

## MINUTES

### PROVINCETOWN CEMETERY COMMISSION

MAY 7<sup>TH</sup>. 2012

Present: Richard Olson, Chairman, Greg Howe, Charles Westcott, Mark Collins and James Cox.

Also Present: David Gardner, Asst. Town Manager, Lynn Martin, MIS, Constance Black and Dennis Rhodes.

The Meeting convened at 2:00pm.

1. The minutes of the April 2<sup>nd</sup>, 2012 meeting were approved.
6. (taken up out of sequence) Smallpox Cemetery Memorial : The Chairman recognized, with thanks, Connie Black and Dennis Rhodes, who have long had interest in this nearly forgotten piece of Provincetown history and, in the case of Mr. Rhodes, has suggested a memorial on Cemetery property in the Town. A research piece by Ms. Black and George Bryant was circulated. Mr. Howe moved a vote to request of the Selectmen, at their May 29<sup>th</sup> meeting, to approve the establishing of a Town fund to Receive tax-deductable donations toward creation of the memorial. This was approved and David Gardner will revise the proposed form for the Selectmens' vote, if necessary, to conform to legal requirements. Any publicity on the subject will be held off until after the Selectmen act, but will then invite public comment and will be put up on the Town's website by Lynn Martin.
2. Alden Street Cemetery expansion: With respect to the power-line re-location, the Chairman has once again contacted B & B Electric to get Nstar to hook up the connection at the Alden Street end, whereupon B&B will make the connection to the B&G facility. We will then have Nstar's and B&B's bills so that we will know how much of the Town's \$26,000 appropriation for the expansion remain un-expended. Part could be used for purchase of the necessary new lot tags, and we need to know

From Cemetery Superintendant what this cost will be. Note that two earlier appropriations for the project have additional unexpended balances of \$2,220 and \$945, respectively.

Mr. Gardner and Ms. Martin reported that they have a target date of June 1<sup>st</sup> for implementation of the new system of lot sales, deeds and receipts, turnover sheets, etc. through the Town Clerk's office. They have consulted Town Counsel on the proposed procedures, which should now better conform to statutory requirements, and we should develop a clear information piece to lay it all out for the public. Then we should be in a position to announce lifting on the moratorium on sales of lots. People are waiting, as is the depleted Sale of Lots Fund.

The proposed form of Deed of Sale was discussed in detail under guidance of Mr. Collins, with particular concerns about the matters of "heirs and assigns" and the lapse time for unused lots to revert. Fifty years was said to be the understanding, and reference was made to some "big book" that Tony Lemme cites. (The Chairman notes subsequently finding 75 years set out in Chapter 114 of the General Laws.) In any case, we need to see this "big book", review Chapter 114, which details much about burial requirements and procedures, and re-examine our own Rules and Regulations. For examples, we are informed that Cemetery Commissioners themselves are required to sign Deeds of Sale ; we are unclear whether only three or perhaps four cremations may be placed in a single burial lot, whether an urn may be placed with a burial in a single burial lot and whether an upright monument may be placed on a single 5ft. by 10ft. lot. Procedures for filing of death certificates and burial permits also need clarification, which Mr. Cox will take up with Bill Gately of the Gately Funeral Home.

The procedure for amending our Rules and Regulations, should it become necessary, was discussed and needs to be reviewed.

Finally, with respect to Alden Street, it was noted that we need to decide how many burial lots and where, we need to set aside for the proposed columbarium. Mr. Howe will look for monument catalogues, at least to judge how large a foot-print we want to consider, and it was suggested that some publicity and perhaps an open forum would be useful to get public in-put.

3. Winthrop street Cemetery restoration project : discussion was largely postponed, but herbicidal spraying was taken up, noting that ATM Article 26 was only advisory but that the Conservation Commission conceivably could ban spraying on Town property. Mr. Olson will enquire of them. There was discussion of the “clip and drip” approach, and Mr. Gardner will take up with Tony Lemme.
4. Status of mapping and record keeping : covered under item 2.
5. Status of Cemetery funds and accounts : discussion deferred, except that David Gardner reported that the Bartholomew firm, to which has been entrusted investment of the Perpetual Care Trust Fund, along with Francis Family Scholarship Fund etc., after withdrawal of Merrill Lynch from the field, is well known and referenced and has been recommended by Merrill Lynch. Mr. Collins will report further on his discussions with Director of Municipal Finance Dan Hoort.
6. (Taken up at beginning of meeting.)
7. Other Business : Originally item 1(b) on the agenda, our policy regarding lot buy-backs was discussed. We intend to pay back only the original price, with no refund of the Perpetual Care contribution, and was subject to Town Meeting approval of the appropriation from the Sale of Lots Fund and availability of funds therein. This should probably be set out in our next revision of the Rules and Regulations.

Regarding funds for the needed B&G tractor-mower, defeated for a Prop 2 ½ over-ride at the last Town election, we will consider asking the next Town Meeting for an appropriation out of unexpended funds from appropriations made for the Alden Street expansion.

Mr. Gardner advised us that the Town Manager has appointed Richard Kelley as the Alternate on our Commission, and we look forward to welcoming Mr. Kelley.

8. The date of the next meeting was set for June 4, 2012.

4

Respectfully submitted,

Richard B. Olson  
Chairman and Secretary pro tem.