

**Beaver Brook Farm Committee
Minutes May 26, 2016**

Present for the Committee were: Chairman Ellis Neofotistos, Warren Shaw, Dave Paquin, Debra Ahern, May Paquette and Don Plummer. Also present was: Betsy Ware, Community Development and Recording Secretary Samantha Carver. The meeting was held at the Town Hall in the 2nd floor conference room.

Absent: Andrew Graham

Also present was Helen Dunlap of the Community Preservation Committee, Donna Valois and Kathy Gauthier of the Dracut Garden Club

The Chairman opened the meeting at 6:05 p.m. and welcomed the members of the Dracut Garden Club.

The Committee was trying to determine if the Dracut Garden Club had any ideas or uses for the Beaver Brook Farm site and whether they were looking for any greenhouse space or space for plants. Mr. Neofotistos explained that some of the buildings on the site are in tough shape and some will be demolished. He explained some of the ideas that have been tossed around to date. He stated that they are talking about doing a trail around the property and a trail down by Beaver Brook hopefully in the future.

The Garden Club stated they do not have a need for space however they would like to partner with the Committee in beautifying the space once a plan is in place. Ms. Valois did mention that she thought there was a need for community type gardens and a portion of this property would be a good use for that purpose.

The Committee thanked them for coming in and if they had any other ideas to let them know.

Minutes

The Committee reviewed the minutes of past meetings while they awaited the arrival of Town Counsel to discuss the liability issues on the property.

Mr. Shaw made a motion to approve the minutes of April 14, 2016 as presented. Mrs. Paquette seconded the motion. The motion carried with those present voting in favor, Mrs. Ahern abstained.

Mrs. Paquette made a motion to approve the minutes of April 28, 2016 as presented. Mrs. Ahern seconded the motion. The motion carried with those present voting in favor, Mr. Shaw abstained.

Mr. Plummer made a motion to approve the minutes of May 11, 2016 as presented. Mrs. Ahern seconded the motion. The motion carried unanimously.

The Committee discussed whether Mr. Shaw had heard back from anyone from the Lowell Parks. Mr. Shaw stated that he reached out to Jane Calvin but has not heard back from her yet and will phone her.

The Committee discussed whether insurance was needed for consultants and whether there should be restrictions on the folks in the home and throughout the property. The Town has the majority of the insurance liability. Mrs. Paquette talked about DATV and whether they still had an interest in the property and relocating there, she stated that they were not all that excited about the new space at the mill they were being offered because it was down in the basement of the building. There was a discussion whether they should be invited back into the meeting to discuss their interest again.

The Committee needs to make a decision on which buildings to keep and what property is the Town's versus Mr. Richardson's, for example, the lathe and band saw that are attached to the building, is this now the Town's property? There was a discussion on whether they could make this part of a museum room on the farm's history.

Attorney James P. Hall arrived for the discussion on the liability at the farm, the tenants on the farm and sub-leasing on the property. After reviewing the purchase and sale agreement and reviewing item 11 Attorney Hall stated that the language could be tightened up to protect the Town and that things in the agreement needed to be more explicit. Attorney Hall noted that item #25 shall hold harmless (liability) only personal assets and that Dracut should be named on the policy for \$1 million and \$250,000/per person.

Ms. Ware stated to Attorney Hall that Mr. Richardson has personal property in every building on the property and that some of those buildings are not secure, they are damp, some have mice. Ms. Ware discussed having some type of conditions if Mr. Richardson stays beyond the September date as is being proposed. There was a discussion on getting the use of half the property, not the house. There was discussion on whether Mr. Richardson does not remove all of his belongings and leaves stuff behind that the Town would get charged for disposal. The Committee discussed having Mr. Richardson consolidate his property into one location and that a timetable should be established for him to remove the property.

The Committee itemized the following:

1. Proof of renters insurance and liability
2. Need an agreement with conditions with the Richardsons
3. Need an agreement with acquiring the use of the fields
4. Respecting privacy to the house only
5. Personal property to be removed by September 2016 hold to this date except the house contents and underground garage; except personal vehicles and farm equipment so he can hay fields
6. Clear out Landscaping Company (no sub-lease)
7. Identify the tenant and that he is not an employee of the Town; clarify with the Insurance Company
8. Indemnification policy by Mr. Richardson
9. Post signs on the buildings that are unsafe
10. The house should be left in broom clean condition
11. Would like to know what property at the farm Mr. Richardson is taking

There were questions on DATV going into the site for a long term lease and having to do an RFP. There was some question whether the RFP could be so exclusive as to allow only one potential bidder. The Committee believed that they would get good protection from having DATV there because they are in and out of the studio.

The Committee discussed whether signs could go up on the property about trespassing and keep out of the buildings.

There was a discussion that the purchase and sale should not have terms of the tenancy it should have been in a separate agreement which will be done for the extension (if the Richardsons' stay on the property longer than September 2016). This new agreement will have conditions.

If the Town wanted to have hazardous materials removed from the site, what notice to the tenants on the site needs to be given.

Town Counsel noted the responsibility of the tenant versus the Town as to the house if say the pipes froze but that the tenant is responsible for the utilities, this could be a housing court potential and how can that be prevented?

The Committee should make sure the old water tank is left behind even though it is in storage in Methuen currently as it is an integral part of the farm and has been offered by Peter Richardson.

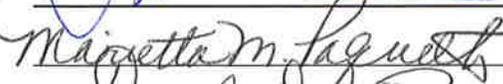
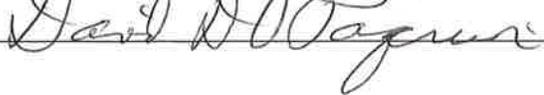
There was a discussion on the Town's insurance people going out to the site and the Committee will wait to see what there site visit brings.

Adjourn

Mr. Shaw made a motion to adjourn the meeting at 8:13 p.m. Mr. Plummer seconded the motion. The motion carried unanimously.

BEAVER BROOK FARM COMMITTEE



___Absent: Andy Graham___