

PEMBROKE CEMETERY COMMISSION MEETING
September 14, 2005
Minutes

Present: Gerald Belanger (chair), James Garvin, David Richards; Town Administrator Troy Brown joined the meeting at 8:00.

1. Chairman Belanger called the meeting to order at 7:17 p.m. at the Pembroke Town Hall.
2. On a motion by David Richards, seconded by James Garvin, the minutes of the meeting of August 10, 2005, were approved as written.
3. Chairman Belanger reported that Walter Norris and Emile Lacerte were unable to attend because of an obligation to be present at a Capital Improvements Plan meeting.
4. Chairman Belanger reported on the progress of the *cy pres* procedure. He noted that he had attended a meeting on August 25th with town counsel Timothy Bates of Mitchell & Bates, Professional Association. Also present were Gerry Fleury, Norm Provencher, selectman Dan Crean, town administrator Troy Brown, and town finance director Geoff Ruggles. Attorney Bates had served as a cemetery commissioner, and felt that the materials provided to him by the Cemetery Commission represent as full a record of the town's deliberations as possible. The cost to pursue the matter through probate court will be \$3,000-5,000 in attorney's fees, probably payable from the town's budget for legal services. Part of this fee entails the expense of advertising for descendants of those who have paid for perpetual care. Chairman Belanger reported that there is still an outstanding question of whether the town will have to return to probate court if it later wishes to fund another cemetery project from surplus accumulated interest on perpetual care funds. David Richards asked Troy Brown to try to get an estimate of when the matter will go to court.
5. Chairman Belanger reported that he has tried to contact the surveyors who drafted the plans of town cemeteries to see if any of them can supply CADD disks for these plans. Although several surveyors have promised to look for disks, no one has yet located any.
6. Chairman Belanger reported that Emile Lacerte has stated that the town has been paid for Lots 12A and 12B in Evergreen Cemetery as proposed in a letter of May 17, 2005, from Ann Marie Foote, and concurred in by the Cemetery Commission in our letter of July 16. Mr. Lacerte asked the Commission to send a letter to Wendy Bamford Ahlquist of Derry, informing Mrs. Ahlquist that these lots are now the property of

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Ann Marie Foote (Ronald Bamford's sister) and Ernest and Pauline Bamford, Jr. (Ronald Bamford's parents). The Commission asked Secretary Garvin to write the letter, with copies to Gerald Belanger, Emile Lacerte, and James Goff.

7. Chairman Belanger reported that he and chief of police Wayne Cheney had discussed the posting of signs stating the open hours of town cemeteries. Chief Cheney felt that such signs would assist the police in preventing after-hours and off-season usage or loitering in the cemeteries. In order to place such signs, the Commission needs to propose open hours to the Board of Selectmen, who will hold a public hearing on the suggestion. If the public and the selectmen approve, the open hours would be stated in the Town Code, and the code citation could be placed on the signs. The Commission agreed that we should check with Emile Lacerte and Tom Petit regarding the dates of springtime opening of the cemeteries and the latest date of fall burials. Commission members should make note of open seasons and open hours as posted at cemeteries in other towns.
8. Troy Brown observed that the Cemetery Commission is scheduled to discuss its budget with the Board of Selectmen on Monday, October 17, from 7:30 to 7:45. Mr. Brown noted that the Commission has a budget line item of \$2,250 to cover brush cutting, etc. Emile Lacerte had earlier suggested that the Commission ask Paul Provencher of Green Tomatoes Lawn and Garden Care for an hourly rate for cutting brush. After agreeing on a rate, the Commission could authorize Mr. Provencher to clean up the back wall of Pembroke Street Cemetery, etc., up to the limit of the available budget. Mr. Brown suggested that the Commission might request \$5,000 in order to complete all needed cleanup in a single season.
9. The next regular meeting of the Commission will be on Wednesday, October 12, 2005, at the Pembroke Town Hall.
10. On a motion by Dave Richards, seconded by Jim Garvin, the meeting adjourned at 8:30 p.m.

Respectfully submitted,
James L. Garvin
Secretary