid Waste and Recycling Capital Improvement Fund effective July 1, 2023 as follows:

~~28%~~ 26.5% reserved for Debt Service expenditures and
~~4%~~ 2.5% reserved for Capital expenditures

ARTICLE 32. On motion of Select Board member, Paul McCormick, duly seconded, it was unanimously voted to transfer from free cash \$300,000 for the assumed costs of the Wixon School upon the amendment of the current lease with the Dennis Yarmouth Regional School District which will remove the Wixon School from the lease.

ARTICLE 33. On motion of Select Board Chair, Chris Lambton, duly seconded, it was unanimously voted to transfer \$300,000 from the Ambulance Receipts Reserved for Appropriation Fund to pay for additional costs to complete the Fire Station 2 project or any other costs related thereto.

ARTICLE 34. On motion of Select Board member, John Terrio, duly seconded, it was voted by majority to authorize the Select Board to lease for a term of up to 99 years for the premises located at 187 Depot Street, shown on Assessor's Map 75 as Parcel 8 and shown on Land Court Plan No 15107-A, containing approximately .63 acres, for affordable housing purposes, on such terms and conditions, and for such consideration, which may be nominal consideration, as the Select Board deems appropriate, and to accept on behalf of the Town an affordable housing restriction thereon, enforceable in perpetuity in compliance with G.L. Chapter 184, Sections 31-32.

ARTICLE 35. On motion of Select Board member, John Terrio, duly seconded, it was voted 289 YES to 12 NO to transfer the care, custody and control of all or a portion of a parcel of land located at 30 Bob Crowell Road, shown on Assessor's Map 173 as Parcel 36 as shown on a plan of land, a copy of which is on file with the Office of the Town Clerk, from the Town Treasurer held for tax title purposes to the Select Board for affordable housing purposes and for purpose of lease, and further to authorize the Select Board to lease for a term of up to 99 years the portion of the above-described premises for affordable housing purposes on such terms and conditions, and for such consideration, which may be nominal consideration, as the Select Board deems appropriate, and to accept on behalf of the Town, an affordable housing restriction, enforceable in perpetuity in compliance with G.L. Chapter 184, Sections 31-32.

ARTICLE 36. On motion of Select Board Chair, Chris Lambton, duly seconded, it was unanimously voted to transfer the care, custody and control from the Select Board held for drainage purposes to the Select Board for the purpose of designating the parcel of land located at 8 Acorn Road, shown on Town Assessor's Map 263 as Parcel 14 and shown on a plan entitled "Nitrogen Credit Land Exhibit Plan for 8 Acorn Road, Dennis, MA, Prepared for Habitat for Humanity of Cape Cod," dated April 26, 2022 prepared by J.M. O' Reilly & Associates, Inc., a copy of which is on file with the Office of the Town Clerk; and further to authorize the Select Board to grant on said property a Title 5 nitrogen loading restriction and easement or a perpetual conservation restriction in a form which complies with the requirements of G.L. Chapter 184, Sections 31-32, and on such terms and conditions as the Select Board deems in the best interests of the Town.

ARTICLE 37. On motion of Select Board member, John Terrio, duly seconded, it was unanimously voted to transfer \$42,899 from free cash to provide the Town with support services to mitigate the impacts of the opioid epidemic under the direction of the Select Board and any other costs related thereto.

ARTICLE 38. On motion of Select Board member, Chris Flanagan, duly seconded, it was unanimously voted to transfer \$570,000 from free cash to the General Purpose Stabilization Fund.

ARTICLE 39. On motion of Select Board member, Jim Plath, duly seconded, it was voted by majority to amend the General bylaws by adding a new §40.9 to the Town Code to read as follows:

§40.9. In the event that the Select Board determines that no suitable location within the Town is available to conduct a Special or Annual Town Meeting, the Select Board may call for such Town Meeting to be held at a school facility maintained by the Dennis-Yarmouth Regional School District located in the Town of Yarmouth.

ARTICLE 40. On motion of petitioner, Elizabeth McHugh, duly seconded, it was defeated by majority to ask the Select Board, acting on behalf of the Town, to petition the state legislature, to amend the Massachusetts General Laws governing the dispersal of School Choice funds, to include all other forms of alternative education, as currently allowed by the state, such as homeschool and private school participants, etc. In addition, the petition should be made with language requesting that any changes to the MGL's should consider interim support to address any negative draw down impacts to the Public School System, during any resultant adjustment phase.

ARTICLE 41. On motion of Select Board member, Jim Plath, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town of Dennis will vote to raise and appropriate or transfer from available funds a sum of money for the demolition of old Fire Station 2, including disposal costs, paving and lighting at the Site, including all costs incidental and related thereto; or to take any other action relative thereto.

ARTICLE 42. On motion of Select Board member, Chris Flanagan, duly seconded, it was voted by majority to transfer \$155,000 from the Landfill Solar Special Revenue Fund to provide Childcare Subsidies to Dennis residents per guidelines established by the Select Board and any other costs related thereto.

It was unanimously voted to adjourn (dissolve) the meeting at 9:07 pm on May 2, 2023.

A True Copy, Attest:

Theresa T. Bunce, MMC/CMMC
Dennis Town Clerk