

NANTUCKET CEMETERY COMMISSION
Posted Meeting of January 8, 2020, at 3:00 pm
Department of Public Works Office, 188 Madaket Road

FINAL AND APPROVED MINUTES

Attendance: Commissioners: Allen Reinhard (Chair), Lee Saperstein, and Barbara White; Cemetery Administrator, Rob McNeil (3:06 pm, left at 4:00 pm).

Absent: Frances Karttunen and Scot McIver

1. Call to Order.

Chair Allen Reinhard called the meeting to order at 3:02 pm. There was a quorum at all times.

2. Public Comment

None

3. Comments from the Chair

Allen Reinhard reported that the Town had received a check from Isabel Stewart for \$500 for “the caring and thoughtful work of the Cemetery Commission,”. Lee Saperstein noted that we should take a formal action to accept the gift. Hence, Barbara White moved to accept the gift, Lee Saperstein seconded the motion, and all were in favor. Rob McNeil has forwarded the gift to the Town for formal acceptance by the Select Board; it is on their agenda for Wednesday, January 15, 2020. It was agreed that it should be deposited in an accessible cemetery account. Lee Saperstein volunteered to check past minutes for a discussion of Cemetery accounts; it happened at the meeting of June 13, 2018, and the relevant portion of those minutes is attached.

Rob McNeil asked for the Commissioners’ consent for the removal of two volunteer trees in Quaker Cemetery. All agreed that this was a necessary part of routine care and maintenance.

Because Rob McNeil said that he had another commitment at 4:00 pm, we took advantage of his presence to catch up on some on-going business. Allen Reinhard asked about the restoration work on the monuments that would be paid for by the CPC grant. Rob McNeil replied that the work has been delayed while he seeks a consultant or consultants who could assess stone conditions, cemetery by cemetery, and create an actionable report. Once we have this report, we can request bids for restoration work.

Lee Saperstein said that such a professional cemetery consultant could also help the Commission create a searchable data base of Island interments. He moved that we create a budget item for this work in the next available budget, which is FY 2022. It was seconded and all agreed.

[Action: Rob McNeil, Administrator, will work with the Finance Department to create a budget line for the Cemetery Commission in the FY 2022 budget.]

4. Approval of Minutes from December 11, 2019.

Barbara White moved approval of the minutes from December 11, 2019; for clarity she indicated that this motion applied to the draft recently circulated by Secretary Saperstein. Lee Saperstein seconded her motion and approval was unanimous.

5. Cemetery inspections and Development of Priorities and Work Plans for Improvements.

Allen Reinhard noted that it has been some time since we inspected the cemeteries and created work plans for them. It is time to review and renew these existing work plans. Many of those earlier work items have been done, e.g. fence renewals, brush cutting, etc. Polpis Cemetery (see Item 10.) could be the first candidate for a renewed work plan that would include brush cutting back to the boundaries and installation of a fence alongside the abutting property at 268 Polpis Road. Lee Saperstein suggested that we visit the cemetery soon to come up with a work order. Allen Reinhard agreed and will work with Richard Moore of the DPW to fix a date and will apprise commissioners of it. [Action: Allen Reinhard and Richard Moore will set a date to inspect Polpis Cemetery.]

6. Timing of Quaker Cemetery Letter to Neighbors.

Allen Reinhard reminded the Commissioners that we should move forward on mailing the letter with respect to encroachments onto the Quaker Cemetery that was approved at the last meeting. Rob McNeil took a copy of the letter and will review it with Ken Beaugrand and ask him that it be sent soon and on official stationery. [Action: Create and mail the letter.]

7. Memorial stone at Quaise: Cost, Approval Process and Next Steps.

Allen Reinhard shared a draft of wording for a memorial monument at Quaise for the victims of the Quaise Asylum fire. He said that we need an estimate of cost for the stone and its engraving; we should also agree on the shape and design of the stone and on a font design for the inscription. With the design in hand, we should take it to the Sign Advisory Board of the HDC. Once approved we can pursue funding for it. Signs for directions to the burial ground should be reviewed with the Nantucket Conservation Foundation. [Action: Prepare a design for approval by the Commission and ask Scott McIver to obtain an estimate.]

8. Newtown Cemetery Next Steps.

Allen Reinhard will work with Ken Beaugrand, Town Real Estate Specialist, to submit a proposal to the Select Board for approval of the full boundaries of Newtown Cemetery. He reminded the Commission of the GPR and history work that has been done to establish that Newtown (40, 42, 44, and 46 Sparks Avenue) is a cemetery. The steps to be taken after official recognition are to perform a recordable survey, clear remaining brush, finish the GPR survey of all graves in 40, 42, and 44 Sparks Avenue, and design a relocated Cow Pond footpath that does not cross graves. Then we should be able to layout new grave sites, both full body and cremains.

As this work proceeds, it would be nice to have publicity announcements that remind all who visit it or walk across it that is respected ground. It would also be nice to have a brochure, printed and on-line, on the cemetery's history and eminent people buried there. [Action: Allen Reinhard and Ken Beaugrand to prepare a motion on Newtown Cemetery for the Select Board.]

9. Franklin Street: Update.

Allen Reinhard reported that the Committee on Roads and Right of Way agreed with the Cemetery Commission's recommendation of last month and has put Franklin Street on its potential takings list. Ken Beaugrand has the recommendation and can discuss it with Town Administration and the Planning Office.

Lee Saperstein commented that the Town is an abutter to Franklin Street and, even though it is a private way, we may put up parking signs that say, "Parking for New North Cemetery only." [Action: Ask DPW to post signs along New North Cemetery.]

10. Polpis: Lay Out Additional Lots and Brush Removal

Allen Reinhard suggested that it was time to expand the number of salable lots in Polpis Cemetery. We have sold over 72 lots and the number in reserve is dwindling. We should consider laying out a new section for additional sales. This will require cutting brush back to the boundaries and approval of the expansion by Nantucket's Board of Health. Hence, to identify the boundaries, we need a careful review of existing survey data, creation of a recordable survey, and professional layout of new lots.

With respect to the encroachment into the cemetery, the Commissioners felt that we should ask for an expedient remedy. We should ask Ken Beaugrand for an estimate of the time needed to notify the owners of their need to remove their encroachments including plantings, firewood, and, ultimately, the encroaching structure. [Action: DPW to obtain a recordable survey of Polpis Cemetery.]

11. Comments, Old, New and Other Business.

There were none.

10. Adjournment.

Adjournment was at 4:28 pm by acclamation.

Next regular meeting: Wednesday, February 12, 2020, at 3:00 pm in the conference area of the DPW Office, 188 Madaket Road.

Respectfully submitted: _____; Date: _____

Lee W. Saperstein, Secretary

Minutes of June 13, 2018

6. Cemetery Budget and Account Access.

As reported in the minutes of the previous meeting, May 9, 2018, Lee Saperstein reviewed the financial accounts that relate to the Town Cemeteries, including a summary of their origins. At that meeting, the Commission chose to defer any formal action on these accounts until Brian Turbitt, Finance Director, could attend its meeting. He was present at the present meeting and did review the cemetery accounts with the Commission. The Commission was able to confirm the use of the accounts and also discussed allocation of income from the sales of cemetery lots and from gifts. There are four accounts, of which three are trust accounts and are sub-divided into locked principal and expendable income. The trust accounts are grouped under the title of the “Perpetual Care Trust Fund.”

The Sale of Cemetery Lots account (Fund 216-36066) is formally known as a “receipts reserved for appropriation” account and that means that a budget for expenditure will need Town approval. At present, there is a balance of \$80,856.52 in this account. Recent proceeds from the sale of burial rights at Polpis were deposited into it.

The Cemetery Perpetual Care account is derived from deposits made by heirs to provide for grave maintenance. At some point, the Town stopped collecting money from individual families and began to provide cemetery-wide maintenance and the individual, family accounts were consolidated. A principal, i.e. locked, balance of \$41,788.00 exists in Fund 530-33023 and an expendable balance of \$12,815.62 is in Fund 530-36023.

The Austin Cemetery account was originally established by the executor of the estate of Caroline F. Austin, who was buried in Newtown Cemetery in 1925, for the care of her grave. The principal amount of the trust is \$859.10 (Fund 530-33024) and the expendable income in Fund 530-36024 is \$5,062.64.

The account formerly known as the Friends of the Cemetery and, as requested by Frances Karttunen at this meeting of the Commission, known now as the Friends (Quaker) Cemetery account is based on donations made at monthly Meetings from 1915 onward for maintenance of the then-called Friends Burial Ground and now-named Quaker Cemetery. The trust fund has a balance of \$1,657.70 (Fund 530-33025) and the expendable account has \$13,070.87 in Fund 530-36025.

Discussion at this point covered the difference between locked and expendable accounts and the locus of authority for expenditures. With substantial guidance from Brian Turbitt, it was explained that the Sale of Cemetery Lots account was to be used primarily for capital improvements to the cemeteries and requires Town Meeting approval for its use. The principal sums in the trust accounts are locked and may not be expended without express permission from the donors. The trust-account incomes may be expended upon appropriation by the Commission. It was noted by Curtis Barnes that there are some disparities in the ratio of principal to income among the three trust accounts. Lee Saperstein explained that the Austin and Friends accounts had been little used in the past, whereas the Perpetual Care account had been

tapped for maintenance expenses. Given the small size of the principals in the Austin and Friends accounts, once their income is expended, replacement will be modest and slow.

The Commission, at this point, confirmed the interpretations made by Brian Turbitt for the Austin and Friends funds: namely, that the Austin Cemetery Account may be used for maintenance of Newtown Cemetery, which is in keeping with the established practice of maintaining an entire cemetery not just individual graves, and the Friends (Quaker) Cemetery account may be used for maintenance of the Quaker Cemetery. This confirmation was made by consent.

The understanding that the Sale of Cemetery Lots account should be used for capital projects led to a discussion of how the Commission should allocate future income into this account, then to a review of Community Preservation Act, CPA, accounts granted to the Cemetery Commission, and to then to a review of the need to insert future capital cemetery projects early into the Town's ten-year capital plan. It was suggested at an earlier meeting by Rob McNeil that some of the income from the sale of lots be allocated to the Perpetual Care Fund, perhaps in the ratio of 75 percent to the Cemetery Lots account and 25 percent to the Cemetery Perpetual Care account. To begin the discussion, Lee Saperstein proposed that income from the sale of lots be divided as suggested, 75/25 to the sale of lots and perpetual care accounts. The motion was seconded. Brian Turbitt suggested that the balance in the Sale of Lots account was too small to support any major capital improvement in the cemeteries and that small increments would not change that balance by very much. On the other hand, money put into the Perpetual Care principal account would continue to accrue expendable income year by year that can be used for maintenance. He asked that we consider a 50/50 split. Allen Reinhard said that he preferred 75/25, while others supported 50/50. Allen Reinhard then asked Rob McNeil for his opinion. Rob McNeil said that he preferred 50/50 but that it could always be changed if future conditions warrant it. Frances Karttunen moved an amended motion, Scott McIver seconded it and the vote was unanimous in favor of a deposit of 50 percent of the income from lot sales to the Sale of Cemetery Lots account and 50 percent to the Perpetual Care Trust Fund in its principal sub-division. [Action: The Cemetery Administrator will place these instructions in the accounts file.]

Lee Saperstein reminded the Commission that Rob McNeil had suggested that we define "perpetual care" for future guidance to the Commission and to the DPW who would carry out the work. Consequently, Lee Saperstein proposed the following definition be inserted into the Cemetery Regulations in Section II, Definitions.

Perpetual care includes, but is not necessarily limited to, routine cemetery maintenance such as mowing, brush cutting, repair of fences and laneways, minor repairs to historical and orphaned monuments, and signage.

Scott McIver said that it would be difficult to distinguish minor from major repairs of historical monuments and that all such repairs should be done under a capital contract. When others agreed with him, Lee Saperstein volunteered to remove "minor repairs to historical and orphaned monuments from his motion." Frances Karttunen seconded the revised motion and it passed unanimously. The approved definition now reads,

Perpetual care includes, but is not necessarily limited to, routine cemetery maintenance such as mowing, brush cutting, repair of fences and laneways, and signage.

[Action: The motion will be forwarded to the Select Board for their approval of its addition to the Cemetery Regulations.]

During the discussion on accounts, Brian Turbitt reminded the Commission that any major capital improvement to a cemetery that requires a large sum of money should be defined as soon as possible and given to the Capital Program Committee for inclusion into the Town's ten-year plan. Large is defined as greater than \$50,000. He was responding to Allen Reinhard's account of the original plans for expansion of Newtown Cemetery as given by the consultant, Dave Crispin, in 2010. Lee Saperstein suggested that it would be inappropriate to presume on the Select Board's approval of our motion. On the other hand, if they approve the motion then the Commission could move forward with hiring a consultant to lay out the expansion and arrange for an initial cost estimate to complete it. Erika Mooney asked why we could not use the existing report. Lee Saperstein responded that it would make a good start but that new information on burials and attitudes toward cemetery layout among the members of the Commission argue in favor of another report. This one could also include cost estimates for construction of the layout. A copy of the 2010 master plan is attached to these minutes.

If a section of the cemetery is to be reserved for inurnment of cremation remains, it was asked, "Why not build a Columbarium?" Rob McNeil responded that this would be a built structure whose existence into perpetuity could not be assured. Thus, he was opposed to it.

Brian Turbitt and others asked again about the capital projects to which we have already made commitments. Allen Reinhard said that we had a Community Preservation Committee (CPC) grant to pay for monument restorations and another smaller one for major maintenance of the cemeteries. The monument restoration project is about to go out for bid. Inasmuch as Scott McIver's company is a potential bidder on this project, a question was asked about the Commissioners' status as Special Municipal Employees. Erika Mooney responded that they were so defined. To clarify the status of the CPC grants, Allen Reinhard said that he would extract the paper work from his files and Brian Turbitt said that he will get the information on CPC grants to the Cemetery Commission from his files. [Action: Bring status reports on CPC grants to the next meeting.]

In closing this section of the agenda, Lee Saperstein asked Brian Turbitt and Rob McNeil to consider creating a placeholder in the DPW accounts for the cemetery. The request can be discussed at the next meeting of the Commission.