

**CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM**

DATE: January 4, 2011
TO: Alice Ingerson
FROM: Robert J. Waddick, Assistant City Solicitor
RE: Historic Burying Grounds

Alice:

Regarding the above-referenced project, you requested an eligibility opinion with respect to:
1) the new chain link fence and gates, and 2) volunteer training.

1) Chapter 44B defines “preservation” as “protection of personal or real property from injury, harm or destruction, but not including maintenance.” Assuming that the new fence and gates will serve to protect the burial grounds by enclosing them, then the fencing and gates would be eligible for CPA funds.

2) CPA funds may be used for various consultants associated with the development of a CPA project. Assuming that the funds are to be used to pay a consultant who will train volunteers to perform the historic preservation work, then the expenditure would be eligible for CPA funds.

Please contact me if you require anything further.