

HUDSON, NH, BOARD OF SELECTMEN
Workshop Meeting Minutes of October 6, 2009

1. CALL TO ORDER by Chairman Coutu at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE was led by Selectman Jasper.

3. ATTENDANCE

Selectmen: Roger Coutu, Ben Nadeau, Ken Massey, Shawn Jasper, Rick Maddox

Staff/Others: Steve Malizia, Town Administrator; Mark Pearson, Assistant Town Administrator; members of the Benson's Committee; and several others

4. MINUTES

Board of Selectmen minutes of September 22, 2009

Motion by Selectman Nadeau, seconded by Selectman Maddox, to accept the Minutes of September 22, 2009, carried 5-0.

5. DISCUSSION ITEMS

A. Votes taken following Nonpublic Session on September 22, 2009

- 1) Motion to approve the hiring of Debra Winter for the position of Dispatcher/Clerk at a rate of \$16.82 per hour (Grade VIII, Step Minimum) effective September 27, 2009, carried 4-0.
- 2) Motion to authorize a temporary salary increase of \$1.50 per hour to Lisa Labrie, Town Accountant, for the period of August 10 through September 26 for performing the Payroll function for that period (\$420), carried 4-0.
- 3) Motion to authorize a temporary salary increase of \$.58 per hour to Jennifer Riel, Water Utility Clerk, for the period of August 10 through September 26 for performing the Accounts Payable for that period (\$162.40), carried 4-0.
- 4) Motion to approve the promotion of Jennifer Riel to the position of Senior Accounting Clerk at a rate of \$17.00 per hour (Step 2) effective September 27, 2009, carried 4-0.
- 5) Motion to authorize the Finance Director to begin the hiring process for the Water Utility Clerk, carried 4-0.

Motion to adjourn by Selectman Massey, seconded by Selectman Maddox, at 10:25 p.m., carried 4-0.

B. Benson Park Opening Plan

Selectman Jasper indicated that Harry Schibanoff will be presenting the plan to the Board on the part of the Benson Park Committee. Selectman Jasper gave a brief overview. Back on August 4th, the Committee was given the charge by the Board of Selectmen to develop a plan for what it would take to open the plan for the Board's review. It's clear from the minutes that there was a general consensus. Selectman Nadeau did not join in the consensus of giving the committee the time that it needed to bring a plan forward. That was what the committee was moving forward based on. They would not be here tonight were it not for the action that the Board took at the September 22nd meeting. The

plan isn't really where they would like it to be. In light of the action the Board took, they felt it was appropriate to bring in a general plan, not with the level of detail that would be necessary to make it a functioning plan to actually accomplish all of the task. So please look at this understanding that this was brought forward a little earlier than it would have been. It has all of the elements in it for this Board to look at and determine whether or not the specific elements you feel are necessary to move forward. A discussion can be held after it's presented on the particular items and whatever level of detail or whichever items the Board would agree need to be accomplished prior to a hard opening. The committee will work to develop that level of detail to make those things happen with the Board's cooperation. Please realize that the committee does not have any staff. We do not have any funds. The purpose of the committee is to make recommendations to this Board. Most of the items are going to have to be things where this Board is going to have to get involved in making those things happen. We can only coordinate volunteers in the area that those items can be accomplished through volunteers. Beyond that, it will be the Board of Selectmen to direct the appropriate resources to make things happen.

My name is Harry Schibanoff. I live at 8 Birdie Lane. Chairman Coutu indicated that Mr. Schibanoff had a presentation on the plan for opening the Benson's Park. Mr. Schibanoff would give a few opening remarks, briefly summarize the plan, and tell of the current plan to have a soft opening in approximately 2 weeks. He's substituting for Ken Dickinson who could not attend the meeting for personal reasons. This is more of an action plan. It certain is not a complete document at this time. It's a work in progress and is something that they looked at as a method of trying to analyze, prioritize, and prune a list of actions that the committee believes is necessary for the safe and sound opening of the park. The Benson Park Committee worked as a full unit developing the plan. They toured the park at least three times. They went through a working process of the full committee and then refined it at a subcommittee level, which Mr. Schibanoff is a member, to work into the details of the plan that you saw before you today.

The plan is divided into three levels of priority. The highest priority is those things that we think have to be addressed before the park can be opened to the public. As selectmen, you have the authority to decide whether or not you agree with our recommendation, and you also hold the purse strings. So we have to be cognizant of that at all times. The medium priority items that are in the plan are things that would be nice to complete, but they don't necessarily have to be completed for the park to open. In this plan, there are only two. The low priority items are those things that were talked about and realized they are not important at this time but if they were finished it sure would be nice. Two of them are almost finished.

The plan starts off talking about the main parking lot. Mr. Schibanoff went there today with Mark Pearson to see what's going on in the park so he would be prepared for today. Basically there is now a parking lot. It looks like it holds between 40 to 60 cars. It's also possibly going to be adjacent to the senior center, which may be helpful to them as an overflow parking area if that is to ever come in to be. Boulders have been placed at the end of the driveway where the DOT gate is to prevent people from going down into the lower area which used to be the old parking lot for the Benson's Wild Animal Farm. One thing that is needed in this area is an access gate between the parking lot and the park itself. Right now all we have is a regular gate, and we'd prefer to have a pedestrian gate which has to be acceptable to ADA Standards, which means it has to be a certain width so that a wheelchair could fit through it.

The second thing on the plan is an information kiosk. This we think is necessary because people have to know about the park. It's very easy to get lost in there. Therefore, we would have things like maps and brochures. Eventually we'll have park rules and regulations, which have not been written yet because there are so many other things to do and we haven't gotten to that level of detail yet. The issue of accessible parking and

accessible routes were mentioned briefly. We have to have at least three handicapped accessible parking locations. We are planning on using the area in front of the existing gate at this time, which may have up to 4 or 5 acceptable locations. We do also have to make sure that the current gate being used is ADA approved, which means we have to check the width. We also have to make sure that all the public buildings are handicapped accessible.

Trails have been developed. There was a map attached to the material that shows a trail developed by the Trails Committee. It's the first one done. It's about a mile long. It goes completely around the historic area of the park primarily. We need to have signs on that to make sure people don't get lost. We hope to have signage that you'd basically see in a State Park. Poison Ivy removal and treatment is another difficult area. It's a serious problem within the park in certain areas. It can be removed according to Mr. Dickinson during the dormant season by various methods. Even if you do that, it may grow back. We may have to use some sort of herbicidal treatments which will have to be approved by the DOT under the deed. We can't use anything of that nature right now.

With regards to the buildings - the A-Frame and the Gorilla House. The A-Frame still needs a little bit of painting. The roof has been painted, but there's some minor painting that needs to be done. There's cleanup that needs to be done in the area. There's still some asphalt tiles on the ground and there's some piles of junk, which will be out of there soon. We would also like to see some sort of a playground instituted in that area. We don't necessarily need playground equipment, but we believe we can't have a park without a playground in it. So we'd like to see something of a nature that children can use. We'd also like to see a clearing of the meadow between the A-Frame and Swan Pond. We think that would be very helpful to the park. The Gorilla House is almost secured. They've been working on it quite a bit on the cleanup weekends recently. It was recommended that costs be obtained for installing restrooms in this particular facility. Hopefully that can be on the next Town ballot. It's going to require some research, cost estimates, and so on.

The office building or care keeper is the office building in the front, which is one of the historic buildings. We would like to see someone living in there in order to have a presence within the park. We think a presence within the park would help keep down the level of damage. It would also create a presence in the park at all times. This person could do some janitorial type functions such as cleaning the restrooms, picking up trash, and so on.

Security and lighting is one of the more important issues that concern the committee particularly in the historic district. We just spent around \$70,000 so far just improving three buildings. There is security on the office building and in the train station, but perhaps we need some sort of security in the elephant barn. Lighting would be preferred in the gorilla house area and even the A-Frame. However, we don't have any electricity at that point. We have talked with the Provencher family who have told us that there are certain conduits underground, but we haven't really explored that very much. Certain utilities would have to be put into the property which would include electricity, water, and sewer. That's a major area that we really have not gotten into to. It's also going to need some Department of Transportation approval because it's against the deed. We're not supposed to have overhead wires, although the deed contradicts itself saying you can have underground wires. It's confusing.

There's the hazard at the former red barn foundation. That's the big hole in the ground. It used to have adequate fencing around it. We believe we had the fencing on the property at this time, but it has to be installed, and it has to be installed properly. It's really a hazard. There is one portion where anyone could run right off. It's about a 10 foot drop. Then there's the fence on the high end, which is about a 25 foot drop. Mr.

Schibanoff doesn't know if the fence is tall enough or not. It's been talked about, but he's not sure exactly what was decided. In a nutshell, that's what the committee came up with as high priorities.

The medium priorities – the one that was the shoe. At the last meeting it was decided to accept the proposal of Ripaldi Construction who have volunteered to supply the materials and labor to fix the shoe at no cost to the town. The Chairman was at the meeting and he indicated that since there was no cost, we could accept it at a committee level. Selectman Massey interjected indicating that it was not true. He stated that any acceptance of anything that has a value has to be accepted by the Board of Selectmen. Chairman Coutu considered it somewhat akin to in kind, but he could see where they were coming from. It's a private contractor as opposed to an in-kind contribution. It's nothing the Board is contributing. Similar to the Robinson Pond when they did the study, there was a value put on it. He believes they ought to do the same thing. We're certainly not going to refuse, Chairman Coutu would say that in fairness, a donation. So they will have to establish some sort of a value to the amount of work that they're going to do. The Board will accept it formally here. This is going to be a combination of his team plus the boy scouts that are volunteering to do this. Selectman Nadeau indicated that that is just what he wanted to add. He spoke with one of the parents of the boy scouts. Chairman Coutu said that whoever on the committee is assigned to work with Ripaldi in regards to getting him in there and having the project done to put together a proposal that factors in what he would estimate the total cost of the project to be if we were to go out and have it done and then present to the Board for formal acceptance.

Selectman Jasper stated he's been back and forth on it because in the case of the work that was done at Robinson Pond was actually a cost. A contractor was paid. In the Benson's case, this is volunteers coming in doing volunteer labor. There may be some out-of-pocket expenses on materials. We could probably accept that after the fact when the actual costs were known leaving out the labor. If we get into this issue of putting a dollar value on labor where we've got people in there constantly volunteering their labor. The only thing they really need to worry about is actual cash expenditures for materials. There's a limit to what needs to come before the Board. Steve Malizia indicated that you have to accept all donations. Donations over \$5,000 require a public hearing. If it is under \$5,000, you would accept it and you don't need a public hearing, advertise, or post it in the paper. If its \$2,200 you could just accept it, but you do have to accept it. Selectman Jasper asked if they needed a dollar value attached to everything under \$500. At this point it would seem sufficient just to accept the donations of the repairs to the old woman and the shoe by Ripaldi Constructions.

Chairman Coutu is concerned about government being so glacial. In conversations Chairman Coutu has had this week with regards to ongoing projects that is going to be donating a considerable amount of lumber. He asked if everybody had to come in here and says they can't do anything until it's approved. This could put it to a complete a stop. People are going to get frustrated and not want to come forward and donate. Chairman Coutu said that there are certain rules that guide us by which we can accept donations, but how finite does this have to be.

Selectman Maddox stated that any of them know that tipping point. So this is a case to have the Town Administrator contact legal and find out. He doesn't disagree with Selectman Jasper but if someone wants to volunteer, there may be certain requirements whether it be the Hudson Town Code or wherever that says you have to at least make that donation public. He doesn't want to stop them from doing it, but we need to follow something.

Chairman Coutu said that at this point we have about a half a dozen pizza companies that have donated pizza. They all have value. Where do you draw an exception? Steve

Malizia told them what the attorney is probably going to tell them. If it has a value, you have to accept it. That's probably what the attorney is going to tell you because that's what the law probably says. Selectman Jasper said in the case of food, drink it's not a donation to the Town, it's a donation to the individuals donating to the Town. Certainly nobody is going to come after us about that. The Benson Park Committee plans on recognizing those individuals for their donation on behalf of the project. Personally, Selectman Jasper agrees with Steve and believes the best thing to do is to keep it under \$5,000. Steve Malizia said \$5,000 is for a public hearing. Selectman Jasper said the materials involved in the old woman in the shoe are well under that. If we just accept that and if we are kept apprised of who will be donating materials, we can probably just keep ahead of it by accepting the donation of materials for the Gorilla House, etc.

Chairman Coutu said that if X, Y, Z contractor, for example, wanted to come in and donate time and material and labor to construct one of the trails with hot top, it would obviously exceed the value of \$5,000, we would have to go to a public hearing. Steve Malizia assumed that if it exceeded \$5,000 you would have to go to a public hearing. Chairman Coutu said he hoped it doesn't discourage those contractors. Mr. Malizia said it's not intended to be (inaudible) informative to the general public so the public can comment, you may have someone that you don't want donating. He's not saying you don't, but it's possible.

Mr. Schibanoff continued with asphalt restoration and removal. We were hoping to have some sort of contribution program from local business who had either sponsored the asphalt of certain portions of the park or asphalt companies that may be located in Hudson or even surrounding communities that would be willing to donate their products to the park. That was the last part of the medium priorities.

Mr. Schibanoff indicated that the low priorities he wanted to mention were the restoration of the retaining walls, which the cleanup committee has done a very fine job of cleaning them up. You can actually see them now. That was a low priority item that's almost done. The restoration of the overlook area, which is the part over by the shoe. It's behind the elephant barn. One of those has been cleared. There's two of them, and it's really quite nice. It looks over towards Bush Hill Road. There is something to look at. The grounds still needs some work, but it can be used. That was the plan they came up with. Mr. Schibanoff is also a member of the Outreach Subcommittee on the park.

We were going to recommend to this Board that we have a soft opening in October so that the park can be introduced to the community and to the region. This is a regional state-wide park. The Outreach Committee sees the soft opening as giving us almost a marketing opportunity to sell the part to people to let them know what's going on, to find out what the story is behind Benson's, what has been done so far, and what our plans are. In order to do that, we're planning on having a training session on the 19th where we will instruct people on how to tell them about the buildings, the park, and what's been done so we can get the message out and hopefully increase the number of donations and other volunteer efforts that would come into the park. If there's better public understanding about the park and the scope of the project, we will actual satisfy a lot of the curiosity factor that is going on in the community and try to sell the park back as a way to attract people into it and also to donate towards it.

Chairman Coutu would like to know with regards to the training on the 19th, could Mr. Schibanoff be a little more specific as to where it's going to be held, and who is being invited to the training, and what is the general topic of the training. Mr. Schibanoff said anyone who wants to come can come as a volunteer. It's being held at the Recreation Department and is being conducted by Curt Laffin on Oakwood Street. They're not sure what his criteria is right now, but in the committee level they talked about just being knowledgeable about the master plan, what the plans are for the park, and also try to give

a little bit of history about some of the buildings in the park but not a whole lot. People just may be curious about why is there a Gorilla House or why is there an A-Frame. It's an indirect marketing program we're trying to put on. This way we think we can control the environment within the park and we'd also like to test market this because we've never done it before. Perhaps we can continue to have these soft openings on a regular basis until the winter season comes in. That's just speculation on Mr. Schibanoff's part at this time. Chairman Coutu said that people who would attend the session of potential guides. Mr. Schibanoff said they are also looking to possibly get high school volunteers to do things like direct traffic in the parking lot, etc.

Selectman Massey said that since he is the one that originally was pushing for a plan, he wanted to commend the committee. This is the first step. It was pointed out by a member of the committee at last Thursday's meeting that this is not a plan. It's a set of deliverables for which a plan needs to be individual time and assignments made. It is a good first pass. There are some things that Selectman Massey has his own ideas about what should or should not be done, etc., etc. He thanks the committee because this is what needed to be done, which was to identify the set of deliverables. The next piece is to start creating the plan to make it happens. Thanks.

Chairman Coutu has some input. While Harry was there, he'll go over the 2 or 3 points that he has when he read through it. He had an opportunity the night of the meeting to review it. The first section with regard to the high priority – the information kiosk. Chairman Coutu might have to solicit some information from Selectman Nadeau if he has any. It was originally the intent of the fire department to pick up that kiosk and to rehab it completely themselves. He doesn't know the status of that it. Chairman Nadeau said it was the Firefighters Relief Association. They wanted to fix it up, repair the board, do the cleanup and paint it. They were just wondering what colors we wanted whether we wanted it back to the original colors or what the deal is with that. We've been kicking it back and forth waiting to hear what everybody wanted. We have some original pictures of it. They're just waiting for the go ahead from the Benson's Committee as far as what they can do with it, when.

Selectman Jasper indicated that he has not had any contact nor has the committee had any contact with the Relief Association. They need to pick up the phone, drop him an e-mail. We need to begin the discussions so that we can bring a plan forward to the committee so we're making sure that the work that is being done is going to fit into this plan to make it into a kiosk. At this point, he's only been hearing rumors that there was a group and he wasn't sure it was the Relief Association or who it was. If you had contacts, he'd appreciate it if they could either give him a call or come to the next meeting and we can get into the level of detail that needs to be done to accomplish this task. Chairman Coutu asked if that was possible. Selectman Nadeau said yes. They've come to the cleanup days and have talked to them while they were there. He doesn't believe it's a problem.

Chairman Coutu stated that, again, on the high priority items if you go over to page 4, he noticed that the top item which was continued from page 3, the A-Frame and Gorilla House the area of responsibility was cleanup, BOS, and voters. He understands why it would have to go to BOS and voters if we're going to eventually have to put together a budget. The next item which is the office building carekeeper he noticed and he's sure it was not intentionally that BOS and voters would definitely have to be added to that. That would have to be another item that would require funding. Selectman Jasper said that part of that may but this probably a simpler project than creating the bath house. It may be possible that we're essentially talking some interior work, lighting, heating, and kitchen. There may be people who are willing to donate elements and labor to get this done. The main problem with any of these types of things is going to be the sewer connections and the water connections.

Chairman Coutu is not so much concerned about the work at the office building it's the carekeeper. He would like to think that there is somebody out there that is willing to move in there without any pay. Selectman Jasper said that one of the things that they've been kicking around is that idea and perhaps just a stipend. The committee is not thinking about a full-time position at a high salary. He thinks that to this point they've thought providing a place to live and perhaps...Chairman Coutu said that they're thinking along the lines that if there is eventually a friends of Benson's or funding raising is pursued through the hospices of the historical society that if funds are generated that maybe we could use that as a means to a stipend. Selectman Jasper was thinking of a budgeted stipend. There are details in there, as he said that haven't gotten there. Off the top of his head, he's thinking if you provide this and maybe \$5,000 as a stipend. Chairman Coutu said that BOS and voters would be appropriate. Selectman Jasper said yes. This was rushed. They did the best they could given the time. Chairman Coutu said if it was rushed, it's a good rush job.

On page 5, it was suggested to Chairman Coutu that the former red barn foundation he's expressed concern all along about that potential area as a dangerous area especially with the drop that exists. It was presented to him this weekend. He thought about and made a note on it the other day when he was reviewing it and highlighted it. Someone suggested, and he's not proposing that this done, he's proposing the committee should consider, filling in and grading the entire area for a sled hill. He thinks it would alleviate putting up tons of fencing. He's sure that between Jerry and Ben and whoever does the begging, Pat said she should would and she's here tonight, if we can get somebody with a heavy piece of equipment and come in here and knock that whole thing down, grade it, slope it, and make a nice graded hill for sledding, it would alleviate that whole problem.

Selectman Jasper said that's certainly something they've kicked around. You may underestimate just the number of cubic yards of material that it would take it. You don't have a lot to knock down. You have a high hill. There is a very gentle slope leading up to there. You're talking thousands and thousands of cubic yards of material that would need to be hauled in to accomplish what you're talking about. He said to somebody that would be a nice to put a sledding hill in. In terms of how do we make that happen and how do we get that type of material hauled in there...Chairman Coutu said they're going to dig a foundation for the train station. There's a lot of material that will be coming out of that. Selectman Jasper said that's a drop in the bucket. Again, he thinks you're really underestimating the size of the hole. Chairman Coutu said he's a layman. He's not a contractor. You know more about this stuff than he does. He's just suggesting that would be a way to solve the problem. Immediately we're going to have to fence it off, and that's what they're proposing and he has no problem with that. He understands. Obviously you've taken it under consideration and looked at it. Who knows what Jerry and Ben are liable to come up with. They're liable to come up with 37 truckloads of fill. If they do and you guys have entertained it and it was available, you'd probably want to go ahead and do it.

Selectman Jasper stated that in terms of hauling material on to the site under the terms of the deed, we would probably have to contact the DOT. Chairman Coutu indicated they'd have Mark Pearson sift through it and he'd tell them if it was good or bad. Selectman Jasper stated we'd have to make certain there was no asbestos in it. Chairman Coutu said there was plenty still on the property they could throw over there and have it covered it.

Selectman Maddox wanted to clear up that he heard at the beginning that the items of high priority should be done before the park is opened. So you're saying until at least some time next year we would not open because you're not going to have the resolution for both the gorilla house, probably the carekeeper's facility. Mr. Schibanoff said yes that's correct. They are planning to have a series of soft openings to acquaint people with the park. We think the situation is not safe in there at this time, and they'd like it to be in

better condition before it's opened permanently. Selectman Jasper indicated that was accurate. There are some safety issues that again we didn't get into. One of the things that really hasn't been addressed and hasn't been looked into but he suspects 4 instances – the main bridge that goes over Swan Pond. That has a railing about this high. He suspects that that doesn't meet code and there are probably some other areas. It's not a concern where you have a slope down into a pond where somebody can roll down the hill. You couldn't build a bridge like that today and have a railing this high and have a drop off 10 feet. With little kids around there, you wouldn't want to. When Benson Park was open, his understanding was there was a rail system on those areas. Things like that need to be addressed before they can do this. He knows everyone has been very anxious. We are a committee of 9 people who have been trying to develop a plan. He is very impressed with the members of the committee and the work that they have done. There has been just yeoman's work being done. It took a while to get up and running because people had to understand what the issues were in there, what needed to be done, and we're just getting there. This park needs to be safe.

Selectman Jasper read where 3 selectmen suggested we put up signs that say "enter at your own risk". He hardly thinks that is something that as a Town we want to say "here's our park, enter at your own risk". Beyond that, that announces to every legal beagle in the world that you're aware that there are problems. That doesn't alleviate us of liability. It announces that we know that we have liabilities and that you may be in danger if you were entering. That would certainly put us in a totally different legal category doing. That. So we have to take care of those things. We haven't even frankly been able to identify what all those issues are at this point that may put us at risk. He's suggesting one of them, but we've got to really get into this and make sure that we have taken care of those issues.

Selectman Maddox is not getting the light. He guesses that when he was growing up he used to watch the dog chase the car down the street. He always wondered what are you going to do with it when he got it. Gentlemen we're that dog and Benson's is the car. We chase this thing for a long, long time. A number of different boards of selectmen and groups wanted Benson's. Now we have it and what are we going to do with it. He thinks that there is a master plan. It is a wonderful idea of \$7 million. Realistically he was always under the impression this was going to be a passive recreation park. This Board, the Benson's Park Committee has spent 98 percent of its energies, time, and money on buildings and not the passive recreation park. He thinks that either we need to redesignate where we're going with this Mr. Chairman. The committee is going off trying to secure buildings for a person to live in. We didn't do that in Musquash. We didn't do that at Merrill. This is spending money that he thought we were going to have, and as long as he's on a rant, Selectman Jasper at the Benson's Committee meeting you said he was never for buying Benson's. That is incorrect. He didn't like the price. He felt that getting 165 acres of land in the center of town for passive recreation to stop it from being developed was an excellent idea. He always thought that the price was too high maintaining these buildings. Now we've doubled the amount of buildings that we're maintaining. We've put all this energy and money into buildings that we're not required to maintain. If we had spent the \$80,000 on the trails, the safety issues that I don't disagree with Selectman Jasper on this park would be much further along and probably half the contention. We're focused on these buildings. He believes they need to decide whether this is a passive park or a memorial to Benson's Wild Animal. Thank you.

Selectman Nadeau starts off on page 3. The Trails Committee all weekend worked on the trails. They're working on them tomorrow in the rain. They're doing a great job on all of those. The Gorilla House and the A-Frame is pretty much cleaned up. This weekend they cleaned out the Gorilla House. It looks beautiful. They secured the gates to it so you can't open the bars and go in it any more. Next weekend they plan on building a knee wall between the – where the glass used to be. On page 4, he doesn't think they need the

office house and the caretaker's house to open the park for passive recreation. The security and lighting, he does think we need that but can we open the park without that. He was Musquash last night and he didn't have any lights on while he was there. He doesn't think that that should be a big priority for them right now as far as opening the park.

The big red barn foundation, Selectman Nadeau asked if it is a problem. He asked if it could be fenced off temporarily and start filling it in temporarily, it probably can. Can it be done relatively cheap and quick? It probably can. The lady in the shoe is being done relatively quickly. Opening the park can be done quickly. Closing the park, he doesn't think they should close it. Can it be opened for the winter? He thinks it can be. Why? People want to go snowshoeing; people want to go walking their dogs. They can do that in the winter in the park. He doesn't think there's a reason that they should be closing the park once they open it. Can they post it that there's work days and there will be people in there working? Right on the fences. This weekend there was guy in there and said he read those "no trespassing" signs. He's been there for 7 years and why are you stopping me from coming in today? Selectman Nadeau said they're out there working and he didn't think that he should have his dogs running around wildly while they were in there trying to work. Do we need to have rules? Yes. Can we come up with rules in a reasonable time frame? Yes. What are the rules at Musquash? Does anybody know the rules at Musquash? He didn't think so. Selectman Massey said there are none.

Chairman Coutu said that in all fairness, a town code is applicable to Musquash. If you're not supposed to have dogs running loose, the same constraints at Musquash as they would be at Benson's. If you can't have motorized vehicles on town property, the same constraints would be at Benson's as they are at Musquash. There are some rules. Selectman Nadeau indicated no hunting. Chairman Coutu indicated those rules would be applicable to Benson's as well. Selectman Nadeau said this is a pretty simple thing. We're going into this way too deep. He thinks we can move along a lot faster than we are. The Benson Committee is doing a great job with these cleanup days and doing what they've done this weekend. They're getting the park pretty secured and ready to open. Some people might not agree with that, but he was there on Sunday. They were ripping out the bittersweet vines, cleaning up the poison ivy, and we had a huge pile of brush again at the end of the weekend. They had a huge pile of trash and debris that they've cleaned up from the park. We found hoods, tires, and different things that we got rid of. The only thing that he thinks we really have to worry about before we open it is the foundation and securing some of the stuff. Other than that, he thinks the park should be open and people should be able to walk through it. He doesn't think they're going to have hundreds and thousands of people lined up on Saturdays and Sundays to go into the park. He thinks the 60 car parking area will be sufficient. Maybe the first couple of weeks it's open you're going to see a ton of people going in there. Once the newness wears off, you're going to have the same people going in there that are already in there now. We just need to go with the soft opening in October but after that, he thinks they should just open it up.

Selectman Massey thinks they have to stay focused on the prize. In all of the discussions that they have had with the State in negotiating the Quit Claim Deed, the emphasis was always on that this was going to be for passive use only. There was never any discussion about any other thing. A point of fact, the discussions seemed to have gone that if any building that wasn't currently on the property was proposed to be put on there it had to be a) of historical nature, and b) approved by the NH DOT. So we're not talking about what he would consider a destination. People aren't going to come in his mind to this kind of a park and go there all day long. They're going to go there and go for their walks and go home. He thinks that if we want to keep in mind what a passive recreation park is, keep the picture of Mine Falls Park in your mind. There are no bathroom facilities on that park as far as he knows. There are no lights anywhere on it. The parking is extremely limited.

The times he's been there even in the winter time he's seen never more than about 20 or 30 cars. The focus on this whole thing is what Selectman Maddox was talking about. We need to focus on what you can do as a passive recreation facility. So yes he thinks a lot of the things in there over time can be looked at. We need to first of all be responsible for our fiduciary responsibility to the Quit Claim Deed which said we have to maintain 3 structures that are historic in nature to some minimum standard of historic preservation. He believes that before we spend any more money on any other buildings, we need to make sure that we have the money secured to do the 3 buildings that we're required by the Quit Claim Deed to do. Is it going to be nice to have a restroom facility in the park at some time? Absolutely. It's not required to open this park. Again, he leaves us to look at Mine Falls Park. To his knowledge, there is no restroom there.

Selectman Massey thinks, as he said and he commends the committee, that this is an excellent set of things to go do. He doesn't think that anything other than the parking areas and the security and lighting (even security and lighting may not be necessary) is necessary to open the property and keep it open on a permanent basis. He thinks all the other things are going to have a task list assigned to them, and they're going to be worked on as they get it done. He thinks the priorities are, in his mind, passive recreation and securing the costs to do all the work that they need to do to keep the 3 historic structures going. Personally he doesn't see spending any money on any of the others now before. Remember what they said, we were going to only put the roofs on these other 3 structures to stabilize them. The only reason he was willing to go along with those, and he didn't want to do it with the elephant barn, but the other two was just putting a roof on it he didn't think was that big of a deal. We now have very little money left in the account, and we have more work to be done on the Haselton Barn that we had originally anticipated. He's all in favor of more than just a soft opening and to take these projects as they come and put a task list to them and get them done. He doesn't think that we need to rush into it. He keeps saying "act in haste and we'll repent in leisure". It's just too much too little time between now and November to put together sufficient plans to go before the voters for either doing any work on a Gorilla House facility for rest rooms and a carekeeper. He thinks there's a lot of debate that's going to have to happen before he's ready to sign on to a caretaker for a passive recreation park.

For years, Selectman Jasper said the old Benson Committee worked on a plan for what Benson Park was. That plan was adopted by the Board of Selectmen, not by this Board. Every building that was there was saved by a Board of Selectmen. That was the plan. He hears this passive recreation, but he only hears one thing. That's walking, or snowshoeing. Passive recreation is more than that. That's why we have a plan. That means some place to be able to sit down, play with your kids on the grass, have a picnic. That's part of this plan which everyone has ignored. Give us the opportunity to clear out from the A-Frame. He is not proud of that area right now. It is a sad place. You talk about Mine Falls Park, what do we read about in Mine Falls Park all the time. The homeless people. The people who are setting up their little tent cities there. It's not a place where people want to bring their families. This was supposed to be a place where people bring their families and can have a nice time.

Selectman Jasper heard about Musquash. Musquash is not a park. Maybe that is news to this Board of Selectmen. Musquash is a conservation area. That's all it is. There are trails there. If you want to walk you can go there. The Hudson News made up a whole list of places we never heard of – South Park, Kimball Hill Park. There was a whole list of things. We have very few parks in this Town. He missed one the other night. We have Greeley Park; we have Library Park. Not the Town Common Ben, that's Library Park. Selectmen Nadeau indicated everyone knows it as "the common". Selectman Jasper said that the common is down in front of... Selectman Nadeau interjected and said, "that's fine". Selectman Jasper said that he was just telling him that here again, we don't really care what reality is, it's just what we want it to be. So we have these few parks.

We have Merrill Park. Merrill Park is the only park in this town that we have that you can't see from the road. Groups have gone in there, cleaned that place up, and tried to make it nice. It gets trashed every single time because we have no security. We have nobody who cares about it. Nobody is going to bring their family into a park like Benson Park. You go in there right now the way it is; it's not a warm, friendly clean place. It is a mess. If you don't think it's a mess, then I'm sorry for you because it is a mess. It's going to be a beautiful place. It took us 8 years. One of the things that Selectman Coutu said on August 4th was, "It took us 8 years to get the property. Don't expect it to be opened in 8 days." That's a reality here. We'd like to have this park opened next year. A lot of it is the resources. Right now if you just simply opened the gates, well all right we've talked about the gates. You open the gates and people are going to drive their cars there because it's a road going in there. You've got nothing to prevent people from going in there. There's going to be people that are going to go in and vandalize the buildings. Who knows what's going to happen in there.

It's going to be a place like Mine Falls. Not a place, Selectman Jasper thinks, 10 people in this town want to have. They don't want to have homeless people setting up their tents in Bensons. The roads are busted up, fine, you can walk over it. We had a vision. Suddenly you people have thrown the whole vision of this committee you appointed, the last committee that was appointed. You've thrown it out because some unknown number of people have come to you and asked when the park is going to be opened. There's a simple solution. When we have something we can be proud of as a town. If any of you are proud of that place and would be proud to open the gates to that place and say here is what we've done, here's what we spent 8 years doing because we're not willing to do anything right. We don't have to do everything, but we have to have a gate where the police can come and go and drive through there and check it. Should we have a caretaker in there? Absolutely. We've put all that money into those buildings. Do you want to risk because you don't want to put anything forward, you don't want to ask. You want to then put every building down and when they burn down like the red barn say oh well. That's a real possibility. That is something that can happen. People say he's too passionate about this. He's been living with this for years. This wasn't his idea. He's probably not going to spend much time there.

A lot of people in this community worked very, very hard to come up with a plan for what we could be proud of in this town. Selectman Jasper is passionate about the work that people like Curt Laffin, Ester McGraw, Ken Dickinson, and too many other people who I can mention, and the thousands of dollars that was spent building a blue print. You love saying \$7 million. You can say that, we're talking \$7 million; we're not talking much here. He didn't propose and the committee didn't propose that we put a warrant article in for the caretaker because we think we can get those things done. It's something that we have to have done. We spend more time, and the reasons that things are slowed down is because – and he said and was quoted in the Lowell Sun, this Board is like a bunch of kids in a candy store. I want it now. I want it now. Give it to me now. Instead of saying what do we need to be proud of. Selectman Jasper didn't become a selectman and he hasn't been a selectman to be part of something that is trash. That place is trash and that park is trash right now. A lot of progress has been made, but it's trashy. It's nothing that anybody should say here's the park that we created. He's sorry if you feel that way and that nobody should be able to put a blanket down on a piece of grass and have a picnic. Nobody should be able to throw a ball around. There isn't 10 square feet where you can throw a ball around right now and not risk falling over something or getting poison ivy. If you don't like what we've recommended, then perhaps you ought to discharge this committee and get one that is going to agree with you. Selectman Jasper believes with all his heart that the voters of this Town want something that they can be proud of. They want us to do this right. We can do it over time, but first impressions are so important. When you open it up and say here's our park, they're not coming back.

It's going to be very hard to get people to be motivated to work something when you've said we're open, we're done.

Selectman Jasper indicated that it's a sad place and this is sad. Every time we keep working forward and you people read what you said to us August 4th. Let's do this right. Ken you're sitting here again saying "act in haste and repent in leisure". That's what you're doing by saying open the park. That's your open in haste without a plan for security, without gates in place, without anything in place, without rules and regulations. That's what you're doing. You're acting in haste and the first time we lose a building, you'll be repenting in leisure. The first time some kids falls off that bridge into the water because we didn't have it up to code, you can repent in leisure then. The first time those types of things happen, the first time that we haven't dealt with security issues and haven't dealt with safety issues because we got stuff all over the place, you got your candy but at what cost.

Selectman Nadeau stated that maybe we should rethink the name of the park then and maybe it should be "Benson's Conservation Land". If that's what you want it to be – if you want it to be this beautiful park, it will be some day. For now, maybe we should just name it "Benson's Conservation Land" and open it up. Chairman Coutu asked did you not recommend that to me about a month ago. Selectman Nadeau said at the rate we're going, he thinks that's what we need to do. The Benson's Park Committee this weekend we're talking about cleaning out the area in between Swan Pond and the A-Frame. The only thing we need is people to go in, clean the brush out, and you can go in there. The volunteers that came in are doing a damn good job when they're there. By opening up, people will go in there and say hey yes maybe I can clean that out and help you out next weekend. When they see on the kiosk that there's a clean up day on this date, let's change the name from Benson's Park to Benson's Conservation Land and open it up then so it's like Musquash conservation land. He's game for that too.

Chairman Coutu asked Selectman Massey if there was anything he wanted to respond to in light of the fact that a lot of remarks were directed at him or does he want to pass. Selectman Massey would like to think about it.

Selectman Jasper indicated it is not a conservation area and it can't be. He knows they want to argue about the 3 that we saved that we didn't have to. We have other buildings on there. You can't just have nobody there because there are buildings. It can't just be a conservation area. There are other structures there unlike a natural piece of land that you simply walk on the trail. There are man-made hazards there. When you have a man-made hazard, you have to protect against the known hazards that had been created by man. Natural hazards are one thing. Man-made hazards are entirely another. Those have to be dealt with. Selectman Nadeau, nobody has disagreed that these things can't happen rapidly. We keep arguing about it that we don't have to do it. We have a plan here. He doesn't disagree that we don't have to have a bath house there. We've talked about that. We said well we could have port-a-potties there. He thinks that ought to happen. Frankly if you don't have port-a-potties there you're going to have people using the woods. That's just a reality. You can't have port-a-potties with hand washing stations there in the dead of winter. So long-term plan needs to be for a bath house. We bring this forward. If this Board says no that doesn't have to happen right now, let's have a Plan B. The rest of things on here do have to happen if we're going to have a safe place. Personally Selectman Jasper thinks the pavement ought to be taken care of. That's a medium priority. He thinks we want to have people who can go in their motorized wheelchairs and see mother nature. We ought to have mother's who can go in there with their strollers. Kids who can ride their bikes safely around there. Right now you've got a lot of bad broken up terrain which should be dealt with one way or another. We said we can deal with that as we move along.

Selectman Jasper stated all we do is fight about this. Instead of concentrating on the plan and saying all right here's the things, we get angry. This has to be opened. We've had a committee working so hard, and you guys – he's sorry – he is getting angry now, but you sit here like a bunch of tin-horned dictators and think that somebody else is going to do the work that you want done. You've insulted the Benson's Committee by what you did last time because everybody felt that you were directing us. The committee doesn't work for you; the committee gives recommendations to you. You're saying open the park. That's not our job. It's your job ultimately to do the things that you want done to open the park. If you want to open the park, think about those things about the gates, and the security, and make those happen. You can ignore what the committee has recommended to you. Selectman Jasper doesn't think it is very wise, but you now have to get off of your chairs and make things happen to take care of those safety things. You better get somebody in there to look at the issues of the bridges and those code issues and make sure that those things are taken care of. You guys better hire somebody to go in there and do a safety audit just like they did at the Alvirne Farm and make sure that the man-made hazards aren't going to be a liability for this town. If you just sit here and order it out and you find out afterwards that you acted in haste and repented in leisure because we had things that we didn't address that needed to be done. Who's going to be liable? The taxpayers are going to be liable because you guys didn't want to head the advice of the committee that you formed and asked to advise you. You can do what you want, but you dang well better do it right.

Chairman Coutu asked Selectman Jasper if he was finished. Selectman Jasper indicated he would take a breath. Chairman Coutu indicated it was somewhat contrary to what he told Chairman Coutu how he would conduct himself this evening. Selectman Jasper said he started off nicely. Chairman Coutu though Selectman Jasper would continue in that tone. Selectman Jasper apologized.

Selectman Massey would like to clarify some things. When he used the word "passive recreation", he's including all of the elements of passive recreation which is hiking, winter sports, picnicking, ball playing, Frisbee throwing, anything that requires you to use your mind and body to do something but does not require necessarily any structures. To him, that's passive recreation. He believes we are at a junction. We either have to decide whether we're going to do a staged implementation of passive recreation, or we wait until everything is done. He agrees. If we wait until everything is done, then we're not talking about making this park available to the public before July of 2011. If one of the requirements is a restroom, that's the earliest it is going to go on the ballot in his mind is March of 2011, which means it gets built in July of 2011.

Selectman Massey said the same thing is true of the caretaker. Quite honestly when you set up somebody that their job is going to be to empty trash, clean restrooms, and generally supervise the park and they're going to be there 24/7, which is what he heard. If they're not 24/7, then there's no need to have a caretaker. We still need to talk about it. So if all those things have to be done before you can consider it safe to open, then we need to set the expectations for everybody in town that we're talking some time in July of 2011 or certainly some time after July of 2010 before we'll be looking for this opening. Does Selectman Massey that all these things should happen? Absolutely. The question is do they have to happen simultaneously or can they be staged. Quite honestly, he's kind of taken aback, Selectman Jasper, if it's such a high priority for man-made hazard; it's not listed on here. Selectman Massey agrees with him. We ought to do it. It's the first time he's seen it tonight. He thinks reluctantly he's going to have to come down on Selectman Jasper's side and say he doesn't believe that we should open this park until we've got dates, timelines, assignments, and doneness criteria for all of these items. Selectman Jasper has convinced Selectman Massey, especially when he brought up the issue of the man-made hazards.

Selectman Massey will not support an opening until we've all agreed that these are the set of plans that we're going to do and that they're complete. That constitutes an opening for the park, and that's what he would support the Benson's Committee going off and doing.

Selectman Jasper stated there is always room for compromise. As he said at the beginning, this plan was rushed and not everything is in here that needs to be. Those are one of those things that seemed rather minor in terms of work to accomplish. We talked about safety in general. In terms of the caretaker, again, he personally and the committee as a whole believes that having someone there is important because of all the elements of the park. There's going to be buildings there regardless of whether we say the 3 or not. We see it all the time where people come in and there's nobody there and it's gone. We didn't get into the level of detail.

Selectman Jasper went into detail. He asked the Road Agent on behalf of the committee to develop a small budget in what is being proposed and it is going to be up to everybody to look at. It's much like we've done with the interns in various departments here is to have 2 summer interns so that we could then put an intern with a lawn crew that's out working town parks and then take one of those full-time people and put them with the other intern, and they would be in Benson Park. So 40 hours a week you would have during the summer you would have 2 people there, which doesn't mean that you have to have the caretaker there at the same time. Night is the particular issue. Probably less of an issue in the winter.

Selectman Jasper said these are all the details that we've got to get into and how do you deal with that. How do you deal with patrolling? How do you just go around and make sure that everybody is safe? People are going in there in the winter. You want to have somebody go around at some point and just make sure somebody hasn't fallen through the ice, or broken a leg on the side of the trail. Yes we don't do that in the other place, but we really don't invite people in for passive recreation. We just sort of say here they are. These are the discussions that we need to have over time. What do we expect? What are we going to do? Again, this committee just really got up and running.

Selectman Jasper stated we've been asked to do a Herculean task to develop these things yesterday. Again, this board said take the time that you need to develop the plan and then really less than 2 months later changed your mind and threw everything into chaos. This is not the first time things have been thrown into chaos. We would be much better off if the board had done what it told us on August 4th to let us fully develop the plan and come back and have a discussion. We keep getting mad about this instead of having a reasonable discussion. Yes he got mad again because it's just frustrating to hear the same arguments over and over again and then having things change constantly. He wishes and he said it on the 4th, we're wasting too much time. We need to work together. Nobody talked to Selectman Jasper. He talked to Selectman Coutu after the last meeting when he heard what happened. He received an e-mail first saying "I'm so sorry what happened". He didn't know what happened because he didn't watch the meeting as he told Selectman Coutu. Now other people have told him. Some of them joked – oh yeah he's home watching the meetings. He can't sit home and watch the meetings if he's not here. It puts his blood pressure through the roof. He doesn't do it, and he doesn't like watching the meeting after the fact.

Selectman Jasper has begged the people if they have concerns to talk to him. He's said it to Selectman Nadeau before. You've got to come forward if you have concerns. Let's talk about this. There's 2 different teams here. One team with one goal and another team with another goal. We're trying to see who can score the most touchdowns here. What is this with this? Why can't we just come together? Why can't you come to me and say hey I've got this plan to do this, can we do this? Jerry and he sat down because they had

been at logger heads and talked about it. People are then saying you haven't done enough with the buildings lately. He doesn't know what's going on. Frankly he's been pretty well disgusted with the whole thing because it's constant turmoil instead of the wonderful project that it could be. Let's stop fighting. Let's start talking.

Selectman Jasper came forward a couple of meetings ago. He had a 2 minute report and as soon as he got done, you say "here we go; it's Benson's all the time". He spoke for less than 2 minutes. As soon as he did, you're at Benson's all the time again. Chairman Coutu said he was going in the wrong direction. Selectman Jasper said he's going in the wrong direction, but he's pointing out why we keep getting here. Then nobody talks to him and these motions come forward. Let's work together. Pick up the phone. You all know my number. Say what's going on and can we do this. What's the committee doing? No discussion. We can't get things done if we're working against each other. Why are we doing that? Why?

Chairman Coutu indicated that he can't help it. It is very difficult. He made himself very clear the other evening and he's not going to deviate from his plan, which is he's going to give the Benson's Committee the opportunity to accomplish the set of objectives that they've laid out this evening and to fine tune them. It is very difficult where 5 reasonably intelligent people who are concerned about the community to watch the Benson's Committee themselves in turmoil. There's constant arguing, constant bickering, the accusations back and forth, emotions flailing. You know what I'm talking about. This has been ongoing within the committee itself. There's been some disunity and disorganization. You and I tried in vain to correct that a month to a month and a half ago to no avail up to this point. Hopefully we've set the wheels in motion again last Thursday evening. His position is going to be what he stated last Thursday.

Chairman Coutu, too, finds that the Benson's Committee is a group of people that we appointed on the basis of their enthusiasm and their willingness to work to get this park open. Its 168 acres. It isn't going to happen, as he said, it took us 8 years. It isn't going to happen in 8 days; it isn't going to happen in 8 weeks; it isn't going to happen in 8 months. He shares a lot of the concerns and passion that Selectman Nadeau and Selectman Massey has extolled here this evening with regard to not wanting to spend a lot more money except in the areas that we're mandated to, which are the historic buildings at this point, and to spend whatever little is necessary to get the park opened to the public. Is that going to happen this year? He believes it will and it will strictly on the basis of soft openings, which the committee has recommended. He said he would support and he will continue to support.

Chairman Coutu feels very strongly that with the winter months ahead of us, a fine group of people that you have serving with you on that committee that you can formulate a plan. As long as the elements hold out for us from weekend to weekend, all of the work that he knows Ben, Jerry, Mrs. Rumbaugh and her group of people have been doing, it's just been improving that park from week to week to week. He got chastised and teased this past weekend because he forgot about being there. He was told that salt was there for his pizza, but he wasn't there to share the pizza with Selectman Nadeau. He didn't get his pizza. He hopes Ben ate his piece.

There are a lot of people there, and they're doing a lot of work, and they're going to continue to work every single weekend that the weather will hold. He believes that that is going to lead us to a position where the trails will be safer, more clearly identified. We have a winter where we can get Boy Scout groups to put signs together to mark the trails if we don't already have some signs. The old lady of the shoe should be well under way. That's going to be a sight seeing attraction. The second clearance should be done probably at the latest this spring where Sandra had opened the first one. Hopefully they'll open a second one. The potential for great foliage viewing in those 2 areas is

going to be fantastic. We can continue if we have something along the idea of having the 2 interns. We have 2 interns working almost on a full-time basis. Between the 2 of them it would be not 40 hours it would be like 20 hours each. So it would be a 40 hour week. They would be there grooming and continuing to clean and take guidance from those people who are leading the cleanup crew and what not in the park area. He sees tremendous potential, but he does see and he said it then, again it's going to depend on the formulation of the plan, and how much work can be done this fall, and how quickly we get back at in the spring. It is conceivable to Chairman Coutu that this park, these gates, should be open permanently next year. It's not going to require a bathroom at the Gorilla House. We can put a couple of port-a-toilets. We can put that off on the back burner. We all know the economic situation today. We can put whatever on the ballot. He'd be a betting man and say they're not going to pass it. He knows what he's feeling in his own business. It's getting worse, and it's going to continue to get worse. So economics as they are, he doesn't think the voters even though they might like the idea of developing the Benson's property, he doesn't think they're going to want to spend too much money in that direction at this time.

Chairman Coutu indicated that if there's any motion made this evening, he will support and stand behind those statements he made last Thursday, which is he's going to give the Benson's Committee an opportunity to revise, edit, and amend the plan so it's a workable document, and give them the opportunity to make this if not permanently done at least passable so that people can into and off the property safely.

Selectman Maddox indicated it is one of those tin-horn despites that said he's tired of watching the Benson's Committee go in the wrong direction in his opinion. He thinks the board has still yet to decide where it wants it to go. You talk about the passive recreation and making it beautiful, but that's not what's in here as your high priority. It is to get a bathroom in the Gorilla House and a caretaker on the property. Had we spent the \$80,000 we've spent on buildings we didn't have to, we could have spent an awful lot of money on trails, grooming, making a pickup field, and whatever needed to be done. He thinks this board is doing the disservice to the Benson's Park Committee and to our liaison by inference of not getting clear direction where we want them to go. If you're going to approve this document, Mr. Chairman, you're saying that you want to move forward on an office building and a caretaker. I don't think that's where we are headed. It's to get a passive park opened. Could it be more beautiful? Absolutely. He still believes that until you open it up and let people see what is there, you can tell them it's going to be beautiful at some point, but we may not be able to afford it. Thank you.

Selectman Massey would like to ask Mr. Schibanoff what is the definition of a "soft opening"? Mr. Schibanoff said a soft opening is what he calls a controlled opening where people would be monitored to make sure that they don't go where they are not supposed to be, to make sure – basically monitored. We thought of even using guides to go through the park. That was probably too difficult. We decided on the approach of placing people at different locations throughout the park. People can also get lost in that park very easily. We don't really have a good mapping system yet. The trails are not marked. At least we're also going to need people to make sure no one gets lost. He gets lost in there. Chairman Coutu said and limited hours.

Selectman Massey asked what he thought was the minimum number of people required to do a soft opening. Mr. Schibanoff indicated it was a good question because they've never done it before. Selectman Massey wanted to know what did the committee think is a reasonable number. Mr. Schibanoff indicated about 25 or 30. We may not have that many people, but he thinks Pat Nicholls was at the cleanup this weekend trying to recruit people. It is kind of rushed. Selectman Massey asked when the next time they were meeting. Mr. Schibanoff said they meet next Thursday. The Outreach Committee is meeting tomorrow night. That's the committee that's sort of heading up the soft opening.

Selectman Massey is resonating off of something that Selectman Jasper was talking about. He believes just as he had said before, he would not be in favor of opening the park given some of the comments that Selectman Jasper has made for unsupervised attendance. He would be willing to support the plan. First of all, he supports the plan anyways. It's not a question of not supporting the plan; the question is how does the plan relate to when the public can access it. He thinks there is still some discussion that needs to happen relative to the restroom facilities, and we obviously have to have a long conversation on the use of the office building as a domicile. Those 2 issues to him do not rise to a soft opening. They may or may not rise to the level of a hard opening.

The hard opening, Selectman Massey thinks, is what he would use the committee's language as a hard opening is where you just open the park up and you come and go as you please and there's nobody there necessarily to direct you. He's willing to support the plan as a plan as long as they understand that there's going to be a lot of information that has to have. As one of the committee members said last Thursday, we need to put dates, times, and assignments on this. If he is going to support this, he wants to see 2 things. That all the soft openings have supervised attendance and that when the committee meet and if you can do it next week, fine, if not, the next week so you'd have time to think about it, that you determine after the first soft opening in particular what you think is the minimum number of volunteers that are required to effectively do what we're talking about. Then any soft opening after that if you don't have the minimum number of volunteers, then the park is not opened that day. That to me would be a reasonable thing.

Selectman Massey is going back again to what Selectman Jasper said was there may be, in fact, some security issues. Unsupervised we may be vulnerable. He would support the soft openings with the provision that once you know what you think is the minimum number, from that point forward, any soft opening you have has to have that minimum number. If whatever reason you don't get them, then the park is posted as not opened that day. That's where Selectman Massey is at.

Selectman Nadeau indicated he's going a little bit different then. This weekend when he was in there, there were people on their mountain bikes riding all around there. He doesn't think we should be looking for soft openings. If we're looking for soft openings there should be people there passing out maps, a desk with a sign-up sheet, and let them know what we're going to be doing. If you want to call them hard openings, he's have them to be hard openings then because people are in there every day now riding their mountain bikes. They obviously don't find it to be a safety hazard. What we need to do is if it's safety concerns that is what's holding us back from opening the park, then we need to go through and do a safety walk, write up a list of safety things, and on the next Benson's work day don't worry about putting the wall up in the Gorilla House because that's not a safety issue, build a fence over by the pond so that it can be opened soon. Building a wall in the Gorilla House can be built in January if they wanted to. The gates are secured on the Gorilla House. Maybe they should be using the lumber that they have to build a safety fence next to the bridge that Selectman Jasper is a problem now. This is the first time that he's heard it was a problem.

Selectman Nadeau was there this weekend and he didn't seem Selectman Jasper on Sunday. He did see him there on Saturday. When we were having our work day on Sunday, people were walking around and that wasn't one that was a concern, but he can see where he's coming from now. Maybe this weekend on the work day instead of working in the Gorilla House putting up a wall, they can put up a fence over here and do the safety things that we need to do to open the park permanently. If we have to put a fence up around the foundation, we have the fence there and we can put it up this weekend. He thinks we need to stop trying not to open the park. Selectman Nadeau thinks that's what they are trying to do. We're trying to find more reasons not to open the park.

Selectman Maddox stated to that end, if we're going to do the poison ivy, we should get that going sooner rather than later. It's going to take 2 weeks and it's going to take some time to "get it done". He knows that the committee looked at possibly some people to do it. He's not sure if they ever got a formal quote. We'd probably have to check with the State to make sure that anything we do there as far as herbicides would be acceptable to them. All those things would certainly be an obstruction if we're not moving forward with that sooner rather than later.

Chairman Coutu was under the impression that it is going to be sooner rather than later.

Selectman Jasper, again, goes back to the fact that he wants this to be a park. He shouldn't say "I", but he does hopefully – most of us do, he knows the committee wants it to be a park that we can be proud of. So to say let's go in and slap up a fence over the bridge, the bridge actually needs a lot of work. Our hope is to do this right. To have a plan and say here's what should be here, and here's what needs to be done to make it happen. The idea of simply going in and slopping things up is not where this committee has been headed based on the blueprint that we were given, which was the Benson Master Plan. So this is where the problem is. There's a lot of cleanup to do. There's a lot of brush; there's a lot of things. Nobody is trying to keep this from being open; it's a matter of having it done right. That's one of the things in his life he likes to do things. He likes to make sure they are done right. That often takes time. It's not like anything is happening to the people. They're not losing anything by not being able to go in there at this particular time. They haven't had it, so it hasn't been taken away. He finds that most people want it done right. Again, it's a matter of lets get the plan. Let's do the elements. There's a lot there.

Selectman Jasper stated that this is going to be a project that will be ongoing beyond all of our life times. We focused on a small area of the park of the 165 acres. We said let's make this core the nice part of the park and then expand out from there. So we're not trying to do everything, and we're not trying to overdue things. He's sure the committee heard the board loud and clearly on the issue of the bath house. That can go away. The caretaker was always something we looked at in terms of doing the volunteers and making it happen slowly. He wants to see the park open and he believes the committee wants to see the park open next year, as early as possible next year. He hopes we can start moving together towards that and just accept that we have differences of opinion over it and work together.

Chairman Coutu asked if Selectman Jasper can accept that. Selectman Jasper can accept that we have a committee that he's a part of and that this board is now, and Selectman Maddox has said twice, that this board hasn't sent me very clear message as your liaison, expect on August 4th you actually did send him a very clear message. He's been going based on that and that is in large part why he's so upset because nobody told him that the plan had changed. Chairman Coutu understands Selectman Jasper's passion. As long as he understands that along the way we're going to agree to disagree. Selectman Jasper said he understands what they're saying about the bath house. He understands everybody wanting to get it open. It may have been a test, said Chairman Coutu, because Selectman Jasper said last Thursday night that we may not agree with everything that is in the plan. He though Selectman Jasper was very honorable and your discourse with regards to the bath house. You understand where we're coming from there, and that's the message you have to take back to the committee. It doesn't mean it isn't going to happen. It certainly isn't going to happen very soon and not certainly within the next 2 years he can guarantee, but we can work on making other accommodations for facilities if need be and which would be the port-a-potties with the wash basins.

Motion by Selectman Massey, seconded by Selectman Jasper, to accept the Benson Park Committee's Plan for the Opening of Benson's Park dated October 1, 2009 subject to the

following conditions: 1) that the committee continue working on a detailed plan for each of the elements in the set of tasks; 2) that the soft opening be scheduled for October 24, 2009 and October 25, 2009; 3) at the next meeting after October 25th, the Benson's Committee establish what they consider to be the minimum number of volunteers to provide the support that they believe is necessary to have the safe opening and that they then have the ability to not have a soft opening on any day in which they do not have the minimum number of volunteers; 4) to add one additional task to the road map, which is to create a road map for the historic structures and the 3 other buildings which would be the long-term plan for going forward with those 6 buildings.

Selectman Massey knows we already have some work that we have to do on the buildings, but he doesn't think we're going to let those buildings just sit there and rot. So there has to be a long-term plan for those 6 buildings. He doesn't think that that particular element is something we need to see in the next 3 days. It's something that needs to be on the Benson's Committee radar.

Selectman Massey would like to talk on his motion. Just a couple of things. In his mind, this addresses some of the issues that Selectman Jasper and the Benson's Committee are wrestling with. He thinks overall it is a good road map of where we need to be. He is a little concerned that if we open the park without any understanding of some of the issues that Selectman Jasper raised tonight, that we could create some difficulties for the town. He also wants everybody to understand that even though there's approximately 165 acres in this park, there are only 40 that the town can actively do something with. The other 125 are basically going to be for trails because they are part of the State conservation land for wetlands mitigation. Even though it's 165 acres, the area that most people are ultimately going to see unless they are walking is going to be the 40 acres that are at the front end of the park. He thinks this is something he is willing to support. He would hope the other board members would also.

Selectman Jasper believes Selectman Massey is off on the acreage. There is an awful lot of upland area. Again, it will probably be all trails. It's not all for wetland mitigation. There's an awful lot on the side hill that is just forest land. One thing he would ask, and he hasn't talked to the committee about it, as we focus on this the Haselton Barn is really out of our area that we've been focused on. Would this board be ultimately opposed to at least temporarily having the Haselton Barn out of the Benson Park charge and leave that to this board? It really doesn't fit into anything that we're doing. You've asked us in your motion to come up with a plan for the 6 buildings which includes that. He doesn't know if the committee would be agreeable to that. He doesn't see it as something that if we're going to focus on the park having this building that's really a way to be part of what we're doing.

Chairman Massey is willing to amend his motion to exclude Haselton from the third stipulation.

Motion by Selectman Massey, seconded by Selectman Jasper, to accept the Benson Park Committee's Plan for the Opening of Benson's Park dated October 1, 2009 subject to the following conditions: 1) that the committee continue working on a detailed plan for each of the elements in the set of tasks; 2) that the soft opening be scheduled for October 24, 2009 and October 25, 2009 and at the next meeting after October 25th, the Benson's Committee establish what they consider to be the minimum number of volunteers to provide the support that they believe is necessary to have the safe opening and that they then have the ability to not have a soft opening on any day in which they do not have the minimum number of volunteers; 3) to add one additional task to the road map, which is to create a road map for the historic structures and the 2 other buildings which would be the long-term plan for going forward with those 5 buildings.

From Selectman Massey's perspective, he would then look to the committee at some point to be looking at it – ultimately we are going to have to have a plan for what the building is going to become. It's either going to be just a shell or some other. He knows that there are lots of different things. Selectman Jasper said we have a lot on our plate. Selectman Massey said that from what Selectman Jasper is talking about, for him taking it off the table right now because we know what we have to do short term with the building anyway is okay.

Selectman Nadeau cannot support the motion because if we go with what Selectman Massey said and we don't have the right amount of people to open the park for another soft opening, he thinks what they're doing is you're inviting people into the idea that they're going to come to the park on this day and they're going to be able to through it and well, I'm sorry, we're closed because we don't have enough tour guides for you today. Where this place is supposed to be opened to the public and passive recreation, he doesn't think they need tour guides. We can take care of the safety issues and just open the park.

Selectman Maddox, too, cannot vote for the amendment as written. You're once again sending the Benson's Park Committee in 3 directions and expecting them to figure out which one is the right one. By your motion you're saying the plan is submitted – the October 1, 2009, which says “high priority items are intended to be completed to permanently open the park”. That would include the office building caretaker and the Gorilla House and A-Frame. You are once again saying go do those things when we just said we're not going to do those. He thinks that with those in there, he can't see how we're once again sending ourselves and the Benson's Park Committee up for failure. Thank you.

Selectman Jasper stated it's pretty clear by his statements, and he thinks the committee understands that the Gorilla House in terms of it being a bath house is off the table for opening plan. He doesn't think that's an issue. He thinks that we also understand that the caretaker project is going to have to be something that if it happens will happen because we are able to solicit volunteers and craftsmen to make that happen. That is not going to be something that we come back to this board for funds for anytime soon other than perhaps some incidentals if we get labor and we need to buy a refrigerator or things like that. We'd come forward with a proposal. That will be part of the project. He believed the committee understands that if we get A, B, and C done but D isn't done, this Board reserves the right to say good enough that the park will be opened. We have enough done because it's under the control of the Board of Selectmen. Come back with a plan and if we're dragging our feet or we can't make things happen, the Board can say you've taken care of all of the things that we are concerned of in the park is now opened. This is a plan we work forward with. We'll come back to the detail with. At any point the Board can say, “That's off the table”. He thinks one very clearly came off the table tonight.

Chairman Coutu will support the motion, and he's going to say it briefly for 2 reasons. One, last Thursday evening he had an opportunity to review it and he said he would support it. Number two, part of the discussion he heard from the Benson's Committee made very clear publicly was that this is a work in progress. The way he understood it, it wasn't quite clearly stated this evening, because something is listed as a low priority doesn't mean it's not going to get done. All of these low priority items could be done next weekend if we had volunteers to do them all and they finished them. It doesn't mean that they're being put on the back burner. It means that they're not really priority items but if somebody wants to tackle them, they can. He was also led to believe, although the introduction is pretty clear, that the items – and Selectman Jasper made this very clear at the meeting – that the items that are listed as high priority items are now being listed as “high priority” and “must dos” in order to open the park. That was not his

understanding Thursday evening, although it's there and it says it. He misread it or misinterpreted something somebody said. He also was lead to believe, and it's being confirmed here this evening, that if the Board of Selectmen who have final authority on the property decide that we feel that something is of a priority to get the park open and to him having a caretaker, having permanent flushing toilets and running water, electricity all over the place are not necessary for us to open the park that we can put those items on the back burner even though it states it in the plan. He thinks that when they come back with what you requested which was with the details to the elements that are within the plan, that they're going to have to identify, for example, the bathroom facility, the caretaker, and the office building as items that may not be necessary for a hard opening. He does expect that come this spring or early summer, we should be in the position for a hard or permanent opening; however, we want to classify it. He thinks a lot of that is going to depend on the core group of volunteers that we can recruit every weekend and hopefully even though Selectman Nadeau may be on the losing end of this discussion and the vote here this evening, he knows Ben and he knows he's going to be there every weekend. He's going to be organizing with Jerry, and Sandra, and other members of the Benson's Committee and we're going to work together and get this done. He's going to support it.

For the record so it will be in the minutes, Selectman Massey believes this is critical that we have this on the record. He believes Selectman Maddox is correct. He does not anticipate that a hard opening requires that the Gorilla House have a bathroom, nor that the hard opening would require that the caretaker issue be done. He thinks what he's seeing is each one of those elements has to have a plan and that plan has to ultimately be approved by the Board. Whether or not those two items get done before the Benson's Committee and the Board of Selectmen is ready to say let's open it up unsupervised, he thinks that the record should show that those are not requirements. They are simply elements in the plan that the Benson's Committee believes needs to be addressed and we should go forward in addressing them.

Secondly, Selectman Massey said he should have done it before the motion. He thought he had kind of a general consensus, but he wanted to double check for a moment. Since there are 3 members of the committee here, Selectman Massey is going to put them on the spot a little bit. Do you think it's reasonable for you to be able to manage the soft openings under the stipulation that Selectman Massey made? That is, once you've decided what it takes to minimal staff it, that if you don't have them you would close the park. You won't open the park, right? Mr. Schibanoff said that's a reasonable request. Selectman Massey asked if that was a reasonable thing for the committee to work under. Ms. Nichols and Mr. Barnes said yes.

Knowing the park as Chairman Coutu knows it and the areas that have been delineated for the soft opening, which is pretty much that one-mile radius, he believes that when you look at it and where you're going to strategically place people, you're going to find that 25 is a high number. He believes they can reasonable do it with 15 people. Chairman Coutu is not throwing that out saying lets skimp on it, let's make sure we have enough people to at least make sure that it is secure. He believes that 25 is pretty high. You have your main gates on both ends, the general parking, and then the upper area – the historical district. Then you have your trails – your key points. It's just to prevent people from going into hazardous areas. Fifteen will be more than enough.

Vote: Motion carried 3-2. Selectman Maddox and Selectman Nadeau in opposition.

Chairman Coutu declared the meeting in recess until 9:00 p.m. (8 minutes).

C. Benson Park Property – Historic Structures Existing Conditions Report

Steve Malizia said the Board approved the expenditures from funds to prepare historic structures existing conditions report as required by the deed. We are to maintain the 3 historic structures, the Haselton Barn, the office building/kitchen, and the train depot to some level. In order to do that, we needed to have an assessment of those properties approximately the time we took over. It's a little bit late because we took over in the winter. This report was prepared by Elizabeth Sasser who the Board contracted with. This is a copy of the report. He has 3 originals. One will go to the department for historic resources and 2 will stay here at town so we have a baseline so that down the road should something come up and we need to evaluate what we are doing or not doing. At least there will be a baseline of approximately when we took the property. This was something that the Board contracted with again to Ms. Sasser to prepare. That's what you have in front of you. It has photographs and what not with it.

As he (Chairman Coutu) understands it Selectman Jasper, not that he wants to engage in and we've all had this, and he hopes we all had a chance to review it. He has. He doesn't want to engage in a long dissertation about this as well on Benson's but as he understands it, he asked whether it was reviewed by the Benson's Committee. Unidentified male speaker indicated no. Chairman Coutu points out to everybody is that if you go to Ms. Sasser's report, the very first page after the very first photograph, what we need to remind ourselves of and the most important part of this entire document is something that we know to be true because it is in the deed and it is what we acquired the property on the basis of. It is in your very first paragraph at the bottom where it says Quit Claim Deed, section 8, Standards of Review and Compliance with the Historic Preservation Easement, specifies in Subsection E that, "The condition of the buildings and property as of the date of the transfer of the title to the town shall be considered the base line for evaluating the Town's responsibilities herein." He would say that on the basis of a lot of work that has already been done, we more than met that with the exception of finishing off a couple of roofs, which we really don't even have to do because the condition therein is better than the condition we found them even with the tarps on them. So we're definitely going to meet those conditions. We're going to always maintain those buildings in a much better condition than what we received them in. So if they're using that as a baseline, he's not going to worry himself about it. If you had a chance to review it, Chairman Coutu is willing to entertain a motion unless there's any questions, any comments.

Selectman Maddox said he guessed he didn't pay attention. This is not what he was expecting. This is a wonderful history of the buildings going back to their inception, but he was expecting documentation of the condition of the building. Go to page 17. It shows the caretaker's house. It shows someone standing in front of in the bottom photo. It doesn't show that there was a huge amount of carpenter ants. It doesn't talk about the rot in the sills. He thought that's what we were going to be getting into. This is a wonderful history of the buildings, but not of the conditions we obtained it at. It doesn't say where all that brush has been cut back. It had regrown and when the Benson's clean up date were happening, carpenter ants were coming out of that whole area by the dozens in the short time Selectman Maddox was there. He was expecting more of the deficiencies of the building when we acquired it so that would be the baseline. Again, this is a wonderful history but, again, that's not what he was expecting.

Chairman Coutu asked the Town Administrator because as he understood it, Steve was in contact with Lisa with regards to preparing the document. Steve Malizia indicated that he gave her the direction that the Board gave him, which was to prepare a historic structures report to base line what we took over. Chairman Coutu asked that to his (Steve Malizia) knowledge other than the representations that are made here for photographs are not necessarily those antiquities which would have been the year 2003 where most of these photos come from – or from the historic files of photos. The more current photos of

2003 and he believes there's some in there 2004, 2009. Chairman Coutu asked if there were any other photos that Ms. Sasser made aware to Mr. Malizia that would be available to the Board of the interior of any of the buildings. Mr. Malizia indicated no. What you see is what you get. He doesn't have anything else. So there are not interior photos. Chairman Coutu stated that apparently Selectman Maddox read it cover to cover as he did. In general Chairman Coutu agrees with what he's saying but considering the condition that we received the buildings at the time of our acquisition, the condition that they were in, he thinks the pictures generally reflect the exterior of the buildings, the condition that they are in, and the condition that they were in back whenever the dates are of the original pictures that were displayed. They show a comparative 1 to 8 or 11 year gap all within the time of initiation of the acquisition to its fruition.

Selectman Maddox stated again, Mr. Chairman, he did read it. He didn't see anything in there about the post beetles, he believes, in the Haselton Barn – that damage. Even the footing is washing away and causing the problem with the structure and the roof. There's a mention of it, but there's no photos to document that. He thought that's what they were getting. For \$2,400, Selectman Maddox was expecting a condition of what we got on X day is what we're getting. This is more of a cut and paste of the history to what some of the stuff is today. Maybe he was thinking something different, but he thought we were expecting to get conditions of the day we obtained it.

Selectman Massey agrees with Selectman Maddox. When he read it that was the one thing that struck him. In particular, he thinks that if we don't document the inside of the Haselton Barn, then we made be setting ourselves up down the road to maintaining it to a level that we're not required to. The barn itself, Selectman Massey expected to see interior pictures of the barn. The fact that they're not there you could argue that there's not enough post and beams in there and you need to put them in there – you left etc., etc. He thinks that we need to add some additional detail to the report to cover, in particular, the inside of the Haselton Barn. He doesn't think it's probably necessary in the depot because that was just an open facility. Again, we might want to at least identify whether there are structural problems on the inside. This report does not detail any structural conditions on the inside of the 3 buildings.

Selectman Jasper stated that wasn't his understanding of what we were doing at all. His understanding from all the negotiations was that our responsibility was to make sure that the exteriors of the buildings did not deteriorate any further than they were and to document the exterior conditions. He never heard any discussion when we ordered the report about taking about the interior of any of the buildings. A lot of the information here refers back to the historic structures report, which is a very detailed document. It states that in numerous cases that the conditions are essentially the same as the detailed documentation provided in the 2003 historic structures report.

It is Chairman Coutu's understanding [to Selectman Jasper] that in part of what he thought they were going to accomplish with this document. He thinks that is something Selectman Massey is eluding to is that one of the things that he clearly, clearly heard mentioned was that we were going to have a thorough photographic documentation of those buildings. He thought it meant inside and out and specifically where there are structural defects. We wanted it in on photograph. He remembered specifically at the time of discussion Selectman Massey stating that we should make sure that we have a thorough documentation of structural damage. That would, obviously, be inside and out.

Selectman Nadeau said that just being inside the office house this weekend, and you can see it from the outside, the soil up against the side of the building is rotting the building out. It is very important to note that in here that this was that way when we received it. Selectman Maddox said something about the carpenter ants. They were coming out of that house like it was going out of style when we were cleaning the brush around it. He

would have liked to have seen pictures of this with the pictures that you can see in here show that the brush has been cleaned away. You can see the door frame and the sill that are all eaten away and rotten. He would have liked to have seen that. The pictures are great of the barn and it shows the way it looks now and what it looked like before, but the other thing like everyone was saying, inside the barn the powder post beetles that are eating the posts. That's causing some of the damage on the outside with the sagging and the roof. So that should be noted in here if nothing else that that's part of the problem. Selectman Nadeau doesn't think it would take much to add that into the documents – a few more pictures and a couple more paragraphs. This would be a very good document to go by.

Chairman Coutu asked if Selectman Nadeau would feel more comfortable if we asked the Town Administrator to get a hold of Ms. Sasser and state what our feelings are with regards to the report that we are not satisfied with it and that she should attach an addendum with the areas that we find that are flawed in the report which would be to 1) photograph those areas that we feel need to be photographed and documented and 2) address those problem areas such as infestation of insects in whatever buildings, the weaknesses caused by the building itself being buried in loam and the rotting conditions that exist internally and externally on the building.

Selectman Jasper said that may be appropriate but it may not be appropriate. He would call everyone's attention specifically to page 20 of the report, "Overall the condition of the building is relatively unchanged from the time the stabilization was completed in 2003/2004 with the exception of the continued deterioration. In general, the conditions are consistent with those described in detail in the 2003 historic structures report." Now what we need to do before we go ask somebody for additional work is refer back to that and see if that covers that. He doesn't know off the top of his head. He knows that that dirt was up against the building from 2003 and that was deteriorating in 2003. If in fact that's described in detail in the historic structures report of 2003, then we're covered. All we need to do is do our due diligence here and see what it says.

Frankly, Chairman Coutu, stated that she should have done due diligence and she should have added the appendix to whatever she is referring to in the 2003 report so that this document now becomes complete. Now what you're saying is, and Selectman Coutu is not trying to be argumentative, we need now 2 documents to have for reference when she should have provided it all in one. Selectman Jasper indicated that we have a copy and you can just clip the 2 together. He doesn't think we need to reinvent the wheel. He doesn't know if the information is there or not. Chairman Coutu indicated that if he's writing a thesis and according somebody, he better be able to have handy access to that document, page, and number.

Selectman Maddox said we should have just scratched out the 2003 historic structures report and put in 2009 and save \$2,400. We were looking for documentation of what was deficient when we took possession. He thought we were going to get 150 photos of what's out there today and not 1898 when the first barn was built there. That's not what he was expecting. This is a nice summary of what all those buildings looked like during their history, but not what we took over. He believed what he was expecting Mr. Chairman, this is deficient. Chairman Coutu indicated that's what he expected.

Selectman Jasper was not trying to be argumentative. If, in fact, the minutes don't reflect that and there's nothing that says that and if we don't have an RFP that says that, this is one of the problems consistently with this Board is we have things in our mind that we're expecting, but we didn't say them. They don't show up in the motions and they don't show up in the minutes. He doesn't know what the case is in this particular case. We should be able to point to a document, to a motion to say here's what we said. Selectman Nadeau indicated that it's right here. Chairman Coutu read from the end of the report

there's a cover sheet that says "purchase order". If you look at the bullets, the very first one, "interior and exterior photographs of each building in digital and print format that meet the National Register of Historic Places Photographic Standards". Chairman Coutu doesn't see a single picture of an interior of a building. He says one picture of each building on the exterior. Selectman Massey said there's one interior and it's of the cafeteria. Chairman Coutu agreed. "A narrative analysis of existing structural conditions and identifications of deficiencies." It doesn't say to refer to 2003 in that bullet. It does say it later on, but it basically says the change between now and 2003. Selectman Jasper stated that if it's consistent, then there's no change. That part of it he doesn't have a problem with. You're absolutely correct about the interior pictures. Chairman Coutu stated that according to her, it took her 15 hours to do these photos. He could do all these photos in about 5 minutes - well maybe an hour. She charges \$50 an hour for 15 hours. He would like to see more pictures.

Selectman Massey indicated that there are 2 other things that are not there. One is the last item, which was a review of the cost construction estimates, and an update as to what they would be for today. The more important was building schematics with notes on maintenance deficiencies and conditions. Selectman Maddox is right. It's a nice historical document, but for the things that we were indicated for the cost we were going to pay, we did not get interior photographs. We did not get a complete narrative of the existing structural conditions. We certainly didn't get a lot of the deficiencies. He believes the report is incomplete. All agreed. Selectman Massey would like to send it back and tell her to complete it.

Chairman Coutu will have the Town Administrator to send it back to her and tell her to give us what we paid for. Steve Malizia indicated the report hadn't been paid yet. Chairman Coutu indicated we'll pay her when she gives us what we requested.

D. Benson Park Property – Office Building and Kitchen Roof

Chairman Coutu stated, again, a document presented to the Board from the Town Administrator and also the report itself and contract agreement presented by Mr. Pearson, the Assistant Town Administrator. Mr. Pearson with regard to the office building and kitchen roof.

Mr. Pearson thanked the Chairman and members of the Board. In the spirit of the Benson's property deed restrictions, he brings to the Board a proposal to prevent further deterioration of a historic building at Benson's, specifically the office building and kitchen. At the last Board meeting he handed out a package of information for the Board to review with respect to moving forward with roofing of the office building and kitchen. The package contains a proposed draft of a contract between the Town of Hudson and Shadan Construction. Mr. Shadan is in agreement that the proposed scope of work is consistent with his roofing and building experience and provides a better finished product than the previous scope of work.

The proposed contract between the Town of Hudson and Shadan Construction essentially takes the previous contract with KSL and makes improvements to the scope of work at the office building. The improvements to the scope of work exceeds the historical structure support report specifications to allow for more insulation, better cold air flow, and cross ventilation beneath the wooden cedar shingles. These improvements to the scope of work will allow for a new roof to be constructed without adding excessive height to the roof of the office building in order to preserve the aesthetics of this historical structure. The price submitted by Shadan Construction is \$20,995, which is approximately \$,1600 more than what would have originally been paid to KLS if they were to have moved forward with the scope of work anticipating some square foot board replacement to the roof of the office building.

Under the improved scope of work, all of the office building roofing square footage would be replaced with new 5/8 plywood and covered with ice and water shield. Mr. Shadan and Mr. Pearson believe this scope of work is better, more inclusive work product to provide better insulation for the inside of the office building assuming at some point that this building will be heated or air conditioned. Mr. Shadan is looking at the opportunity to start construction as soon as possible in order to complete the office building and kitchen roof before the winter months start. At this time, Mr. Pearson will be available to answer any questions regarding this matter from the Board.

With regards to Mr. Pearson's presentation and the quote that you gave, which was \$20,995 which is \$1,606, if Chairman Coutu goes over to the contract agreement in draft he's going to assume, and he believed he asked Mr. Pearson privately, that he's offering to do it for the bid price of \$19,389. He asked if he was correct. Article IV, Contract Price, page 1 of the contract. Are they agreeing to do it for \$19,389 or is Mr. Shadan offering to do it for \$20,995? Mr. Pearson indicated that there's a difference. His conversation with Mr. Shadan totally represents the Town of Hudson as proposed. What Mr. Pearson said to Mr. Shadan is we had previously agreed to pay the other contractor approximately that amount, which was the original bid price plus a portion of square foot board replacement. The only way for Mr. Pearson to approximate what we would have paid the other contract was to take the \$6,723 and divide by the 4 buildings that originally that amount was going to be distributed to. If you remember, the total contract price with the other contractor included doing all the roofing for 4 buildings at a price not to exceed, which was that margin of \$6,723. So for the purposes of trying to figure out the arithmetic, Mr. Pearson simply used 4 buildings and divided the amount by 4 and came up with that approximate figure of \$1,600 for square foot board replacement to this one building. So he just simply added the approximate \$1,600 to the original bid by the other contractor. That's how he arrived at \$19,300.

Chairman Coutu asked Mr. Pearson what about the work that has already been done on the building. Mr. Pearson said that is something that needs to be taken into consideration. This contract is a proposed draft and he proposed it as the Town's position is not to pay anything more than what we would have paid the other contractor. That's why you see \$19,300. However, Mr. Shadan submitted a proposal for \$20,995, which is more than what he felt we would have paid under the original contract. So where the Town believes it should spend this amount and Mr. Shadan is asking for this amount. There's also a difference. Chairman Coutu stated that \$19,389 doesn't represent an amount equal to \$17,709. Correct [Mr. Pearson]. We figured in the unknown square foot board replacement for the 4 buildings...Chairman Coutu interrupted and said, so you come up with \$1,680. Mr. Pearson said if you averaged it per building, it came up with that amount. Chairman Coutu asked about the work that has already been done? Mr. Pearson indicated it's an unknown because underneath the blue tarp there is some work that has been done. He didn't know what the value is. We would have to place a value on that work that's already been done. Chairman Coutu stated that if we're contracting for a set amount, that's not going to matter because we're entering into an agreement. That's something we need to decide before we draft a final contract. Mr. Pearson said so be it. He has not figured out what's beneath the blue tarp to try to make any adjustments or to figure out a solution.

First thing Mr. Chairman, Selectman Maddox thought the specification had changed from the original. He thought he was looking for some sort of interlayer between the cedar and the roof. We're comparing and cinder blocks. He doesn't see how you can see the original contract was "X", add this mystical 25 percent oh and we changed the spec, and it's going to be this. He doesn't know how we're getting to this number. Selectman Jasper indicated that's the point that Mr. Shadan is making. It is different. Selectman Jasper totally agrees that the proposed scope of work is much better than what we had originally awarded. That's what Mark was working on with KSL at the time of the

blowup anyhow because we would have had the insulation above the air space, so the heat would have gone out. What's being proposed though is more labor intensive because essentially most if not all of the deck has to come off the building and be replaced. So it is more labor intensive. It makes sense that the cost would be higher. The work that was done on one-half of the kitchen area is relatively insignificant because all they did was strip off the tar paper and put down – they plywooded the whole area.

Steve Malizia wanted to digress from the conversation for a minute. He had some costs they could take a look at. Regardless, Selectman Jasper said he wouldn't try to mix the apples and oranges. He'd just look at this and say here's Mr. Shadan's proposal to do the project. His opinion is we should accept it, move forward, and get it done before winter. We know his quality of work. Steve Malizia indicated we have 2 outstanding invoices from KSL. That's what was summarized on the piece of paper and a copy of those invoices was included. The first invoice was for 1,038 square feet of boards at \$4 per square foot. That was for the gorilla house, the A-frame, and 24 square feet for the kitchen building. That's what he's invoiced us for, and we have not paid it. In addition, he's invoiced us for \$6,770.40 for the partial work on the office kitchen building. We are of the opinion that he has not done \$6,770.40 worth of work. However, that's what he's invoiced. If you read the invoice, he says he's worked on 840 square foot of that roof. It doesn't mean he's completed it. He just worked on it. He probably walked on it for all he knows. Nonetheless, that's just part of the equation. You have this. That's been billed, not been paid.

Selectman Massey picked up on Selectman Jasper. The time of the contretemps from KSL and Mr. Pearson were discussing that the scope of work was not adequate. That they did need to do some additional...we would have been faced with a change order from KSL on the basis of doing the work. As Selectman Massey understands it, it's exactly right. The work we're talking about does not add more material, it adds more labor to change the way the job is going to be done. So whether we had KSL do this work or whether we have another contractor doing it. We were going to be looking at a request for a change in scope which would increase the cost. It was going to be more labor involved. It just happened that because of the contretemps, we never got to the dollar signs. Chairman Coutu spelled out c-o-n-t-r-e-t-e-m-p-s. It's a well-known French word. It means the battle royale.

Selectman Massey's understanding is the following. We took care of the money ahead of time. We encumbered \$17,709 plus some portion of the \$6,700 for the wood. What we're faced now with is a total expenditure if we accept the Shadan contract proposal of \$20,995. The difference between the \$20,995 and the \$17,709 is \$3,186. So that's additional monies that we will have to encumber. We don't have the money right now. It's going to have to come out of the Haselton Barn money. Secondly, the 24 square feet of lumber that KSL has invoiced us for is worth \$96. So if you take the \$96 plus what the labor is, it is going to be substantially less than the \$6,700. A reasonable person would conclude that it would be substantially less. Because \$6,700 is approximately 40 percent of the total costs of the KSL bid. Given that all they did was they removed the decking, put new lumber down for the tune of 24 square feet, which is documented in their thing, and then left. It's hard for Selectman Massey to see that we're going to be talking much more than about \$1,000. They were only there 1 day working on that roof. The bottom line is we're probably talking somewhere in the neighborhood of about \$4,500 additional monies that we're going to have to put onto this building. It's going to have to come from the Haselton because that's the only other money we have left.

Under normal circumstances. Selectman Massey thinks that because it's a change in scope we ought to go out to bid. It's almost mid October. We need to get this building buttoned up for the year, and the fact that we know about this company's work – Selectman Massey was one of the ones that did not want to do the elephant barn. When

he walked into the barn and saw the condition of it, he said no way. Yet when he walked in afterwards and he saw what this construction did, he was literally blown away. They did things to that barn that just really are impressive. You had to see the before and after to understand that they really truly did say they were going to stabilize that building. They not only stabilized it, they actually went above and beyond and they did some work on their own, which they did not charge us for. On those bases, Selectman Massey thinks it is prudent that if we are going to go forward this year that we go forward with Shadan Construction Company at this price knowing that we're going to have to take the money out of the Haselton Barn encumbrance.

Chairman Coutu knows too that our attorneys have advised that we can proceed in that fashion as well. So we're on legal footing to do so.

Motion by Selectman Jasper, seconded by Selectman Massey to accept the proposal of Shadan Construction for the roof work on the office building in an amount not to exceed \$20,995.

Selectman Nadeau is going to vote against it for one reason. That is because we've changed the scope of work and we are not going to put it out to bid. He's opposed to awarding the contract for that reason. For the record, Selectman Massey indicated that the Town purchasing policy specifically says that between \$10,000 and \$25,000 we are not required to go to bid. We simply have to give a reason why if we didn't look for additional quotes why we picked the one. Consistent with that purchasing policy, it is his expectation that because of the time that we're talking about in order to get the work done before the winter and because we know the quality of work that this company is capable of doing because we've seen it, we are within the guidelines of the Town's purchasing policy.

Chairman Coutu will support the motion for 2 basic reasons. One the quality of work that we've witnessed first hand. Like you, he was blown away. He didn't think there was much we could do with it. Selectman Jasper kept saying yes we can, yes we can. It sounded a lot like Barack Obama. So he wasn't too sure whether we should proceed with that. He threw that out there for contentious reasons. Number two as a result of correspondence our Administrator solicited from our attorney that we are certainly on legal footing. He said we're well within the guidelines as required by the dollar amount, and number two when the basis of the knowledge of the contractor that we're dealing with and the quality of the workmanship that he has. So he will be supporting the motion.

Vote: Motion carried 4-1. Selectman Nadeau voted in opposition.

Motion by Selectman Massey, seconded by Selectman Maddox, to instruct the Assistant Town Administrator request from KSL backup for their invoice dated August 20, 2009 in the amount of \$6,770.40 for work done on the office building to substantiate their invoice price. No payment is to be considered until such time as the information is forthcoming.

Selectman Maddox is not disagreeing with Selectman Massey but he's just saying why do we need to. At some point you're going to call up and say I want my money, and you say you haven't sent supporting documentation. So be it. Sending them a letter from his favorite person doesn't seem to make any sense. Selectman Massey indicated that they submitted an invoice, and all the motion would say is we're not going to pay it until we see...Selectman Maddox indicated that would be standard operating procedure, wouldn't it? They wouldn't pay something just because we got an invoice. Someone would have to sign off on it. Steve Malizia indicated that no one signed off on it. Selectman Massey knows nobody signed off on it. Selectman Massey asked if a motion was needed. Chairman Coutu didn't think a motion was needed.

Motion withdraw by Selectman Massey.

Chairman Coutu's next question is to Mr. Pearson. With regard to his first invoice, are we satisfied that that's accurate as well the \$4,152? He would question both of them. We're not going to pay either one. Selectman Maddox said even the accounts payable person send him a note saying please send supporting documentation. Done. Chairman Coutu said he certainly wouldn't send the letter from Mr. Pearson to KSL. He's questioning all \$11,000 – both invoices. He wouldn't subject one to any more grief than the other. He doesn't think he can document the other as well. Chairman Coutu asked if something was going to be done or are we going to let it stand? Steve Malizia stated we also have the matter of the chargebacks, which we were going to take into account too which we don't have all that information yet either. So we haven't paid anything yet. (Selectmen talking over each other.) Selectman Massey indicated that we can't do the chargebacks because we don't have all of them. No we don't, Chairman Coutu indicated. Let's hold off and once we get a complete report submit it to us and we'll make a decision at that point.

Selectman Jasper said he wouldn't take any action. Let me come after us. In the meantime, Chairman Coutu indicated that we should be prepared in the event... (Selectman Massey) With all due respect Mr. Chairman and Selectman Jasper, common business practice would say that you give that individual a courtesy to say you're not going to pay the invoice because you don't believe it has been substantiated. To wait until they come with the Sheriff, etc., or to take us to a collection agency – the right way to do this is to send back them sending "supporting documentation required prior to processing payment". Chairman Coutu asked if the Finance Department could send some sort of a letter. Steve Malizia said it should come from his office as it may have more weight. Mr. Malizia will put Chairman Coutu's name on it and he can sign it. Selectman Massey indicated that if the Chairman didn't want to sign it, he would. For the record, Mr. Pearson said he wouldn't mind sending it. For the record, Chairman Coutu would rather he not send it.

6. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Massey had the privilege of attending the Eagle Court for Scout Ryan Teague on Saturday night on behalf of the Board. As he's learned on going to every one of these Eagle Courts, approximately one percent of all scouts ever achieve the rank of Eagle. So congratulations on behalf of the Board of Selectmen. We presented him with a certificate. His project was to refurb the bullpens at Lyons Field. It's nice to see young people doing that kind of work. His family was very well pleased.

Secondly, Selectman Massey wanted to remind everyone in viewer land and all those people out in the public audience here that the VFW has kindly supplied a repository for flags that you wish to dispose of. You will find them in a red, white, and blue – looks like a newspaper box on the west side entrance to the Town Hall. The VFW will then do the appropriate disposal of the flags.

Third, Selectman Massey was asked to place on the agenda for October 28th. He's been in contact now with the National Able Network, which is a federally funded program. This is something that he's following up from Selectman Coutu from a couple of months ago. This program provides work for older persons. It is a fully funded program by the federal government administered through this organization called the "National Able Network" We're going to look at being able to have a contractor provide the senior program services activities. There are some legal issues that we need to make sure are covered primarily on the fact of the warrant article that was defeated this past March and also the agreement that has to be signed between the Town and the agency that we're talking about. So Selectman Massey is going to put it on the Board's agenda for the 28th for final decision. By then, he'll have all the information plus he will have met with the

senior organization on the 21st. It's the third Wednesday, and we're going to talk to them as well. He thinks we'll be able to hopefully have this person available on a part-time basis as a contractor for the Town at no expense assuming that the legal issues get taken care of. To that point, Chairman Coutu indicated that now that he's as familiar with it as he is, Selectman Massey will provide the Board with some sort of an outline of what the agency is and what it provides. Selectman Massey indicated that some of it is in his documents and he's going to leave it. For the last meeting in October, he will have a summary of who the agency is, what our requirements are, what the person is responsible for, etc., etc. So you'll be able to make an informed decision as to whether you want to go forward with it. Based on the information that you garnered, Chairman Coutu asked if it was still up to 4 years. Selectman Massey indicated it's basically 2 years. But the key is the person has to, without going into a lot of detail, they have to continue looking for a job. As the program manager told him the other day, there aren't a lot of people finding jobs out there. So these folks that are in the positions even though they may be "looking", they're not finding any jobs either. One of the people that Selectman Massey has spoken to, which is the cable coordinator in Londonderry, she has an individual that has been working for her for well over 2 years now. Chairman Coutu indicated probably a little beyond 3 going on 4 now.

Selectman Massey's last item is he will also for next week bring a proposal to the Board for the creation of the Ad Hoc Building Committee for locating a place on the Benson's Park area where a senior center might go so that we can have the conversations with the Governor about changing the deed to allow us to do that. He will be recommending an ad hoc committee composition to you next week.

Selectman Jasper spoke with Chairman Coutu last week about his concern about what happened 2 weeks ago. Frankly, his major concern was not so much the action that the Board took – that was certainly within your right – what caused me a great deal of problem was the process that this Board used. He believes the Board has to have a little bit more respect for our liaisons and the job that we all do. He was ill that night. He called the Chairman and let him know that he was not planning on attending. Selectman Jasper looked at the agenda and saw there was nothing of great concern to him. Had the issue of the Benson Park opening been on the agenda and if he was unable to convince the Board to defer it until this meeting, he would have dragged himself into the meeting and risk giving you all what he had to talk about it. As it was, this Board showed Selectman Jasper as the liaison to the committee a total lack of respect that he is unaccustomed to in any of the positions he has held previously. If there is nothing on the agenda and even if it is frankly and the person who is responsible for that area is unable to be at a meeting and does not attend and there is no pressing reason to take action, it has always been his experience that the board or committee has always deferred that item. That's certainly what happens in Concord and even when you're in a more adversarial position with democrats and republicans, there is always that respect that if a member has a particular interest in an area and everyone knows that and that member – it happened to him a couple of weeks ago. He totally forgot about the meeting. He thought it was the next day. He hadn't even told anybody he wasn't going to be there. The chairman said Shawn has an interest in this and he doesn't know why he can't be there. We'll defer this and meet next week. That's where he comes from. He's never seen a case as what has happened on the Board, and he hopes that he never does again, and he hopes it doesn't happen to any of the Board members. We need to respect the fact that our liaisons have specific knowledge because we've given them those assignments and that we not bring things up that aren't on the agenda. If they are on the agenda and someone is not here, we given them that respect any time it is possible to defer the item and allow them to be at the meeting to state their case on behalf of their committee that they represent. He hopes that will be their practice as it has always been in the past, and hopefully will be in the future. Thank you Mr. Chairman.

Selectman Nadeau stated he had a couple of things. The first one is he'd like to thank all the volunteers that came out this past weekend on Sunday at Bensons. It was very productive. We had a lot of things going on. We were working on some of the trails, making them safer, and working on getting the gorilla house cleaned out so that all of the debris is out of there; all the glass is out of the elephant barn. That's all cleaned up, swept out. The Highway Department

came in, took care of the brush that had been stacked up everywhere. We centralized it so it would be easier for them. It's all in one location. They will be having another cleanup this weekend on Saturday. That will be hopefully posted on cable TV and on the Town's website. He knows that the Outreach Committee had gotten a flyer or the person running the cleanup out- he wasn't sure if it was posted on the board upstairs or not, but he'll see to that tomorrow.

The other thing Selectman Nadeau wanted to point out if you've read your Hudson Litchfield news last week, another Eagle Scout project took place in town. That was painting of the St. Vincent de Paul Food Pantry and putting in new metal racks. That was another great project by another Eagle Scout in town. He's sure we'll see more of that when that comes up. The other thing coming up in Town just so people know, the Pumpkin Fest is coming up and that will be October 17th. That's put on by the Kiwanis. You can take a look at their website and see the times, dates, and fun activities that they'll have. Selectman Massey added that the scout Selectman Nadeau is referring to is Mr. Burton. He was told by the Scout Master on Saturday night that he's probably going to have his Eagle Court late this year or very early next year. He's completed the project, but now he has to go to the review board, interviewed, and all the "due diligence". It's probably going to be late this year or early next year.

Selectman Massey also indicated to the Scout Master that there are several projects, including at least some of the projects at Benson's Park. They do have at least 2 or 3 other scouts that are looking for projects that would qualify for Eagle Scout advancement that they should contact the various Benson's Committee in particular to see if there's a project in that area that they might be interested in doing. Hopefully we'll see some more Eagle Scout projects coming forward in the next year or so. Thank you.

Selectman Maddox knows that all of you with great diligence read the sign ordinance that is coming before the Planning Board. He was looking for input from this distinguished board.

Selectman Jasper indicated that Section 7 of the draft confuses him a little bit. He would have thought the language would have been a little different. It says that the signed component shall operate during business hours or shall be turned off at 11 p.m., whichever is later. So if a business closes at 5, their sign can be on for another 5 hours but if they're open until 1 in the morning it can be on until 1 in the morning? Selectman Maddox believes it has to turn off at 11 he believed was the intent. Selectman Jasper indicated that then it should say whichever is sooner or earlier. Mr. Malizia stated it implies if its 1 o'clock a.m. it's later than 11. That was a concern of Selectman Maddox. He asked if it only applied to the portion of the sign that is electronic changing. So if you had a sign that said "Rick's Café", that could be on if were open until 2 a.m. The changing sign is supposed to go off at 11. Selectman Jasper indicated you can be closed at 5, but your sign could be on until 11. It should be the other way. If we close at 5, that portion of your sign goes on at 5 and even if you're open until 1, that portion of the sign goes off at 11. That's not what your language does. From what Chairman Coutu can see, they're allowed to change the sign - he was the one who advocated primarily for energy costs that we allow not necessarily message boards, but more economically lighting options than fluorescent bulbs. On the message changing, they're allowing multiple changes on a daily basis. He was thinking more, maybe Chairman Coutu is being selfish, but he doesn't see why a message has to be changed every 15 minutes, or once an hour unless you're just throwing features and things out there. He was thinking more like the gas station or the convenience store where you're going to change maybe the price of gas once a day if it goes up that often, or a carton of cigarettes so you don't have to run outside and keep changing plastic letters, climbing up ladders on snowy days. Selectman Maddox said that's where the ordinance started, but it has more from that to a much more broad sign ordinance. Chairman Coutu said that half the businesses in town wouldn't qualify anyway. He couldn't qualify to put on up because he's well within 200 feet of a residence. Even though he's in a business zone, the house next door to him is residential zone. So he's within 200 feet of that residential zone. It's very easy to make 200 feet by looking at a house across the feet from you that's zoned residential and not qualify. So a lot of the businesses in town won't qualify to even have such a sign. Most people won't be able to afford it unless you get a small message board as an attachment to your

existing sign. Chairman Coutu thought we went from one size. Now we're up to some huge dimension – Selectman Maddox indicated its 100 square feet. Chairman Coutu said that's 100 square feet, so that's 10 X 10. He wasn't pleased with it, and he was one of the advocates for it. He would have to sit down and redraft the whole thing and still not be happy with it. He's not happy with it as its being presented. He doesn't believe its ballot ready. If it is and they want to submit to the ballot, he doesn't know if he would vote for it. He believes it was written by the sign companies for the sign companies. He thinks it should be written by the business for the businesses.

Selectman Maddox believes it was written by the Chamber for the sign company. That's the balance. They had the expertise at the sign level. The Chamber, again, has a desire to have more business friendly. He thinks this probably waters down both sides of that.

Selectman Massey thinks it's fair to say that the Chamber was the driver behind drafting the ordinance, and they used 1 or 2 sign companies for technical expertise. But the elements that are in there aside from the technical side of it were all driven by the Chamber.

Selectman Jasper believes in general he really see any problems with it. It has to be a minimum between signs of 150 feet. It talks about it has to be on for at least 15 minutes so that you can't just have flashing changes. It's got to change quickly. He thinks all the elements are in there to make it as reasonable as can be. We see these signs, particularly in Nashua, that are constantly changing and this doesn't allow for that. Selectman Jasper really doesn't have a problem with those himself, but he thinks this is probably a better way of doing it. You can't be too close to residential – 200 feet is a pretty good distance. That's the number that we use for distance between change of use, so it's consistent with the ordinance. He could support it.

Selectman Nadeau can support it. There's a few things in there – the 200 feet disqualifies a lot of businesses. If you look at place like Dairy Queen, they could use a sign like that there to change their lunch special, to their dinner special and they're within 200 feet. So they would be excluded from having a changeable sign. But you look at other places we would allow them, like on Lowell Road there are certain places that you could put them and certain places you couldn't put them. So he thinks that that part of it he's not overly excited with. Overall in general, he thinks it's a pretty good ordinance.

According to Selectman Maddox, one thing we did do was limit it to the business and industrial. They originally wanted to have it in G and G1. We were just fearful that that would just cause too much of an area to be signable that it would make it, again – we have to look at whatever we put on the warrant as being supportable. The only question Selectman Maddox has of the Board finally on the signs is enforcement. A lot of this is going to be – we've learned about nits versus lumens versus any number of other – it's going to probably be some sort of challenge if this was to pass how we would enforce some of this. So if anybody has any additional information, let him know as far as the enforcement side of it.

Selectman Maddox is getting back to the Benson's meeting of recent. Some statements were made that he'd like to clarify in his mind. Chairman Coutu stated Selectman Maddox has to become contentious. Never Sir, said Selectman Maddox. The statement was made that 75 percent of the voters are in support of Benson's based on some past voting at warrant articles. There was never a dollar amount attached to that. He thinks that whenever you say "are you for the hot fudge sundae" most people raise their hand until you say its \$31. Yes 75 percent of the people are in support of Benson's; it's just a matter of telling them how much it's going to be. So he thinks that's a nice statement, but it doesn't always translate to what the voters are really going to do.

Selectman Maddox stated that Selectman Jasper said "you [Selectman Maddox] likes to cause trouble", and he does. His idea of causing trouble in that context is asking sometimes dumb questions, but a lot of questions trying to look at things outside of that box. He wasn't trying to "stir anything up", which is he thinks the words Selectman Jasper used. He doesn't want to be a

selectman who just sits there and says he's a selectman and whatever staff brings to him he says okay. He wants to ask the questions that people are screaming at the televisions. He's going to cause trouble a little bit more, but it's not meant to stir anything up other than debate.

To that end, Selectman Maddox said the last thing is you said that you're probably going to be removed as the liaison. That was never his intent. We have a democracy where we get to have a discourse, and you and I are not going to agree all the time. The 5 of us rarely agree even on adjournment. But we have a discussion that everybody can see. Everybody had an opinion. You didn't like what we did and he can understand that. But they made a decision good or bad, but removing Selectman Jasper is not one of the items that we even, at least he even, thought about. You bring a passion to the Benson's that he just couldn't muster if you paid him. He respects the fact that Selectman Jasper wants something that he probably just can't even see. To remove Selectman Jasper as the liaison was never a concept and something, again, wasn't in his plan. We are not going to agree on Bensons. He still thinks it's a park where it's a passive recreation. The Benson's buildings could all disappear tomorrow and it wouldn't make any difference as to what he thinks it should be. He doesn't agree that we want to be proud of it, but Selectman Maddox doesn't know if he can afford to be that proud. Your statement that it would be your last meeting as the liaison he thinks is incorrect. Thank you.

Chairman Coutu said Selectman Maddox doesn't want Selectman Jasper removed from the Benson's Committee because he fears that as a punishment Chairman Coutu will appoint him to the Committee to replace you.

Chairman Coutu has a couple of comments about Selectman Massey with regards to the senior center possibly being at Benson's. He wants Selectman Massey to know that he's been in touch with the Governor's office and he's awaiting a call. They're looking into the logistics of what we're going to need, who we have to see, how the Governor is going to arrange the order for us to be able to get in and get into hearings or if its not hearings, meet the right people, get a decision made, and to get it done as quickly as possible. Selectman Jasper it may have been an oversight on your part, but Chairman Coutu deferred to Selectman Jasper if you want to talk about fire safety, which has been declared. So if you want to make a comment about that, he'll refer that to him. Chairman Coutu wanted to recognize that he wanted the citizens to know that by declaration from the President of the United States as well as the Governor of our State and recognized by the House and Senate that this has been declared National Fire Safety Week. We are going to honor our firefighters, he believes, next Saturday with an awards banquet. He knows so far that Selectman Massey and his wife and Chairman Coutu and his wife will be attending. Chairman Coutu was asked to say a few words, which he will do. He just wanted all of the citizens to know that this is the one week in the year that is set aside for us to recognize the public service rendered to our community by our firefighters. If you see one, please tell them how much you appreciate the fact that they're out there and they're working everyday to protect our lives. We're coming into the roughest season for firefighter work. Not that its any fun to be out there in that uniform on a hot day, let alone being out there in the freezing rain maybe on Thanksgiving Day or Christmas Day trying to save some lives and some property.

While on the subject of the fire department, Chairman Coutu would like to thank the Chief and his Deputies for inviting him out a simulation burn which was held the Nashua facility. He went out there to witness the training and the modes of training that are undertaken by our firefighters in conjunction with Nashua and other surrounding towns. After watching it, Chairman Coutu was somewhat amazed at what takes place. He was then asked if he would be willing to don a uniform and enter the burning building himself. He was somewhat reluctant to do it, but he wanted to have a feel for what a fireman goes through. Boy he'll tell us, it was a learning experience and he would never want to go into a burning building without having the proper training. He was very fortunate to have a deputy fire chief with him as well as the instructor guiding him through the building. You cannot see in those buildings. When he looked at some of the equipment we have compared to other communities, we're lacking in some areas especially those cameras when you look at what Nashua has compared to what we have. There's a big difference. He appreciates the

fact that the fire department allowed him to do that. The worst part is putting on and taking off that uniform. It is very difficult, very cumbersome and when you have a 40 pound air tank on your back and you're in there and your heart starts palpitating when you feel that heat, especially when you're on your hands and feet crawling in the building, then you suddenly stand up and you feel all that heat. But you've done that many times.

Chairman Coutu also wants to bring to everyone's attention that the Recreation Department has some activities on their agenda this month on Friday, October 16th. The fifth and sixth grade dance will be held at the Community Center from 6 to 9 p.m. On Saturday, which is a new venture for them, October 24th from 7:30 to 11 p.m. they're going to have an adult Halloween dance. So where your best costumes, go out there, they might have some prizes.

The last think Chairman Coutu wanted to bring to everyone's attention – there have been some rumors around town that the Hudson Fish and Game Club was not going to hold their annual Thanksgiving dinner for the needy and those who are home alone. That is not true. One member, who will remain nameless – a friend of Chairman Coutu's, said over his dead body even if he had to pay for the whole thing himself he would. This has been a worthwhile endeavor. One hundred percent sponsored by local businesses and citizens within our community. Again, with thanks to the boy scouts and girl scouts who on Thanksgiving Day go out and help deliver these dinners around our town and some to some of the surrounding communities that don't have anything or anybody on Thanksgiving. A lot of money is donated. They will continue that tradition despite the rumors that they were not going to do it. It was likely that they weren't going to do it, but enough people stepped forward that it will continue and the tradition will continue. There are many within the community who will make sure that this year and years forthcoming that the financial resources and the food and items that are necessary to put this production together, and it is a production when you look at all of the people that are at the Fish and Game cooking for 2 days, making up all of these baskets. As well as delivering food, they serve a few hundred right there at the Fish and Game Club on Thanksgiving Day. It was very heartwarming to hear that yes, indeed, we are going to have Thanksgiving dinner again this year sponsored by the Hudson Fish and Game and several very giving citizens and scouts within our community.

Selectman Massey asked to go back to the fire safety. He wanted to remind all of the citizens that the recommendation is to replace the batteries in your smoke detector systems this month. The fire department would be most appreciative if you were to do that. Thank you.

7. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Massey, to enter Nonpublic Session under RSA 91-A:3 II (a) and (e) carried 5-0 by roll call.

Nonpublic session was entered into at 10:14 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. Open session was entered into at 11:00 p.m.

8. ADJOURNMENT

Motion to adjourn by Selectman Massey, seconded by Selectman Maddox, at 11:01 p.m., carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Roger E. Coutu, Chairman

Kenneth J. Massey, Vice-Chairman

Shawn N. Jasper, Selectman

Richard J. Maddox, Selectman

Benjamin J. Nadeau, Selectman