

Cemetery 08-29-2018 Minutes Approved
Franconia Cemetery Trustees
Location: O'Connor House, 133 Church St, Franconia NH

Meeting called to order at 9:15 a.m. by Mary Brubaker. Attendees: Mary Brubaker, Chris Collman and Jayne O'Connor. There were no members of the public present.

Minutes of August 4, 2018: Motion by Chris to accept the minutes as presented. Second by Mary. Approved by voice vote.

Treasurer Report and Trust Funds:

Chris has been researching the process for filing a Cy Pres petition with the court to release perpetual care funds for use toward capital projects and maintenance at the cemeteries, in addition to mowing and weed-whacking, as is currently allowed by the Trustees of the Trust Funds.

This is an issue seen at many of the cemeteries in the State, so Chris wonders if the New Hampshire Charitable Trusts should be pressed to research the issue and give guidance to the Cemetery Trustees. Chris presented a summary of the Cy Pres steps, a copy of RSA 31:22-a pertaining to Cy Pres and Cemetery Trust Funds, and a list of items to consider. He asked that the other Trustees review the information, and that it be on the agenda for the next meeting.

Mary had a discussion with Carol Walker of the Trustees of the Trust Funds as to whether the Cemetery Trustees are able to expend the cemetery trust funds without a vote of the Town at Town Meeting. At a Cemetery Trustee Seminar taught by Terry Knowles of the Attorney General's Office, the Trustees were taught they are able and required to expend the trust funds. Mary found information about this on the Cemeteries.org website under State Laws, Section 289 and & 31, stating that the Trustees have the **Power and Duties** to "Expend all moneys raised and appropriated by the municipality for cemetery purposes." And "to Expend income from all trust funds for cemetery purposes...."

Mary will send Carol a copy of the RSA which references Cemetery Trustees power and duty and let her know further information can be gained from the State Attorney General's Office or perhaps the Town Attorney.

For the next Town Report, the Trustees feel it would be useful to have the Cemetery budget shown on their page, along with their annual report.

Water Department Request:

The Town's Water Department has asked the Cemetery Trustees to install backflow valves at the cemetery to protect the Town water supply. Mary talked with Meaghan Caron, the Water Department administrator, who will have the inspector look at the system and make recommendations. Mary has sent a letter asking for the location of

the meter, and what needs to be done. The water meter was located on the south side of the entrance to the Elmwood Cemetery when the Trustees viewed the gate location.

Bid process: Mary is working on the bid request for re-surfacing of the roads in the Elmwood Cemetery. The Trustees feel three roads should be converted to ledge pack (the two that are currently paved and the one nearest the fence.) Mary has a copy of the Town's bid process, and a sample bid ad from the newspaper. The Trustees made some edits to the bid sheet, including:

- title will be Asphalt Removal and Surfacing Elmwood Cemetery Roads
- Under scope of Work:
 - supply and install...nic-pac or ledge pack on designated roads & ways
 - repave only the apron and entrance leading into the cemetery to a pre-determined distance from the center of the water main cover.
- Contractor shall not disturb graves and monuments
- In the event of a pending burial, Contractor will coordinate with the trustees working hours, state of burial area and access to the grave site.
- the Optional Site Visit will become mandatory. Shall obtain a tour of the property.

It was suggested the road work not be done in May, as that is a busy burial month due to the Cemetery being closed during the winter months.

Mary will continue to work on the road project. All three Trustees will be available for touring the location with bidders. It is important the winning bidder understand the narrow roads and close proximity of monuments and cornerstones to the roads.

Gate:

Discussion about whether the historic iron gate should be moved back towards the Cemetery to give vehicles more room between the gate and the road. After a quick tour of the location, the Trustees decided to move the gate back about 30 feet, remove the lilacs in front of it, and set two posts in front of the gate for protection as drivers will have a way to gauge the width without hitting the gate.

Updates from the Sexton:

Jayne reported that Penny Keeler, the Sexton, has been working on the list of projects provided by the Trustees. She has uncovered more than a dozen sunken cornerstones that were no longer visible. Some had sunk six inches under the grass level. She also dug one cornerstone out of the roots of a cedar tree. She is planning to put gravel under them to raise them up to grass level.

She has been concentrating on the "cremation corner" of the cemetery, which is a very active burial areas. Having the cornerstones visible will be a great help when selling lots in that area.

Penny has been cleaning and organizing the Cemetery shed and has moved the wood and other items from behind the shed. She offered to dig out the drainage along the sides of the shed and fill the ditches with stone. The Trustees asked Jayne to let her know they agree with that project. It is suggested she dig out 18" and 12" down, and that it would be a good fall project.

Penny has straightened a few headstones and monuments by digging under the base and adding gravel or dirt to level them. There are others that are beyond Penny's ability to fix, such as those that are broken in half, or have fallen over, and Jayne would like to know if she can give John Hanks at Littleton Monument Company a list of six stones that need repair? The Trustees decided she should get pricing from John Hanks so the Trustees can decide on the repairs. The George Maxwell Stone at the Willow Cemetery is top on the list.

Penny reported that John Hanks was in the cemetery last week power-washing a stone at the request of a family. Following discussion of damage done to stones by power-washing, Barbara Holt's concern with power-washing, and the discussion against it at the State Cemetery Trustee Seminar, Chris made a motion to not allow power-washing at the Franconia Cemeteries. This was seconded by Jayne and approved by a voice vote. Jayne will have Penny tell John Hanks that power-washing is not allowed; only washing by hand with scrub brush and water or D2 is approved.

This brought up the need to revisit the Rules & Regulations brochure, which is on the agenda for the next meeting.

Operations since the last meeting:

There have been no burials or lot sales. An upright monument was added in the Tucker lot 3-7-13. A monument and a base for a military paver was added to the Gary Spooner lot 3-7-18. The Raymond Martin lots 2-6-10 and 2-6-11 were split into two lots by Ray Martin's daughter Sharon. The 2-6-11 lot is now the Dodge lot, for Sharon and her husband, David Dodge. John Hanks will install a Dodge upright monument and cornerstones.

Next meeting September 26 at 9 am at the O'Connor House.

Meeting adjourned 10:50 am Motion by Chris and second by Jayne.
