



Town of Chichester
Trustees of the Trust Funds
54 Main Street
Chichester, New Hampshire 03258
(603) 798-5350 Fax (603) 798-3170

September 26, 2022
MEETING MINUTES

The Chichester Trustees of the Trust Funds met at the Chichester Historical Society at 9:00 AM on September 26, 2022. This was a joint meeting with the Chichester Cemetery Trustees to discuss potential options for investing funds from the purchase of cemetery lots. Trustees present were:

Trustee Blaze Konefal
Trustee Robert Lewis
Trustee Fred Shaw

Brenda Boswak, Cemetery Trustee
Fred Shaw, Cemetery Trustee

1. The price for a cemetery lot with two graves is currently \$400. Money from the sale of cemetery plots is currently divided between the Town of Chichester and the Trustees of Trust Funds. The purchaser of a cemetery lot receives a "Receipt For Sale of Lot".
2. The Receipt directs that \$90 of the money for each cemetery lot be paid to the Town of Chichester. \$310 is paid to the Trustees of Trust Funds. The Trustees of Trust Funds deposit that money to the Perpetual Care Common Fund. An additional \$325 is charged for placement of corner stones. The Receipt states: "Amount received for lot, perpetual care and corner stones: \$ _____"
3. NH RSA 289:2-a provides: "Upon the sale of cemetery lots, the legislative body may, at any annual or special meeting, vote to determine whether funds received from such sale shall be deposited in the general fund of the town as a sale of town property or deposited with the trustees of trust funds for the maintenance of cemeteries under RSA 31:19-a".
4. Cemetery perpetual care income may not be used for general cemetery maintenance or cemetery improvement. Cemetery perpetual care funds are valid charitable trusts and the income is therefore restricted for use on the lot or lots upon which the fund has been placed. See, Opinion of the Justices, 105 NH 531 (1957).
5. To provide additional flexibility for payment of general cemetery maintenance, the Cemetery Trustees and Trustees of Trust Funds are discussing the feasibility to request that the Town of Chichester adopt NH RSA 289:2a and have the Chichester Selectmen direct that a portion of the proceeds from the sale of cemetery lots be deposited either to a newly created Cemetery Maintenance

Fund or revise the purpose of an existing Cemetery Fund to allow those funds to be used for general cemetery maintenance.

6. Concern was raised that documents given to a purchaser of a cemetery lot not be construed as a sale of town property. Instead, the sale of a cemetery lot should convey a "right of inter."
7. Because restrictions limit Perpetual Care funds to maintenance of only perpetual care cemetery lots, Trustee Lewis agreed to pursue confirmation of whether all current perpetual care lots are supported by a perpetual care trust.

Adjournment at 11:00 AM.

Respectfully submitted:

Blaze Konefal

Robert Lewis

Fred Shaw

