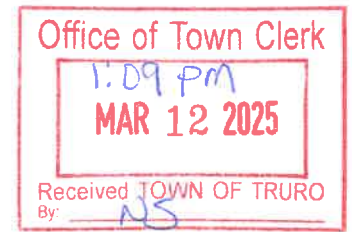


Truro Cemetery Commission
Meeting Minutes
February 19, 2025
Truro Town Hall

Present: Bob Masson, *Cemetery Commission*
Holly Ballard-Gardner, *Cemetery Commission*
John Dundas, *Cemetery Commission*
Thomas Roda



Called to order at: 8:55 am

Approval of Minutes

Mr. Dundas motioned to accept minutes of January 2025. Mr. Masson seconded, all in favor. Minutes signed and passed into the record.

Activity Report

Mr. Masson reported there has been no activity since the last meeting.

Public Comment

None

Old Business

Regarding possible action in response to request from Jonathan Sperber that we accept the return of lot O-6A at Old North Natural Burial Section

The Commission reviewed the situation:

1. Jonathan Evan Sperber and Jacqueline Ann Kouffman of Truro, MA purchased lot O 6-A in the Natural Burial section of Old North on June 19, 2023. They submitted payment for the required cornerbounds April 14, 2024 after being reminded of the requirement.
2. Mr. Sperber requested a refund of the lot, stating the aesthetics of the landscaping in the Natural Burial area was not to his liking. He conveyed his frustration that the Commission had not relandscaped that portion of Old North. The Commission explained such landscaping was contingent upon finding funding and was one of many priorities for the Commission so would take time.
3. Per its usual policy, the Commission offered to Mr. Sperber that his lot could be made available to the next interested purchaser so he might sell it as soon as possible.
4. Per its usual policy the Commission applies for refunds in the case of hardship. Cemetery lot purchase revenue is deposited in Town accounts and requires an article on the warrant for Town Meeting to refund.
5. The purchase of cornerbounds, paid directly to the stone carver, is not refundable.
6. At the Commission's October 30, 2024 regular meeting Mr. Sperber's request to receive a refund out of Town funds was discussed and rejected on the grounds that changing his mind was insufficient cause to justify preparing an article for the Town warrant.
7. At the Commission's November 21, 2024 regular meeting, Mr. Sperber requested that he be allowed to swap his Natural Burial lot for one in the regular burial area and then be granted an exception to conduct a green burial there. The Commission sent Mr. Sperber a letter on December 3, 2024 denying his request for a swap.

8. Unhappy with the Commission's decisions, Mr. Sperber complained to the Town Manager.
9. The Town Manager solicited a confidential opinion from Town Counsel regarding the refund of a lot purchase. This opinion was garnered with incomplete information regarding the situation and Commission procedures.
10. The Town Manager shared the opinion with Commission with instructions that it was Confidential.
11. At the Commission's January 14, 2025 regular meeting, during the Public Comment period, Mr. Sperber stated that the Town Manager notified him of the Town Counsel opinion, that the Commission was advised to buy back the lot for the same amount Mr. Sperber paid for it and that the refund request should be included on the Town Warrant.

After discussion, the Commission concluded Mr. Sperber's situation does not justify a refund based on precedent and Commission policy, but because Mr. Sperber is unlikely to be satisfied with any other solution agreed nonetheless to prepare an article on the warrant to request voters grant the refund. Mr. Sperber will be required to return the deed and remove the cornerbounds in order to receive any refund. Mr. Masson motioned this. Mr. Dundas seconded. All in favor. The motion passed.

Regulation Amendment

Ms. Gardner proposed amending the Cemetery Rules and Regulation to codify the Commission's usual procedure for a refund. Mr. Dundas mentioned the difficulty in ascertaining what constitutes a hardship. Mr. Masson gave examples of past situations. Mr. Masson proposed processing a refund request at the discretion of the Commission as precedent advises. Mr. Dundas concurred, saying codifying our usual policy will help voters understand how the situation arose. Ms. Gardner will prepare the wording of an amendment to the Rules and Regulations for discussion at the March 12 meeting.

CPC Grant Application

The CPC voted unanimously in favor of the Commission request for funds to *design and install the Old County Natural Burial Cemetery. The request now goes to voters at the Town Meeting.*

Veteran marker

Mr. Dundas updated the Commission. The DPW has about 50 and will retain them until weather improves and then distribute to replace broken markers. Mr. Masson noted one needs to be placed on the new Cobb grave at Pine Grove and Mr. Dundas will take care of it.

New Business

Mrs. Gardner announced a change of date for the next meeting: Wednesday, March 12 at 9:00am

/signed/
approved via email February 25, 2025
Holly Ballard-Gardner, Secretary

/signed/
approved via email February 25, 2025
Bob Masson, Treasurer