

TOWN OF MIDDLESEX
CEMETERY COMMISSION
ORGANIZATIONAL MEETING
APRIL 18, 2018

MINUTES - 2nd DRAFT

MEETING ATTENDEES: Cemetery Commission Members: Evelyn Gant, Gary Lamell, Janet McKinstry, and guests, Sarah Merriman, Town Clerk, as a representative for Dorinda Crowell, Town Treasurer, and Martin Thomas, Edward Jones Advisor, who joins the Commission for his scheduled presentation at 1:30 p.m.

Cemetery Commission meeting is duly warned for 1:00 p.m. Dorinda Crowell, Town Treasurer, was invited to attend this meeting, but declined, as she is on vacation. Dorinda was to be rescheduled for a future meeting. Ms Merriman, joins Commission Members at the meeting table, and demands to know who will open this meeting.

- 12:59 p.m. Evelyn Gant, Commission Chair, opens the meeting, at this time, and asks if Janet McKinstry will take minutes of the meeting; answer is yes.
- 1:00 p.m. Gary Lamell moves that Commission Members retain the office positions within the Commission that they currently hold. No second was heard, no vote was taken, as Ms Merriman moves into the conversation with the fact that she represents Dorinda Crowell, Town Treasurer, and that she will record this section of the Commission meeting for Dorinda's use at a later date.
- 1:03 p.m. Ms Merriman has provided hand-outs to Commission Members. (see attached) This hand-out includes (1) an e-mail from Town Attorney Rob Halper, whose response is to 'Sarah and Dorinda,' RE: 'Middlesex Cemetery Commission Letter' to research State Statutes pertaining to Cemetery Law, (2) a list of the statutes that pertain, origin unknown, and (3) a partial copy of a Quit Claim deed given to the Town of Middlesex by the Trustees of the North Branch Cemetery Association. No time was allowed for the reading of Ms Merriman's handout, allowing no time for Commission Members to prepare for Ms Merriman's unscheduled presentation. {Commission Note: There is no reference to Book and Page, or date and time shown on this partial Quit Claim deed copy, making it 'questionably useful.'}
- Ms Merriman states that, according to Rob Halpert's opinion and personal interpretation, the Quit Claim deed indicates that the funds now held in the Edward Jones Account were 'donated to the town,' at the time the cemetery was deeded to the town. Questions were asked re: the word 'donated,' as it is not present on the partial deed copy, and only mentioned briefly in the e-mail from Rob Halper; ie:, 'to hold the proceeds of lot sales, donations and funds from annual appropriations from the voters.' This is a reference to the 'dedicated fund/account ("perpetual care fund") . . . mentioned in the e-mail from Mr Halpert. Ms Merriman states and gestures that 'donation is the act of giving.' Ms Merriman is asked if she believes that it was the intent of the Trustees of the North Branch Cemetery Association, to 'donate' the Edward Jones funds to the Town.
- It is stated that towns are not required to keep perpetual care funds in a separate account {Commission Note: 18 V S A 5375}, for care and management of cemeteries, as towns are responsible for 'care and management of such burial grounds.' {Commission Note: 18 VSA 5373.}
- Ms Merriman states that the Cemetery Commission will meet once a month, to draw orders on the new form provided by the town treasurer. The treasurer will pay the invoices, provided for on signed order forms.
- Ms Merriman also states that money from lot sales is the Cemetery Commission's responsibility, as is the budget for the Carr and Village Cemeteries.

- 1:25 p.m. Ms Merriman demands to know where 'the Edward Jones guy' is; 'Isn't he supposed to be here?' Information is given that the Edward Jones presentation is scheduled for 1:30 p.m. Ms Merriman asks permission to give her presentation to the 'Edward Jones guy.' At the dismay of the Cemetery Commissioners, Ms Merriman suggests that she can 'keep it to 5 minutes.'
- 1:29 p.m. Martin Thomas, Edward Jones Advisor, arrives and is introduced to the meeting attendees. Before Mr Thomas is seated, Ms Merriman begins her account of 'where we stand with Edward Jones.' She informs Mr Thomas that 'the Edward Jones Account was a donation to the town, by way of deeding the cemetery, by an old association, and that the town treasurer is now in control of the Edward Jones funds.'
Ms Merriman states that the 'original source of funds' to the Edward Jones Account are not known. Information is given to clarify 3 sources, as indicated on an Edward Jones statements, to the North Branch Cemetery Association, obtained from Mr Thomas, through research. Ms Merriman takes note of this information, but doesn't ask its source.
With Ms Merriman's presentation complete, she exits the meeting to resume her duties in the town clerk's office.
Mr Thomas states that he will await a firm plan by the town.
- 1:35 p.m. Marty gives each Commission Member a 'portfolio analysis' packet, an overview of our financial investment. (See attached) He states that all are within the Edward Jones limits for our account. Marty believes we're 'set up well,' with investments, but suggests that we realign certain ones, by moving some of the investments there to an area where we have more cash for cemetery use. Authorization is given.
Last page shows good growth in account between 2009 and 2017.
Gary asks re: the Edward Jones cash account, now with a total of \$3,655. Gary would like a total of \$6,000 held in the cash account, so we are able to transfer funds to cover a debt to the town, plus summer maintenance, ending fiscal year 2017-2018. Marty agrees to make this change.
Janet suggests a resolution of NEMRC issue - the use of Community Bank sub-account funds to cover expenses of fiscal year 2017 - 2018 only. Prior years not to be reimbursed, as 'books are closed' for previous fiscal years. Discussion to continue.
From a question and answer session: Marty will ask for definitions of 'authorized and not authorized signers,' as pertains to the Cemetery Commission receiving Edward Jones statements, used in discussing North Branch Finances. He will look at accounts similar to ours, for, 'authorized signers,' and research cemetery investments, to determine how a recent discrepancy in dividend reinvestment was made. Marty is thanked for his presentation.
- 2:10 p.m. Cemetery Commission moves to remain signers on the Edward Jones account.
Cemetery Commission moves to hold final decisions re: signers on account until the town treasurer returns from vacation.
- 2:15 p.m. Evelyn has researched maintenance information from Cemetery Commissions in Brattleboro, Waterbury and Middlesex Center; she states our costs are 'in the same ball park.'
Next meeting is tentatively scheduled for May 9 at 1 p.m. at the North Branch Cemetery, with spring walk-thru scheduled to begin between 2:00 and 2:30 p.m. Janet will ask the stone repairer, who Gary contacted, to attend.
2 burials are scheduled for North Branch Cemetery - May 13, 2018 , cremation burial for Edith Tewksbury, fee has been received, delivered to the town clerk's office, with receipt secured;
- May 21, 2018, full casket burial for David Dennis. Gary confirms that Lamson's Property Services will continue our mowing. Gary will contact Middlesex Land Management to ask re: grave openings. He will advise both that invoices should be submitted to the Cemetery Commission, not to the town clerk's office.
Inquiries have been received from Jim Walbridge and Ileen Dashner re: burials of other family members or friends to be included in sites owned by their families. Letters of request to be

recorded in the town land records were requested from each. None have been received at this time.

Inquiry has been received from Stephen Brook for lot purchase information, brochure was mailed, with no response as yet.

2:30 p.m. Minutes signed: May 22, 2017

2:37 p.m. Meeting adjourned.

Minutes submitted by Janet McKinstry, Secretary

Minutes approved by Cemetery Commission

Evelyn Gant, Chair

Gary Lamell

Janet McKinstry

Date _____

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