

PEMBROKE CEMETERY COMMISSION MEETING
July 13, 2005
Minutes

Present: Gerald Belanger (chair), Nancy Foster, James Garvin

1. Chairman Belanger called the meeting to order at 7:10 p.m. at the Pembroke Town Hall.
2. Because Nancy Foster had not yet been sworn as a member of the Commission, a quorum was not attained at the meeting of June 8, 2005 and the minutes of the meeting of May 11, 2005, had therefore not been approved. On a motion by Nancy Foster, seconded by James Garvin, the minutes of the meeting of May 11, 2005, were approved as submitted.
3. Because both Walter Norris and Emile Lacerte were on vacation, the subject of the location of future Commission meetings was tabled until their return.
4. The Commission asked Secretary Garvin to check with Stephen DeAngelis, who was invited to consider becoming an alternate member, to learn whether he is interested in doing so.
5. Nancy Foster reported that she had found that Sanel Auto Parts Company carries a spray rust treatment for steel. She is willing to experiment with the treatment. The Commission suggested that she wait until Walter Norris purchases a supply.
6. The Commission discussed posting the cemeteries with the approved hours of visitation in order to allow the police to evict people who may use the cemeteries for recreation or loitering. It was noted that the current cemetery regulations in the Town Code do not specify hours of visitation, so it may be necessary to amend the Code. The Commission asked Secretary Garvin to contact Police Chief Wayne Cheney to ask whether his personnel would need posted hours in order to have the authority to evict loiterers.
7. Chairman Belanger announced that he had received a letter from Town Administrator Troy Brown inviting the Commission members to meet with the Board of Selectmen at their regular meeting on Monday, July 25, 2005. Chairman Belanger will confirm our attendance with Mr. Brown before July 20.

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8. The Commission is uncertain whether Bob Richards wishes to continue as a member or intends to resign from the Commission due to work pressures. The Commission asked Secretary Garvin to contact Mr. Richards and verify his intentions.
9. Chairman Belanger announced that the Board of Selectmen has received a letter from the New Hampshire Department of Revenue Administration stating that RSA 289:9 does not allow perpetual care funds to be used for cemetery improvements as voted in warrant article #17 of the March 2005 Pembroke Town Meeting. The Revenue Administration is therefore reducing the total town appropriation as shown on Form MS-2 in the amount of \$25,000, which is the amount of surplus accumulated interest voted to be transferred from perpetual care trust funds. If Probate Court grants the town's request to transfer these funds for cemetery improvements, the Revenue Administration will increase the balance shown on Form MS-2 by \$25,000 upon receipt of a copy of the court decree.
10. The Commission discussed the current status of the town's petition to Probate Court to free \$25,000 of excess accumulated interest for cemetery improvements. In a series of e-mail messages on June 6 and June 9, 2005, chairman of the Trustees of Trust Funds Gerard Fleury indicated that Jane Bradstreet of the Merrimack County Probate Court has recommended that we ask the town counsel to file an "equity petition" in Probate Court. This will require a filing fee of \$150.00, plus the cost of obtaining the necessary assents from all affected parties. The Commission asked Secretary Garvin to inquire whether the town is proceeding with the filing of an equity petition at Probate Court.
11. Chairman Belanger read a letter from Ann Marie Foote to Emile Lacerte regarding Lots 12A and 12B in Evergreen Cemetery. The letter expresses the determination of Ernest and Pauline Bamford, Jr., parents of the late Ronald Bamford, to pay for Lot 12B, in which Ronald Bamford is interred. The letter expresses the understanding that this lot will be purchased for a payment of \$200.00, which was the price in effect when the interment took place. The letter further expresses the wish of Ms. Foote, who is the sister of the late Ronald Bamford, to purchase the adjacent Lot 12A at the current price of \$350.00. On a motion by James Garvin, seconded by Nancy Foster, the Commission voted to authorize the sale of Lot 12B to Ann Marie Foote on the condition that the lot is still unsold to any other party. The Commission asked Secretary Garvin to inform Ms. Foote of this vote, and also to include with his letter a copy of Section 155 of the Town Code, drawing particular attention to Article 155-16, which governs the type and size of plantings on burial plots.

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12. The next regular meeting of the Pembroke Cemetery Commission was scheduled for Wednesday, August 10, 2005, at 7:00 p.m. The place of the meeting will be announced following consultation with Walter Norris (see Item #3, above).
13. On a motion by James Garvin, seconded by Nancy Foster, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,
James L. Garvin
Secretary