

MINUTES OF MEETING

Town of Provincetown

Cemetery Commission

April 29, 2008 3:00 pm

Pursuant to notice duly posted, the Cemetery Commission met in the Caucus Room of Provincetown Town Hall on Tuesday, April 20, 2008 at 3:00 pm.

The members present were Astrid Berg, Dwayne Prickett and Richard Olson, all of whom were appointed by the Town Manager in default of appointments by the Board of Selectmen in accordance with the town Charter.

Ms Berg was designated temporary chair by the members present and called the meeting to order. Ms. Berg noted that this was the first meeting of the Cemetery Commission since 2002, when, for lack of membership, it fell into abeyance. Technically, under the Charter, its duties devolved upon the board of Selectmen during the intervening period.

Ms. Berg invited **Public Statements** and there were none.

By consensus of the members, the meeting moved to appointment of an additional member in order to enable some to participate in election of a Chairman and Vice-Chairman. On motion of Mr. Olson, seconded by Mr. Prickett, Gregory Howe was appointed to the Commission (3-0).

For Chairman of the Commission, Ms. Berg nominated Mr. Olson, seconded by Mr. Prickett and Mr. Olson was elected Chairman (4-0).

For vice- Chairman, Ms. Berg nominated Mr. Howe, seconded by Mr. Prickett and Mr. Howe was elected Vice- Chairman (4-0).

Under **Old Business**, it was noted that the Commission has been resurrected after six years in abeyance. We lack institutional memory and have almost no idea of our financial fiduciary responsibilities, particularly with respect to the perpetual Care Trust Fund. Looking at what information has been provided to us makes it appear that the fund may have been subject to misappropriations, perhaps illegally, in the past. The commission is determined that this shall not happen again.

Part of our problem is that we do not know:

1. The sources of the funds in the Trust Fund, or the terms of the gifts and bequest, if any, which are its sources.
2. The interaction of ordinary cemetery maintenance expenses, through the DPW, from funds appropriated in the General fund annual appropriation, and expenses that the Trust Fund has been called upon to meet.
3. Whatever was going on during the period of 2002-2007 that caused the fluctuations that appear on the line "perpetual" and on the line "Expendable." As to this, Mr. Olson reported that Alex Heilala, Municipal Finance Director (who only came aboard a couple of yeas ago) was equally perplexed.

In this connection, Mr. Olson noted the Banner article (4/3/08) that referred to line item transfers from the Trust Fund Voted on at Town Meetings (1996-2004) to "fund operating budgets for the several town departments." Queried, the Municipal Finance Director had cited to him a vote at the 2004 ATM, Article 2, Div. 4, making such a transfer in the amount of \$10,000.00. All of this needs looking into.

Mr. Olson circulated copies of the existing Cemetery Regulations and the attached Cemetery Fees schedule adopted by the then Cemetery Commission in 2002. He also mentioned legal opinions from the Town Counsel that he plans to review for relevance to our quandaries.

Under **New Business**, the Commission's immediate objectives are to reach out to those who have the institutional memory we need to re-construct, particularly the last pre-2002 members.

Mr. Olson undertook to write Mary Henrique and ask her to join us at a meeting to share her knowledge. Perhaps she would be willing to serve as the Alternate on the Commission.

We also need to ask Laurel Gaudazno, Education Director of the Pilgrim Monument and Museum, to share her knowledge of our cemeteries and their history.

Another Commission member until 2002 was Dick Caovette, who may be able to offer some knowledge as well.

Trustees of other Trust and Gift Funds (see 2007 Annual Town Report, pp 148-149) such as the Francis Scholarship Fund should be consulted as to how they carry out their fiduciary responsibilities and interact with the Town's Municipal Finance Office.

We need to confirm that the 2002 schedule of cemetery fees is the one still in effect. Do they need changing?

Mr. Prickett undertook to visit with Tony Lemme of the DPW, who appears to be the *de facto* Cemetery Superintendent. We would like to invite him to our next meeting, see what knowledge and records he might be able to share with us and, generally, establish a cordial working relationship.

Ms. Berg noted with some alarm that an "Affordable Housing Summit" in 2006 had floated the notion of acquiring vacant town cemetery land for affordable housing construction. Apparently, the proposal has not been advanced but we do want to obtain formation about the bounds of Town Cemetery lands and the amount of vacant space. The DPW's Mr. Lemme may have this information at his fingertips, and we should plan an on-site conversation.

We also would like to know what we can about the "Small Pox Cemetery" out by Clapp's Pond and now under care of the Conservation Commission. Here, too, Laurel Gaudazno may be a valuable resource.

The meeting adjourned at 4:00 pm.

Respectfully submitted:

Richard B. Olson
Secretary pro-tem.