

RULES & REGULATIONS OF THE WINDHAM CEMETERY TRUSTEES:

SECTION I : The Windham Cemetery Trustees shall have the sole care, superintendence and management of the property, expenditures, business, prudential affairs, and sale of lots in the cemeteries. Members shall be elected by ballot, annually, in the month of March by majority vote of the Town, to hold their office for three (3) years. The Trustees shall receive no compensation for their services as such. The Trustees shall elect a Chairman and Secretary at the first scheduled Trustee's meeting after the Town Meeting. Any vacancy occurring in said Board by death, removal, resignation, or otherwise, shall be filled by appointment by the Board of Selectmen for the remainder of the unexpired term. No person shall be eligible as such Trustee who is not a resident and registered voter of the Town.

SECTION II : The Cemetery Trustees shall lay out the cemeteries in suitable lots or other subdivisions, for family or other burying places, with all necessary paths, avenues, and drives, and may plant and embellish the same with trees, shrubs, flowers, and other rural ornaments, and shall enclose the same with proper and suitable fences. The Trustees may make all necessary by-laws, rules and regulations in the execution of their trusts not inconsistent with the laws of this State, as they shall deem expedient. The Cemetery Trustees may add to, alter, or amend these rules and regulations at any regular meeting, or at any special meeting, if the public notice calling such meeting shall state that a change is an order of business at the meeting, provided that no change shall be made until a majority of the Trustees shall vote in favor of such change.

SECTION III : The Cemetery Trustees shall have the authority to grant and convey to any person or persons, by deeds duly executed, the sole and exclusive right of burial in any of the designated lots or subdivisions of the cemeteries, upon such terms and conditions as they prescribe by the rules and regulations.

SECTION IV : The proceeds of the sale of lots/rights of burial shall be paid into trust funds set up for perpetual care and general care of the cemeteries (the general care trust principal is to be used for future land purchase), with half of the fees going into each trust fund. Interment fees, and all other monies collected shall be paid into the Town's General Fund.

SECTION V : All lots or graves shall be sold with a fee for perpetual care. The perpetual care fee shall be paid to the Windham Trustees of the Trust Funds, to be kept in a trust fund for the perpetual care of the lots. Perpetual care means that the Cemetery Trustees will insure the cemeteries are kept neat and clean, and plant and mow the lawns when necessary. Perpetual care is limited to the above, it being expressly understood that any other work in connection with a grave or lot is the sole responsibility of the owner or his representative and is not the liability of the Town or the Cemetery Trustees.

Effective March 20, 1995, the words "perpetual care" will be eliminated from the burial deeds and the funds historically placed in the perpetual care trust fund will be placed into the general maintenance trust.

SECTION VI : The Cemetery Trustees shall recommend to the Board of Selectmen a Superintendent of the cemeteries who shall receive compensation for services, such wages as fixed by the Cemetery Trustees. The Superintendent shall be subject to the personnel policies and procedures of the Town of Windham. The Superintendent shall recommend to the Cemetery Trustees personnel to perform work at the cemeteries. The Cemetery Trustees shall review these recommendations and make the final recommendations to the Board of Selectmen for hire. The Superintendent shall have general care and custody of the cemeteries, the control and direction of subordinates/workers employed therein, and the enforcement of all laws, rules or regulations affecting the rights of proprietors or the conduct of visitors. The Superintendent shall keep such books of records and accounts, make such reports, and perform such other duties appropriate to the office as the Cemetery Trustees may, from time to time by vote, require. The Superintendent shall pay all money received on account of the cemeteries to the Town Treasurer and the Trustees of the Trust Funds as directed by the Cemetery Trustees, taking a receipt thereof. The Superintendent shall see that all rules and regulations concerning the cemeteries are strictly and impartially enforced.

SECTION VII : The Cemetery Trustees may lay out, re-survey, re-plot, enlarge, diminish, alter in size or shape, or otherwise change any or all parts or portions of the cemeteries as necessary for proper management of the cemeteries by a majority vote.

These Rules and Regulations supersede all previous Rules and Regulations of the Windham Cemetery Trustees.

Adopted at Town Meeting - March 11, 1988

Amended at Town Meeting - March 18, 1995

Re-codified and affirmed by the Board of Selectmen - May 11, 1998

Charles E. McMahon
Douglass L. Barker
Carolyn B. Webber
Margaret M. Crisler
Galen A. Stearns
Board of Selectmen