

**Cemetery General Maintenance Trust Fund**

**Established 2009**

**Warrant 19**

**Purpose to establish expendable, no-lapsing Trust Fund for the maintenance and operation of the Cemeteries**

**March 11, 2025**

**Warrant 23**

**Purpose to delegate the duties and responsibilities of the Cemetery Trustees to the Board of Selectmen**

**May 12, 2025**

**Legal Communication confirming the Board of Selectmen are the “Agents to Expend” post June 9, 2025**



**SAMPLE  
ABSENTEE  
OFFICIAL BALLOT**  
**ANNUAL TOWN MEETING**

**TOWN OF  
PELHAM, NEW HAMPSHIRE**  
**March 10, 2009**

*Dorothy A. Marsden*  
DOROTHY A. MARSDEN, TOWN CLERK

**INSTRUCTIONS TO VOTERS**

1. To vote, fill in the oval(s) ☐ opposite your choice(s) like this ☒
2. To write-in a candidate not on the ballot, write the name on the line provided for the office and fill in the oval ☐ opposite the write-in line, like this ☒

**ARTICLE 14:**

Shall the Town vote to raise and appropriate the sum of \$32,500 for the purchase of a Skid Steer Loader for the Transfer Station and to authorize the Selectmen to withdraw \$14,129 from the Recycling Equipment Capital Reserve Fund created in 1993 for this purpose? The amount to be raised from taxation is \$13,371. This is a special warrant article. (Majority Vote Required) (Recommended by YES ☐ Selectmen) (Recommended by Budget Committee) NO ☐

**ARTICLE 15:**

Shall the Town vote to raise and appropriate the sum of \$45,000 from the Forest Maintenance Fund for the purpose of forest management, stewardship (signage, trail maps, parking, etc.) security, public education and other costs associated with the maintenance and care of Town forest land? All expenditures are to be approved by the Board of Selectmen. Funds requested come from revenues produced by timber harvesting, not property taxes. This is a non-lapsing account per RSA 32:7. This is a special warrant article. (Majority Vote Required) (Recommended by YES ☐ Selectmen) (Recommended by Budget Committee) NO ☐

**ARTICLE 16:**

Shall the Town vote to raise and appropriate the sum of \$185,000 for the purpose of purchasing and equipping a 2009 GMC 4500 Medium Duty Chassis Ambulance and to authorize the Selectmen to withdraw \$85,000 from the Ambulance Replacement Revolving Fund established by the 2006 Town Meeting for this purpose? The amount to be raised from taxation is \$100,000. This is a special warrant article. (Majority Vote Required) (Recommended by YES ☐ Selectmen) (Recommended by Budget Committee) NO ☐

**ARTICLE 17:**

Shall the Town vote to designate the Harris Pond wetland system (#63), the Gumpas Pond wetland system (#8) and the Coburn Avenue wetland system (#42) as prime wetlands as authorized by RSA 482-A:15. There is no tax impact. This is a special warrant article. (Majority Vote Required) (Recommended by YES ☐ Planning Board and Conservation Commission) (Recommended by Selectmen) NO ☐

**ARTICLE 18:**

Shall the Town vote to accept the following roads as Class V Town roads: Ivers Grove Lane, Dogwood Circle and Rocky Hill Road. This is a special warrant article. (Recommended by YES ☐ Planning Board) (Recommended by Selectmen) NO ☐

**ARTICLE 19:**

Shall the Town vote to establish a non-lapsing, expendable Cemetery General Maintenance Trust Fund under the provisions of RSA 31:19-a for the purpose of funding the maintenance and operation of Town Cemeteries and to fund this Trust with sixty percent (60%) of proceeds derived from the sale of cemetery lots and further to name the Cemetery Trustees as agents of the fund. (No portion of said amount shall be raised by local taxes). YES ☐ NO ☐

**ARTICLE 20:**

To see if the town will vote to modify the Elderly Exemptions from property tax in the Town of Pelham, based on assessed value, for qualified taxpayers to be as follows: for a person 65 years of age up to 75 years \$33,000; for a person 75 years of age and over, exempt. To qualify the person must meet the requirements of State Law as designated in RSA 72:39-a and 72:39-b. In addition, a qualifying taxpayer must have a net annual income of not more than \$25,000 if single, or, if married, a combined net annual income of not more than \$37,000, and own assets, excluding the property for which the exemption is applied, of not more than \$80,000. This is a special warrant article. (Majority Vote Required) YES ☐ (Recommended by Selectmen) NO ☐

**ARTICLE 21:**

To raise and appropriate the sum of \$279,000 for the purpose of Improving Senior Center bathrooms and replacing the septic system, and to further authorize the withdrawal of \$100,000 from the Senior Center Capital Reserve Fund, established for this purpose. The Council on Aging will contribute \$20,000 from the Senior Center Building Fund. The construction cost of this project is \$279,000. The total raised for taxation is \$159,000. (Submitted by Petition) (Majority Vote Required) (Not Recommended by YES ☐ Selectmen) (Recommended by Budget Committee) NO ☐

**ARTICLE 22:**

To see if the Town will vote to discontinue the following Capital Reserve Funds (CRF) with said funds with accumulated interest to date of withdrawal, to be transferred to the Town's general fund? This is a special warrant article.

Name of Fund	Date Established	Amount to General Fund
Landfill Closure	1989	\$145,909
Revaluation	1994	\$4,847
Valley Hill	(?)	\$0-
Gibson Cemetery	(?)	\$0-
Highway Dept. Vehicle	(?)	\$0-
St. Margaret's Drive	(?)	\$0-
Abbott Bridge	(?)	\$0-
Golden Brook Park	(?)	\$0-

(Majority Vote Required)  
(Recommended by YES ☐ Selectmen)  
(Recommended by Budget Committee) NO ☐

**TURN OVER TO  
CONTINUE VOTING**



**ABSENTEE  
OFFICIAL BALLOT  
ANNUAL TOWN MEETING  
TOWN OF  
PELHAM, NEW HAMPSHIRE  
March 11, 2025**

BALLOT 2 OF 2

*Sandra Newcomb*  
TOWN CLERK

**ARTICLES CONTINUED**

**Article 20**

To see if the Town will vote, in a non-binding advisory capacity, to support the Pelham Water Commission continuing plans to design and build, using any combination of state, federal and private funding and local taxation, the necessary infrastructure to supply public water along the Route 38 commercial area from Main Street south to the Massachusetts State Line? (Recommended by the Selectmen 5-0-0) (Majority vote required)

1265 **YES** ☒  
978 **NO** ☐

**Article 21**

To see if the Town will vote, in a non-binding advisory capacity, to support the Pelham Wastewater Commission continuing to seek publicly funded wastewater treatment solutions for the Town? (Recommended by the Selectmen 5-0-0) (Majority vote required)

1260 **YES** ☒  
979 **NO** ☐

**Article 22 – Citizens Petition**

Shall Pelham study the partisan official ballot system to understand implications on taxpayers, administrative staff & volunteers for the election of town officers as provided under RSA 669:12?

RSA 669:12 states:

Any town may vote to adopt the partisan official ballot system for election of town officers under an article in the warrant for any town meeting, and may rescind such action in like manner. The partisan ballot system shall not be in effect until the town election first following the town meeting at which such system is adopted. A plurality shall elect in towns using the partisan ballot system.

Source: 1979, 410:1, effective July 1, 1979.

In addition, by accepting this petition, the town may be responsible for any costs associated with additional primaries required by this ballot system. (Not Recommended by the Selectmen 0-3-2) (Majority vote required)

365 **YES** ☐  
1849 **NO** ☒

**Article 23 – Citizens Petition**

Per RSA 289:6, II-a(a), shall the Town of Pelham delegate the duties and responsibilities of the Cemetery Trustees to the Board of Selectmen? A majority vote in the affirmative shall delegate these duties to be effective 90 days after adoption and shall continue until rescinded by vote of the Town meeting. (Recommended by the Selectmen 4-0-1) (Majority vote required)

1420 **YES** ☒  
798 **NO** ☐

**Article 24 – Citizens Petition**

To see if the Town will vote to raise and appropriate the sum of Seventy-Five Thousand Dollars (\$75,000) for the Pelham Trails Subcommittee, for the purpose of funding expenditures directly related to the development, improvement, and maintenance of Town trails infrastructure, including but not limited to trail repairs, signage, construction of new trails, and maintenance of existing trails. This appropriation shall be funded by taxation and shall be non-lapsing, with any unexpended funds to be carried forward into subsequent years for the same purpose. (Not Recommended by the Selectmen 0-3-2) (Not Recommended by the Budget Committee 0-10-0) (Majority vote required)

611 **YES** ☐  
1648 **NO** ☒

**YOU HAVE NOW COMPLETED VOTING THIS BALLOT**

**From:** Joe Roark (T/A) <jroark@pelhamweb.com>  
**Sent:** Monday, May 12, 2025 1:25:31 PM  
**To:** Edmund Gleason <egleason@pelhamweb.com>  
**Cc:** Tammy Penny <tpenny@pelhamweb.com>; Jason Croteau <jcroteau@pelhamweb.com>  
**Subject:** Pelham Cemetery Maintenance Trust Fund, "Agents of the Fund"

Ed,

Please see Attorney Maher's email answer below regarding my question of whether or not the BOS will have authority to request funds from the Cemetery Maintenance Trust Fund after the Pelham Board of Cemetery Trustees is dissolved on June 9th.

Thanks,  
Joe R.

---

**From:** Eric A. Maher <emaher@dtclawyers.com>  
**Sent:** Monday, May 12, 2025 12:54 PM  
**To:** Joe Roark (T/A) <jroark@pelhamweb.com>  
**Subject:** RE: {External Email} [EXTERNAL]

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Joe:

I do not believe that a new warrant article needs to be passed designating the BOS as the agents of the fund. The terms of the article were to "delegate the duties and responsibilities of the cemetery trustees to the board of selectmen." As such, the roles of the Cemetery Trustees in expending from the fund from 2009, have by virtue of the 2025 Town Meeting vote, been delegated to the Select Board.

Naturally, the Trustees of the Trust Fund should be responsible for the care, management, and investment of those funds, but the Select Board can expend.

All the best,

Eric

Eric Maher  
Donahue, Tucker, & Ciandella, PLLC  
16 Acadia Lane  
Exeter, N.H. 03833-4924  
[emaher@dtclawyers.com](mailto:emaher@dtclawyers.com)  
603-778-0686

The information in this transmission contains information from the law firm of DONAHUE, TUCKER and CIANDELLA, PLLC which is privileged and confidential. It is intended to be used for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents is prohibited. If you receive this transmission in error, please notify us by telephone at (603) 778-0686 so that we can take appropriate steps to protect confidentiality and/or attorney-client privilege of this information. Thank you.



Please consider the environment before printing this e-mail.



From: Joe Roark (T/A) <jroark@pelhamweb.com>  
Sent: Monday, May 12, 2025 11:52 AM  
To: Eric A. Maher <emaher@dtclawyers.com>  
Subject: [EXTERNAL]

Attorney Maher,

As you are aware, the Town of Pelham voted for the Board of Selectmen (BOS) to assume control of the town cemeteries from the Pelham Board of Cemetery Trustees beginning June 9, 2025. On that date the Pelham Board of Cemetery Trustees will be dissolved.

In 2009 the Town of Pelham voted to establish a Cemetery General Maintenance Fund. The cemetery trustees were named "*agents of the fund*" within the warrant article language (below). After June 9<sup>th</sup> 2025 do the BOS become the "*agents of the fund*" or do we need a warrant article designating the BOS that status?

Let me know.

Thank you,  
Joe R.

**ABSENTEE OFFICIAL BALLOT**  
**ANNUAL TOWN MEETING**  
TOWN OF  
PELHAM, NEW HAMPSHIRE  
March 10, 2009  
DOROTHY A. MARSDEN, TOWN CLERK

**INSTRUCTIONS TO VOTERS**  
1. To vote, fill in the oval(s) ☐ opposite your choice(s) like this ☒  
2. To write-in a candidate not on the ballot, write the name on the line provided for the office and fill in the oval ☐ opposite the write-in line, like this ☐

**ARTICLE 14:**  
Shall the Town vote to raise and appropriate the sum of \$32,500 for the purchase of a Skid Steer Loader for the Transfer Station and to authorize the Selectmen to withdraw \$14,129 from the Recycling Equipment Capital Reserve Fund created in 1993 for this purpose? The amount to be raised from taxation is \$18,371. This is a special warrant article. (Majority Vote Required) (Recommended by YES ☐ NO ☐  
(Recommended by Selectmen) (Recommended by Budget Committee)

**ARTICLE 15:**  
Shall the Town vote to raise and appropriate the sum of \$45,000 from the Forest Maintenance Fund for the purpose of forest management, stewardship (signage, all maps, parking, etc.), security, public education and other costs associated with the maintenance and care of Town forest land? All expenditures are to be approved by the Board of Selectmen, funds requested come from revenues reduced by timber harvesting, not property taxes. This is a non-lapsing account per RSA 32:7. This is a special warrant article. (Majority Vote Required) (Recommended by YES ☐ NO ☐  
(Recommended by Selectmen) (Recommended by Budget Committee)

**ARTICLE 16:**  
Shall the Town vote to raise and appropriate the sum of \$185,000 for the purpose of purchasing and equipping a 2009 GMC 4500 Medium Duty Chassis ambulance and to authorize the selectmen to withdraw \$85,000 from the Ambulance Replacement Revolving Fund established by the 2006 Town meeting for this purpose? The amount to be raised from taxation is \$100,000.

**ARTICLE 17:** 2310  
Shall the Town vote to designate the Harris Pond wetland system (#63), the Gumpas Pond wetland system (#8) and the Soburn Avenue wetland system (#42) as prime wetlands as authorized by RSA 482-A:15. There is no tax impact. This is a special warrant article. (Majority Vote Required) (Recommended by YES ☐ NO ☐  
(Recommended by Planning Board and Conservation Commission) (Recommended by Selectmen)

**ARTICLE 18:** 2310  
Shall the Town vote to accept the following roads as Class V Town roads: Ivers Grove Lane, Dogwood Circle and Rocky Hill Road. This is a special warrant article. (Recommended by YES ☐ NO ☐  
(Recommended by Planning Board) (Recommended by Selectmen)

**ARTICLE 19:** 2100  
Shall the Town vote to establish a non-lapsing, expendable Cemetery General Maintenance Trust Fund under the provisions of RSA 31:19-a for the purpose of funding the maintenance and operation of town cemeteries and to fund this Trust with sixty percent (60%) of proceeds derived from the sale of cemetery lots and further to name the Cemetery Trustees as agents of the fund. (No portion of said amount shall be raised by local taxes). YES ☐ NO ☐

**ARTICLE 20:** 2070  
To see if the town will vote to modify the Elderly Exemptions from property tax in the Town of Pelham, based on assessed value, for qualified taxpayers in his or her follow-up for a person 65

**ARTICLE 21:** 1149  
To raise and appropriate the sum of \$279,000 for the purpose of improving Senior Center bathrooms and replacing the septic system, and to further authorize the withdrawal of \$100,000 from the Senior Center Capital Reserve Fund, established for this purpose. The Council on Aging will contribute \$20,000 from the Senior Center Building Fund. The construction cost of this project is \$279,000. The total raised for taxation is \$159,000. (Submitted by Petition) (Majority Vote Required) (Not Recommended by YES ☐ NO ☐  
(Recommended by Selectmen) (Recommended by Budget Committee)

**ARTICLE 22:** 2230  
To see if the Town will vote to discontinue the following Capital Reserve Funds (CRF) with said funds with accumulated interest to date of withdrawal, to be transferred to the Town's general fund? This is a special warrant article.

Name of Fund	Date Established	Amount to General Fund
Landfill Closure	1989	\$145,969
Revaluation	1994	\$4,847
Valley Hill	(?)	\$-0-
Gibson Cemetery	(?)	\$-0-
Highway Dept. Vehicle	(?)	\$-0-
St. Margaret's Drive	(?)	\$-0-
Abbott Bridge	(?)	\$-0-
Golden Brook Park	(?)	\$-0-

(Majority Vote Required) (Recommended by YES ☐ NO ☐  
(Recommended by Selectmen) (Recommended by Budget Committee)

**Joe Roark (T/A) | Town Administrator**



Town of Pelham, NH  
Town Hall  
Selectmens Offices  
6 Village Green  
Pelham, New Hampshire 03076

**P:** 603-508-3074 | **F:** 603-635-8274 | **M:**  
jroark@pelhamweb.com  
[www.pelhamweb.com](http://www.pelhamweb.com)

**TOWN OF PELHAM CONFIDENTIALITY AND DISCLOSURE NOTICE:**

This email and any email to employees and officials of the Town of Pelham may be subject to public disclosure under the New Hampshire Right to Know law (RSA 91-A). However, this message may also contain information that is privileged and confidential which may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.