

**TOWN OF LUDLOW
BOARD OF CEMETERY COMMISSIONERDS**

REGULAR MEETING

Wednesday May 21, 2014

Board Members Present:

Herb VanGuilder
Lou Gabranski

Nataile Gruber
Marty Nitka

Brett Sanderson

1. Call to Order

- A. Meeting was called to order by Chairman, Herbert VanGuilder at 5:00 p.m.

2. Approve Minutes

- A. Herbert VanGuilder advised that the minutes to be approved were from April 16, 2014 and the Special Meeting of May 7, 2014.
- B. **MOTION by Nataile Gruber and seconded by Lou Gabranski to approve the minutes of April 16, 2014 as presented. Motion passed unanimously.**
- C. **MOTION by Nataile Gruber and seconded by Marty Nitka to approve the minutes of May 7, 2014 as presented. Motion passed unanimously.**

3. Old Business

A. Review Cemetery Charges

- i. Herb Van Guilder referred to sheet 1 and 2 of the typed cemetery charges.
- ii. Marty Nitka asked if there were any changes
- iii. Herb Van Guilder said there was a change in the Vault Charge to \$125. He added that one person was put in the vault this past winter but was buried elsewhere.
- iv. Referring to page 2, he noted that a note was added that says, "NO SERVICE OR WORK SHALL BE DONE IN THE CEMETERY WITHOUT PRIOR CONSENT OF THE CEMETERY COMMISSION AND SCHEDULED SUPERVISION BY CEMETERY STAFF." It continues to say, "WINTER SERVICES ADD \$300 FOR FULL INTERNMENT. FOR CREMATIONS ADD \$100." He said that he has been contacted by Ned Bowen who wanted to do complimentary pouring of the foundation for the stone. He said that Ned Bowen also called Marty Nitka. Herb Van Guilder said that the board last adopted the list of charges in 2012. He said that foundations have to be of certain measurements and depths, depending on the size and weight of the monument. They came up with the formula last year, but it was never adopted. They may have to dig down as much as 4 feet. He added that the last time someone, other than staff did this; it took 4 days and was a mess. It becomes a liability issue.
- v. Marty Nitka referred to a Cemetery Commission booklet and asked if this was in it.

- vi. Herb Van Guilder said that the yellow booklet that Marty Nitka has, has not been used in years.
- vii. Brett Sanderson said the new one is green.
- viii. Marty Nitka asked for a copy of the most recent issue.
- ix. Herb Van Guilder said that they have been dealing with funeral homes and he had a conversation with Gary from Miller and Ketcham who said that the usual minimum charge should be \$600, where Ludlow is changing \$450. Herb Van Guilder noted that page 2 also contains a note that the gages are locked at dusk.
- x. Marty Nitka noted that there was no charge listed for staff supervision. He asked if they wanted to add one.
- xi. Herb Van Guilder said that he is not in favor of anyone, other than staff, doing the work in the cemetery. He added that he has just recently found out that there is a policy on cremations where the urn must be placed in certain locations in the plot. If, for some reason, the urn needs to be removed, you need to know exactly where it is, because if you don't and dig down and a shovel hits one of the porcelain urns, it may get broken.
- xii. Marty Nitka said that the phrase as written actually says that someone could get consent from the commission to do work in the cemetery. If you are against outside people doing work in the cemetery, the phrase should not be in there.
- xiii. Herb Van Guilder said that he has mixed emotions on that because he knows that some people may not be able to afford it.
- xiv. Nataile Gruber said if the outside people are insured, it is okay.
- xv. Herb Van Guilder said that some people also wanted to clean monuments and we did not allow it.
- xvi. Marty Nitka asked if the footing for the stone is extra.
- xvii. Herb Van Guilder said that is all listed on page 3 of the charges. Those costs do not include internments.
- xviii. Lou Gabranski said that he does not agree with outside people doing work in the cemetery as the cemetery could get sued.
- xix. **MOTION by Marty Nitka and seconded by Nataile Gruber to adopt pages 1 and 2 of the TOWN OF LUDLOW INTERNMENT CHARGES.**
- xx. Lou Gabranski proposed an amendment that would eliminate the phrase, NO SERVICE OR WORK SHALL BE DONE IN THE CEMETERY WITHOUT PRIOR CONSENT OF THE CEMETERY COMMISSION AND SCHEDULED SUPERVISION BY CEMETERY STAFF.
- xxi. Marty Nitka said that they can't adopt the motion with the phrase in it and then say they are never going to allow it.
- xxii. Herb Van Guilder said they need to define it. He said that they do have monument companies with proper insurance and trained personnel that do work in the cemetery, but they have never had a private individual.
- xxiii. Marty Nitka suggested that this may cause trouble.
- xxiv. Lou Gabranski asked if there were only certain people allowed to do work in the cemetery.
- xxv. Herb Van Guilder said that some funeral homes subcontract out the work.
- xxvi. Marty Nitka asked who is doing our work now.
- xxvii. Herb Van Guilder said staff excavates and does the cement work.
- xxviii. Lou Gabranski said that he made a motion to eliminate the phrase.
- xxix. Herb Van Guilder said they need to have professional personnel to do the work.

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- xxx. Marty Nitka said that could cause a problem. He is comfortable with just cemetery staff, asking why monument people should be treated any differently than other people. He asked about allowing it with staff supervision and proper insurance.
 - xxxi. Herb Van Guilder said that would be putting staff in an awkward position. It happened once and dragged out. He said the Cavendish subcontracts out all of its digging to one person.
 - xxxii. **MOTION by Lou Gabranski and seconded by Brett Sanderson that NO SERVICE OR WORK IS TO BE DONE IN THE CEMETERY WITHOUT PRIOR AUTHORIZATION FROM THE CEMETERY COMMISSION AND SCHEDULED SUPERVISION FROM CEMETERY STAFF AND WORK TO BE DONE ACCORDING TO CEMETERY SPECIFICATIONS.**
 - xxxiii. Marty Nitka asked if they would charge for supervision.
 - xxxiv. Lou Gabranski said he sis not think they should charge if the work is done during regular working hours.
 - xxxv. Brett Sanderson said that they would not make money on this.
 - xxxvi. Herb Van Guilder said it would be taking staff away from the work they could be doing.
 - xxxvii. **Motion passed unanimously.**
 - xxxviii. **MOTION by Lou Gabranski and seconded by Nataile Gruber to adopt pages 1 and 2 as amended. Motion passed unanimously.**
 - xxxix. Herb Van Guilder asked Brett Sanderson to take over as chair for a few minutes.
 - xl. **MOTION by Herb Van Guilder and seconded by Marty Nitka to extend a 50% discount on all cemetery services to all veterans desiring to use the Ludlow cemeteries.**
 - xli. Herb Van Guilder said that everyone knows what veterans have done for our country, this is the least we can do for them.
 - xlii. **Motion passed unanimously.**
 - xliiii. **MOTION by Herb Van Guilder to extend a 25% discount on all cemetery services to all Ludlow firemen with 10 years or more of service.**
 - xliv. Lou Gabranski said why not any fireman, not just ones with 10 years.
 - xlv. Marty Nitka asked why firemen.
 - xlvi. Lou Gabranski asked what if they made it any fireman killed in the line of duty.
 - xlvii. **Lou Gabranski seconded the motion for discussion.**
 - xlviii. Herb Van Guilder said that knowing what services and works our fire department performs for the town, he fells they should have a discount.
 - xlix. Lou Gabranski asked about police and ambulance.
 - 1. Herb Van Guilder said that usually the turnaround is not as great in the fire department. Usually they are the first to respond, day, night or holiday.
 - li. Marty Nitka said that he appreciates the work the fire department members do, and does not want to denigrate the services they perform, but he does not understand the connection.
 - lii. **VOTE, 1 aye and 3 nays. Motion did not pass.**
 - liiii. Herb Van Guilder referred to page 3 of the charges and advised that this is a new schedule. Work is based on the size of the monument and the size and weight of the monument determines size and depth of the foundation. The fee for grass markers with no foundation is \$100.
 - liv. **MOTION by Marty Nitka and seconded by Brett Sanderson to adopt the Foundation Pricing Schedule as presented. Motion passed unanimously.**
 - lv. Herb Van Guilder noted that the next page refers to lot pricing and was last adopted 5/1/2013. He said there are no changes.

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- lvi. Marty Nitka asked why people have to pay in two checks.
 - lvii. Herb Van Guilder explained that part of the charges are for perpetual care as indicated on the schedule and that check is payable to the Trustee of Public Funds.
 - lviii. Marty Nitka suggested that the schedule should explain that or should say Perpetual Care Fund.
 - lix. **MOTION by Brett Sanderson and seconded by Lou Gabranski to approve the Cemetery Lot Prices Schedule with changes to include Perpetual Care Fund where it currently just says fund. Motion passed unanimously.**
 - lx. **MOTION by Nataile Gruber and seconded by Marty Nitka to refund \$555 to Anne Nowak for overpayment on her husband's burial.**
 - lxi. Herb Van Guilder said that he had has spoken to Anne Nowak and she was satisfied with the \$1000 charge. She was glad to have closure. He said that he called and the cemetery commissioners approved the burial. The charges were worked out with Scott, Randy Nowak, the sexton and the chair. He said that Anne Nowak said that if any of the commissioners has a problem, they can come to her.
 - lxii. Nataile Gruber said that Anne Nowak would not be happy if she knew what they had charged for John Murphy's burial.
 - lxiii. Herb Van Guilder repeated that Anne Nowak is happy and wants to have closure.
 - lxiv. Marty Nitka said that Tom Nowak was buried in the winter and charged \$1,000.
 - lxv. Nataile Gruber said that John Murphy was also buried in the winter and the charge was only \$445.
 - lxvi. Marty Nitka referred to the fee chart and said the charge says \$700. The refund should be \$300.
 - lxvii. Herb Van Guilder explained that the Nowak burial was done in the winter. The chair called the commissioners and they approved the burial if it could be done. The family wanted closure and were willing to pay extra for it. He added that John Sanderson cannot find any paperwork and the town clerk and Pam Cruickshank also cannot find any information.
 - lxviii. Brett Sanderson said that the fee schedule says the normal fee is \$700 and there will be a \$300 additional in the winter.
 - lxix. Marty Nitka said the additional \$300 was not in effect at that time.
 - lxx. Herb Van Guilder said that Anne Nowak would probably come here is asked.
 - lxxi. Nataile Gruber said there should not be any differences in the charges.
 - lxxii. Marty Nitka said a refund of \$300 would be appropriate.
 - lxxiii. Herb Van Guilder asked why bring up this situation when the family is happy and has closure.
 - lxxiv. Nataile Gruber said that Herb Van Guilder was the only one who approved John Murphy's burial.
 - lxxv. Brett Sanderson said he was against the Murphy burial.
 - lxxvi. Lou Gabranski said the \$700 fee was set a long time ago. In the winter, they have to get all of the equipment back out and plow. An additional fee of \$300 for winter burials is justified for winter conditions.
 - lxxvii. Nataile Gruber said the burial was 12/19/2012.
 - lxxviii. **Vote taken, 2 Abstain, 1 in favor and 2 opposed.**
 - lxxix. **MOTION by Marty Nitka and seconded by Brett Sanderson to refund \$300 to Anne Nowak.**
 - lxxx. Lou Gabranski asked if the commission is losing money with the \$700 charges.
 - lxxxi. Marty Nitka said yes.

- lxxxii. **Lou Gabranski made the motion to amend the motion to include the wording “this will be closure in regards to the Nowak internment. Seconded by Brett Sanderson.**
- lxxxiii. **Vote taken to amend the motion, 4 ayes and one abstain.**
- lxxxiv. **MOTION to refund \$300 to Anne Nowak passed, 4 ayes and one abstain.**

B. Update on Road Work

- i. Herb Van Guilder advised that he had heard from Springfield Paving and that they need three days without rain in order to do the work. It will not be done before Memorial Day.

4. **New Business**

A. Fifth Grade South Hill Cemetery Clean Up

- i. Herb Van Guilder advised that the 5th graders had cleaned up South Hill Cemetery as they have done in the past and the board usually donates \$100 to them.
- ii. **MOTION by Brett Sanderson and seconded by Lou Gabranski to donate \$100 to the LES 5th Grade Class. Motion passed unanimously.**

B. Review Public Works Practices

- i. Herbert VanGuilder said that they had started to discuss this under Cemetery fees.
- ii. Marty Nitka said that someone has to get back to Ned Bowen.
- iii. **MOTION by Marty Nitka and seconded by Nataile Gruber to approve New Bowen’s request for doing work in the cemetery with staff supervision and work to meet cemetery specifications. Motion passed unanimously.**

C. Review Broken Monument

- i. Herb Van Guilder advised that a monument had come in last fall and put in the office. When it was recently inspected, it was found to be broken in half. The family sent a letter (Whitcombs) and want to know the status of the monument, of the inscription is accurate and when it will be set in place. This is a stone, from the military for an unmarked grave for John Whitcomb. Rob told Herb Van Guilder said it was delivered that way, and he told the sexton about it, at the time, but nothing was done about it.
- ii. Marty Nitka asked who decides to put monuments on Civil War graves.
- iii. Herb Van Guilder said the U.S. government issues the monuments upon request, but the process is long and complicated.
- iv. Marty Nitka asked what the process is for putting stones on unmarked graves.
- v. Lou Gabranski said you can’t stop it.
- vi. Brett Sanderson said it does not matter if the person was a relation or not.
- vii. Herb Van Guilder said they do not have a policy that deals with it. He said that the Veterans’ book deals with veterans’ monuments.
- viii. Marty Nitka asked if the government pays for the monuments.
- ix. Herb Van Guilder said yes.
- x. Marty Nitka said that the family needs an explanation, and that he would be willing to write a letter for Herb Van Guilder to sign.

D. Grave Without Corner Post

- i. Herb Van Guilder said the he recently found a grave with no corner post and that no one is sure who is buried there. He said that Rob remembers a burial, but not who. Herb Van Guilder said he went up to the cemetery last Sunday to show some plots for sale and found this. When people buy a lot, the first thing we do is put in a corner post with the deed description.
- ii. Lou Gabranski said that some corner posts get buried over time and asked how we find them.
- iii. Herb Van Guilder said that a few years ago, staff started doing some projects aside from mowing and one of them was to bring up the corner posts. It would take about 3-4 years to do them all.
- iv. Marty Nitka asked how long the person has been buried.
- v. Herb Van Guilder said since October 23, 2013.
- vi. Brett Sanderson explained that in order to sell the next lot, you need to find the corner post of the abutting lot.
- vii. Herb Van Guilder said that is corner posts are usually granite or marble.
- viii. Marty Nitka asked if they could use GPS.
- ix. Herb Van Guilder said yes. He added that the maps we have are deplorable. He said that some areas in the lower cemetery are not on maps.
- x. Lou Gabranski said that, as you go out of the cemetery on the left side, there is a group of small stones that are all alike and asked who is buried there.
- xi. Herb Van Guilder said that it could be a group with one monument and smaller markers.

E. Staff Work and Reports

- i. Herb Van Guilder reported that staff has reported several items in need of repair or replacement, including bald tires on vehicles and mowers, bad cement mixer, trimmer spools out of cord, and other broken equipment. He added that the town manager also gave him a list of items that require attention.
- ii. Marty Nitka said it looks good up there.
- iii. Herb Van Guilder said that they hope to get as many items fixed as can be repaired. He said they are not at 100%, but are doing well. They have done 3 full burials since they reopened for the spring. He added that he has 3-4 pages of messages that need responses.

5. Set Date for Next Meeting

- A. The next regular meeting will be on June 18, 2014 at 5:00 p.m.

6. Sign Warrant Orders

- A. Herb Van Guilder reminded commissioners to go into the office regularly to sign warrant orders.

7. Possible Executive Session/Personnel

- A. Herb Van Guilder advised that an Executive Session is needed for Personnel.

- B. **MOTION by Marty Nitka and seconded by Brett Sanderson to enter in to Executive Session for Personnel. Motion passed unanimously.**
- C. Board entered in to Executive Session at 6:35 p.m.
- D. Board exited Executive Session at 6:50 p.m.
- E. **MOTION by Brett Sanderson and seconded by Nataile Gruber to hire Doug Sheehan as sexton. Motion passed unanimously.**
- F. Herb Van Guilder and the board wanted to express their thanks to the girls in the Treasurer's Office and town office for all of their help. It is greatly appreciated. They also want to thank Frank Heald for his assistance.

8. **Adjourn**

- A. **MOTION by Nataile Gruber and seconded by Lou Gabranski to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 6:55 p.m.

Respectfully submitted,

Lisha Klaiber

Herbert VanGuilder, Chairman

Marty Nitka

Lou Gabranski

Brett Sanderson

Natalie Gruber