

**TOWN OF LUDLOW
BOARD OF CEMETERY COMMISSIONERS**

SPECIAL MEETING

HEALD AUDITORIUM

Wednesday, July 1, 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

Paul Gendron

Renee Gendron

1. Call to Order

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

2. Consider & Possibly Approve Mausoleum Request

- A. Scott Murphy advised that this is a special meeting to consider the application for a mausoleum. The application was submitted last summer and discussed at several meetings. At this board's last meeting, the board struggled to either approve or deny the request with a 2 to 2 vote.
- B. Paul Gendron passed around pictures of a 3-high mausoleum and explained that his will be 2-high. They will sit on either side of the existing one, and will match it. He advised that when he purchased the lots, Jamie Farquhar was the sexton. Mr. Farquhar was told of my intentions to erect the mausoleum and he looked at the rules and regulations book and gave us the go ahead to erect my father's mausoleum. At this time, my parents are incapacitated, requiring 24-hour care and are going downhill. We will have to do something. We will only be using about one half the lot size. My father's is in the back of the center and these will tie into it, on either side and will match his. They will be 2-high. They will not disrupt any other views and will not block the Ciufo lot. It is not my intent to block anyone's views. I would not do anything to discredit the cemetery. The lot is 20' x 40' and we will only be using the back portion. There will not be any need for maintenance. The facing will be granite. The mausoleum will not push into the road.
- C. Lou Gabranski asked Mr. Gendron if he sells these mausoleums.
- D. Paul Gendron said no, they come from a company in Minnesota.
- E. Bruce Schmidt said that he is in favor of the mausoleum. He said that the rules and regulations are silent on mausoleums.
- F. Herb Van Guilder asked if the father's mausoleum is for one person.
- G. Paul Gendron said yes. He said that on either side, the mausoleum will be for 10 people, for a total of 20. Each side will have 5 up and 5 down.
- H. Herb Van Guilder asked about the foundation of the original mausoleum.
- I. Paul Gendron said that Charlie Record did the foundation and it goes down deeper than what is required. It is solid cement.
- J. Herb Van Guilder said that he measured the dimensions and he thinks that it would go 18 to 24 inches onto the neighbor's lots. He asked to have staff measure. He said that he has a similar lot, 16 lots, measuring 5' X 10' times 16. He said they can't do this mausoleum because our regulations say one full burial and one cremation or 2 cremations per lot. He said you can't overlap lots. He said that if allowed, you could then put in a 15' x 30' building up to 5 or 6 stories high. The mausoleum has to be on one lot. He referred to his deed from 1993 and he didn't buy a plot of land, he bought 16 lots of 5' x 10' each. He said the regulations don't allow the mausoleum that Mr. Gendron wants to build.
- K. Paul Gendron said he will not be using the front side of the lots, except for entrance loading or unloading crypts. He will be using less that 20' x 40' only about 10' x 40'.
- L. Herb Van Guilder reiterated that they did not purchase a 20' x 40' lot, they purchased 16 5' x 10' lots and you can't combine them. He has a problem with 10 people in one lot.
- M. Paul Gendron said the mausoleum does not require 5' x 10' lots; the vaults are only 36" wide.

-
- N. Herb Van Guilder said that Mr. Gendron's deed is probably the same as his and they have to follow the regulations and what the deed says.
- O. Paul Gendron said that when he purchased the lots, he informed the then sexton of his intent and was told there were no restrictions. I am now on a time constraint.
- P. Herb Van Guilder said that he sympathizes with Mr. Gendron, he has to do what he feels best for the cemetery. The commissioners have the right to correct any previous errors. He said that Mr. Gendron bought the lots in good faith, but the employee may not have had the rule book.
- Q. Paul Gendron said that the sexton did have the rule book and there were no stipulations about mausoleums.
- R. Herb Van Guilder repeated that the present commissioners may correct the errors.
- S. Lou Gabranski said that he has spoken to people in Detroit who warned him about deteriorating mausoleums. The town can't charge to repair them. He asked if Mr. Gendron was going to have an insurance policy for repairs.
- T. Paul Gendron said he does not think such policies exist. He said that there are many mausoleums in Florida that are hundreds of years old and there are no problems with them. He said he can look into policies.
- U. Lou Gabranski asked if the mausoleums would be cemented together.
- V. Paul Gendron said yes, and then covered with granite. They won't fall apart.
- W. Herb Van Guilder said that he has been to many cemeteries and very few have mausoleums like this one. The Veteran's Cemetery in New Hampshire is setting up a wall.
- X. Paul Gendron said they are cremation niches.
- Y. Herb Van Guilder said the cemetery in New Hampshire has a Veterans' section that has one mausoleum. He thinks it may be because they ran out of room. He said that the commissioners have to do their homework on rules for niches. The problem here is that the commissioners did not address mausoleums earlier and the chairman of the Old Time Cemetery Association said they are not dealing with mausoleums, but that we may be able to deny this.
- Z. Bruce Schmidt said that he would like to make some comments, but that at the end, he will make a motion to approve this request. He said that he has heard what Herb Van Guilder has said. He said that he does respect the history that Herb Van Guilder has with the cemetery. He said that someone made a decision in the 1990s and the deeds do say that we can make change, but Bruce Schmidt said that he doesn't think that we should. He would like to support this request and thinks it will look good and that we will be proud of it. Later, we should look at the regulations and look at maintenance. We are doing maintenance at the present time on monuments. We should support this; we owe it to the family. They have always thought this was what they were going to do.
- AA. **MOTION by Bruce Schmidt and seconded by Bob Brandt to approve the request from Paul Gendron for the mausoleum.**
- BB. Lou Gabranski suggested we look into the legality and find out about maintenance.
- CC. Paul Gendron said the old mausoleums were sometimes 100% cement and may be falling apart. They did not have any facing on them. He said that there is no maintenance needed for granite. They may, at times have to power wash the cement around the base. He said that there would be nothing else to go wrong. He said that Brett Sanderson did recuse himself at the last meeting because we are friends and Brett Sanderson was looking into the work. If it is a problem for him to talk about this, I will fire him right now from doing the work. He added that Brett Sanderson has input that he needs because Brett Sanderson did the first job. I will pull someone else in.
- DD. Bob Brandt said Herb Van Guilder may not be able to visualize this. Paul Gendron is only using about one half of the lot space. He said that he has gone up there to see the lots and this will not block any views. He said that he looked at the father's mausoleum and it looks good and he thinks this will also look good. He said that he doesn't think this board should stop this and commented that the monuments in the cemetery are all different shapes and sizes.
- EE. Herb Van Guilder said that he agrees with Bruce Schmidt and would like to resolve this issue. He said that the regulations say one full burial and one cremation or two cremations per lot. He can't justify 10 burials. It is not covered in the regulations. If we allow this, we are opening the door for larger mausoleums. We could change the regulations at any time.
- FF. Paul Gendron said that originally, he wanted to do 3-high, but changed it to 2-high. He said that there are a lot of monuments up there that are higher. This will not block any views. There will only be one person per crypt.
- GG. Herb Van Guilder said that the father's mausoleum is one.
- HH. Paul Gendron said the 2 new ones will be smaller and will fit in. The colors will be the same.
- II. Brett Sanderson said he is not interested in doing the work. We allowed a mausoleum 2-high and this will be less than what is allowed within the footprint. He would rather see this than 16 2-high ones.
- JJ. Herb Van Guilder asked if Paul Gendron will guarantee that there will not be any more put on that lot.

- KK. Lou Gabranski said if we approve this, it will be a special occasion. He doesn't want any more.
- LL. Brett Sanderson said Paul Gendron had approval for this when he purchased the lots.
- MM. Herb Van Guilder said if we approve this, it sets a precedent and all lots will be wide open.
- NN. Lou Gabranski said he wants something written in the regulations.
- OO. Bob Brandt said we can change the regulations, but not tonight.
- PP. Bruce Schmidt said that changing the regulations would be moving forward.
- QQ. Scott Murphy said we can put that on the agenda for the next meeting.
- RR. Bruce Schmidt asked Paul Gendron if he would be willing to work out something to give up the balance of the lots, using only the back. Paul Gendron said yes, but he would need to have access through that space.
- SS. Bruce Schmidt said that the space would not be used for burials. We can have a legal document drawn up that the remaining space not be used in perpetuity for burials.
- TT. Herb Van Guilder asked how many people.
- UU. Paul Gendron said 10 on either side, 20.
- VV. Herb Van Guilder said we need to revise our regulations. We will ask the town manager to work out a legal document, with the Gendrons that dictates that the unused portions of the lots not be sold or used for burials in perpetuity.
- WW. **MOTION AMENDED by Bruce Schmidt and seconded by Bob Brandt that the request made by Paul Gendron be approved subject to execution of a legal document to be provided by the town manager that dictates that the unused portion of the lots not be sold or used for burials in perpetuity.**
- XX. Scott Murphy said that is a good compromise.
- YY. Doug Sheehan said that he has no problem with it.
- ZZ. **MOTION passed, 4 yes (Herb Van Guilder reluctantly, one abstain (Brett Sanderson.)**

3. **Adjourn**

- A. **MOTION by Bruce Schmidt and seconded by Bob Brandt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 5:52 p.m.

Respectfully submitted,

Lisha Klaiber

Brett Sanderson, Chairman

Bruce Schmidt

Bob Brandt

Herb Van Guilder

Lou Gabranski