

Cemetery 10-03-2018 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.

1. Minutes:

Minutes of August 29, 2018: To be voted at next meeting.

Minutes of September 29, 2018: Motion by Chris to accept the minutes as presented. Second by Mary. Approved by voice vote.

1. Truck Tire:

The Cemetery truck has a flat tire, and the replacement does not hold air. Penny is working on another replacement.

1. Water spigot vacuum breakers:

The Cemetery needs eight vacuum breakers in place before the March 1, 2019 deadline given by the water department. Town Employee Kim Cowles has graciously offered to have the locations reviewed for further information on what is needed, as local plumber Chris Sparks is doing the same review at the Dow Field. The nine spigots are outdoors, and water will be turned off before the ground freezes. It will not be turned back on before the March 1 deadline for installation of the vacuum breakers. Chris feels the project will come out of next year's budget.

1. The Willow roadside dip:

The Town Crew has filled in the deep space between the road and the parking area at the Willow Cemetery. The Trustees offer their sincere thanks to Town workers Kim and Corey for their help in alleviating this issue.

1. Road Project bid:

Mary has drafted the road bid document, with the help of Kim Cowles. The Trustees reviewed the document and edited the dates. Mary will ask Scott Leslie, Director of Public Works, for a list of suggested vendors to which the notice can also be sent, in

addition to being placed in The Courier Newspaper. Motion by Jayne to approve the edited bid for road re-surfacing. Second by Mary. Approved by voice vote.

1. Burials

Jayne reported that there is a burial scheduled for this afternoon. Penny will handle the event on her own. David Schaffer's ashes will be interred in the Schaffer family lot, 3-8-18. Jayne also had an inquiry from the Taylor Family, as Marjorie Taylor died recently. No date has been set yet for the interment of her ashes. Jayne has let the family know that the Cemetery will be closing November-May.

1. Lot Sales:

Jayne reported that there have been no lot sales this year, to date.

1. Cemetery closure date and fall projects:

Mary asked Chris to take a look at the budget and financial reports to determine when work will stop in the Cemetery for the year.

1. Fall projects were discussed:
2. Jayne will ask the Sexton, Penny Keeler, to work with Corey to turn the water off before the ground freezes;
3. Jayne will ask Penny to find out if anything needs to be done to winterize the truck;
4. Corey is planning to dig the requested drainage ditches around the shed, and Penny will add drainage stones;
5. Jayne will ask Penny if she has found markers for the military graves so the flags can be removed after Veteran's Day. The plan is to remove the flags for the winter, but leave the markers in the ground, or find another way to mark the graves so it is easier to replace the flags next spring;

Note: Jayne reported that she has been very pleased with Penny Keeler's work in the Cemetery this summer. It was noted that the Trustees have received notes and comments about how nice the Cemetery looks.

1. The Gate at Elmwood:

The Trustees plan to have the historic iron gate at Elmwood Cemetery removed this winter for repair and renovation. They are considering moving the gate back 30' from its current location and asked former Trustee Barbara Holt to offer her opinion on the plan.

The Trustees feel this will give more space for vehicles attempting to turn into the Cemetery road, offer a chance to place protective poles in front of the narrow gate. Barbara sent a list of reasons why she feels the gate should not be moved back from its current location, and her reasons were discussed.

Following the discussion, the Trustees agreed they can make a decision later on moving the gate, but that they want to protect the gate with posts, whether it is moved or not. They decided to have Penny remove the lilacs which have grown into and around the gate, so the gate can be removed and sent out for repair.

1. Map of the Cemetery:

Chris has been working on an updated map of the Cemetery, and Mary would like to have a copy printed out in order to begin serious editing. Motion by Jayne to approve expenditure up to \$100 to have draft copy of new map by Chris printed so we can begin edits. Second by Mary, approved by voice vote.

1. Trustees of Trust Funds

Chris has been in correspondence with the Franconia Trustees of the Trust Funds concerning use of two trust funds (Evans and Phillips) for general maintenance, and the possibility of filing a Cy Pres motion to access excess Perpetual Care Trust Funds for general maintenance. The Trustees of the Trust Funds graciously answered several of his questions and suggested they would need additional information as well as the original deeds or Trust documents to make further determinations.

Chris is working on the response to the Trustees of the Trust Funds and will request a chance to attend one of their upcoming meetings to go over the information in more detail.

As part of his efforts, Chris also wrote to the Attorney General's office, and received back an email from Terry Knowles, the Assistant Director of the Department of Charitable Trusts, who retired last year. The Cemetery Trustees are pleased that Ms. Knowles appears to be a continued resource for Cemetery laws and trusts.

First, Ms. Knowles discussed RSA 31:22-a which allows, with Court approval, the use of perpetual care funds to be expanded for general maintenance (requires a Cy Pres motion).

Second, Ms. Knowles writes that "the two funds in question can only be used for general cemetery maintenance, and for no other purpose, and should be incorporated as part of the budgeting process."

Motion by Mary that Chris respond to Ms. Knowles and the Trustees of the Town Trust Funds, proposing that the Phillips and Evans funds be moved out of the group list of perpetual care funds and listed on their own, because the clear intent of those two was to allow at least some of the funds for general cemetery maintenance, and noting that we intend that only the interest be used, and only for general maintenance projects. Second by Jayne, passed by unanimous voice vote.

Chris will locate the will and trust original documents for the Phillips and Evans trusts. He would also like to gather the information required for a Cy Pres motion, just in case it ends up being helpful and needed.

The Trustees would like to get on the agenda for an upcoming meeting of the Trustees of the Trust Funds to discuss this project, and to discuss the original balances of the Perpetual Care funds.

Note: There is a Municipal Association conference Nov. 14 & 15, but the individual seminars seem to be directed more towards Town employees, with only one seminar related to being a Trustee. The Trustees hope the Attorney General's Office will offer a conference specifically for Cemetery Trustees, as it had in the past. In her email to Chris Collman, Terry Knowles offered to come to Franconia to do training for the Cemetery Trustees.

1. Old business:

Pricing: Jayne noted that there are two cremation burial fee charges, depending on if the grave is dug midweek or on a weekend. She feels only one fee is needed. Motion by Jayne to set cremation price at \$200 regardless of weekend or midweek. Seconded by Mary. Approved by voice vote.

Tree Removal: The tree on Gilbert lot which has many roots encroaching on graves and lots will eventually need to come down. There is a burial planned on the affected lots, so roots will have to be removed to dig the grave. Mary suggested perhaps the tree can be removed at that time. She suggests we use the same company that took out the twin to that tree a few years ago.

1. Motion by Mary Brubaker to adjourn the meeting at 11:30 a.m. Second by Jayne. Approved by voice vote.