

# **PEMBROKE CEMETERY COMMISSION MEETING**

**April 8, 2021**

## **Minutes**

Present: Dan Chase, James Garvin, Ellen Paulsen (chair), Zachary Sawyer, Fleda Young, Adam Mendoza for V. J. Ranfos. Laurie Hill attended part of the meeting.

1. Chair Ellen Paulsen called the meeting to order at 7:00 p.m. at the Pembroke Public Works garage.
2. On a motion by Fleda Young, seconded by Zachary Sawyer, the minutes of the meeting of October 8, 2020, were unanimously approved.

New business:

3. Commission members welcomed Zachary Sawyer as a new member.
4. Chair Ellen Paulsen reminded members that veterans' flags should be placed by Commission members in all town cemeteries before Memorial Day, May 31, 2021, and not removed until after Veterans' Day, November 11, 2021.
5. The Commission reviewed the current schedule of fees for interments as posted by Dignified Cemetery Services on January 20, 2020. These fees are reflected in the revised schedule of town fees for the sale of burial permits and for burial charges that were approved by the Board of Selectmen at their meeting of June 15, 2020. The revised fees are posted in Chapter 160 ("Fees") of the Town Code under §160-5, "Cemetery Fees."
6. Adam Mendoza reported that Public Works personnel had laid out new lots to the back fence of Pembroke Hill Cemetery in the fall of 2020. Those lots nearest the existing graves were marked with available pin flags and are clearly visible. Adam reported that Public Works has received a bid of \$1,800 from Accurate Tree Service to trim the white pine trees that overhang the driveway in order to raise the canopy of branches to 15-20 feet. There is no clear plan to deal with the uplifting and cracking of the asphalt driveway pavement by the roots of these trees because they are growing on an abutting property.
7. Adam reported that a large, multi-trunked white pine tree adjacent to the rear wall of Pembroke Street Cemetery had been broken by a recent windstorm and had fallen into the cemetery. Partial removal of limbs has so far revealed no major damage to monuments in the cemetery. The tree grew on land behind the cemetery belonging (according to current town property maps) to Dr. Fredrick Vega.
8. Adam confirmed that the weakened double-trunked maple tree at the side of Pembroke Street Cemetery, adjacent to the property of Dr. Fredrick Vega, has been removed to prevent future damage to the cemetery, the cemetery wall, or Dr. Vega's property.

9. Adam reported that Public Works has received a quote of \$4,800 from Accurate Tree Service to remove the remaining sugar maple trees at the front wall of New North Pembroke Cemetery. Public Works will ask for a quote from Collins Tree Service for this work.
10. Adam reported that Public Works had received a call from Rebecca Lea Graveline, who had formerly lived in Pembroke. Ms. Graveline requested that the ashes of her late husband be buried in the John L. Oudens / Norma K. Parsons lot in Evergreen Cemetery. The lot measures 12 feet by 12 feet. The Commission discussed the matter and concluded that if the license holder to the Oudens/Parsons lot can give permission for such an interment, this would be proper under the cemetery regulations. The Commission will need to investigate the request further.
11. Laurie Hill spoke to the Commission about an area on the property of the Pembroke Congregational Church that is used for the scattering of ashes of church members. Mrs. Hill had contacted the Commission in February 2021 to inquire how this area might be registered to prevent its future development or use for incompatible purposes. The area lies behind an outdoor chapel on the church grounds, bordered by spruce and cedar trees, and is a crescent-shaped area that measures about 8 by 30 feet and slopes toward a wetland or wet area. Thus far, the ashes of eight people have been placed there, as indicated on a directory at the chapel.

The Commission suggested that such an area may best be regarded and treated as a private cemetery or burial site. Such sites are authorized by New Hampshire statutes under RSA 289, Sections 289:3 and 289:5. Section 289:3, II, states that “burials on private property, not in an established burial ground, shall comply with local zoning regulations. In the absence of such regulations, such burial sites shall comply with the requirements [given under 289:3, I, regarding distance from dwellings, schools, stores water sources, or state highways]. The location of the burial site shall be recorded in the deed to the property upon transfer of the property to another person.” Section 289:5 states that “records [showing the name of the person buried and the date or burial] shall be kept of every private burial site within a municipality by the owner of the land containing the burial site and a copy of the information shall be supplied to the cemetery trustees who will maintain the municipal records of such sites. . . . The location of each cemetery and private burial site may be annotated on the municipal tax map.”

These chapters suggest that an appropriate way for the area to be permanently designated as a private cemetery would be for its boundaries to be established clearly on the ground and indicated on the Pembroke Tax Maps. In the unlikely event that the Congregational Church should dispose of the land, the designated site should be recorded in the deed of transfer as required by RSA 289:3, II.

#### Old business

12. Secretary Jim Garvin reported that he has not checked the condition of the Old French Cemetery off Borough Road since he removed the veterans’ flags from that cemetery in November 2020. At that time, the owner of the surrounding land, Gary Foster, had not carried out any cleanup of this family cemetery as the Cemetery Commission had authorized him to do by letter of May 22, 2020. Jim will check again when he places flags in the cemetery in May.

13. Adam Mendoza confirmed the Public Works removed the trash and appliances that had been dumped over the riverbank at Buck Street Cemetery, as was reported to the town by Elaine Forst of Pittsfield in May 2020. The Commission and Public Works will remain watchful to prevent a recurrence of such dumping in the future.
14. Secretary James Garvin reported on the conclusion of two issues that concerned the Commission in calendar year 2020:
  - Removal of overgrown cedar trees on the Frank L. Merritt lot in Pembroke Hill Cemetery. On October 14, 2020, Garvin sent a letter by Certified Mail to Mrs. Joan L. Poole, 12 Fairfield Drive, Concord, N. H. (a daughter of Frank L. Merritt), explaining the wish to remove the cedar tree that encroached on the adjoining Scofield family lot and asking Mrs. Poole to express any concerns that she or other family members might have with the removal of the trees by the Department of Public Works. No concerns were expressed, and Public Works removed the trees in the late fall of 2020.
  - Request for the transfer of a burial permit for the Shirley May Kulik Lot in Evergreen Cemetery. In July 2020, Kristie Kulik of Port Charlotte, Florida, contacted the Department of Public Works and the Cemetery Commission. Ms. Kulik reported that her mother, Shirley May Kulik, had purchased a lot (4B) in Evergreen Cemetery for her own burial. Shirley May Kulik's son, who had predeceased her, had been buried in another lot in Evergreen Cemetery for which Shirley May's former husband had purchased the burial permit. Mr. Kulik transferred that permit to Shirley May so that she could be buried next to her son. Shirley May died on June 2, 2020 and was buried with her late son. Her daughter, Kristie Kulik, requested that the burial permit for the lot that Shirley May had formerly purchased for her own burial be transferred to Shirley May's boyfriend, Joel Elber of Concord. The Cemetery Commission agreed that the purchaser of a burial permit, or the purchaser's heirs, have a right to designate who may be interred in the lot. The Commission thereupon contacted Joel Elber by mail to explain the proposal and seek his acceptance of the transfer of the burial permit. Mr. Elber left a message of acceptance on August 19, 2020. Accordingly, the burial permit for Lot 4B in Evergreen Cemetery was transferred to Joel Elber, 8 Kosy Trail, Concord, N. H.
15. The next regular meeting of the Pembroke Cemetery Commission will be at 7:00 p.m. on Thursday, May 13, 2021, at the Public Works headquarters at 8 Exchange Street in Suncook Village.
16. There being no other business to be brought before the meeting, the meeting was adjourned at 8:03 p.m. on a motion of Dan Chase, seconded by Zachary Sawyer.

Respectfully submitted,  
James L. Garvin, Secretary