In attendance: Chris Flanagan, John Terrio, Sheryl McMahon, Chris Lambton, Town Administrator Elizabeth Sullivan (remote), Assistant Town Administrator Greg Rouseville, Finance Director MaryAnne Gibbs, Recording Secretary Laurie Barr. Absent: Paul McCormick

Finance Committee in attendance: Jim Plath, Bob Prall, Pat Stone, Peter McDowell, Jay Murphy, Carl Monroe, Rachel Baroni

Mr. Flanagan called the meeting to order at 5:03pm and the Pledge of Allegiance was recited.

PUBLIC INFORMATION
Chris Foley, Co-Chair of Community Preservation Committee (CPC) shared that due to COVID-19 they were deferring action on pending CPC grant applications until next May 2021. Current applicants have been notified. The application remains open and the new deadline is September 30, 2020 at 4pm.

Terri Bunce, Town Clerk, shared that Early Voting and Absentee Voting has kept her office very busy. They mailed out 3,459 ballots and were waiting for 1,352 to return to the office. In-Person early voting began on Saturday, August 22nd and at this point 71 voters had voted at the Town Hall thus far. In-Person early voting will continue Wednesday, Thursday & Friday, 8:30 am – 4:30 pm. The deadline to apply for a vote by mail ballot or an absentee ballot was Wednesday at 5:00 pm. Applications were in the plastic box above the drop box in front of Town Hall. There were two drop boxes for the official ballots and other departments; one in front of the Town Hall available 24/7 and the other drop box was in the vestibule by the Beach Department and was available Monday – Friday, 8:30 am – 4:30 pm and during early voting hours. The deadline to register to vote in the September 1st State Primary was this past Saturday, August 22nd. The deadline to register to vote in the Presidential Election was Saturday, October 24th.

Mr. Flanagan thanked the Dennis Chamber of Commerce for hosting a fun and safe Antique Parade. He also thanked Carole Bell, Bill Creighton, Bill Collins, and the Village Improvement Society for all their hard work cleaning up the area around Carleton Hall to ensure it remained beautiful. He asked for a moment of silence for a long-time seasonal Town employee, Tom Lonergan.

Mr. Lambton shared that the gate to the area around Scargo Tower was open and while you still can’t go up in Tower you can enjoy the site.

DISCUSS UPDATES ON CURRENT STATUS OF COVID-19 AND TOWN PROCEDURES
Discuss Post-Labor Day Beach Management
Health Director Kristen Keller shared there was one active case in Dennis. New cases in the county remained in the single digits. We continue to trend downward. Dennis was designated as a low risk community. She encouraged the public to continue taking the measures of wearing a mask, washing their hands and social distancing.

Approved 09.22.2020
Mr. Lambton shared that the Beach Committee meet to discuss extending sticker sales past Labor Day and allowing dogs on the beach after Labor Day. The committee voted 7-0-0 voted to recommend to end the beach season on Labor Day due to lack of staff and lack of time to let the public know. It was their recommendation to revisit this for September 2021. The committee also voted 6-1-0 to recommend to allow dogs after Labor Day. Ms. McMahon felt the beaches were going to be very busy this fall and thought it was going be too busy to allow dogs. If they are allowed but she felt they must be leashed. Mr. Lambton shared that the committee discussed that but they were concerned with the feasibility of adding a new rule, educating the public on the new rule and having the staff to enforce it. Ms. McMahon shared that the Beach Management Advisory Task Force had a similar discussion to not allow dogs at Crowes and she suggested these ideas be revisited for next season.

**Special Town Meeting Articles Review Joint with Finance Committee**
Reduced Cape Cod Regional Technical High School Operating Assessment
Ms. Sullivan received notification that the budget had been reduced so she recommend the Board take this action to reduce the Town’s Raise and Appropriate for the Assessment.

**Motion:**
Ms. McMahon to place article on the Special Town Meeting Warrant to amend Article #2 of the Annual Town Meeting from June 23, 2020 by reducing the Cape Cod Regional Technical High School budget from $15,504,000 to $15,289,584 for Fiscal Year beginning July 1, 2020 and to reduce the amount to raise and appropriate from $2,225,594 to $2,187,217 for a reduction of $39,377; Mr. Terrio seconded. The Board voted 4-0-0.

Finance Committee Motion:
Mr. Prall moved to recommend the article as printed; Mr. McDowell seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

**Motion:**
Ms. McMahon moved to support the article; Mr. Terrio seconded. The Board voted 4-0-0.

**Amend Fiscal Year 2021 Budget – Insurance**
Ms. Sullivan shared that the MIIA bill comes in during June every year. Historically this was level funded. This year the increase was 7% which included Injured on Duty claims and property claims. The budget needed to be amended for an additional $60,000.

**Motion:**
Mr. Terrio moved to place an article for the operational budget increase; Mr. Lambton seconded.

Ms. McMahon asked if this was a raise and appropriate and it was.

Approved 09.22.2020
The Board voted 4-0-0.

**Motion:**
Ms. McMahon moved to support the increase in the budget; Mr. Terrio seconded. The Board voted 4-0-0.

Finance Committee Motion:
Mr. McDowell moved to recommend the article as printed; Mr. Prall seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

**Citizen Petition Articles**
**Motion:**
Ms. McMahon moved to place the petition articles on the warrant as the Board had promised; Mr. Terrio seconded. The Board voted 4-0-0.

**Citizen Petition Climate Policy**
Ms. McMahon clarified that this was the Bylaw that was not going forward. Mr. Bergeron confirmed that this was not the article that they were asking for support for; they were looking to move forward with the resolution

**Motion:**
Ms. McMahon moved that the Climate Change Bylaw be indefinitely postponed; Mr. Terrio seconded. The Board voted 4-0-0.

**Citizens Petition Climate Resolution**
**Motion:**
Ms. McMahon moved to support the Climate Change Resolution; Mr. Lambton seconded. The Board voted 4-0-0.

Mr. McDowell gave his belief regarding climate change and shared that he would not vote in favor of this.

Finance Committee Motion:
Mr. Murphy moved to support the article; Ms. Stone seconded.

Mr. Murphy shared that he believed that Climate Change was a really issue with overwhelming evidence. Mr. Plath shared that since this was a resolution, not a bylaw, he would support it.

The Committee voted: Ms. Stone “aye”, Mr. McDowell “no”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 6-1-0 (McDowell).

Approved 09.22.2020
Citizen Petition - Engine Assisted Brake Bylaw
Ms. McMahon shared that she hears these brakes all day from her office. She appreciated the concern regarding this in a residential neighborhood.

Motion:
Ms. McMahon moved that the Board support the article; Mr. Lambton seconded.

Mr. Plath asked if we had received guidance from Town Counsel regarding that language that said “all streets in the Town of Dennis”. He was referring specifically to the Exit 9 ramp, Route 28 and Route 6A. He wasn’t sure we had the authority to restrict the activity on these streets. Ms. Sullivan shared that she would have Town Counsel review. Barb Lambdin, the original petitioner, shared that she knew in Pennsylvania this had passed.

Ms. McMahon amended her motion to say subject to review and advice of Counsel; Mr. Terrio seconded.

Mr. McDowell believed Chapter 90 laws governed operation of motor vehicles and didn’t know if it was legal for the Town to adopt this. Mr. Plath echoed Mr. McDowell’s concern. Both reiterated their desire to have Town Counsel review this.

Ms. McMahon withdrew her motion; Mr. Terrio withdrew his second.

Ms. Lambdin shared that Town Counsel had reviewed this article and as a result she had an amendment prepared to remove “Jake Brake” from the article due to trademark infringement. Also, five other Towns have passed a similar bylaw so she didn’t see why it couldn’t be done here.

Mr. Flanagan clarified that the article would definitely appear on the warrant and the Board would consider supporting it after Town Counsel reviewed it.

Citizen Petition - Single-use Plastic Bottles Ban By-Law
Mr. Terrio thought this was a lengthy article. Ms. McMahon shared that she was initially supportive of this. She understands how bad plastic was, but was concerned with the lack of alternatives especially in the times we were facing. Mr. Flanagan agreed that during these times it was difficult to make these changes. Ms. McMahon suggested that the Board stay silent on this matter and let the Town’s people decide. Mr. Terrio wanted to remind the petitioner that originally the Board had supported the article.

Finance Committee Motion:
Mr. McDowell moved to recommend indefinite postponement of the article; Mr. Monroe seconded.

Mr. Murphy shared that he too was torn; in theory he supported the article but he just didn’t believe this was the time to do this.

Approved 09.22.2020
The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Shellfish Mitigation Fund Transfer
Ms. Sullivan shared that this was an annual article that was typically done in the spring but had been postponed. Part of the funding comes from the Shellfish Permit sales. If the article was not approved there would be no shellfish proration this year.

Motion:
Mr. Lambton moved to place the Shellfish Mitigation Fund article on the warrant; Mr. Terrio seconded. The Board voted 4-0-0.

Motion:
Ms. McMahon moved to support the article; Mr. Terrio seconded. The Board voted 4-0-0.

Finance Committee Motion:
Mr. Prall moved to recommend the transfer of $9,200 from the Shellfish Mitigation fund for the purpose of the article; Mr. Monroe seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Citizen Petition Change Seal & Flag
Motion:
Ms. McMahon moved to support the resolution to request that our Senators and Representatives in Boston look to redesigning our State Flag and Seal; Mr. Terrio seconded. The Board voted 4-0-0.

Mr. Plath asked if the petitioner was on the line because he believed the State had already appointed a commission to do this. The petitioner was not on the line.

Finance Committee Motion:
Mr. McDowell moved to not recommend the article; Ms. Stone seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “no”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 6-1-0 (Murphy).

Easement NSTAR for New Pole at Wixon School
Motion:
Mr. Lambton moved to place the article for the Wixon School Easement on the warrant; Mr. Terrio seconded. The Board voted 4-0-0.

Motion:
Mr. Lambton moved to support the article; Mr. Terrio seconded. The Board voted 4-0-0.

Approved 09.22.2020
Finance Committee Motion:
Mr. McDowell moved to recommend the article as printed in the warrant; Mr. Murphy seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Easeement NSTAR for New Pole at Council on Aging
Ms. McMahon noted that there was not a sketch plan in the packet. She had one from the Legal Administrator. She noted this was less than 1000 square feet so she believed that the Selectmen could approve it themselves without Town Meeting action. Ms. Sullivan shared that she would follow up with Legal Administrator Wendy Gothan. Ms. McMahon also suggested looking at the bylaw to amend it to make it more workable for something that was usually passed by the Board and voters at Town Meeting.

Motion:
Mr. Terrio moved to place and support the article in lieu of the findings of Legal Counsel; Mr. Lambton seconded. The Board voted 4-0-0.

Finance Committee Motion:
Mr. McDowell moved to recommend the article as printed in the warrant; Mr. Murphy seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Rescind Article 16 of the 10.16.18 Special Town Meeting that established Waterways Special Use Permit Fees
Motion:
Mr. Lambton moved to place the article to rescind the Waterways Special Use Permit Fees on the warrant; Mr. Terrio seconded. The Board voted 4-0-0.

Motion:
Mr. Lambton moved to support the article; Ms. McMahon seconded. The Board voted 4-0-0.

Mr. Plath asked for a refresher on this article for the Finance Committee. Ms. Sullivan shared that the Board had reconsidered having this fee after feedback from citizens. Mr. Plath asked if everyone had been made whole so that there would be no further expenses incurred from this. Ms. Sullivan confirmed this was correct. This would be the final step to stop this fee.

Finance Committee Motion:
Mr. Monroe moved to recommend the article as printed; Ms. Stone seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Approved 09.22.2020
Authorization to file for Special Legislation to increase number of Year-Round All-Alcohol Package Stores
Ms. McMahon explained she had brought this up for a couple years and she appreciated that the Board was willing to support this but she believed this needed to be delved into further to see if this was what the community wanted. These are confusing times and she thought it would be better taken up at another time.

Motion:
Ms. McMahon moved to recommended to not place the article on the warrant; Mr. Lambton seconded. The Board voted 4-0-0.

Julie Kennie, participating remotely, asked to be recognized and she shared that she was the petitioner for the Plastic Bottle Ban. She agreed that the timing was not optimal and she would prefer to postpone this to a future Town meeting. She was hoping that the public health and economy would rebound for this spring. Ms. McMahon explained that it would be up to the petitioner to move to indefinitely postpone the article at Special Town Meeting. She appreciated Ms. Kennie’s willingness to put the article off. Mr. Lambton asked if the Board could remove it since they had pledged their support for it. Ms. McMahon suggested they follow up with Town Counsel for the options and procedure.

Bylaw to Prohibit Sale and Use of Balloons
Motion:
Mr. Lambton moved to not place the article on the Prohibition of Sale and Use of Balloons on the warrant; Mr. Terrio seconded.

Ms. McMahon was concerned for the wildlife and thought this could go to the Special Town Meeting.

The Board voted 3-1-0. (McMahon)

Amend General Bylaw Chapter 88 to Include Ban of Plastic Straws & Stirrers
Ms. McMahon asked to see this on the warrant. Stirrers are the most prevalent plastic waste found in the ocean.

Motion:
Mr. Terrio moved to place the article on the amendment to the bylaw to include the ban of plastic straws and stirrers; Mr. Lambton seconded. The Board voted 4-0-0.

Motion:
Mr. Terrio moved to support the article; Ms. McMahon seconded. The Board voted 4-0-0.

Mr. Monroe shared that the Board of Health had a discussion and they recommended education of the public over the bylaw to ban the stirrers and straws.

Approved 09.22.2020
Finance Committee Motion:
Mr. Monroe moved indefinite postponement of the article; Ms. Stone seconded.

Mr. Murphy called attention to the effective date of January 1, 2021. He suggested that date may want to be amended to give the public proper time to prepare for the change.

Motion:
Ms. McMahon moved to change the wording of the bylaw to change the effective date to January 1, 2022 and the stock must be disposed of through January 31, 2023. The Board voted 4-0-0.

The Finance Committee returned to their vote on Mr. Monroe’s motion to indefinitely postpone the article. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “no”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “no”. The motion passed 5-2-0 (Murphy, Plath).

Amend Zoning Bylaw to change the name of the Board of Selectmen to Select Board
Mr. Flanagan shared the Board had initially discussed this for fall Town Meeting and it has now been postponed twice and they had been using the term informally he encouraged this article to be placed on the warrant.

Motion:
Mr. Lambton moved to place the article to change the name of Board of Selectmen to Select Board; Mr. Terrio seconded. The Board voted 4-0-0.

Motion:
Mr. Lambton moved to support the article; Ms. McMahon seconded. The Board voted 4-0-0.

Finance Committee Motion:
Mr. Prall moved to recommend the article as printed; Mr. McDowell seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Mr. Plath asked if there was any discussion of another name. Ms. McMahon explained that she had researched this and many were laborious or contrived.

Amend General Bylaw Article VII of Town Code Chapter 5 Section 10 Removal of Appointed Officers
Ms. McMahon explained that this had never been utilized and it was not efficient. The Board has developed a code of conduct that addresses attendance. She asked that the parenthetical in the article be changed from Guiding Principles to Code of Conduct.

Approved 09.22.2020
Motion:
Ms. McMahon moved to place the article with the change from Guiding Principles to Code of Conduct; Mr. Lambton seconded.

Mr. Lambton clarified that this only addressed attendance. Ms. McMahon felt this shouldn’t be the only criteria that they have to remove someone they have appointed. She further explained that they had worked on the Code of Conduct and that better addressed attendance and reasons for removal than this bylaw.

Mr. Monroe asked that the document that was replacing the bylaw be included in the warrant so that the citizens knew what they were voting especially since the meetings where the Code of Conduct was developed were not televised. Ms. McMahon explained that this was not being replaced but the Code of Conduct could be put in as an amendment but it should be on the website and many of the committee members have already. Mr. McDowell explained that nothing was replacing in the bylaw so it would be confusing to add the Code of Conduct. Mr. Plath asked why the new policy was not a being proposed as a bylaw. Ms. McMahon didn’t agree with putting a policy in as a bylaw.

The Board voted 4-0-0.

Motion:
Ms. McMahon moved to support the article; Mr. Terrio seconded. The Board voted 4-0-0.

Finance Committee Motion:
Mr. Murphy moved to recommend the article as printed in the warrant; Mr. Prall seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “no”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 6-1-0 (Monroe).

Accept Winding Oaks Lane as a Public Way

Motion:
Mr. Lambton moved to place the article to accept Winding Oaks Lane as a public way; Mr. Terrio seconded.

Ms. McMahon wasn’t comfortable that this followed the policy and procedure for accepting a public way. Ms. Sullivan shared that this required a hearing which was scheduled for September 8th. Town Engineer Tom Andrade explained that there was no assessment associated with this, it had been approved by the Planning Board and it was 100% supported by the owners.

The Board voted 3-1-0 (McMahon).

Motion:
Mr. Terrio moved to support the article; Mr. Lambton seconded. The Board voted 3-1-0 (McMahon).

Approved 09.22.2020
Finance Committee Motion:
Mr. McDowell moved to recommend the article as printed in the warrant; Ms. Baroni seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “abstained”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 6-0-1 (Murphy).

Amend Ch. IV of the Town Code 138.3 Jumping & Diving from Bridges
Motion:
Mr. Lambton moved to place the article for the new Town Code for Jumping and Diving from Bridges on the warrant; Mr. Terrio seconded.

Mr. Terrio noted that bridges in Town are on State Roads such as Route 28 and didn’t know if this would be allowed. Ms. Sullivan shared that she would be speaking with Town Counsel tomorrow on this. Ms. McMahon had spoken with some residents and they suggested expanding this to include railing, pilings, docks and bulkheads as well as bridges.

Mr. Lambton withdrew his motion. Mr. Lambton suggested waiting for Counsel but to consider Ms. McMahon’s edits.

Capital Raise & Appropriate
Ms. Sullivan noted there was a hand out on the Capital Articles. These were the items that were postponed from the Annual Town Meeting. She and the Finance Director had strong concerns regarding revenue and funding. She recommended the Board only take the most critical items. Mr. Flanagan shared that initially there were over $1.6 million dollars in Capital and it had been reduced to $1,020,000. He thought it was prudent to differ the other Capital projects to the Annual Town Meeting. Mr. Terrio asked Mr. Andrade regarding secondary road ways if they could partially be done or a percentage could be done to reduce the ask further. Mr. Andrade noted that there was a backlog already and the roads were falling apart quickly so he was a little reluctant to say yes. He had already cut sidewalks which wouldn’t be a popular decision either. Mr. Flanagan noted that they were hoping the sidewalks wouldn’t be cut but only deferred to the spring Annual Town Meeting.

Motion:
Ms. McMahon moved to place the article for Capital Raise and Appropriate in the amount of $1,020,000 as outlined; Mr. Terrio seconded. The Board voted 4-0-0.

Mr. McDowell felt there were serious issues with the Wastewater program. He suggested looking at the disposal in the Swan River watershed. He was concerned there where be an odor again like there had been before the mouth of the river had been dredged. He was also concerned with the maximum number of nitrates that could be removed and how much of it would be discharged to the watershed. He suggested the $100,000 for Wastewater be removed from this article until the Town was very sure they would not be turning Swan River into a smelly swamp.

Approved 09.22.2020
Finance Committee Motion:
Mr. Murphy moved to recommend the article has printed; Mr. Monroe seconded.

Mr. Plath disclosed that he and the Board of Selectmen Chair had met with the Town Administrator and the Finance Director and they both had expressed their concern and asked to have this article reduced. There were over $600,000 in reductions and he appreciated the work. Mr. Monroe noted that the Wastewater was designated as a contractual obligation. Ms. Sullivan explained that this funded the contract with our consultant CDM Smith. The actual amount needed was for $250,000. They were asking fund the $100,000 and the rest would be asked for at the Annual Town Meeting. Ms. Baroni wanted to be sure they were voting for the defibrillators, the frame replacement for the pumper, secondary roads, drainage, stormwater permitting and wastewater contractual obligations.

The Committee voted: Ms. Stone “aye”, Mr. McDowell “no”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 6-1-0 (McDowell).

Capital Other Funding
Ms. Sullivan explained the again some projects had been deferred but the remaining projects should go forward. Ms. McMahon clarified that Glendon Beach bulkhead was postponed, paving beach lots was postponed, the cart path was postponed, Sesuit East dock was proposed to go forward and the match for the grant for the design and engineering at Sesuit West side was proposed to go forward. Mr. McDowell expressed his opposition to replacing the East dock at the Harbor as it was in good enough shape and his opposition to spending any money at the Sesuit West side. Ms. Sullivan reiterated that the grand was for the design and engineering at Sesuit Harbor West based on a 2015 study. Mr. McDowell had spoken to many residents in that area who thought the 2015 study was dead and buried and he didn’t believe they would be happy to see it resurface. Mr. Monroe asked if the Waterways Commission had weighed in on this and if the study was from 2015 he suggested checking with the Waterways Commission on this. Ms. Sullivan shared that Waterways Commission had supported this. Mr. Terrio pointed out that the grant was $240,000 and we only have to match $60,000. Wayne Bergeron was on the line and had worked on the study. He urged the Board to support this.

Motion:
Mr. Lambton moved to place the Capital Other Funding article on the warrant in the amount of $200,000 for the Waterways Maintenance and $145,000 for the two items in the Waterways Improvement Fund; Ms. McMahon seconded. The Board voted 4-0-0.

Motion:
Mr. Terrio moved to support the article; Mr. Lambton seconded. The Board voted 4-0-0.

Mr. McDowell asked Mr. Bergeron what would be achieved with the design at the Harbor. Mr. Bergeron the study had included beautifications and plantings and improving access to the harbor for a smoother flow of traffic. Mr. McDowell believed the study recommended at least two or three new buildings. Mr. Murphy recalled that these projects had been postponed from the spring.

Approved 09.22.2020
Dennis Board of Selectmen
Joint Meeting with the Finance Committee
Tuesday, August 25, 2020 at 5:00PM
Dennis Town Hall, Stone Hearing Room
685 Route 134, S. Dennis, MA
Page 12 of 22

Town meeting due to concerns that the balance in these funds would not cover the debt service as well as these projects. He just wanted to be sure that there were sufficient funds. Ms. Gibbs shared there were sufficient funds.

Finance Committee Motion:
Mr. Monroe moved to recommend to transfer $200,000 from the Waterways Maintenance Fund and $145,000 from the Waterways Improvement Fund for the purpose of the article; Mr. Murphy seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “no”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “no” and Mr. Plath “aye”. The motion passed 5-2-0 (Baroni, McDowell).

Funding for Senior Center Renovations Original Structure
Ms. Sullivan shared that for the last few years this had been a reoccurring article to set aside about $200,000 each year to tie the original structure into the new addition. It could be deferred to spring if needed. Mr. Terrio asked what the sum of money would be. Mr. Plath shared it had traditionally been $200,000. He felt it would be helpful to have a tour of the building for the Board and the Finance Committee to see what needed to be done before coming up with a number. Ms. McMahon felt that by piece meaning these renovations they were spending more money in the long run. She would be in favor of getting it done once and for all. She didn’t believe they could have a real plan ready for Special Town Meeting.

Motion:
Ms. McMahon moved to not place the article on the warrant; Mr. Lambton seconded. The Board voted 4-0-0.

Reimbursement to Yarmouth for New Regional Middle School Study
There was a handout with legal fees that the Town incurred during the lawsuits. Mr. Flanagan questioned if it was fair to include the lawsuit filed by the citizens that the Town of Yarmouth had no control over. Ms. McMahon suggested that if Yarmouth hadn’t filed a lawsuit first then the citizens would have had the example.

Motion:
Ms. McMahon moved to place the article on the warrant; Mr. Lambton seconded the motion.

Mr. Plath asked if this amount was still based on the 31%. Ms. McMahon wanted to place the article first and then discuss funding.

Mr. Lambton felt they gave their word they would pay their share of this agreement. Other things happened and for the last year or more it has been pretty quiet. He wasn’t comfortable nickel and diming a Town they were hoping to partner with in Wastewater to save money. Ms. McMahon thought they were separate issues. This cost the Town a lot of money. She felt strongly about this and she would support a payment of $82,931.61.

Approved 09.22.2020
Ms. McMahon moved the question. The Board voted 4-0-0.

Mr. Plath agreed there was a substantial amount of money spent by Dennis in response to the lawsuits and he would support the $82,931.61. Mr. Murphy agreed because he didn’t think it matter to Yarmouth what we paid. Mr. Flanagan didn’t think it was fair to adjust the cost to include the lawsuit from the Yarmouth citizens. Ms. McMahon pointed out that the school district also incurred legal fees that the Town would be paying through their assessment. Mr. Terrio agreed with Ms. McMahon sentiment that if Yarmouth hadn’t sued us then maybe their citizens wouldn’t have. At this point he agreed with the $82,931.61.

Motion:
Ms. McMahon moved to transfer from free cash $82,931.61 for the payment to the Town of Yarmouth for the Dennis Yarmouth Middle School Feasibility Study; Mr. Terrio seconded.

Mr. Flanagan shared he would support this because he believed the Town should pay for this study however he disagreed with reducing the payment by the amount of the Sullivan, et al case.

The Board voted 3-1-0 (Lambton).

Mr. Plath asked if free cash wasn’t certified by Town meeting, where was the money coming from. Ms. McMahon stated that she would recommend to indefinitely postpone if the money wasn’t available.

Finance Committee Motion:
Ms. Baroni moved to recommend the transfer of $82,931.61 for the purpose of the article; Mr. Prall seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Transfer Cable Receipts to Capital Improvement Fund

Motion:
Ms. McMahon moved to place the article for the Cable Receipts and support a $50,032.32 transfer; Mr. Terrio seconded. The Board voted 4-0-0.

Finance Committee Motion:
Mr. McDowell moved to recommend the transfer of $50,032.32 from the Cable Receipts Reserve for appropriation to the Capital Improvement Fund; Mr. Murphy seconded.

Ms. Stone asked if there were expenditures associated with this and there were not.

The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Approved 09.22.2020
Transfer Available Funds to Capital Improvement Fund
Transfer Available Funds to Stabilization Fund
Ms. McMahon noted that free cash wasn’t certified and thought it would be best to leave these funds available.

Motion:
Ms. McMahon moved to leave the transfers to the Capital Improvement Fund and the Stabilization Fund off the warrant; Mr. Terrio seconded. The Board voted 4-0-0.

Transfer Available Funds to Wastewater Stabilization Fund
Modification:
Mr. Terrio moved to place an article on the warrant for a transfer to the Wastewater Stabilization Fund; Ms. McMahon seconded.

Ms. McMahon asked how much the transfer would be. Ms. Sullivan explained this was up for the Board’s direction she believed there was $400,000 in the Solar Revenue Fund. Ms. McMahon had asked for a balance today and it was $600,000. She asked what the balance was of the Wastewater Stabilization Fund and it was $1,365,5722.

Mr. Terrio withdrew his motion; Ms. McMahon withdrew her second.

Transfer Available Funds to Other Post-Employment Benefits Liability Trust Fund
Ms. McMahon shared she was disappointed but thought this could wait to the spring. She wanted the Board to take a higher altitude look at how to fund

Motion:
Ms. McMahon moved to not place an article for a transfer to the Wastewater Stabilization Fund and the OPEB Trust Fund; Mr. Lambton seconded. The Board voted 4-0-0.

Mr. Plath asked if the Finance Committee should meet with the Board on September 8, 2020 for the hearings and to finish the articles. Mr. Flanagan welcomed the Committees participation.

Finance Committee Motion:
Mr. McDowell moved to adjourn the Finance Committee at 7:37pm; Mr. Murphy seconded. The Committee voted: Ms. Stone “aye”, Mr. McDowell “aye”, Mr. Prall “aye”, Mr. Murphy “aye”, Mr. Monroe “aye”, Ms. Baroni “aye” and Mr. Plath “aye”. The motion passed 7-0-0.

Motion:
Mr. Terri moved to recess until 7:50pm; Mr. Lambton seconded. The Board voted 4-0-0.

At 7:50pm Mr. Flanagan reconvened the meeting.

Approved 09.22.2020
DEPUTY POLICE CHIEF POSITION SEVEN MONTH UPDATE BY DEPUTY CHIEF JOHN BRADY

Deputy Chief John Brady thanked the Board for the opportunity to update them on his progress since becoming Deputy Chief seven months ago.

He spoke of his transition from Lieutenant of the Support Services Commander where he oversaw Detectives, Fleet, Building, Reports/Records Training, Recruitment, Hiring Operating Budget/Capital Budget to Deputy Chief where he oversees 80% of personnel including Sargent’s, Patrol Officers, Reserve Officers, ETO’s, Cadets, and Matrons, the budget for ATV Patrols, Bikes, Motorcycle and Beach Patrols a different part of Operating Budget/Capital Budget, he was available 24/7 for notifications and response for serious matters and provided guidance/support for the incoming Lieutenant Cleve Daniels. He had been working closely with Police Chief Peter DiMatteo on reviewing Policy and Procedures, Operating Budget and Capital Budget. He worked with the Fire Department, Department of Public Works and the county as part of the Emergency Management Team for serious storm events.

He shared that he identified short- and long-term goals and objectives to move the department forward. He believed this was accomplished through professional development of department personnel. He identified his style of leadership as situational Leadership where he adapted his approach to fit the situation or person for directing or coaching to supporting or delegating tasks.

He had six focuses when he took the position of Deputy Chief that included a Peer Support Program, Recruitment/Hiring, Employee Evaluation to see if it can be made better, a Veteran Support/Outreach led by Patrol Officer John Tibbetts a Marine Veteran, Technology for different ways to support the department, and Training both job specific and leadership.

He touched on his role in response to COVID-19 where he worked with the Health Department, Fire Department, Department of Public Works and Town Hall Staff to develop Protocols to keep employees/public safe, to keep employees informed and provide guidance and support.

He had begun to develop a strategic plan to look out to the next five years to define the Department’s Mission/Vision moving forward. For this he had met with Command Staff/Supervisors to do a SWOT Analysis (strengths/weaknesses/opportunities/threats). There was going to be an internal and external surveys going out soon to solicit input from department employees and the public. He hoped to meet with the Town Administrator, Select Board, Department Heads and the Finance Committee and his goal was to present the plan to the Select Board early next year, hopefully in January.

He shared he was dedicated and committed to the Department, the Community and the Town. He was proud of the men and women he served with. He shared he would be honored to move forward as the next Police Chief for the Town of Dennis.

Mr. Terrio asked if the School Resource Officer would be back in the schools when they opened. DC Brady noted that Officer Pat McCaffrey was already back at the schools. Mr. Terrio also asked...
if DC Brady felt we had the right number of officers for the needs of the Town. DC Brady explained that would be addressed in the Strategic Plan. He personally believed that restructuring needed to be done but he wanted to wait for the input of the group. Mr. Lambton asked how our police department can reach out to the community and show that they have their best interest in mind. DC Brady felt that the Community Service Unit did a great job and the community supports the Police Department so they are very lucky. Ms. McMahon asked how long how long DC Brady had been a police officer and how long he had been with the Town of Dennis. DC Brady responded that he had started in the Harbor Department, he attended the Academy in 1996 and was appointed a police officer in 1997. So, he had been with the Town for 30 years and a police officer for 23 years.

**Discuss Police Chief’s Retirement and Next Steps**

Mr. Flanagan expressed that Police Chief Peter DiMatteo had been a huge asset to the Town and was so great to work with and he was sorry to see him retire. Chief DiMatteo shared that it had been a pleasure to work in the Town of Dennis and his pride in the Police Personnel. He shared that Deputy Chief Brady had been working with him since January to prepare to take the position if the Board chose to appoint him. Ms. McMahon suggested that if the Board made the appointment it be subject to successful contract negotiations.

**Motion:**

**Mr. Lambton moved to appoint John Brady as Police Chief with full police powers with full police powers as Police Chief pursuant to the provisions of MGL c.41 §108O and c.41 §97A, effective September 25, 2020, for a term to expire on September 24, 2023 pending contract negotiations; Mr. Terrio seconded. The Board vote 4-0-0.**

Mr. Terrio took a moment to express his appreciation to Chief Peter DiMatteo, his leadership and his dedication to the Town.

**Consider Creating a Dennis Diversity and Equity Committee**

Mr. Flanagan noted that a draft charge had been provided to the Board based on their brief conversation from the last meeting. Emily Entwistle was on the line and appreciated the work put into it. She would like to see more than 5 members. She agreed with the student liaison and a police liaison. She stressed having diversity in the committee. Ms. McMahon suggested that the draft could use more work. She had concerns about staff being voting members. Especially with the police being part of the committee, the should just be liaisons. She suggested a subcommittee work on this. She suggested the Town Administrator pull a group together to workshop the charge and bring it back to the Board. Mr. Terrio also agreed with Ms. McMahon. Mr. Flanagan asked Ms. Entwistle if she was agreeable to the suggestions made tonight. Ms. Entwistle expressed that she wanted to keep the ball rolling and looked forward to working with Ms. Sullivan on this. Wayne Bergeron, participating remotely, congratulated the Board for their forward thinking.

Approved 09.22.2020
DISCUSS ACADEMY HILL DRIVE CONSERVATION RESTRICTION
Mr. Flanagan noted that Ms. McMahon had asked to bring this forward. Ms. McMahon shared that she had met with representatives of the Conservation Land Trust that were concerned with this subdivision. She also went over this with the Town Planner to understand it better. Connie Bechard, participating remotely, shared that Dennis Conservation Trust (DCT) owns the parcel that abuts this subdivision and they had concerns with the impact to their land. She thought the concerns could better be discussed if the Board was amenable to meeting with other regulatory boards as well as the developer to see if they can discuss the issues and come to a resolve. Mr. Terrio wasn’t opposed to meeting but after reading Joe Masse of the DCT some of the bullet points are not items the Board regulates. He suggested the Board be careful to not appear to be dictating. Mr. Flanagan felt it was up to the developer as the landholder to allow the Town to hold a conservation restriction. Ms. McMahon suggested that a representative of the Board, as well as representatives of the regulatory boards (or their staff liaisons) meet so that the people involved can get a comprehensive picture of what the issues are and what can be done and then it can be brought back to the Board and they would know what they could approve. She saw it as a learning opportunity. Mr. Lambton agreed. Ms. Sullivan noted that this project was still in the process of obtaining permits and receiving permissions. She suggested that the Board may want to get input from staff regarding the possibility of the conservation restriction if the developer was open to that but she cautioned the Board from appearing of getting in the way of the regulatory approvals. Mr. Flanagan asked if the Board would be better to suggest to the DCT they should petition the Conservation Commission since they would hold the conservation restriction. Ms. Bechard explained that the developer had asked the Trust to hold the conservation restriction but the Trust could not take it on. The Trust would be happy to go to the Conservation Commission, they would be happy to if that would be productive. Ms. McMahon noted that she was unclear on this whole project. She thought the permitting had been completed. She was amenable to staff following up but she thought one Board member should remain involved as a constituent service. Mr. Flanagan suggested it would be good to get the staff input.

CONSIDER REVISIONS TO SELECTMEN AGENDA POLICY
The Board decided to bring this back to their next meeting.

ADMINISTRATIVE MATTERS
Consider authorizing Town Administrator to sign Pumper Contract
Chief Dellner explained this was approved through the capital process.

Motion:
Mr. Lambton moved to authorize the Town Administrator to sign the Pumper Contract; Mr. Terrio seconded. The Board voted 4-0-0.

Consider authorizing Town Administrator to sign 26 Nautical Way Refinancing Letter

Approved 09.22.2020
Dennis Board of Selectmen
Joint Meeting with the Finance Committee
Tuesday, August 25, 2020 at 5:00PM
Dennis Town Hall, Stone Hearing Room
685 Route 134, S. Dennis, MA
Page 18 of 22

Motion:
Mr. Lambton moved to authorize the Town Administrator to sign the refinancing letter for 26 Nautical Way; Ms. McMahon seconded. The Board voted 4-0-0.

Consider the Community Preservation Act grant for the Veterans Home for a transfer from the Planning Department to Cape and Islands Veterans Outreach Center, an extension of the grant and a release of funds.

Motion:
Ms. McMahon moved to transfer the Community Preservation Act grant for the Veterans Home from the Planning Department to the Cape and Islands Veterans Outreach Center; Mr. Terrio seconded. The Board voted 4-0-0.

Motion:
Ms. McMahon moved to grant an extension to the grant through June 30, 2021; Mr. Terrio seconded. The Board voted 4-0-0.

Motion:
Mr. Terrio moved to release the funds; Ms. McMahon seconded. The Board voted 4-0-0.

Consider extending the Community Preservation Act grant to the Josiah Dennis Manse Committee for the West Schoolhouse
The Historical Commission Chair Diane Rochelle, participating remotely, noted that the grant was to the Dennis Historical Commission not the Josiah Dennis Manse Committee. They were requesting an extension as the project was still ongoing.

Motion:
Ms. McMahon moved to extend the grant through June 30, 2021; Mr. Lambton seconded.

Mr. Flanagan asked if they could act on this since it wasn’t on the agenda with the correct information. Ms. McMahon thought since it was for the West Schoolhouse covered it appropriately for the Board to act on it.

The Board voted 4-0-0.

Consider revising the Community Preservation Act grant to the Cape Cod Center for the Arts for the Cape Playhouse and Cape Cinema
Ms. McMahon this was very complicated with the historic preservation restriction and she wasn’t comfortable. She needed more time to review it. Leslie Garner from the Cape Cod Center for the Arts, participating remotely, shared that restriction is burdensome and was concerned with its effects long term. They were asking for a local restriction through the Dennis Historical Commission. They had submitted a revised agreement that they believed that they could operate within. Mr. Flanagan asked if the Board didn’t act on this tonight would it put the playhouse roof

Approved 09.22.2020
in danger if there were to be extreme weather. Ms. Garner stated that was difficult to answer. Community Preservation Committee Co-chair Chris Foley, participating remotely, recommended amending the agreement so the funds could be accessed for the project. Linda DeRuvo-Keegan from the Cape Cod Center for the Arts, participating remotely, echoed Ms. Garner’s comments on the restriction and how prohibitive it was to getting the repairs done at that Playhouse. Jack Yunits from the Cape Cod Center for the Arts, participating remotely, highlighted the benefits of the restriction being held locally. Ms. Rochelle pointed out the timeliness of the need for these repairs. Mr. Flanagan noted that counsel had provided information that the Board could provide relief legally. Ms. McMahon questioned that a speaker had noted this had taken a year and half and she wondered why if it was time-sensitive. Ms. Garner explained that the grant was approved last year at Town Meeting, it was signed in December and since then they have been pursuing the restriction since they could not receive the funds without that restriction in place and with COVID the process had been slowed down. Ms. McMahon didn’t think another week would make a difference. She still had too many questions to act on this. She suggested that the changes that have been provided were from the Cape Cod Center of the Arts should be reviewed by counsel.

**Motion:**
Mr. Lambton moved to amend the agreement pending review of counsel; Mr. Terrio seconded. The Board voted 3-1-0.

Consider request for expenditure from Wetlands Protection Fund
Ms. Sullivan explained that the Wetland Protection Fund are the funds collected when applicants file Notice of Intent with the Conservation Commission. That funding is only used for the Wetlands Protection Act. This request was approved last year.

**Motion:**
Ms. McMahon moved that the Board approve $14,147 from the Wetlands Protection Fund as outlined in the memo from Natural Resources Director Karen Johnson dated August 21, 2020 leaving a balance in that fund of $54,450; Mr. Lambton seconded. The Board voted 4-0-0.

**BOARD OF SELECTMEN GOALS AND OBJECTIVES**
Discuss Goal Submission for FY2021 Goals & Objectives
Mr. Flanagan asked the Board to take this up at the next meeting. Ms. Sullivan thanked the Board for their great work on the goals.

**TOWN ADMINISTRATOR’S REPORT**
Ms. Sullivan gave the following report:
The MA Department of Public Health (MDPH) changed the way cases are reported in the state on August 12, 2020. Cases and deaths are no longer reported by county. Instead the daily dashboards focus on the statewide cases, deaths, testing and 7-day rolling averages of positive test results. On a weekly basis, MDPH is releasing information on individual cases and testing for individual cities and towns including a color-coded map which reflects increasing, decreasing, or no change to case
counts over the previous two weeks. The daily and weekly data is available at https://www.mass.gov/info-details/covid-19-response-reporting. Currently there was 1 active Dennis cases as of 8/25/20.

The Commonwealth, in recognition of the concerns that members of the public may have regarding businesses and/or individuals not complying with the Commonwealth’s travel advisory quarantine, face covering, gathering, or other public health rules has created a form, available on its website, with which those concerns may be reported: https://www.mass.gov/forms/covid-safe-practices-concern-form. Concerns may be reported locally to the Health Division at 508-760-6158.

We urge everyone to follow social distancing guidelines, wear a face covering when social distances cannot be maintained, wash hands frequently, use hand sanitizer, and practice proper respiratory etiquette.

The Select Board voted to set the Fall Special Town Meeting to Saturday, October 3, 2020 at 10AM. Like Spring Town Meeting, Special Town Meeting will be held outdoors in the Wixon School parking lot to allow for COVID-19 safety measures. More information will be forthcoming.

Update - Article 14 “Owner’s Project Manager, Design and Engineering for Fire Station” (ATM June 23, 2020). On Thursday, August 13th proposals were opened and distributed to selection group. There was a total of nine proposals received. The selection group unanimously selected three top candidates for interviews on Friday, August 28th. The intention was to tentatively select the OPM by August 28th, start OPM negotiations first week in September, and subsequently award. The designer selection process would start immediately after award. The Designer Selection (Architect) was anticipated in December 2020.

The Cape Cod Commission was continuing its efforts to address the impacts of climate change in our region. Mitigating the causes of climate change and adapting to its effects on Cape Cod involves regional planning and policy decisions with both environmental and economic considerations. Stakeholders were being sought to participate in a region-wide effort to identify strategies and contribute to the Cape Cod Climate Action Plan. Participating organizations were being sought to assist in the process by hosting facilitated focus groups, assisting with survey outreach, and providing expertise and perspective. Further information on the stakeholder process and call for participating organizations can be found on the Cape Cod Commission’s newly updated Climate Initiative webpage which highlights current and ongoing efforts to mitigate the impacts of climate change in our region. Cape Cod faces unique challenges due to its geography and geology, historic connection to the sea, and the number of residences, businesses and critical infrastructure located in its most vulnerable areas. The extent of threats facing the Cape Cod region requires coordinated action and broad community efforts. All interested stakeholders were encouraged to submit a stakeholder interest form: https://cccom.link/stakeholders. All interested organizations were encouraged to submit a letter of interest as detailed here: https://cccom.link/organizations.

Approved 09.22.2020
In speaking with the Building Commissioner and MIS Director, I am pleased to inform you that the Town will be launching its new online permitting and application platform very soon in mid-September. This new software is designed to afford the public the ability to submit electronic applications as well as search public records. In addition to applying online, payments will also be accepted giving the consumer the ability to complete their entire process remotely. A detailed user-friendly dashboard will also be available for any public who registers as a user. This dashboard will allow home owners and contractors a single location to view and interact with all permits and applications filed with the town. Furthermore, inspectors and field agents will now have the ability to provide instant results to consumers when conducting field inspections through real time tablet applications. The goal of this new system is to enhance the customer service from the town while allowing the convenience of conducting business with the town remotely. As you know the Select Board and Town Meeting overwhelming supported this new technology as part of the overall Technology Plan in 2019. Thank you to Nick Mayo our Building Commissioner for all his support and work on this initiative, and to all the departments for all their tireless work in this process.

The contract with our cable provider, Comcast will expire next in July of 2021. Every 10-years cities and towns have a cable renewal process generally called ascertainment. The process is designed to determine two separate things, both of which are essential to renewal negotiations: (1) is the cable operator in compliance with its current license; and (2) what are the Town’s future community cable-related needs?

The town will procedurally notify the cable provider of commencement of formal renewal proceedings. A survey will also be utilized to determine our local subscribers’ satisfaction with our current provider. At an upcoming meeting an overview of the process will be given to the Board, and over the next few months, the Board will identify and determine meetings dates for potential public hearings for this process.

I am pleased to share, starting tomorrow, August 26th the Scargo Tower property will reopen after many months of being closed due to repairs on the Tower. At this time only, the site will be accessible not the Tower. The Tower itself is not able to be open at this time due to Covid construction protocols. Scargo Tower signs will be in place the areas will be “Closed at 9 p.m.” have been relocated to gate entrance. The gate will open daily in the morning and close daily by 9PM.

MINUTES
08/11/2020, 08/17/2020

Motion:
Ms. McMahon moved to defer the minutes to the next meeting; Mr. Lambton seconded. The Board voted 4-0-0.

Approved 09.22.2020
ADJOURNMENT

Motion:
Mr. Lambton moved to adjourn at 9:20pm; Mr. Terrio seconded. The Board voted 4-0-0.