

# CEMETERY TRUSTEES MEETING

April 7, 2014

This meeting was called to order by Chairman Peter Bergin at 7:35 am. In attendance; Chairman Peter Bergin, Bill Belvin and Marie Grella, Bruce Berry, DPW Director, and Perry Day, Building and Ground Foreman, Pat Delisle Administrative Assistant, it was noted that Brad Galinson, Selectmen liaison has not attended a meeting since August, 2013

Minutes of March 17, 2014: Bill Belvin made a motion to approve the minutes as submitted, seconded by Marie Grella, motion passed.

**Cemetery Budget:** Budget for 2014 is on track. The FY15 cemetery budget needs to be appropriated in annual Town of Amherst DPW budget. Cemetery revenues to cover the appropriated expenses are generated by burials and tomb fees.

**March 18<sup>th</sup> meeting:** This meeting was with the Board of Selectman, Trustees of the Trust Fund and the Cemetery Trustees. One of the issues discussed was how the proceeds from the sale of cemetery lots sales were distributed. There is a general impression that a portion of the cemetery lots sales was to go into the Town of Amherst General Fund. Peter Bergin, Chair of the Cemetery Trustees has done research on this issue. He has gone over all cemetery records that are held at the DPW and has found the following. When a person purchased a cemetery lot, the check was written out to the Town of Amherst. The check was then sent to the bank (Bank of America) with instructions on how the money was to be distributed in the Cemetery Trust Funds. From 1992 to 2005 10% of the cemetery lot proceed went into the perpetual care trust fund and 90% went into Cemetery Lots- Maintenance Trust fund. In 2005, the Trustees of the Trust Funds met with Michael Wrenn of Bank of America. He suggested that the split on the sale of cemetery lots be charged due because the financial markets the Perpetual Care Cemetery Trust Fund were not generating enough interest to cover the cemetery maintenance expense. He recommended that the cemetery lot sale split should be 50% into the Perpetual Care Trust Fund and 50% into the Cemetery Lots-maintenance trust fund. This was adopted at the January 22, 2005 Cemetery Trustees meeting and is shown in the minutes of the meeting.

The Cemetery Trustees have not been able to find any Town Meeting votes, letter of agreements stating that the Town of Amherst was to receive a portion of the cemetery lots sale proceeds for the General Fund.

In addition, Chair Bergin researched how the Town of Amherst was reimbursed for cemetery maintenance expenses. The Cemetery Trust Funds from 1987 to 2006 were paying 100% of the cemetery maintenance. At the 1987 Town Meeting, a warrant article was past to set up the Cemetery Lots-Maintenance Trust Fund. This was a result of the Cy Pres settlement. It is believed that at that time (1987) the sitting Cemetery Trustees implemented a process that on an annual basis the Town of Amherst would send a Cemetery maintenance invoice or voucher to the Cemetery Trustees for reimbursement of maintenance expenses. The Cemetery Trustees approved this invoice and then would instruct the bank to issue a check from the Cemetery Trust Funds to the Town of Amherst. Invoiced the cemetery Trustees for the cost of maintenance, annually. This was done until 2008. Records of this reimbursement request to the bank are available at the DPW.

In 2006, Terry Knowles said that you could not have the Cemetery Trust funds paying 100 % of cemetery maintenance because not all lots were perpetual care and the Town of Amherst had a responsibility to pay for a portion of the cemetery maintenance. Peter Bergin as Chair of the Cemetery Trust Funds appeared before the Board of Selectmen on January 9, 2006 to discuss this

50 with the Board of Selectmen and Ways and Means Committee along with a Warrant Article that  
51 would set up a \$15,000.00 Forestview design Capital Reserve Fund. The Board of Selectmen and  
52 the Ways and Means committee voted unanimously in favor of this. Minutes of this meeting are  
53 available. In addition Terry Knowles minutes of her meeting with the Board of Selectmen and  
54 Cemetery Trustees held at the Town Hall on January 9, 2007 are available. The Cemetery Trustees  
55 and the Board of Selectmen in 2006 agreed to have the Town of Amherst start to pay for cemetery  
56 maintenance in 2006 and by 2008 the Town would pay 100 % of the expense. Revenues from  
57 burials would help offset the total cost.

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60 **Cemetery Maintenance Finance Advisory Committee:** Chair, Peter Bergin will represent the  
61 Cemetery Trustees. The Cemetery Trustees expressed a strong desire that Terry Knowles from the  
62 Attorney General, Charitable Trust Unit attend the first meeting to help the committee focus on the  
63 charge.

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66 **Opening of the cemeteries:** Currently no vehicles are allowed in the Cemeteries. Depending on  
67 the frost, mud etc. opening the Cemeteries could be 2-3 weeks.

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69 **HMIS:** A proposal was submitted by HMIS for the mapping on Meadowview Cemetery. The Trustees  
70 have looked at "George Putnam" fund and "Alice Wilkins" Fund. The George Putnam fund was  
71 established for the Improvement of the Cemetery. The Alice Wilkins was established for the  
72 beautification of the Cemetery. Copies of these trusts have been send to Attorney Drescher for  
73 review and interpretation to determine if funds can be withdrawn for the purchase of this software.  
74 Once this determination has been made we will contact HMIS to negotiate a new contract.

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76 **Playground Removal:** A motion was made by Marie to contact the Board of Selectman regarding  
77 inventory of the equipment on Cemetery Fields and its removal. This motion was seconded by Bill,  
78 motion passes.

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80 **Discussion:** regarding graves with perpetual care and determining which grave/lots have perpetual  
81 care and what lots do not. The mapping of Forestview is reviewed trying to place where the playing  
82 fields are in relation to the burial grounds. A discussion follows regarding the division of land and the  
83 history of the land.

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85 The next meeting of the Cemetery Trustees will be Thursday May 8, 2014 at 7:30am.

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87 Peter Bergin made a motion to adjourn at 8:50am, seconded by Marie, motion passes, meeting  
88 adjourned.

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