

Cemetery Trustees
74 High Street
Candia, New Hampshire
03034

December 19, 2010

Terry M. Knowles, Asst. Director, Charitable Trusts Department of Justice, Office of the Attorney General 33 Capitol Street Concord, NH 03301

Dear Terry,

As I've been promising you for several years now, I'm enclosing an initial version of our attempt to capture, organize and disseminate information relating to cemetery perpetual care funds. Enclosed, you will find an index report displaying a subset of the data that has been captured from various different sources and individuals about our cemetery deeds. The Excel data used to produce the report is enclosed on a CD that also contains the report worksheet and a folder containing the digital JPEG images of the original records used to compile the report. Each row in the report is keyed to the filename of the relevant image thru the number in the "Deed #" column. Please understand that this is a preliminary output of a long-term effort. It does, however, represent a significant, year-long effort, by a dedicated and talented volunteer in our community, who spent an inordinate amount of time researching and compiling the data.

While we will be continuing our efforts, our cursory review of the information contained in the report, as well as the experience gained in the effort, has already identified a significant number of problem areas, as well as providing a laundry list of future efforts necessary to purify the data, locate additional data, and develop the tools to make the information more easily accessible and useful. We're reasonably certain that we identified all the likely local sources of data. We've correlated it, to some extent, with other local data collections and sources. We're working with the Trustees of Trust Funds, the Town Clerk, local historical societies and the general public. We would welcome any additional advice or relevant data that your office might be able to provide.

I've also sent a copy to Audrey Blodgett for her review. If she has any questions, I can be reached at the above address, by email at rherbertsnow@netscape.net or by phone at (603) 483-2722.

Sincerely,

Richard H. Snow, Chair Cemetery Trustees

Section 289:7

289:7 Powers and Duties. -

- I. Except in those municipalities in which other provisions have been made by a general or special act of the legislature, all cemetery trustees in the state shall:
- (a) Adopt bylaws and regulations for their transaction of business and for the establishment and management of all municipal cemeteries within their responsibility.
- (b) Prepare an annual budget indicating what support and maintenance of the municipal public cemeteries will be required out of public funds for submission to the appropriate agency of the municipality. A separate budget request shall be submitted for planning and establishment of a new public cemetery and for capital improvements or expansion of an existing public cemetery.
- (c) Expend all moneys raised and appropriated by the municipality for cemetery purposes. Such funds shall be maintained in the general fund and paid in the same manner that funds of other municipal departments are paid.
- (d) Expend income from all trust funds for cemetery purposes in accordance with the conditions of each donation or bequest accepted by the municipality. Such trust funds shall be held in the custody and under the management of the trustees of trust funds. The trust income shall be transferred to the cemetery trustees by the trustees of trust funds in response to vouchers executed by the cemetery trustees, if the requested funds are available. Such trust fund income shall not be commingled with the moneys raised and appropriated by the municipality.
 - (e) Prepare deeds of cemetery lots for the governing body to sign.
- II. Cemetery trustees may appoint a cemetery custodian or sexton who shall not be a trustee and who shall be responsible to the cemetery trustees for supervising work done in the cemeteries.

Section 289:5

289:5 Cemetery Records. – The corporate officer or designee of a cemetery corporation or town cemetery trustees charged with the responsibility of operation and administration of any cemetery under their control shall keep a record of every burial showing the date of burial and name of the person buried, when these particulars can be obtained, and the lot, plot, or part of such plot or lot, in which the burial was made. Such records shall also be kept of every private burial site within a municipality by the owner of the land containing the burial site, and a copy of the information shall be supplied to the cemetery trustees who will maintain the municipal records of such sites. A copy of such record, duly certified, shall be furnished to any person on demand and payment of a fee established in compliance with RSA 91-A:4. The location of each cemetery and private burial site may be annotated on the municipal tax map.

Section 289:9

289:9 Use of Trust Funds. – Cemetery corporations and the trust fund trustees of municipalities may take and hold funds in trust, and may apply the income of the trust to the improvement, watering, or embellishment of the cemetery, or to the care, preservation, or embellishment of any lot or its appurtenances.

New Hampshire Statutes Table of Contents CHAPTER 289: CEMETERIES

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Town of Candia

Cemetery Trustees
74 High Street
Candia, New Hampshire
03034

Bylaws

Authority

In accordance with Chapter 289 of the NH Revised Statutes, every municipality shall provide one or more suitable cemeteries for the interment of deceased persons within its boundaries. The operation and maintenance of all cemeteries owned and maintained by the municipality shall be in the charge of the cemetery trustees. The Candia Town Meeting has voted to have the selectmen serve for their term of elected office as cemetery trustees.

Officers

Trustees shall organize by electing one of their number chairperson and another bookkeeper, who shall keep the records and books of the trustees, and shall issue vouchers as necessary for funds to be expended. The chairperson and the bookkeeper may be the same member.

Powers and Duties

Cemetery trustees shall:

- (a) Adopt bylaws and regulations for their transaction of business and for the establishment and management of all municipal cemeteries within their responsibility.
- (b) Prepare an annual budget indicating what support and maintenance of the municipal public cemeteries will be required out of public funds for submission to the appropriate agency of the municipality. A separate budget request shall be submitted for planning and establishment of a new public cemetery and for capital improvements or expansion of an existing public cemetery.
- (c) Expend all moneys raised and appropriated by the municipality for cemetery purposes. Such funds shall be maintained in the general fund and paid in the same manner that funds of other municipal departments are paid.
- (d) Expend income from all trust funds for cemetery purposes in accordance with the conditions of each donation or bequest accepted by the municipality. Such trust funds shall be held in the custody and under the management of the trustees of trust funds. The trust income shall be transferred to the cemetery trustees by the trustees of trust funds in response to vouchers executed by the cemetery trustees, if the requested funds are available. Such trust fund income shall not be commingled with the moneys raised and appropriated by the municipality.
 - (e) Prepare deeds of cemetery lots for the governing body to sign.

4/8/2013

Draft Cemetery Trustee Bylaws

Page 2 of 2

Meetings

Meetings are at the call of the chairperson. The cemetery trustees shall meet monthly on the 2nd Friday of each month for a work session. Special meetings shall be scheduled, whenever possible, to immediately follow a regularly scheduled selectmen's meeting. The cemetery trustees shall meet formally on at least a quarterly basis. Meetings shall conform fully with NH RSA 91-A.

Quorum

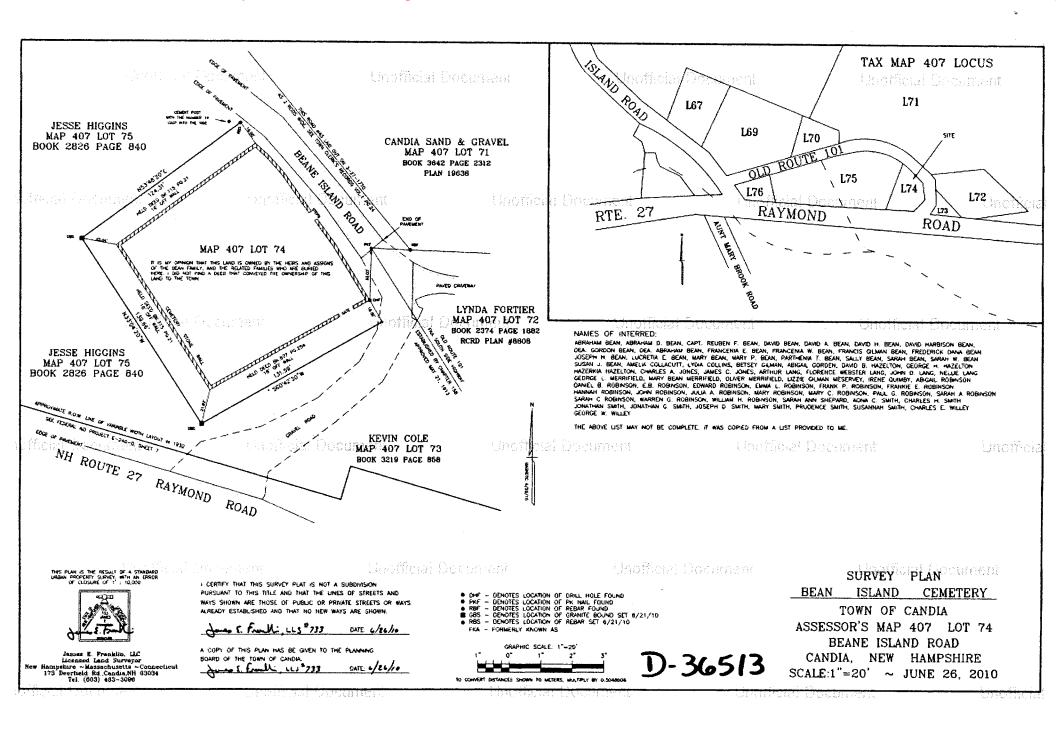
The quorum for any meeting is three (3) members. Decisions by the cemetery trustees require a motion, second and approval by a majority of the members present and voting.

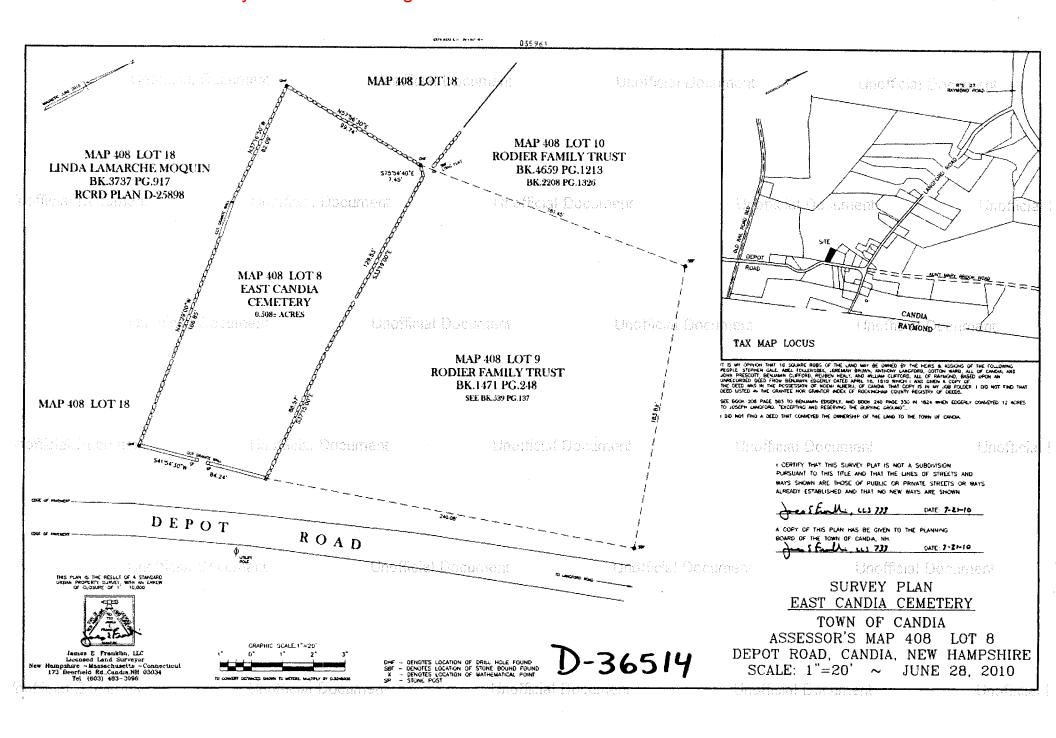
Chairperson

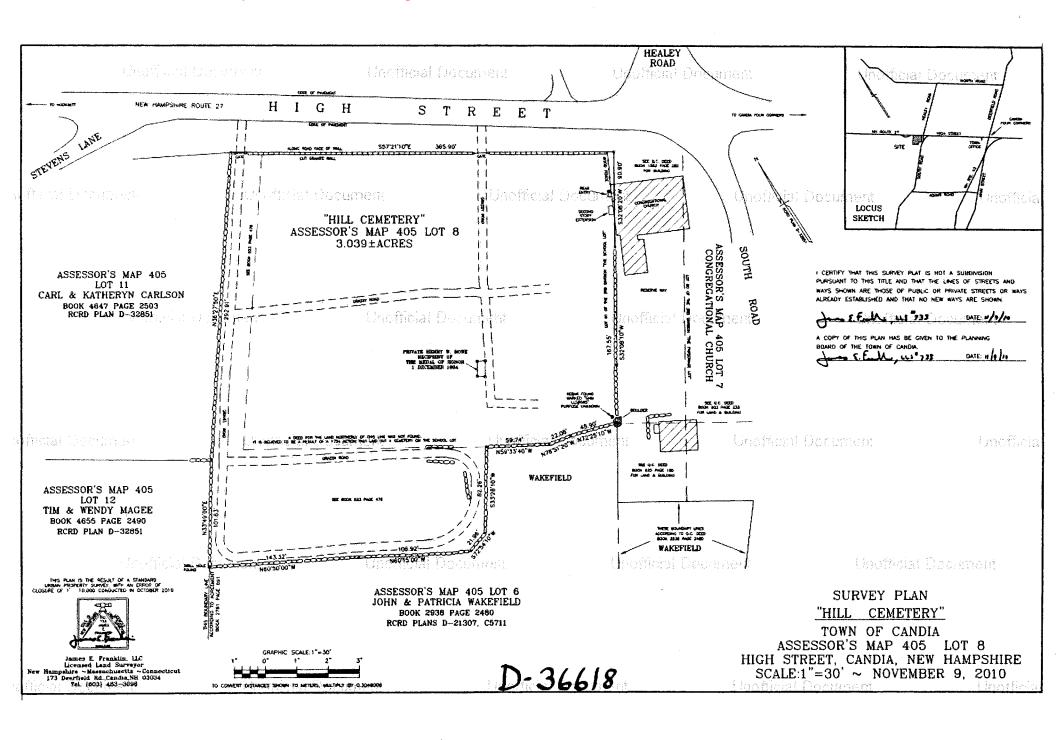
The chairperson, or their designee, sets the agenda for and presides at all meetings of the cemetery trustees. They are responsible for ensuring that the duties and responsibilities of the cemetery trustees are carried out in an efficient, orderly and timely manner. They or their designee(s) provide the necessary interfaces with other officials and the public in the performance of those duties and responsibilities. They shall be responsible, in coordination with the bookkeeper, for the development, preparation and maintenance of the required budget(s), bylaws and regulations for the review and approval by the cemetery trustees and/or the Town Meeting.

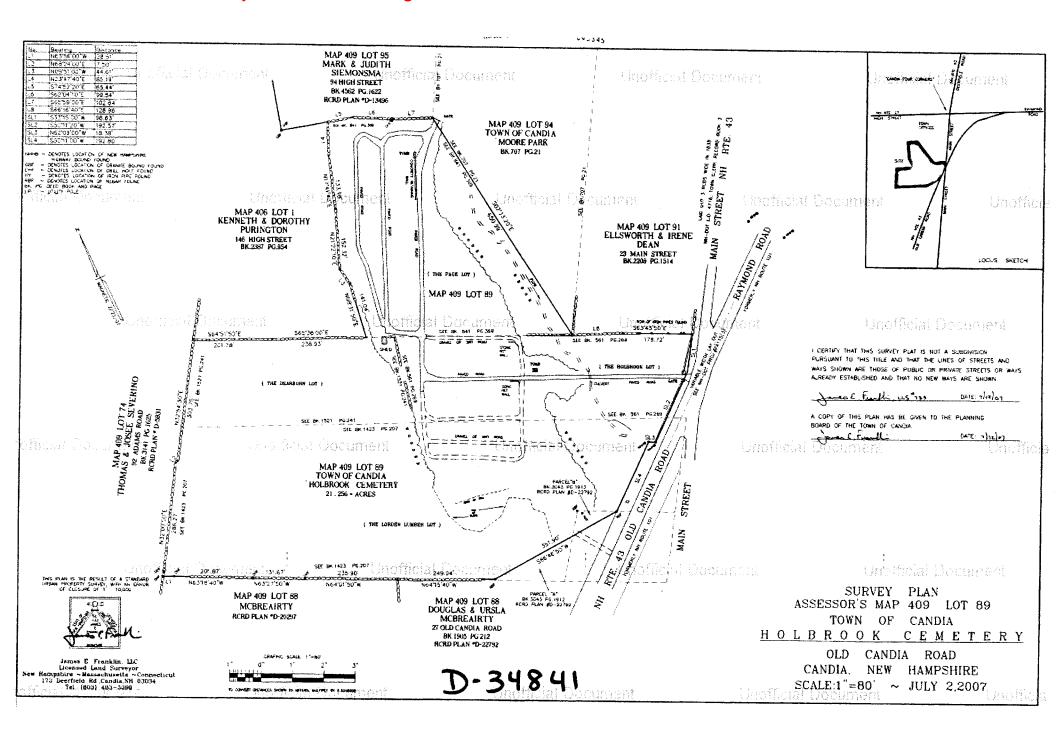
<u>Bookkeeper</u>

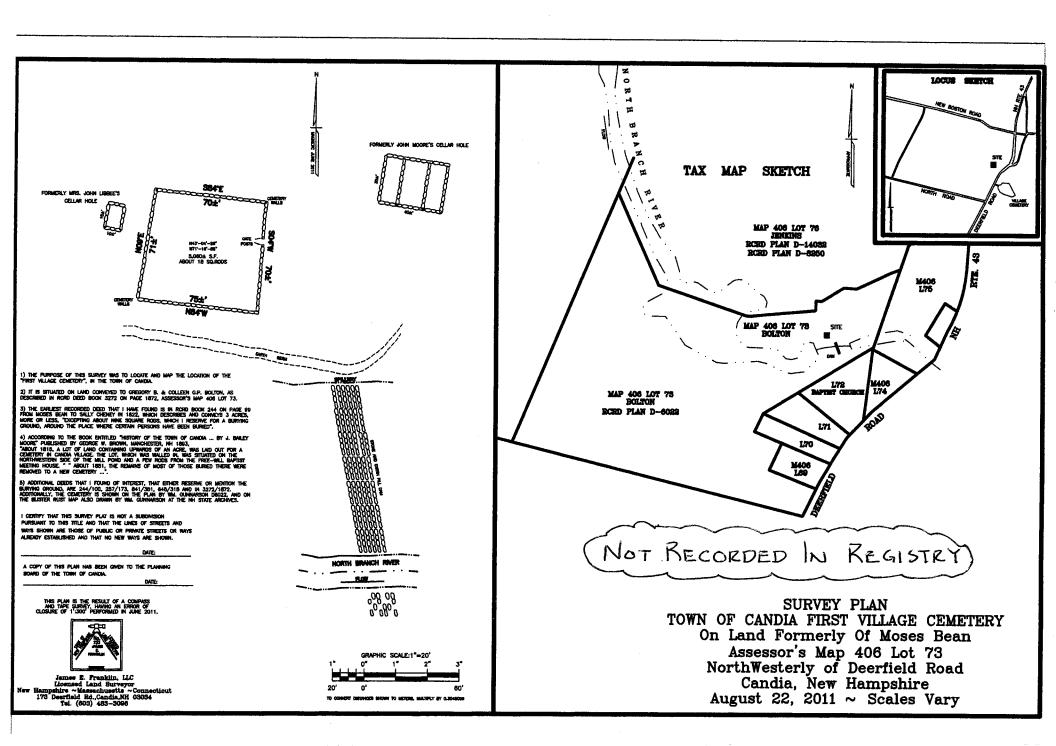
The bookkeeper shall prepare a draft of the annual operating budget and a separate budget for capital improvements, if applicable, for the review and approval by the cemetery trustees before submission to the municipal budget committee. They shall ensure that all moneys raised and appropriated by the municipality for cemetery purposes are properly recorded and expended, including any income from trust funds for cemetery purposes. They shall prepare the vouchers necessary to effect the proper transfer of trust fund moneys to the cemetery trustees by the trustees of trust funds. They shall prepare deeds for the sale of cemetery lots for the governing body to sign and shall prepare and maintain such other records of the cemeteries as are required by statute or necessary for the cemetery trustees to properly carry out their duties and responsibilities.











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of Mont Vernon newsletter d	elivered to your email address.

Home - Rules & Regulations

Green Lawn Cemetery Regulations

Green Lawn Rules & Regulations

PURCHASE OF CEMETERY LOTS

- 1. The purchase of a cemetery lot authorizes the owner the RIGHT TO INTER human remains within the lot boundaries. No other rights are granted except as explicitly stated in these rules. Title to the real estate remains with the town.
- 2. Current or former residents of Mont Vernon or their estate may purchase up to four graves. Lots may contain one, two or four graves. Graves measure five feet by ten feet. Each grave may contain one full burial or two cremations.
- 3. By written request to the cemetery trustees, lot owners may transfer the RIGHT TO INTER to a new owner who meets the residency requirements above. A lot owner who wishes to relinquish an unused lot without a monument may sell it back to Green Lawn Cemetery at the total price originally paid less the perpetual care portion.
- 4. Ledge, large boulders or mature trees may reduce the capacity of a lot. The owner may ask the cemetery trustees to have these impediments removed. If they agree, the owner must pay for work in advance. The owner may instead choose to accept the reduction in capacity or relinquish the lot as described above.

INTERMENTS

- 1. The signed Interment Order and payment must be received by a cemetery trustee at least three days before the scheduled burial. Failure to comply may require a postponement of the burial to a later date.
- 2. All interments, including cremations, shall be done under the supervision of a cemetery trustee or trustee designee. In cases where sub-surface obstructions are discovered at the time of interment, a cemetery trustee or designee may select an alternate usable grave in the same lot. Lacking a usable grave in the same lot, the Trustee may select a grave in an unused lot for interment. Should the lot owner or representative object to the selection, the burial must be postponed.
- 3 All burials must be contained within or covered by a cemetery vault.

- 1. Monuments shall be installed on a suitable foundation by the owner's contractor and in accordance with all other applicable parts of this section.
- 2. Above-ground monuments are not allowed on a single grave lot. Single graves must be marked with a flush marker.
- 3. Only one above-ground monument may be installed on a cemetery lot. Flush markers may be installed to mark individual burials.
- 4. The footprint of above-ground monuments on a four grave lot shall not exceed ten square feet with a maximum dimension not to exceed five feet. Consult with your local monument supplier.
- 5. The footprint of above-ground monuments on a two or three grave lot shall not exceed six square feet with a maximum dimension not to exceed three feet. Consult with your local monument supplier.
- 6. Unusual monuments are subject to the approval of the Cemetery Trustees.

LANDSCAPING AND DECORATIONS

- 1. Only plants of the annual (one year life cycle) variety may be planted in the cemetery and is limited to an area fourteen inches in front of an above ground monument. A single shepherd hook not to exceed height of monument may be placed within the 14 inch area.
- 2. Changing the surface of a lot is not permitted.
- 3. The planting of shrubs, trees or bushes is not permitted.
- 4. Above ground structures or artifacts, natural or constructed, such as benches, birdbaths, fences or other devices or items are expressly prohibited.
- 5. Wire (common in artificial flowers) glass, and other materials that might present a hazard if hit by the mower are prohibited. Artificial flowers, battery operated devices, pottery, items containing metal components, glass, wire and small objects are prohibited.
- 6. The Cemetery Trustees may remove any items which are not permitted by these rules and any items that have deteriorated. Trustees reserve the right to remove and dispose of such items without notice.
- 7. Exceptions to plantings and placements are: American flags may be placed and geraniums may be planted for Memorial Day on any veteran's grave.
- 8. All decorations should be removed by the lot owner no later than November 15. Trustees shall later remove and dispose of remaining decorations.
- 9. Decorations remaining over winter will be removed in the first week of April before opening.

GENERAL RULES

- 1. Vehicles not involved with cemetery operations are restricted to the roadways.
- 2. Admission to the cemetery is prohibited from sundown to sunup.

Attachementaring and Calculate transport to weather and ground conditions. Cemetery gates will close November 30 or subject to weather and ground conditions.

- 4. Requests for exceptions to these RULES must be made in writing to the cemetery trustees. Contact information may be found below.
- 5. Animals (except guide animals) are prohibited from the cemetery.
- 6. Persons causing excessive noise, non-funeral organized activities, loitering or otherwise disturbing the quiet and good order of the cemetery may be compelled to vacate the premises. **END**

The Town of Mont Vernon trustees wish to preserve the decorum of Green Lawn Cemetery for our citizens, visitors, mourners, families and friends of those interred here. The trustees request citizen input as to how we might make this place better for all those who come here. Please contact:

Town of Mont Vernon

Cemetery Trustees

PO Box 343

Mont Vernon, NH 03057

Town offices: 603-673-6080

Town website: http://www.montvernonnh.us/

Trustees 2012

Richard Quintal, Chair

2013

Barbara Whipple, Secretary

2014

Mary Alyce Minor, Bookkeeper

2015

Filename: Green Lawn RULES presented at a HEARING September 27, 2012. Adopted

Rev. 1.0 5/25/2012; changed from town email to town website and added trustees.

Rev. 2.0 9/27/2012; changed several items, HEARING posted, advertised and new filename - Green Lawn RULES 120927. Adopted at regular meeting October 10, 2012.

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Mont Vernon Cemetery Trustees have jurisdiction under the laws of New Hampshire, in particular under RSA 289 and RSA 290. RSA 289:7 provides us with the authority to establish rules/regulations governing Mont Vernon's cemeteries.

A printable version of our rules is available at http://www.montvernonnh.us/index.php/rules-a-regulations. The above Rules & Regulations were aired and adopted at a HEARING held September 27, 2012. Effective October 28, 2012.

Board of Cemetery Trustees

- Home
- Trustees
- Buying a Lot
- Burials
- Database
- Rules & Regulations
- Finding a Grave
- Documents
- Pictures
- Price List

Attachen For Francia Diesetor Trustees Meeting on 6/24/2013

- Contact Us
- Agenda
- Meeting Minutes

Town of Mont Vernon, P.O. Box 444, Mont Vernon, NH 03057 phone: 603-673-6080

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CEMETERY CONCERNS Pair of parents protest policies on grave sites

By GERRY MILES

New Hampshire Union Leader

MANCHESTER — A grieving mom was shocked to find decorations she left at her baby's grave tossed into the woods bordering Mount Calvary Cemetery.

"There are piles and piles of fake flowers, flowers, baby stuffed animals, even some crosses in there with sticks, and leaves and grass," Amanda Treadwell of Manchester said Tuesday. "You can tell they've been doing it for quite a while. I found all of my daughter's stuff tossed in the woods last night."

Meanwhile, Michael Guglielmo, father of "Baby Giovanni," is losing his battle to have the city's Pine Grove Cemetery allow items to remain on his son's grave. Giovanni, who died at age 5 in April, was born with a genetic immune deficiency that inspired his family to mount a campaign that has prompted thousands to register as bone marrow donors.

"How do you take something off a child's grave and throw it in the garbage," Guglielmo, who lives in Belmont, asked

> See Cemeteries, Page A2



A stuffed Teddy bear and a small American flag are some of the items found thrown over the fence behind the Angel section of Mount Calvary Cemetery in Manchester Tuesday afternoon.

PHOTOS BY MARK BOLTON/UNION LEADER



Amanda Treadwell of Manchester stands in the Angel section of MountCalvaryCemeteryinManchester, whereamemorialforher daughter, Mariah Treadwell Hess, is located.

Article Continued Below

See CEMETERIES on Page A02

Cemeteries

Continued from Page A1

Tuesday. "Rules are rules but they're made to be challenged and they can be changed.

Gugliemo was particularly upset that "on July 2 or 3 a number of things were removed from Giovanni's grave site by maintenance workers and thrown in the garbage.

On July 14, participants in a motorcycle run each placed a rose at the site along with a standing flower arrangement with a Roman shield, sword, bow and helmet because Giovanni thought he was a gladiator. That was his favorite movie.

"I don't want something to look like a playground either," he added. "I think they're insensitive to parents with children buried there. Why can't you put a small sled out there in winter for example?"

In a July 27 letter to Director of Parks Peter Capano, who oversees Pine Grove, on Calef Road, Guglielmo asked for an exception for the graves of children under the age of 16.

But on Tuesday, Capano said he will not take up the request at the Parks and Recreation Commission meeting this morning at 8 a.m.

He said he sent a letter informing Guglielmo of the decision Tuesday.

"I said that the cemetery should remain as dignified as possible and that the policy for one floral arrangement per grave achieves that goal and won't be changing at this time," Capano said.

Mount Calvary Cemetery has a section set aside for children's graves. Treadwell said when she and her mother went to visit her infant daughter's grave Monday, the decorations were missing. Looking around, Treadwell found her decorations and those from other graves tossed into the woods along the fence behind the Angel section of the cemetery.

"If they had taken the items away in trash cans, it'd be better," Treadwell said. "Just don't toss it in the woods where it's not cared about, more or less. Why don't they put it to the side where families can come and pick up what was theirs?"

The items include American flags and are strewn about 50 feet along the fence behind the Angel section of the cemetery.

Kevin Cody, superintendent of the cemetery at 474 Goffstown Road, said to his knowledge nothing has ever been tossed into the woods.

He said Treadwell had not been in contact with him, but he would investigate the matter further.

"We always try to keep things around as long as possible," Cody said. "We don't allow flowers on the ground during our cutting seasons, but if they're on stones or memorials we leave them alone."

Flowers and pinwheels in vases are not touched he said. If they're broken or dilapidated, they're disposed of properly.

"In the baby's section, teddy bears and stuffed animals that are out in the weather for a long period of time tend to become dilapidated, moldy and beat up. We would remove them if they become broken and unsightly," Cody said.

Treadwell said at the time her items were removed, there was no headstone on her daughter's grave; a stone was put in last week.

The baby was buried June 7.

She said her understanding was that if there was no headstone, the cemetery could remove flowers and decorations.

"We understood that. That's the chance that we took," Treadwell said. "They never said it would be put back. But, I found all of her stuff really deep in the woods."

She added: "Instead of being thrown away, it's just thrown behind the cemetery as garbage, more or less. It's probably one of the most inhumane things I've ever seen at a cemetery."

gmiles@unionleader.com

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