

**TOWN OF LUDLOW
BOARD OF CEMETERY COMMISSIONERS**

REGULAR MEETING

HEALD AUDITORIUM

Wednesday, August 19, 2020

5:00 P.M.

Board Members Present:

Brett Sanderson
Bob Brandt

Lou Gabranski
Bruce Schmidt

Herb Van Guilder

Staff Present:

Scott Murphy

Others Present:

Doug Sheehan

1. Call to Order

- A. Brett Sanderson called the meeting at 5:01.

2. Consideration of Changes, Additions or Removal to the Agenda

- A. There were none.

3. Comments from Citizens

- A. There were none.

4. Approve Minutes of Previous Meeting

- A. Brett Sanderson said that the minutes to be reviewed are from June 10, 2020 and July 1, 2020.
B. Herb Van Guilder had a question as to if an action had been taken by Scott Murphy. He asked the chair to reserve time to discuss this later.
C. **Motion by Bruce Schmidt and seconded by Bob Brandt to accept the minutes from June 10, 2020 and July 1, 2020 as presented. Motion passed unanimously.**

5. Sexton's Report

- A. Lou Gabranski asked which lot is adjacent to the Gedron lots.
B. Doug Sheehan said it the Johnston lot. He said that he has offered to swap lots for them into the new section.
C. Bob Brandt said he has questions about items on the second page of the report, but would discuss it under New Business.
D. There was general consensus to accept the Sexton's Report as presented.

6. Building & Grounds Report

- A. There was consensus, with Herb Van Guilder abstaining, to accept the Building & Grounds Report.

7. Notification of the Purchase of a Vibratory Compactor

- A. Scott Murphy said that he included this as an FYI. He said it was a general purchase, was needed and works well.
B. Lou Gabranski asked if there had been more than one bid.
C. Scott Murphy said it was in the price range that did not require bids, but that they did have 2 bids.

8. **Possibly Approve Purchase of New Mower**

- A. Scott Murphy said purchase of a new mower was in the budget and they did get two bids for this. They chose the John Deere Cub Cadet from Walker Mountain Sales. This is a regular purchase and the Commissioners do not have to approve it.
- B. Herb Van Guilder said he commends Kevin MacPherson and staff on the purchase of these two items and is glad to see the compactor. It will help improve efficiency.

9. **Discuss Possible Changes to Cemetery Rules & Regulations**

- A. Lou Gabranski suggested that the following language be incorporated into the Rules & Regulations.

MAUSOLEMS – All mausoleums or similar units must be approved individually by the Cemetery Commissioners for:

- a) Mausoleum size
- b) Foundation recommended
- c) Cemetery lot size and location

If approved, copies of mausoleum warranty and foundation warranty must be attached to the cemetery lot deed for future reference.

- B. Herb Van Guilder said that is worthy to consider. He said that references to the Outside Manager in the following sections should be changed to Sexton.
 - i. Section 2a - All burials shall be under the supervision of the ~~Outside Manager~~ Sexton or their designee
 - ii. Section 2f – The ~~Outside Manager~~ Sexton and the employees of the Cemetery are the only persons authorized to open graves unless otherwise approved by the Commissioners.
 - iii. Section 3f – Monument dealers must comply with these rulings and obey all traffic and foundation rulings given by the ~~Outside Manager~~ Sexton or their designee.
 - iv. Section 3i – Cleaning of monuments of any type shall be under the supervision of the ~~Outside Manager~~ Sexton or their designee. Certificate of Insurance must be provided.
 - v. Section 6e – The designated ~~Outside Manager~~ Sexton and staff are hereby designated by the Board of Cemetery Commissioners as its duly authorized agent to act for and on behalf of said board of Cemetery Commissioners to carry out the provisions of the foregoing Rules & Regulations.

Herb Van Guilder continued, saying that he does not agree with the decision regarding the mausoleum. He said the Cemetery sells lots that are 5' x 10', the do not sell plots. He said that one person, whose lot is adjacent to the Gedron lots, is very upset about the mausoleum and may remove her husband's remains and monument.

- C. Bruce Schmidt asked Doug Sheehan if the items listed by Herb Van Guilder, above are the role of the Outside Manager or Sexton.
- D. Doug Sheehan said that he does make all of the arrangements and tells people where to dig.
- E. Bruce Schmidt asked Doug Sheehan if he opens the graves.
- F. Doug Sheehan said the grounds people open the graves, he just tells them where to dig.
- G. Bruce Schmidt asked what is the definition of "sexton." Is a sexton involved in the day to day operation or is it that the sexton has the information?
- H. Doug Sheehan said it depends on the cemetery.
- I. Bruce Schmidt asked Doug Sheehan if he would be comfortable with the changes suggested by Herb Van Guilder.
- J. Doug Sheehan said it really doesn't matter, it does say "or designee."
- K. Bruce Schmidt asked Doug Sheehan about Section 2a and 2f?
- L. Doug Sheehan said he wouldn't do 2f. He said he doesn't open the graves; he puts a flag in to indicate the location. He said that years ago, everything was the Sexton or his designee, but that changed when Dan Cavoto was hired as Outside Manager. He said before that, the Sexton was in charge of the workers.
- M. Bruce Schmidt said that we have a very active Sexton and are fortunate to have him. He works at all of the funerals. The job he is doing is over and above the normal duties of a sexton.
- N. Herb Van Guilder said that in other cemeteries, the sexton controls the affairs. We are fortunate to have Doug Sheehan, but he is being treated unfairly and is not being given the direction or authority he is entitled to.
- O. Brett Sanderson asked the board if they would like to make the changes suggested.
- P. Bruce Schmidt suggested that they approve them at the next meeting. He would like to see a draft that incorporates the changes.

- Q. Scott Murphy said he will have the changes incorporated and have a draft for their next meeting.
- R. Brett Sanderson suggested that they designate an area for mausoleums and how to control them.
- S. Lou Gabranski said that we need wording in the regulations and also that the person putting in the mausoleum would need to provide us with warranty that would be attached to deeds. Who will be responsible for repairing deterioration of the mausoleums or foundations? He does not think the Town should be responsible.
- T. Brett Sanderson asked about Perpetual Care.
- U. Doug Sheehan said we charge \$200 per lot. He said that up until 2006, deeds said that Cemetery would maintain the monuments.
- V. Lou Gabranski asked “just monuments?”
- W. Doug Sheehan said there were no monuments then.
- X. Brett Sanderson asked Scott Murphy to find out rates from other cemeteries for perpetual care for monuments and mausoleums. We should look into fees and a designated area for mausoleums.
- Y. Lou Gabranski said that he doesn’t think the commissioners should wait to put in language about mausoleums. We should put it in now and if need be, can change it later.
- Z. Brett Sanderson said they can put in that the commissioners have the right to refuse mausoleums. They need to reevaluate all of their rates.
- AA. Herb Van Guilder said that our rates are not far off from other cemeteries and maybe on the higher side.
- BB. Brett Sanderson said they can designate mausoleum sizes and locations.
- CC. Scott Murphy suggested that the board put a moratorium on future mausoleums tonight and put a draft of revised regulations on the agenda for next month.
- DD. Lou Gabranski asked if that meant that the board will not accept any mausoleums.
- EE. Scott Murphy said yes.
- FF. Lou Gabranski said they need to do something now.
- GG. Scott Murphy said that his suggestion of a moratorium would give the board time to evaluate everything.
- HH. Herb Van Guilder said the board needs to put thought into this. He feels bad for the people with lots near that. The cemetery is part of the community and we should be proud of it. We have a rule that a lot is 5’ x 10’ and you can put one full burial and one cremation or two cremations per lot. We don’t sell plots.
- II. Bruce Schmidt said he would prefer to see a revised draft on paper and vote at the next meeting. We need to go to the people who already have lots and tell them we are making changes to the rules regarding mausoleums. We passed the decision on the Gedron mausoleum at this last meeting unanimously with one abstention (Brett Sanderson.) We should not rush into changing the rules and give people the chance to change their lots if they want.
- JJ. **MOTION by Bruce Schmidt and seconded by Bob Brandt to table this discussion until our next meeting.**
- KK. Lou Gabranski said that mausoleums should be in a separate location.
- LL. Bruce Schmidt said there are already mausoleums up there. We owe it to the people who have already bought lots to give them the opportunity to change their lots. We should not vote on changes tonight. We need to talk to the other lot owners first.
- MM. Bob Brandt agreed with Bruce Schmidt. He said he also would like to see the changes on paper first. He said he doesn’t think we should designate on place for mausoleums. He likes to see the different stones and variety.
- NN. Bruce Schmidt said we are finding it fair to say to people where they may place a mausoleum. People can make a choice if they want to swap their lots.
- OO. Bob Brandt said there are some stones on the ground facing in one direction and others right in front of them facing another direction.
- PP. **MOTION passed unanimously.**
- QQ. Doug Sheehan noted one more change needed to be made.
- i. Section 1k - There shall be no further sale of plots north of those currently existing in Section A G. The area north of the existing plots in Section A G shall be preserved and maintained as open space...

10. New Business

- A. Mausoleum Rates
- i. Bob Brandt noted that in the Sexton’s Report, Doug Sheehan asked about setting rates for mausoleums. Should we charge for burials even if the mausoleum is above ground?
 - ii. Brett Sanderson said it would still be a cemetery service and we need to evaluate rates.

- iii. Bob Brandt asked if rates for mausoleums could be incorporated into the cemetery rate schedule.
- iv. Brett Sanderson said we will look into rates at the next meeting.

B. Municipal Manager Action

- i. Herb Van Guilder noted that in the June 10, 2020 minutes, Item 5KKK, Scott Murphy had said he would contact other cemetery associations (*regarding mausoleums.*) Herb Van Guilder asked Scott Murphy which associations he contacted.
- ii. Scott Murphy said he asked Doug Sheehan to contact others. He did not know which ones Doug Sheehan contacted.
- iii. Herb Van Guilder said there are 3 official cemetery associations. He said that Tom Griffin of the Old Time Cemeteries Association is very knowledgeable and there are 2 northeast associations.
- iv. Scott Murphy asked Herb Van Guilder to get him the contact information and he will contact them.
- v. Doug Sheehan said that each cemetery has its own rules. There are no state rules.

C. Changes in Cemetery Staffing

- i. Herb Van Guilder said that staff is doing a great job and they want to make changes in staffing by adding another part time person and doing away with a full-time person. Herb Van Guilder said that Scott Murphy has advised that there is a hiring freeze. He said that Kevin MacPherson wants to hire another part time person, his son. Herb Van Guilder said he would endorse that and doing away with a full-time person.
- ii. Brett Sanderson said we are not going to hire someone at this point in the season.
- iii. Scott Murphy said they have been operating without a full-time person. This year, from April to today, we have spent less than \$25,000 and last year it was less than \$31,000. We have saved about \$6,300.
- iv. Bruce Schmidt responded to Herb Van Guilder's comments about staffing. He thanked the Municipal Manager for his leadership and saving money on salaries and providing the services. He said that he respectfully disagrees with Herb Van Guilder and said that the commissioners should not be managing the day to day operations of the cemetery.

D. Port-A Pot

- i. Herb Van Guilder said that the port-a-pot is not being used, there is no hot water up there and people tell him they won't use it. Why can't people use the office bathroom? He said that he has never seen a port-a-pot in a cemetery. It's a waste of money. We should open the bathroom on the lower level.

E. Doug Sheehan said that we should require a set of keys to the mausoleum.

F. Lou Gabranski said we should have a special meeting in a couple of weeks for mausoleums.

G. Meeting Location

- i. Herb Van Guilder asked why meetings are still being held in the auditorium and not in the conference room. He said that he can't hear what's being said. He said that he attended a recent BCA meeting in the conference room.
- ii. Scott Murphy said that the state still recommends larger spaces. He added that when the BCA met, the door to Ulla Cook's office was open, giving more ventilation.
- iii. Bruce Schmidt said that Scott Murphy may want to look into a portable sound system. We should do something to help this situation. Can the sound system in this room be used for all meetings?
- iv. Scott Murphy said that Patrick Cody is meeting with Scott Stearns and looking into getting a sound system up here.
- v. Bruce Schmidt said we should rent something with microphones and speakers. We owe it to the community to make it so everyone can participate.

H. GIS Mapping

- i. Brett Sanderson said that the company that is setting up the GIS Mapping for the power company also does cemeteries. They are working on a proposal to map our cemetery. He said that he hopes to have information for the next meeting.
- ii. Bruce Schmidt asked if there is any rollover money available for the mapping project.
- iii. Scott Murphy said he doesn't have the numbers yet, but there is about \$33,000 in the Cemetery Capital funds. He will have the numbers for their next meeting.

11. **Other Business**

- A. Vice Chair to Sign Gedron Agreement
 - i. Bob Brandt signed the agreement.

12. **Set Date for Next Meeting**

- A. Next regular meeting - Wednesday, September 16, 2020 at 5:00 p.m.

13. **Sign Warrant Orders**

- A. The warrant orders have been signed.

14. **Possible Executive Session/Personnel/Contracts/Legal Issues - Possibly Approve FY2021 Wage Increases**

- A. Bruce Schmidt asked what are we going to talk about in Executive Session?
- B. Scott Murphy said Personnel matters.
- C. **MOTION by Bruce Schmidt and seconded by Bob Brandt to enter into Executive Session for personnel matters.**
- D. The Board entered into Executive Session at 6:05 p.m.
- E. The commissioners exited out of Executive Session at 6:17.
- F. **MOTION by Bruce Schmidt and seconded by Bob Brandt to approve the wage increase as recommended by the Municipal Manager. Motion passed unanimously.**

15. **Adjourn**

- A. **MOTION by Bruce Schmidt and seconded by Bob Brandt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 6:18 p.m.

Respectfully submitted,

Lisha Klaiber

Brett Sanderson, Chairman

Bruce Schmidt

Bob Brandt

Herb Van Guilder

Lou Gabranski