

PEMBROKE CEMETERY COMMISSION MEETING

June 11, 2015

Minutes

Present: James Garvin, Donald Hill, V. J. Ranfos, David Richards (chair).

1. Chairman Richards called the meeting to order at 7:00 p.m. at the Pembroke Town Hall.
2. The minutes of the meeting of May 14, 2015, were approved.
3. Chairman Richards reported that he had tried without success to contact Mr. Griggs about the offer of land to expand Buck Street Cemetery. He will continue to try to talk with Mr. Griggs.
4. The order of 24 Standard American Veteran aluminum flag holders to replace the remaining plastic holders has been delivered and placed in the hearse house.
5. The Board of Selectmen responded to the request of the Cemetery Commission that the Selectmen authorize the Public Works Department to establish a uniform fee for providing copies of cemetery deeds and burial licenses. At their meeting of June 1, the Selectmen voted "to set up fees similar to other departments for [photo]copying. The Board also agreed that we should not be charging for location of documents or research. The Town will coordinate with the Cemetery Commission and gather all necessary information in order to hold a public hearing to enter this into the Town Code."
6. Regarding removal of the pine trees in Evergreen Cemetery, V. J. Ranfos reported that the abutter to the north, Melissa Francoeur, has declined to grant a temporary easement to use a portion of her land as a pathway for the skidder in order to avoid the graves at the northwest corner of the cemetery. Forester Ronald Klemarczyk has suggested that the logger might contact Ms. Francoeur and offer to lease some land to use for access to the cemetery or, if the Francoeurs burn wood, to offer firewood in return for access. Alternatively, the Commission discussed widening the northern gate of Evergreen Cemetery to allow access by logging equipment after the ground freezes.
7. The Commission began to discuss Chapter 155 (Cemeteries) in the Pembroke Town Code, which secretary Jim Garvin had re-typed and begun to edit with suggested changes.

V. J. Ranfos has been using Public Works Net to gather cemetery codes from neighboring town for comparison with Pembroke's Chapter 155 and for suggestions for current practices and fees. Don Hill talked with Michelle Petit, who suggested that Concord is a good model to examine.

V. J. Ranfos noted that there is a state statute that authorizes a municipality to reclaim a cemetery lot if no improvements have been made for fifty years following its original purchase. The Commission agreed that this provision ought to be researched and included in the Cemetery chapter of the Town Code.

[Note: the statute, RSA 289:18, is appended to these minutes.]

8. V. J. Ranfos reported that Tina Marie Olson has been issued a lot license (see the Cemetery Commission minutes of July through October 2014), but that Sandra Beard Martin has objected to the transfer of land to Ms. Olson without a fee and has suggested that payment for this lot should be demanded by the town. The Commission discussed the matter and the context in which the land was granted and voted to abide by the decision that was made at prior meetings of the Cemetery Commission and the Board of Selectmen and that was agreed to in 2014 by all parties.

The Commission examined the burial permit that was prepared for Sandra Beard Martin under these prior agreements, found it to be in compliance with earlier decisions, and approved the document for signature by the Town Clerk.

9. The Commission noted that Christine Addington at the Public Works Department is doing exemplary work in organizing and rectifying cemetery deeds and burial licenses, some of which had been in disorder. The Commission expressed its appreciation to Chris for her careful and conscientious work on these records.
10. The Commission discussed potential projects to submit to the Capital Improvement Program (CIP) Committee. The preparation of the land at the back of Pembroke Hill Cemetery had previously been estimated at \$3,350. The repair of damaged monuments in Pembroke Street Cemetery had been estimated at \$10,875. There are two additional broken headstones in Old North Pembroke Cemetery. The Commission suggested that the old estimate should be adjusted for inflation and submitted to the CIP Committee before June 29th as requested by David Jodoin.

Don Hill inquired about the cost of a ground-penetrating radar (GPR) survey, especially in Buck Street Cemetery, as a possible CIP item. Jim Garvin will look into former GPR proposals that may have been made to the town.

11. Don Cotnoir of New Hampshire Monuments informed V. J. Ranfos that the cost of repairing stones at Old North Pembroke Cemetery and one remaining stone in Buck Street Cemetery is estimated at \$750 each. The Commission considered using the remainder of our cemetery flag budget for this work if it has not been otherwise encumbered by the end of summer.
12. V. J. Ranfos reported that Lot 20-A in Evergreen Cemetery had been purchased and used some years ago. Mrs. Janice Symanski, widow of the deceased, had asked to reserve an adjacent lot, and this had been held for her but never actually purchased even after a written request for payment in 2010. Recently, another family member had asked to

reserve two adjacent lots under a time-payment arrangement. In response, the Commission agreed that extended reservations of lots without payment should not be continued and that, to reduce administrative and accounting burdens on the town, full payment should be requested for cemetery lots.

13. The next regular meeting of the Commission will be held on Thursday, July 9, 2015, at 7:00 p.m. at the Pembroke Town Hall.

14. The meeting adjourned at 8:07 p.m.

Respectfully submitted,
James L. Garvin
Secretary

Abandoned Burial Spaces

Section 289:18

289:18 Forfeiture Procedures. –

I. Whenever a burial space or spaces in any cemetery subject to the provisions of this subdivision have remained unused for a period of 50 years, and the owner has not improved such space or spaces by causing a monument, gravestone, or other permanent appurtenance to be placed on the burial space, the person, corporate manager, or cemetery trustees having jurisdiction over such cemetery may institute proceedings for the termination and forfeiture of the rights and interests of such owner. All purchase contracts for burial spaces executed after August 7, 1994, shall include a notice that this procedure may be invoked in the future.

II. Whenever such person, corporate manager, or board of trustees determines that the conditions stated in paragraph I have been met, then they may send to the owner a notice of the intent to terminate and forfeit the owner's rights, served on the owner personally by a competent person or sent by certified mail with return receipt requested to the owner's last known address.

III. When the owner receives the forfeiture notice, the owner may notify the cemetery management of continued intent to use the space, in which case this procedure shall be cancelled, or the owner may return the space to the cemetery and receive in compensation the same amount the owner paid for the space, less any portion of the original purchase price that was specified for inclusion in a perpetual care trust fund.

IV. If no response is received from the owner for 60 days, the cemetery management may advertise in a paper of local distribution for information regarding the present whereabouts of the owner. If information is forth-coming, the notification process shall be repeated using the new address information. If no information is received, the original purchase contract may be voided and the space sold to a new owner. Any owner contacting the cemetery management after the space has been resold shall be reimbursed the amount he originally paid, including the portion set aside for perpetual care.

Source. 1994, 318:2, eff. Aug. 7, 1994.