

## APRIL 7, 2003 – DRAFT MEETING MINUTES

The special monthly meeting was called to order at 4:06 P.M. Present were Commissioners Ellen O'Brien Cushman, Alexander E. Corbett, III, Charles R. Johnson, Superintendent Robert P. Gardiner, and Administrative Assistant Nancy T. Fay. Carolyn Bishop also attended as the League of Women Voters Observer.

The organizational meeting of the Commissioners will be held on April 10, 2003 at 10:00 A.M. in the Cemetery Office. In addition to organizing, the committee will be asked to approve an amendment to the contract with Halvorson Design Partnership, Inc.

Chairman Cushman reported that the RFP for the radio tower would be put out to bid again with the change in wording from 3 "vendors" to 3 "arrays." Item to be voted at tonight's Selectmen's meeting.

DPW: After much discussion, the Commissioners voted to unanimously approve the formation of a DPW provided:

1. Perpetual Care Issues: The perpetual care requirements are followed as articulated in Superintendent Gardiner's March 10, 2003 memo and as accepted and agreed to by the Town Administrator in his March 21, 2003 memo.
2. Personnel Issues: Parity and equity of overtime, on call status, stand by pay, etc. are incorporated between the cemetery superintendent position, water superintendent position, assistant water superintendent position, and grounds superintendent once consolidated "below" the line as shown on the February 4, 2003 organizational chart.
3. Training Issues: Acceptance and assurance that individuals who will work in the cemetery receive some level of training from Superintendent Gardiner regarding sensitivity and respect.
4. Office Coverage: It is vital that a continuing presence in the cemetery office on Grove Street be maintained to sensitively deal with citizens who come in seeking information.
5. Proper Accounting: Discreet accounting practices in accordance with MGL Ch. 114 to account for expenses attributable to the cemetery and revenues for cemetery purposes.

Elected vs. Appointed Commissioners: Chairman Cushman presented the board with a draft of language in response to Mr. Kleckner's April 4<sup>th</sup> special legislation and by-law language. The board discussed the draft at length. Ms. Cushman will write a memo incorporating the changes and summarizing the Commissioners'

concerns and votes on this issue and send it to the Selectmen, Town Administrator and Highway Superintendent prior to this evening's meeting.

A motion was made and unanimously approved that the Cemetery Commissioners should remain an elected board with specific changes expressed below. The Board of Cemetery Commissioners accepted Option B of the Home Rule Petition and Option B of Town By-Law Articles with the following changes.

Specific changes to the Town Administrator's April 4, 2003 Memo include:

NOTE: changes proposed in ~~blue/strikethrough~~ = subtractions and changes proposed in blue/underlined = additions:

### **Home Rule Petition – Option B Elected Cemetery Commission**

Section 1: Notwithstanding any special or general law to the contrary, the board of selectmen shall assume all powers and duties heretofore vested in the board of water commissioners ~~and board of cemetery commissioners~~, which commissions ~~are~~ is hereby abolished in said town.

Section 2: All persons employed by and all equipment under the jurisdiction of the cemetery and water commissions ~~abolished by this act~~ shall be transferred to the board of selectmen.

Section 3: no change

Section 4: There shall be an advisory elective board of cemetery commissioners, consisting of three members, elected by ballot at the annual town election for a term of three years. One member shall be elected in each year. No sooner than five years from the date of this act, the board of selectmen may request Town Meeting to convert the board of cemetery commissioners to an appointive body. Upon such ~~two-thirds~~ majority vote of Town Meeting, the board of selectmen shall establish and appoint a advisory board of cemetery commissioners, consisting of three members, for a term of three years. One member shall be appointed in each year. Members currently serving shall be offered to continue for remainder of their elective term. The advisory board of cemetery commissioners shall be responsible for ~~advising the board on~~ establishing policies and regulations related to the cemetery, but who shall not have authority in operational issues including, but not limited to, the assignment of personnel and equipment.

Section 5: no change

Section 6: no change

### **Town By-laws Option B Elected Commissioners (Article 10):**

10.1 There shall be an elected Board of Cemetery Commissioners ~~to advise the Board of Selectmen in policy matters relating to the Town's cemetery space and services.~~

10.2 The Board of Cemetery Commissioners shall consist of three members elected by ballot at the annual town election for a term of three years. One member shall be elected in each year. No sooner than five years after the acceptance of the home rule petition, the board of selectmen may request the Town Meeting to convert the board of cemetery commissioners to an appointive body. Upon such ~~two-thirds majority~~ vote of Town Meeting, the board of selectmen shall establish and appoint an advisory board of cemetery commissioners, consisting of ~~three members, for such term as the selectmen may determine~~ three elected commissioners, for the duration of their elective three-year terms. Should a commissioner choose not to continue to serve in the appointive capacity, the board of selectmen shall appoint a new commissioner to serve the remainder of the three-year term. At the end of each elective term, the board of selectmen may appoint a new commissioner at its own discretion for such term as the selectmen may determine.

10.3 The board of cemetery commissioners has the following duties and responsibilities:

10.3.1 To educate ~~and advocate the citizenry on the needs~~ the board of selectmen, town administrator and the citizens of Belmont regarding the need for burial space and cemetery services.

10.3.11 To advocate on behalf of the citizens of Belmont for additional burial space and cemetery services, including expansion, maintenance and beautification of existing facilities.

10.3.2 To establish ~~make recommendations to the selectmen on~~ policies and regulations relating to the cemeteries, including, but not limited to, the terms and conditions of burial rights, the prices for sale of lots and graves and other services and the erection of monuments and ornamentation.

10.3.3 To identify and advocate for major capital and facility improvements, ~~including a financing plan, including expansion~~, to meet the long-term needs of the cemetery system. Work cooperatively with the town's staff to develop an appropriate financing plan for such improvements.

10.3.31 To act as part of the Building Committee on any major cemetery capital improvement project, with tasks to secure appropriate consultants and complete the project.

10.3.32 To develop an appropriate marketing strategy to sell lots as required to address financing payments on cemetery expansion.

10.3.33 To determine and designate the uses of the cemetery income, specifically the “sale of cemetery lots” account for betterment of the cemetery or acquisition of dedicated cemetery equipment.

10.3.4 To report annually, in cooperation with the Director of Public Works and the Town Treasurer, on the status of the Perpetual Care Fund and on progress in implementing the capital improvement plan. Also, in cooperation with the Town Accountant, to identify and designate the amount of Perpetual Care Interest Income to offset the routine cemetery maintenance, to be voted transferred at the annual Town Meeting.

10.3.5 To assume jurisdictional and representation of applicable agreements related to the use of land in Belmont formerly owned by McLean Hospital, **especially as governed by documents B2, E and K of the McLean documents.**

The next meeting to organize the Board of Cemetery Commissioners was scheduled for 10:00 A.M. on Thursday, April 10, 2003 at the Cemetery Office, 121 Grove Street, Belmont, MA. Meeting adjourned at 5:16 P.M.

Respectfully submitted,

Alexander E. Corbett, III  
Clerk