

ANNUAL TOWN MEETING
Town of Dennis
May 8, 2021

Robert C. Chamberlain, Moderator, called the Annual Town Meeting held at the Nathaniel H. Wixon School to order at 1:00 p.m. He declared a quorum present and noted that the Warrant had been posted by Wayne Bergeron, Constable. Tellers were Robert Duffy, Katie Clancy, Tracey Monroe, Paul McCormick, Jr. 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.

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 On motion of Town Moderator, Robert Chamberlain, duly seconded, since there were no unpublished committee reports presented, no vote was needed.

ARTICLE 3. On motion of Finance Committee Chair, James Plath, duly seconded, it was unanimously voted to transfer \$331,249 from free cash to supplement the Fiscal Year 2021 Line Item appropriations under Article 1 of the June 23, 2020 Annual Town Meeting as noted below:

Fire Department over-time	\$268,025
<u>Snow and Ice</u>	<u>\$ 63,224</u>
Total	\$331,249

ARTICLE 4. On motion of Finance Committee Member, Robert Prall, duly seconded, it was unanimously voted to raise and appropriate \$36,228,822 for the purpose of this article.

To transfer \$100,000 from Overlay Reserve to Finance Committee Reserve Fund, Line Item #7A

To transfer \$255,900 from Cable Receipts Reserved for Appropriations to Information Technology & Data Management Personal Services, Line Item #28

To transfer \$15,000 from the Cable Receipts Reserved for Appropriations to Technology & Data Management Purchase of Services, Line Item #29

To transfer \$10,000 from the Cable Receipts Reserved for Appropriations to Property/Liability Insurance, Other Charges, Line Item #51

To transfer \$900,000 from Ambulance Receipts Reserve for Appropriations to Fire Dept. Personal Services, Line Item #58

To transfer \$1,000 from the Bass River Receipts Reserved for Appropriations to Beach Purchase of Service, Line Item #129

To transfer \$6,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Worker's Comp. Line Item #149

To transfer \$5,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Unemployment Insurance, Line Item #150

To transfer \$70,209 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Retirement Contribution, Line Item #151

To transfer \$38,000 from the Cable Receipts Reserved for Appropriations to Fringe Benefits, Group Insurance, Line Item #152

To transfer \$360,000 from the Community Preservation Act Fund to Long Term Debt Principal, Line Item #145

To transfer \$16,031 from the Community Preservation Act Fund to Short Term Interest, Line Item #147

To transfer \$66,250 from the Community Preservation Act Fund to Long Term Debt Interest, Line Item #146 and any unexpended shall be transferred back to the Community Preservation Act Fund.

To transfer \$20,000 from the Septic Loan Program Account to Long Term Debt Principal, Line Item #145

To transfer \$145,000 from the Waterways Dredge and Maintenance to Long Term Debt Principal, Line Item #145

To transfer \$125,625 from the Waterways Dredge and Maintenance to Long Term Debt Interest, Line Item #146

To transfer \$270,000 from the Beach Capital Improvement Fund to Long Term Debt Principal, Line Item #145

To transfer \$51,500 from the Beach Capital Improvement Fund to Long Term Interest, Line Item #146

To transfer \$75,000 from the Golf Capital Improvement Fund to Long Term Debt Principal, Line Item #145

To transfer \$40,375 from the Golf Capital Improvement Fund to Long Term Debt Interest, Line Item #146

To transfer \$170,000 from the Solid Waste/Recycle Capital Improvement Fund to Long Term Debt Principal, Line Item #145

To transfer \$149,150 from the Solid Waste/Recycle Capital Improvement Fund to Long Term Debt Interest, Line Item #146

To transfer \$300,000 from the Safer Grant Stabilization Fund to Fire Dept. Personal Services, Line Item #58

Making a total of \$39,418,862.

And further recommend that said appropriations be allocated in accordance with line item amounts defined under the column, Finance Committee Recommended FY2022.

OPERATING BUDGET FY 2022

GENERAL GOVERNMENT

SELECT BOARD

1	Purchase of Services	59,213.00
2	Other Charges – Expenditure	13,150.00
TOTAL		72,363.00

TOWN ADMINISTRATOR

3	Personal Services	583,583.00
3A	Settlements	52,915.00
4	Purchase of Services	46,132.00
5	Other Charges - Expenditure	5,250.00
TOTAL		687,880.00

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	263,292.00
9	Purchase of Services	51,000.00
10	Supplies	500.00
11	Other Charges - Expenditure	7,370.00
TOTAL		322,162.00

CENTRAL PURCHASING

12	Purchase of Services	723,645.00
13	Supplies	307,000.00
14	Other Charges – Expenditure	2,560.00
TOTAL		1,033,205.00

ASSESSORS

15	Personal Services	247,691.00
16	Purchase of Services	1,100.00
17	Supplies	1,450.00
18	Other Charges - Expenditure	1,850.00
TOTAL		252,091.00

REVALUATION

19	Purchase of Services	45,303.00
20	Supplies	2,600.00
TOTAL		47,903.00

TREASURER/COLLECTOR

21	Personal Services	389,645.00
22	Purchase of Services	36,590.00
23	Supplies	1,387.00
24	Other Charges - Expenditure	690.00
TOTAL		428,312.00

LAW DEPARTMENT

25	Personal Services	106,954.00
26	Purchase of Services	155,300.00
27	Other Charges - Expenditure	2,200.00
TOTAL		264,454.00

INFORMATION TECH & DATA

28	Personal Services	331,350.00
29	Purchase of Services	259,782.00
30	Supplies	5,913.00
31	Capital Outlay	47,000.00
TOTAL		644,045.00

TAX TITLE/FORECLOSURE

32 Purchase of Services	16,000.00
TOTAL	16,000.00

CLERK

33 Personal Services	90,468.00
34 Purchase of Services	9,200.00
35 Supplies	400.00
36 Other Charges - Expenditure	1,920.00
TOTAL	101,988.00

ELECTIONS

37 Personal Services	17,700.00
38 Purchase of Services	14,876.00
39 Supplies	900.00
TOTAL	33,476.00

NATURAL RESOURCES/CONSERVATION

40 Personal Services	432,186.00
41 Purchase of Services	33,800.00
42 Supplies	11,385.00
43 Other Charges - Expenditure	2,600.00
TOTAL	479,971.00

PLANNING

44 Personal Services	151,095.00
45 Purchase of Services	400.00
46 Other Charges - Expenditure	1,300.00
TOTAL	152,795.00

PUBLIC PROPERTY/BUILDINGS

47 Personal Services	592,444.00
48 Purchase of Services	260,100.00
49 Supplies	98,325.00
50 Other Charges - Expenditure	8,235.00
TOTAL	959,104.00

PROPERTY/LIABILITY INSURANCE

51 Other Charges - Expenditure	553,200.00
TOTAL	553,200.00

TOWN REPORTS

52 Purchase of Services	6,289.00
TOTAL	6,289.00

POLICE

53 Personal Services	5,689,705.00
54 Purchase of Services	219,108.00
55 Supplies	82,651.00
56 Other Charges - Expenditure	14,257.00
57 Capital Outlay	189,000.00
TOTAL	6,194,721.00

FIRE

58 Personal Services	5,595,824.00
59 Purchase of Services	305,492.00
60 Supplies	189,723.00

61	Other Charges - Expenditure	6,900.00
62	Capital Outlay	16,400.00
TOTAL		6,114,339.00

BUILDING INSPECTOR

63	Personal Services	375,237.00
64	Supplies	4,725.00
65	Other Charges - Expenditure	8,500.00
TOTAL		388,462.00

ANIMAL CONTROL

66	Personal Services	117,706.00
67	Purchase of Services	8,820.00
68	Supplies	3,800.00
69	Other Charges - Expenditure	210.00
TOTAL		130,536.00

HARBORMASTER

70	Personal Services	297,125.00
71	Purchase of Services	15,730.00
72	Supplies	10,298.00
73	Other Charges - Expenditure	1,201.00
74	Capital Outlay	47,100.00
TOTAL		371,454.00

ENGINEERING/SURVEYOR

75	Personal Services	387,647.00
76	Purchase of Services	2,900.00
77	Supplies	5,550.00
78	Other Charges - Expenditure	1,100.00
TOTAL		397,197.00

DEPT. OF PUBLIC WORKS

79	Personal Services	1,901,860.00
80	Purchase of Services	160,845.00
81	Supplies	269,235.00
82	Supplies - Paving, Resurfacing	108,000.00
83	Other Charges - Expenditure	13,835.00
84	Capital Outlay	8,450.00
TOTAL		2,462,225.00

SNOW AND ICE REMOVAL

85	Personal Services	93,620.00
86	Purchase of Services	118,123.00
87	Supplies	38,257.00
TOTAL		250,000.00

STREET LIGHTING

88	Purchase of Services	60,000.00
TOTAL		60,000.00

WASTE COLLECT/DISPOSAL

89	Personal Services	637,099.00
90	Purchase of Services	825,140.00
91	Supplies	33,415.00
92	Other Charges - Expenditure	4,665.00

93 Capital Outlay	9,800.00
TOTAL	1,510,119.00

HEALTH INSPECTION SERVICE

94 Personal Services	354,758.00
95 Purchase of Services	30,320.00
96 Supplies	3,900.00
97 Other Charges - Expenditure	3,000.00
TOTAL	391,978.00

COUNCIL ON AGING

98 Personal Services	238,178.00
99 Supplies	2,500.00
100 Other Charges - Expenditure	6,913.00
TOTAL	247,591.00

VETERAN'S SERVICES

101 Purchase of Services	55,020.00
102 Other Charges - Expenditure	160,000.00
TOTAL	215,020.00

COMM. ON DISABILITIES

103 Purchase of Services	500.00
104 Other Charges - Expenditure	2,359.00
TOTAL	2,859.00

OTHER HUMAN SERVICES

105 Capabilities	0.00
106 Cape Cod Child Development	0.00
107 Outer Cape Health Services	1,000.00
108 ARC of Cape Cod	0.00
109 Consumer Assist Council	900.00
110 Alzheimers Family Support	2,000.00
111 Independence House	3,500.00
112 South Coastal Legal Services	3,500.00
113 Salvation Army	4,000.00
114 AIDS Support Group of Cape Cod	2,500.00
115 Sight Loss Services INC.	5,000.00
116 Elder Services/Meals	6,500.00
117 Family Pantry	6,000.00
118 Big Brothers/Big Sisters	1,500.00
119 Hands of Hope	6,000.00
120 Gosnold Center	5,000.00
121 SSCAC Fuel Assistance	15,000.00
TOTAL	62,400.00

LIBRARY

122 Personal Services	318,366.00
123 Purchase of Services	71,434.00
124 Supplies	101,075.00
125 Other Charges - Expenditure	128,345.00
TOTAL	619,220.00

RECREATION

126 Personal Services	140,674.00
127 Purchase of Services	4,200.00
TOTAL	144,874.00

BEACHES

128 Personal Services	759,492.00
129 Purchase of Services	133,037.00
130 Supplies	31,715.00
131 Other Charges - Expenditure	8,575.00
132 Capital Outlay	16,700.00
TOTAL	949,519.00

GOLF

133 Personal Services	1,378,224.00
134 Purchase of Services	160,186.00
135 Supplies	379,349.00
136 Other Charges - Expenditure	8,123.00
137 Capital Outlay	5,000.00
TOTAL	1,930,882.00

HISTORICAL COMMISSION

138 Purchase of Services	1,000.00
TOTAL	1,000.00

S. DENNIS HISTORIC DIST. COMM.

139 Personal Services	12,332.00
140 Purchase of Services	250.00
141 Supplies	224.00
TOTAL	12,806.00

HISTORICAL DIST-OKHRHD

142 Personal Services	30,985.00
143 Purchase of Services	750.00
144 Supplies	300.00
TOTAL	32,035.00

RETIREMENT OF DEBT PRINCIPAL

145 Debt Services	2,005,000.00
TOTAL	2,005,000.00

INTEREST LONG TERM DEBT

146 Debt Services	767,700.00
TOTAL	767,700.00

INTEREST SHORT TERM DEBT

147 Debt Services	16,331.00
TOTAL	16,331.00

FRINGE BENEFITS

148 Sick Pay Liability	50,000.00
149 Worker's Compensation	130,000.00
150 Unemployment	135,697.00
151 Retirement Contribution/Town	3,818,212.00
152 Group Insurance- HRA	3,233,042.00

153 Government Taxes/Tn. Share	318,000.00
TOTAL	7,684,951.00

GRAND TOTAL **39,418,862.00**

Making a total of \$39,418,862.00

ARTICLE 5. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to fix the Fiscal Year 2022 salaries and compensation of elected officers as provided for in Massachusetts General Laws, Chapter 41, §108 and acts and amendment thereof, and raise and appropriate \$99,030 for this purpose:

5 Select Board	\$10,000	(\$2,000 each)
1 Moderator	\$	450
<u>1 Town Clerk</u>	<u>\$88,580</u>	
Total	\$99,030	

ARTICLE 6. On motion of Cape Cod Regional Technical High School Committee Member, William Bradford 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 \$15,812,000 for the Fiscal Year beginning July 1, 2021 to raise and appropriate \$1,469,547 as the Town's assessment and \$729,484 for debt service for total operating expenses of \$2,199,031 of said School for the Fiscal Year beginning July 1, 2021.

ARTICLE 7. On motion of Dennis/Yarmouth Regional School District Committee Member, Jeni Landers, duly seconded, it was unanimously voted to approve an annual School Budget for the Dennis-Yarmouth Regional School District in the amount of \$67,251,942 and to raise and appropriate \$17,563,463 and debt service of \$607,161 for a total of \$18,170,624 as the Town's assessment of the operating expenses for the fiscal year beginning July 1, 2021.

ARTICLE 8. On motion of Select Board Member, Sheryl McMahon, duly seconded, it was unanimously voted to expend \$5,200 from the Shellfish Mitigation Fund to be used for shellfish propagation:

Purchasing 185,000 R1.5 (2mm:3mm) quahog/hard clam for recreational and commercial harvesting	\$2,300
Boat Maintenance	\$ 700
Aquaculture Supplies (cages, posts, etc.):	\$2,000
<u>Quahog relay State fee</u>	<u>\$ 200</u>
Total	\$5,200

ARTICLE 9. On motion of Select Board Member, Paul McCormick, duly seconded, it was voted by majority to raise and appropriate \$2,065,448 to fund the capital items or projects for Fiscal Year 2022:

Department	Project	Amount
129 – General Government	Replace 2008 Truck (Harbor 2)	\$ 60,000
155 – Information Technology	Technology Plan Part 2	\$74,000
192 – Municipal Buildings	Repair HVAC DPW Headquarters	\$25,000
411 – Engineering	Sidewalks	\$100,000
422 – Highway	Replace 2007 Six Wheel Truck (H5)	\$74,000
433 – Sanitation	Replace Multiple Heavy-Duty Containers	\$45,000
220 – Fire	Pumper-Year 2 of 4 Year Lease	\$204,948
220 – Fire	Town Wide Defibrillator Program	\$25,000
220 – Fire	Replace Car #109	\$53,000

210 – Police	Replacement of Desktop and Laptops	\$17,000
210 – Police	Replacement of Mobile Computers	\$34,000
292 – Animal Control	Replace Animal Control Van	\$32,000
411 – Engineering	Secondary Roads	\$500,000
411 – Engineering	Drainage	\$200,000
411 – Engineering	NPDES Small MS4 General Permit	\$50,000
411 – Engineering	Sidewalks	\$100,000
422 – Highway	Replace 2003 John Deere Front End Loader	\$316,500
192 – Municipal Buildings	Design & Construct Stair Replacement Beach/Landings	\$55,000
510 – Board of Health	Wastewater Implementation Plan	\$100,000
	Total R&A	\$2,065,448
	Recommended	\$2,065,448

ARTICLE 10. On motion of Select Board Member, Sheryl McMahon, duly seconded, it was unanimously voted to transfer:

420 – Ambulance Receipts Fund	Replace Ambulance 107 Lease	\$113,333
	Subtotal	\$113,333
402 – Beach Capital Improvement Fund	Replace Beach Barrels	\$18,825
	Beach Matts	\$10,382
	Replace Rescue Mule	\$12,191
	Subtotal	\$41,398
460 – Golf Course Capital Improvement Fund	Maintenance Storage Building Repair	\$20,000
	Golf Equipment Lease-Yr. 1 of 4	\$85,218
	Cart Path Renovation Work	\$50,000
	Golf Equipment Lease:2 of 4	\$11,600
	Golf Equipment Lease:4 of 4	\$63,455
	Subtotal	\$230,273
406 – Waterways Dredge and Maintenance Fund	Maintenance Dredging - Sesuit Harbor	\$175,000
	Subtotal	\$175,000
	Total Other Funding Sources	\$560,004

\$113,333 from the Ambulance Fund;
 \$41,398 from the Beach Capital Improvement Fund;
 \$230,273 from the Golf Course Capital Fund;
 \$175,000 from the Waterways Dredge and Maintenance Fund

for a total of \$560,004 for the purpose of this article and to further authorize the Select Board to enter into a lease agreement for a term not to exceed five (5) years.

ARTICLE 11. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted, pursuant to Chapter 44, §53E ½, of the Massachusetts General Laws and §33:1 of the Town By-Laws to establish the spending limits for existing revolving accounts for Fiscal Year 2022;

Program or Purpose	Authorized Representative or Board to Spend	FY2022 Authorization
COA Bus Revolving Fund – 562	Council on Aging Director	\$35,000
COA Revolving Fund – 565	Council on Aging Director	\$120,000
Golf Revolving Fund – 585	Golf Director	\$400,000
Board of Health Revolving Fund – 543	Health Director	\$10,000

Library Revolving Fund – 570	Library Director	\$15,000
Recreation Department Revolving Fund – 590	Recreation Director	\$250,000
Cable Revolving Fund – 591	MIS Director	\$50,000

ARTICLE 12. On motion of Select Board Chair, Christopher Flanagan, duly seconded, it was unanimously voted to approve a Community Preservation Committee Budget for Fiscal Year 2022 as follows: to set-aside for future appropriation for the Fiscal Year 2022 Community Preservation Fund estimated annual revenues for each of the following purposes:

1. 10% Reserved for Community Housing - \$179,004
2. 10% Reserved for Open Space - \$179,004
3. 10% Reserved for Historic Preservation - \$179,004
4. Debt Service - \$426,250
5. Short Term Interest - \$16,031
6. Community Preservation Committee Expenses - \$30,000
7. FY2022 Budgeted Reserve Undesignated - \$780,752

for a total of \$1,790,045 for the purpose of the article.

ARTICLE 13. On motion of Select Board Member, Sheryl McMahon, duly seconded, it was unanimously voted to transfer \$1.5million from free cash to the Capital Improvement Fund.

ARTICLE 14. On motion of Select Board Member, Christopher Lambton, duly seconded, it was unanimously voted to transfer \$1.5million from free cash to the Stabilization Fund.

ARTICLE 15. On motion of Select Board Member, Sheryl McMahon, duly seconded, it was unanimously voted to Raise and Appropriate \$300,000 and to transfer \$100,000 from the Solar Special Revenue Fund and \$100,000 from Free Cash 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 16. On motion of Dennis Historical Commission Chair, Diane Rochelle, duly seconded, it was unanimously voted pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$25,000 from the Community Preservation Undesignated Reserves Fund as a grant to the Dennis Historical Commission, pursuant to a grant agreement between the Select Board and Dennis Historical Commission to fund a historic resource survey and inventory update for the Town of Dennis and further, to authorize the Select Board to enter into said agreement, upon such terms and conditions as they deem appropriate.

ARTICLE 17. On motion of Recreation Committee Member, Jeff Treiber, duly seconded, it was unanimously voted pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$113,000 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Dennis Recreation Department pursuant to a grant agreement between the Select Board and the Dennis Recreation Department to fund the playground resurfacing at the Mike Stacey and Seaview parks, and further, to authorize the Select Board to enter into said agreement, upon such terms and conditions as it deems appropriate.

ARTICLE 18. On motion of Recreation Committee Member, Jeff Treiber, duly seconded, it was voted by majority, pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$63,142 from the Community Preservation Open Space and Recreation Reserves Fund as a grant to the Dennis Recreation Department pursuant to a grant agreement between the Select Board and the Dennis Recreation

Department to fund the purchase and installation of sunshade structures at the Johnny Kelley, Seaview and Wixon courts, and further, to authorize the Select Board to enter into said agreement, upon such terms and conditions as it deems appropriate.

ARTICLE 19. On motion of Dennis Historical Commission Member, Frank Dahlstrom, duly seconded, it was unanimously voted pursuant to the Community Preservation Act, G.L. c.44B, to appropriate and transfer \$51,163 from the Community Preservation Historic Preservation Reserves Fund as a grant to The Cultural Center of Cape Cod for restoration of the Cultural Center of Cape Cod, pursuant to a grant agreement between the Select Board and The Cultural Center of Cape Cod to fund the historic restoration of the current building located at 307 Old Main Street, South Yarmouth, MA 02664 and further, to authorize the Select board to enter into said agreement, upon such terms and conditions as they deem appropriate, which shall include the acquisition by the Town of a historic preservation restriction pursuant to G.L. c. 184, §§ 31-33.

ARTICLE 20. On motion of Select Board Member, John Terrio, duly seconded, it was unanimously voted, in accordance with the Select Board's Fee Limitation By-Law, to amend the following Assessing Department Fees:

Assessing Department Abutters List Fee - increase from \$0.50 to \$15.00 to be placed into the general fund and further, that said fee may be amended from time to time by the Select Board in accordance with said by-law.

ARTICLE 21. On motion of Select Board Member, Christopher Flanagan, duly seconded, it was voted by majority, to transfer \$10,000 from free cash to fund the activities of the Duffy Health Center, Inc. to provide the Town with support services to those persons with a substance use disorder.

ARTICLE 22. On motion of Select Board Member, John Terrio, duly seconded, it was unanimously voted to adopt Article 22, in accordance with MGL Chapter 41, Section 110A, to authorize the Town Clerk's office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office.

ARTICLE 23. On motion of Select Board Member, Sheryl McMahon, duly seconded, it was defeated by majority, to authorize the Select Board to petition the General Court for special legislation to validate, ratify and confirm the Select Board's decision to issue five (5) licenses for the sale of alcoholic beverages not to be drunk on the premises in excess of the Town's quota as set forth in Massachusetts General Laws, Chapter 138, Section 17; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition; or take any other action relative thereto.

AN ACT RELATING TO LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES IN THE TOWN OF DENNIS

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

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws or any other general or special law to the contrary, all votes, orders and actions taken by the licensing authority for town of Dennis providing for 5 licenses for the sale of alcoholic beverages not to be drunk on the premises in excess of the number of said licenses authorized by section 17 of chapter 138 of the General Laws are hereby validated, ratified and confirmed.

(b) The licenses authorized by this act shall be subject to all of said chapter 138, except said section 17.

(c) A license granted by the licensing authority of the town of Dennis for the sale of alcoholic beverages not to be drunk on the premises prior to the effective date of this act shall remain in full force and effect provided that the licensee continues to comply with said chapter 138 and the terms and conditions of its license.

(d) The 5 licenses authorized by this act shall be in addition to any determination of the number of licenses for the sale of alcoholic beverages not to be drunk on the premises to be granted by the town pursuant to section 17 of chapter 138 of the General Laws.

(e) If a license authorized pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant under the same conditions as specified in chapter 138 of the Massachusetts General Laws.

SECTION 2. This act shall take effect upon its passage.

ARTICLE 24. On motion of Select Board Member, Chris Lambton, duly seconded, it was unanimously voted to transfer the care, custody, management and control of Parcel No. 421-10 from Select Board held for the purposes for which it is currently used to the Town of Dennis Conservation Commission for conservation purposes of a parcel of land located at Island Creek Lane, East Dennis, shown on Assessor's Map as Parcel No. 421-10 as more particularly described in Deed recorded in Book 5608, Page 290 recorded with Barnstable County Registry of Deeds.

ARTICLE 25. On motion of Select Board Member, Chris Lambton, duly seconded, it was unanimously voted to transfer the care, custody, management and control of the parcels of land described below from the Town Treasurer for the purpose of sale at auction to the Town of Dennis Conservation Commission for conservation purposes.

Map/Parcel	Road	Book/Page	Tax Title
209:36, 209:37 and 209:38	10 Setucket Road, Dennis	Book 2048, Page 187	
15:40	4 Baker Way, W. Dennis		Certificate of Title 48683
69:73	17 Scoter Road, W. Dennis		Certificate of Title 31151
185:60	88 Mayfair Road, S. Dennis		Certificate of Title 109884
378:9	1646 Rte. 6A, E. Dennis	Book 3103, Page 317	

ARTICLE 26. On motion of resident, Robert Mezzadri, duly seconded, it was unanimously voted to raise and appropriate \$331,780.00 to make temporary repairs to Duck Pond Road Ext. (from Great Western Way northeasterly for a distance of 1,600 feet, more or less, to a cul-de-sac) a private road in South 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 Board of Selectmen on March 2, 2021, 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).

ARTICLE 27. On motion of Select Board Member, John Terrio, duly seconded, it was voted by majority, to transfer \$280,000 from free cash to pay for the costs of the owner's project management, architectural and engineering services for developing plans, specifications and bid documents associated with repairs to the existing Senior Center building located at 1045 Route 134, including the payment of all costs incidental and related thereto.

ARTICLE 28. On motion of Select Board Member, Paul McCormick, duly seconded, it was unanimously voted to transfer \$261,250 from free cash to replace part of the first floor HVAC system at the Dennis Town Hall.

ARTICLE 29. On motion of Select Board Member, John Terrio, duly seconded, it was adopted and voted 197 yes to 13 no, to expend \$13,400 from the Barrier Beach Protection/Stabilization Fund to pay the salaries for two (2) seasonal piping plover monitors for West Dennis Beach.

ARTICLE 30. On motion of Select Board Member, Chris Lambton, duly seconded, it was voted by majority to transfer \$9,400 from free cash to pay for environmental and survey services to include an existing condition plan for William Crowell Road Dennis, MA 02638 relative to a proposed roadway project to extend William Crowell Road from Corporation Road to the beach of Cape Cod Bay.

ARTICLE 31. On motion of Select Board Member, Paul McCormick, duly seconded, it was adopted and voted 149 yes to 73 no, to transfer \$300,000 from the Solar Special Revenue fund to the Wastewater Stabilization Fund and further to transfer a sum of money for the purpose of future wastewater needs.

ARTICLE 32. On motion of Select Board Member, John Terrio, duly seconded, it was defeated and voted 134 yes to 74 no (2/3's vote needed) to transfer \$660,000 from the Wastewater Stabilization Fund to fund the survey and preliminary design for the Phase 1 Wastewater Program for the Town of Dennis only.

ARTICLE 33. On motion of Citizens Petitioner, Joshua Brimdyr, duly seconded, it was voted by majority to indefinitely postpone the article. To see if the town would vote to transfer from free cash the amount of \$6,200, to be used for training on the CivicsPlus platform, the website solution for the Town's website, to enable municipal committees to improve communication to the general public, and for hiring a consultant to publish a weekly newsletter that aggregates Town committee and department website postings and other news, to improve the visibility and understanding of municipal activities.

ARTICLE 34. On motion of Citizen Petitioner, Alison Schmidt, duly seconded, it was adopted and voted 92 yes to 65 no, to adopt the proposed Commercial Single-Use Plastic Water Bottle Ban By-Law: to adopt the following as a general by-law and to insert it into the Code of the Town of Dennis, Massachusetts.

Section 1. Sale of Single-use Plastic Water Bottles

Effective on December 31, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Dennis. Enforcement of this regulation will begin December 31, 2021.

Section 2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

Section 3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Town Administrator or his/her designee. The Town Administrator shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate.

Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specified in G. L. Chapter 40 § 21D. The following penalties apply:

- First violation: Written warning
- Second violation: \$150 fine
- Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Dennis.

All businesses will be routinely inspected until the Town Administrator deems the inspection to no longer be required.

Rationale:

Single-use plastic bottles impact environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their lifecycle from production to use to disposal.

Over 1,500 single-use plastic water bottles are used and discarded in the U.S. per second. Elimination of the use of single-use plastic water bottles will have a significant impact on future plastic-based pollution including the nation's greenhouse gas footprint and is consistent with protection of the natural environment in Dennis, Barnstable County, our nation and our earth, which we have a common responsibility to protect and steward.

ARTICLE 35. On motion of Finance Committee Chair, James Plath, duly seconded, it was voted by majority to indefinitely postpone the article:

To see if the Town of Dennis will vote to authorize the Select Board to petition the General Court for one (1) additional license for the sale of alcoholic beverages not to be drunk on the premises, as set forth below, said licenses to be exercised and located at 1381 MA:134, South Dennis, MA 02660 and not to be transferred to any other location; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition; or take any other action relative thereto

AN ACT AUTHORIZING THE TOWN OF DENNIS TO GRANT ONE ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES

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

SECTION 1. (a) Notwithstanding Section 17 of Chapter 138 of the General Laws the licensing authority of the Town of Dennis may grant one (1) additional license for the sale of alcoholic beverages to not be drunk on the premises pursuant to Section 15 of said Chapter 138 to Frank R. Manoli, or its successors or assigns, for an establishment to be located at 1381 MA:134, South Dennis, MA 02660, in the town of Dennis. The license shall be subject to all of said Chapter 138 except said Section 17.

(b) The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions

pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same locations under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

ARTICLE 36. On motion of Finance Committee Chair, James Plath, duly seconded, it was voted by majority to indefinitely postpone the article.

To see if the Town of Dennis will vote to authorize the Select Board to petition the General Court for one (1) additional license for the sale of alcoholic beverages not to be drunk on the premises, as set forth below, said licenses to be exercised and located at 894 Route 134, South Dennis, MA 02660 and not to be transferred to any other location; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, or take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF DENNIS TO GRANT ONE ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES

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

SECTION 1. (a) Notwithstanding Section 17 of Chapter 138 of the General Laws the licensing authority of the Town of Dennis may grant one (1) additional license for the sale of alcoholic beverages to not be drunk on the premises pursuant to Section 15 of said Chapter 138 to Saeed A. Chaudhry, or its successors or assigns, for an establishment to be located at 894 Route 134, South Dennis, MA 02660, in the town of Dennis. The license shall be subject to all of said Chapter 138 except said Section 17.

(b) The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

ARTICLE 37. On motion of citizens petitioner, Michael Doherty, duly seconded, it was unanimously voted to indefinitely postpone the article.

To see if the Town will vote to Consider an amendment to 93:5. Area of unlawful discharge. To eliminate and make unlawful the discharge of firearms on and around Swan Pond and Great Island or within a distance of two hundred (200) feet from the waters of Swan River. The undersigned residents are forced to endure gunshots beginning at dawn and throughout the day into the evening. This continues to present a clear danger to adults and children who kayak & paddle board in the winter (Yes, there are many). The intended targets of this hunting of waterfowl in the area is widened to include swans, ducks, & fish. Every week swans are brought into the Cape Wildlife Center in Barnstable with extreme symptoms of lead poisoning. They feed off the muddy bottom of Swan Pond which is presently littered with lead shot. Without timely intervention, the swans typically die from this and even, then sometimes it is too late. The continued lead pollution of Swan Pond is devastating to all the creatures that inhabit the area. Bald Eagles, swans, ducks

and fish are in peril from this pollution. In addition, shell casings can be found in Great Island and on the shores of Swam Pond.

It was unanimously voted to adjourn (dissolve) the meeting at 3:42 p.m. on May 8, 2021.

A True Copy, Attest:

Theresa T. Bunce, MMC/CMMC
Dennis Town Clerk