

RECEIVED

NOV 21 2013

TOWN CLERK  
ACTON

**MINUTES OF : Meeting of the Cemetery Commissioners**

MEETING POSTED: YES

DATE: 10/9/13 TIME: 2:00pm PLACE: Town Hall Room 126

MEMBERS PRESENT: Brewster Conant, Bill Klauer, Joe Will

ALSO PRESENT: Shawn O'Malley, Allura Overstreet, Tom Tidman

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MEETING CALLED TO ORDER AT: 2:04pm

**OLD BUSINESS:**

Review and sign minutes from last meeting. Motion to accept, 2<sup>nd</sup>, passed.

Update on status of chapel door repairs. Brewster Conant called the vendor and left a message, no reply as yet. Shawn O'Malley will follow-up with the vendor.

Morrison Committee meeting update. Bill Klauer reports that he conducted a site walk on 10/7/2013 and looked at the ice house foundation as well as the rail station foundation. There are opinions circulating that the Robbins farm barn was most likely located across the street, not behind the foundation of the house.

Update on filming at Woodlawn. Brewster Conant reports that he stopped by several times, the crew was very small and they did everything they needed to do on Saturday.

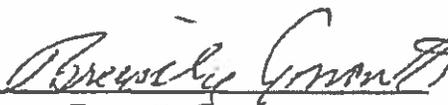
Update on alternative plantings for shrub replacements. Brewster Conant spoke with Sue Whitcomb in town and she suggested Boxwood warranted to be disease free. <sup>Commissioner</sup> Joe Will will research with several nurseries and report back at later date. Brewster Conant feels that we should abandon the idea of using ornamental grasses as hedges in the future.

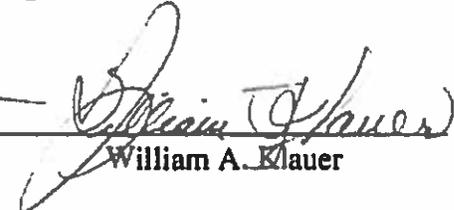
**NEW BUSINESS:**

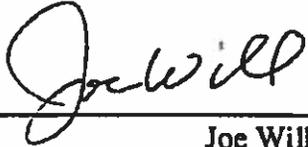
An update of the Crew activities and any concerns since the last Cemetery Commissioners meeting by Crew Chief Shawn O'Malley. Shawn advises that of all the perennials planted last year, the day lilies have done the best. The crew is working on creating the road that will divide the new Section 9 at Mt. Hope and should be set for paving in 2014.

Open Meeting Law training discussion. Everyone feels that the new laws are very restrictive with a lot of "grey areas".

The Annual Report will be due in the next two months, we should appoint a primary board member to draft for final approval at the November meeting. Brewster Conant volunteered to draft this for November's meeting.

  
Brewster Conant

  
William A. Klauer

  
Joe Will

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Approve expenditures from trust funds for the purchase of Christmas wreaths per trust fund requirements.  
Motion made, 2<sup>nd</sup>, passed.

Documents presented:

Christmas wreath trust expenditure spreadsheet.

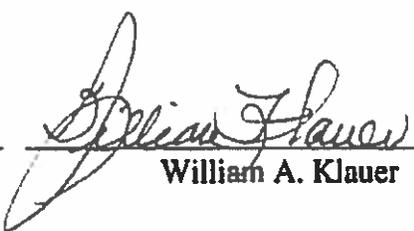
Interdepartmental communication from John Murray to Doug Halley about Morrison Farm parcel 1

Meeting adjourned at : 3:05pm

Next meeting scheduled for: November 13, 2013

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Brewster Conant

  
William A. Klauer

  
Joe Will

PO fund costs for seed fert pla

PO Break Down	Fund #	Fund Name	Quantity	cost per	total amount
Rose of Sharon	7014	Watson	1	\$ 19.50	\$ 19.50
Christmas wreaths	7017	Hayward	1	\$ 19.50	\$ 19.50
V# 596	7023	Jenks Family	2	\$ 19.50	\$ 39.00
	7025	Desmond	1	\$ 19.50	\$ 19.50
	7026	New Per-Care	1	\$ 19.50	\$ 19.50
	7029	Appleyard	1	\$ 19.50	\$ 19.50
	7030	Raymond lot	1	\$ 19.50	\$ 19.50
	7032	Hosmer	1	\$ 19.50	\$ 19.50
	7033	Wetherbee	3	\$ 19.50	\$ 58.50
	7035	Blanchard	1	\$ 19.50	\$ 19.50
	7039	Wells	1	\$ 19.50	\$ 19.50
			14		\$ 273.00



## INTERDEPARTMENTAL COMMUNICATION

Acton Board of Health - Telephone 978-264-9634 - Fax 978-264-9630

August 13, 2003

TO: John Murray, Assistant Town Manager

FROM: Doug Halley, Health Director

SUBJECT: Woodlawn Cemetery

A question has been raised regarding the status of Cemetery land adjacent to the Morrison property on Concord Road. Health Department records indicate that this land was approved to be purchased by Annual Town Meeting, March 12, 1951 (Article 41) (see attached). The vote authorized the Cemetery Commissioners to purchase for burial purposes two parcels of land of approximately 42 Acres, with Parcel 1 being the land in question.

Health Department records further indicate that Acton Board of Health authorized the Cemetery Commissioners to use the land for burial purposes pursuant to MGL Chapter 114, Section 34 on September 25, 1956. Excepted from this assignment was a roughly triangular piece of land abutting the Morrison Farm known as Parcel C. It is the Health Department's understanding that the reason for this exception was to protect the well being used at that time by the people than owning the Morrison property. The Engineering Department indicates that in the 1960's town water was extended down Concord Road and the Morrison House was connected to it. However, we have been unable to locate any documents that indicate that Parcel C was later assigned by the Board of Health for burial purposes.

The requirements for the Assignment of Cemeteries by the Board of Health are as follows:

### New or Expanded Cemeteries

No land other than that already used or appropriated can be used, for burial unless by permission of the town (town meeting) or of the mayor and alderman of the city in which the land is located (M.G.L. c. 114 s. 34). No approval is to be given until the use is approved in writing by the board of health where the town is located, after giving public notice and holding a hearing.

The board of health must include in its records a description of such lands sufficient for their identification.

No land is to be used for burial if it is so situated that surface water or ground drainage from the site can enter into any stream, pond, reservoir, well, filter gallery or other water used as a source of public water supply or any tributary of a source that is so used, or any aqueduct or other works used in connection with public water supplies, until a plan or description of the lands proposed for such use have been submitted to and approved in writing by DEP. (M.G.L. c. 114, s. 35).

Any person aggrieved by the action of a board of health in approving the purchase, taking or use of any lands for cemetery purposes may, within 60 days, appeal from the order of the board to DEP. DEP, after a hearing, may rescind the order or may modify and amend the order by approving a part of the lands proposed for use as a cemetery. (M.G.L. c. 114, s. 36).

Unfortunately the Assignment of Parcel C for burial purposes by the Board of Health can not be confirmed nor denied. The Health Department has minutes for the Board of Health dating back to 1974 but no later than that. The Town Clerk's Office indicates that they have no historical minutes for the Board of Health. We have asked the Cemetery Department to provide the documentation that they have and their documents mirror the documents on file within the Health Department. Barring the possibility of another department having the documentation the Board of Health must assume that burials can not be allowed on Parcel C until the process that was detailed above was completed.

