

WINDHAM CEMETERY TRUSTEES BY-LAWS:

SECTION I:

In accordance with NH State Statute, 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 Trustees' 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 said by-laws or rules and regulations at any regular meeting, provided notice of the proposed changes is be posted in at least two (2) public places, one of which must be the Town Hall, at least fourteen (14) calendar days prior to the date of the meeting.

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/burial rights shall be paid into a fund set up for future land purchases. Interest accrued may be expended at the discretion of the Trustees toward general cemetery care.

Interment fees, foundation fees, and any other monies that may be collected by the Trustees shall be paid into the Town's General Fund.

SECTION V:

All lots shall be sold with a one time fee for maintenance purposes (formerly known as "perpetual care"). The maintenance fee shall be equivalent to the cost of the burial rights, and shall be paid to the Windham Trustees of the Trust Funds, to be kept in a trust fund for the maintenance of the cemeteries. Maintenance means that the Cemetery Trustees will insure the cemeteries are kept neat and clean, and the lawns planted and mowed when necessary. Maintenance 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.

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 at a duly posted meeting.

SECTION VIII:

These By-laws shall take effect immediately upon adoption by the Cemetery Trustees and shall supersede any and all such By-laws previously enacted.

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

Amended by the Cemetery Trustees: April 17, 2010

Amended by the Cemetery Trustees: March 26, 2019

Wendi Devlin

Barbara Coish

Bruce Moeckel

Cemetery Trustees