

**BOARD OF CEMETERY COMMISSIONERDS**

**REGULAR MEETING**

**Wednesday June 18, 2014**

**Board Members Present:**

Herb VanGuilder  
Lou Gabranski

Nataile Gruber  
Marty Nitka

**Board Members Absent:**

Brett Sanderson

**1. Call to Order**

A. Meeting was called to order by Chairman, Herbert VanGuilder at 5:01 p.m.

**2. Approve Minutes**

- A. Herbert VanGuilder advised that the minutes to be approved were from May 21, 2014.
- i. Marty Nitka said that on page 2 , item ix, should read “gates are locked...” not gages.
  - ii. Marty Nitka noted that on page 3, item xxxiv should read “did” not sis.
  - iii. Marty Nitka noted that on page 5, item Biii should read “Ned Bowen” not New Bowen.
- B. **MOTION by Marty Nitka and seconded by Nataile Gruber to approve the minutes of May 21, 2014 as corrected. Motion passed unanimously.**

**3. Old Business**

A. BROKEN MONUMENT

- i. Herb VanGuilder showed pictures of the damaged monument and advised that he has been in communication with Ed Whitcomb and the Federal Government regarding the monument that was damaged when they received it last fall. They asked that if we provide proof of damage they may consider replacement. Pam Cruickshank assisted in providing that evidence. Mr. Whitcomb will follow up with the Federal Government. We are waiting for a response from Ms. Noel from the government. Herb VanGuilder has records of all of the communication for this.

B. REPORT ON MEMORIAL DAY FLOWERS

- i. Herb VanGuilder advised that staff had done the flowers for Memorial Day. He said that Mark had done a fabulous job and the pots were better than they had been in years. There was a gorgeous pot by the Legion area. He said they completed 30 pots.
- ii. Nataile Gruber said that some of the pots did not look good and are dead now, especially one by the Marro grave in the lower cemetery.

C. EQUIPMENT REPORT

- i. Herb VanGuilder advised that they are still having equipment breakdowns and the sexton is trying to figure out what repairs are needed. They needed parts for 4 mowers; 2 were down and 1 was repaired, went down and is working again.
- ii. Lou Gabranski asked what is wrong with the equipment.
- iii. Herb VanGuilder said they thought they may have needed to take them to a repair shop rather than fix them in-house. He said there were problems with the blades, racks, and motor assemblies. He said most of the repairs were done in-house, but some went to other departments for repairs. He said that we also need to replace some equipment and have prices from last year for a mower. We had approved purchases of various small equipment items like power brushes and seeders. We had also discussed replacement of the Xmark. He asked if the board would consider authorizing the sexton to purchase equipment up to a specified dollar amount.
- iv. Marty Nitka asked how much the mower would cost.
- v. Herb VanGuilder said about \$13,000.
- vi. Lou Gabranski said that for purchases that large, he would like at least 3 bids.
- vii. Herb VanGuilder said he thinks we discussed and voted on this last year. He said he would get an update from the sexton. He said they are trying to decide if they want to go with diesel or Xmark. Some people thought the diesel would be better even though it would cost more. He said that the sexton has that information.
- viii. Marty Nitka asked if the purchase of small items and the \$13,000 mower were approved last year.
- ix. Herb VanGuilder said yes. He said that on some of the items, there is a municipal discount.
  - x. Lou Gabranski asked if that discount was included in the cost of the mower.
  - xi. Herb VanGuilder said there is \$25,000 in the equipment fund.
  - xii. Marty Nitka asked if this is in the budget.
  - xiii. Herb VanGuilder said it was funds budgeted and set aside for equipment.
  - xiv. Lou Gabranski said we need up to date prices.
  - xv. Nataile Gruber said that she would like to have Brett Sanderson look into the equipment.
  - xvi. Herb VanGuilder said they can call a special meeting to discuss this as we need to get the equipment as soon as possible to get the work done.
  - xvii. Marty Nitka suggested that Herb VanGuilder ask the sexton to get some numbers together and then schedule a special meeting.
  - xviii. Herb VanGuilder advised that they also need to replace some office equipment as the desk, chair and filing cabinet are in bad shape.
  - xix. Marty Nitka said to have the sexton put some numbers together and we can also vote on that at the next meeting.

#### 4. New Business

##### A. DISCUSS NEW SPECIFICATIONS FOR WORK IN OUR CEMETERIES

- i. Herb VanGuilder advised that he had a conversation with the sexton regarding outsiders working in the cemeteries and there are loopholes in the program. He said that the sexton and staff are not in favor of allowing outside personnel to work in the cemetery. There is a cremation burial scheduled for this coming Sunday for which the sexton has no information. Excavation will be done by outsiders. The sexton does not know what to charge, maybe \$200.
- ii. Marty Nitka said that we had discussed this at the last meeting.

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- iii. Herb VanGuilder said there are references on pages 3 and 5 of the minutes.
  - iv. Marty Nitka said that we adopted pages 1 and 2 of the rate charts. He would like to see a copy of that chart.
  - v. Herb VanGuilder said it is on the back page of the new rate sheets.
  - vi. Marty Nitka said the issue still remains, should we allow outsiders to do work in the cemetery. We said that the work must be done according to cemetery specifications.
  - vii. Herb VanGuilder said that the specifications are out of whack. He said that he worked with the sexton to bring them up to date.
  - viii. Marty Nitka asked about the ones reviewed at the last meeting.
  - ix. Herb VanGuilder said they were only for the foundations and pricing structure for lots.
  - x. Lou Gabranski said that at the last meeting we said that any work done by outsiders had to have prior authorization. He thought that would take care of situations like this.
  - xi. Herb VanGuilder said they just showed up.
  - xii. Marty Nitka said that we did vote no work without prior authorization.
  - xiii. Herb VanGuilder said they just show up and we don't have specifications.
  - xiv. Marty Nitka said that at the last meeting we discussed foundation size and depth.
  - xv. Herb VanGuilder said we also need specs for cremation burials.
  - xvi. Lou Gabranski referred to page 3 paragraph 3 and said he thought that took care of everything.
  - xvii. Marty Nitka said he also thought that.
  - xviii. Herb VanGuilder said that he went through specifications from other towns with the sexton, including Springfield, Rutland, Westminster, and Chester and they do not allow others to work in the cemeteries.
  - xix. Marty Nitka read from the minutes from May 21, 2014 and the following motion was made and approved:  

**MOTION by Marty Nitka and seconded by Nataile Gruber to approve Ned Bowen's request for doing work in the cemetery with staff supervision and work to meet cemetery specifications. Motion passed unanimously.**
  - xx. Herb VanGuilder said that we still don't have specs and they want to do it on Sunday.
  - xxi. Marty Nitka said that is staff is not available on Sunday, then they can't do it.
  - xxii. Herb VanGuilder said that one staff member took initiative that should not have been taken. He said that should have been left to the sexton. He suggested they add the following to the specifications.
    - a. Must provide insurance certificate for liability
    - b. Must verify permission to work on lot, from lot owner, in writing
    - c. Must give 3 day notice of intent to work to sexton, unless waived by sexton.
    - d. No work to be done on weekends or holidays
    - e. Work area must be tarped and clean
    - f. Must provide size of monuments
    - g. Site must be inspected by staff
    - h. Must seed and cover and come back to maintain area until the area is settled
  - xxiii. Herb VanGuilder said that the sexton is concerned about cemetery liability. He is the only one authorized to represent the commission. He said that the problem is that we don't know what is going to happen on Sunday.
  - xxiv. Marty Nitka said that the language in the motion is broad enough to cover the sexton saying that the work cannot be done on Sunday.
  - xxv. Herb VanGuilder said it was already advertised in the papers.
  - xxvi. Nataile Gruber said it has always been that there is no Cemetery work on Sundays.

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- xxvii. Lou Gabranski said they are really supposed to come to the commissioners. Technically, they can't just say burial on Sunday without coming to us.
  - xxviii. Herb VanGuilder said that regarding the cost, Service only with no interment is \$200 and \$300 on weekends. He said that the sexton only got a general idea about this from reading it in the paper. He said that the sexton has not been notified by the people and we are putting a load on the sexton. We need consistency.
  - xxix. Lou Gabranski said that we should be able to control what goes on in the cemetery.
  - xxx. Marty Nitka asked Herb VanGuilder what he suggests.
  - xxxi. Herb VanGuilder said approve the new specifications to go along with the prices.
  - xxxii. Marty Nitka asked if a 3-day notice is practical, considering that some religions require burial within a shorter period of time.
  - xxxiii. Herb VanGuilder said that if staff can accommodate it, then the sexton should be able to approve it.
  - xxxiv. Marty Nitka said that this business of others digging in our cemeteries bothers him.
  - xxxv. Herb VanGuilder said that it has always been by staff or the monument people. He said that Austin has a letter of insurance and is a professional.
  - xxxvi. Marty Nitka asked if the price includes digging.
  - xxxvii. Herb VanGuilder said yes and completed cement ready for monument.
  - xxxviii. Lou Gabranski said that 2 people are required by OSHA for full interments.
  - xxxix. Herb VanGuilder said it is not the same for cremations. He added that quite often we have more than 2 people there for excavating and cement work.
    - xl. Lou Gabranski said that the sexton needs to approve work.
    - xli. Herb VanGuilder said we have to involve staff, we need to know certain sizes and depths and staff has to check this.
    - xl. Marty Nitka said that would be included in "staff supervision" in the motion.
    - xl. Marty Nitka asked what they are doing on Sunday.
    - xl. Herb VanGuilder said no one knows.
    - xl. Lou Gabranski said they can't do that.
    - xl. Herb VanGuilder said that some people say that other cemeteries allow it. We did once in the lower cemetery and it did not work out well. The other time this year was an excavation and it was inspected by staff and went okay.
  - xl. Marty Nitka said that he has qualms about anyone other than staff excavating. He said Austin would just pass along the cost.
  - xl. Lou Gabranski said we should not allow this on Sunday. Our people should do it. He said it was okay for the monument people who do the foundations for the stones.
  - xl. Marty Nitka said that he is in favor of making a policy and setting standards. He asked if staff would be able to dig the hole before Sunday.
    - 1. Herb VanGuilder said yes, it could be done, but the people have not requested it.
    - ii. Marty Nitka said that we need to somehow accommodate the people and work this out before Sunday. We need to have a policy in place for any future issues like this.
    - iii. Lou Gabranski said that staff should dig the hole. Have the sexton tell them that we will dig the hole in advance.
    - iiii. Marty Nitka said that he agrees with Lou Gabranski. We need to work this out and we should do the digging. We need a policy. He said that he thought we only voted on monuments.
    - lv. Herb VanGuilder said there has never been a problem with the monument companies.
    - lv. Marty Nitka asked if other towns allow this.
    - lvi. Herb VanGuilder said that Cavendish allows only one funeral home to do the digging. We can put a freeze on any excavation other than by staff and have the sexton work this out. He will have the sexton write up specs and have a special meeting or vote on them

at the next meeting. It will include no excavation other than by staff. He will ask the sexton to resolve this issue before Sunday.

**B. DISCUSS EMPLOYEES**

- i. Herbert VanGuilder advised that they had received a call from a person asking for a job in the cemetery. He said that the sexton and chair met with this person. One of our staff members is leaving in August and we will need staff. We hired John Grassi to help complete and catch up on work. He works at Okemo in the winter and we have been trying to find someone like this for a few years. We hired him on a 2-week basis, he has started and is doing a good job. He has a background in lawn maintenance. We are behind on projects and this will help us catch up. There is a lot of work needed to be done. This will free up current staff to do some important work like monuments and veterans' plaques. He is on a 2-week review and no promises were made for after two weeks. Herb VanGuilder would like to have the commissioners authorize the hiring of this man for the rest of the season.
- ii. Lou Gabranski said that he thought that any hiring or firing would go through the commissioners first.
- iii. Herb VanGuilder said he was only hired for 2 weeks with no further commitment.
- iv. Marty Nitka asked when the other staff member was leaving.
  - v. Herb VanGuilder said mid to late August.
  - vi. Lou Gabranski asked if the budget could take the additional employee.
  - vii. Herb VanGuilder said yes. He listed various projects on the list that includes, loam and lime, posts on the lower cemetery need to be straightened, and monument restoration.
- viii. Marty Nitka said he would like to have the sexton come to meetings and give monthly reports. We could make him the first agenda item so he would not be here too long.
- ix. Lou Gabranski recalled that at one time the sexton did come, but then there were problems and that stopped.
  - x. Herb VanGuilder said that hiring this person could help get items on the list done, having the extra person through August.
  - xi. Marty Nitka said that they should hire this person, but that it should not have been done without authorization from the board, even for 2 weeks.
  - xii. Herb VanGuilder said that the sexton and chair decided because we don't get many people call looking for a job at the cemetery, but we felt that we should not hire him permanently without board approval.
- xiii. **MOTION by Marty Nitka and seconded by Nataile Gruber to approve the permanent hiring of the new employee. Motion passed unanimously.**

**C. ESTABLISH LANDSCAPING PROGRAM**

- i. Herb VanGuilder advised that various people would like to donate trees, flowers and shrubs to the cemetery. We do not have a program for this and the sexton and chair would like to put a program in place that would allow people to donate plants and put them in spots designated by the sexton.
- ii. Lou Gabranski said that anyone can come to a meeting and explain what they would like to do.
- iii. Nataile Gruber said that we are not supposed to plant any more trees up there.
- iv. Herb VanGuilder suggested that they ask the sexton to contact Vermont Extension for lists of proper trees to be planted in cemeteries.
- v. Marty Nitka said then the sexton can decide what trees/plants/shrubs to plant and where.

- vi. Herb VanGuilder said we need a program or procedure for the sexton to follow. He said that the former sexton made some bad decisions.
- vii. Marty Nitka said that the sexton already has the authority to work with people.
- viii. Herb VanGuilder said the sexton needs to know what types of plants and where to put them.
- ix. Lou Gabranski said people should come to the commissioners.
- x. Herb VanGuilder said we have to be careful with tree roots and that they have had problems with spruce and maple trees. VT Extension could send people to look at our soil and location and give us suggestions. Our policy, since 1993, has been no plantings on roads, lots or driveways. He would like an official policy.
- xi. Lou Gabranski asked where they can plant.
- xii. Herb VanGuilder said the pie shaped section by the upper building, also in the back and new section.
- xiii. Lou Gabranski was concerned with planting trees and tree roots.
- xiv. Herb VanGuilder said VT Extension knows which trees have roots that grow out and which have roots that grow down.
- xv. Marty Nitka said to have the sexton contact VT Extension, get a list with suggestions and bring that to the board.
- xvi. Nataile Gruber said there are NO PLANTING signs up there.
- xvii. Marty Nitka said that he would like to put this on the agenda for the next meeting as he has concerns about the sexton working with people on the plantings.

D. VETERAN'S DISCOUNT

- i. Nataile Gruber voiced her concern about a recent purchase of a lot. She said that on May 18<sup>th</sup>, Robert and Juanita Macy purchased a single plot and paid by check. The check was not turned in. We adopted a policy, 3 days later that extended a discount to veterans. Herb VanGuilder waited until 5/22 and then extended the veteran's discount. This was not done legally as the policy was implemented after the date the lot was purchased.
- ii. Herb VanGuilder said that the lady called and wanted to buy a lot, but could only come on Sunday. He said that he gave her a rough price and told them he could not sell them a lot at that time because they did not know the exact location of the lot. He could not give them a deed until they know the lot location. The sexton and chair found the lot site on Monday. The sexton called the lady to bring the check and told her we would not cash the check until the deed could be made up.
- iii. Nataile Gruber said that was not the story that she got.
- iv. Herb VanGuilder said the sexton may still have the check and is trying to get a hold of the people and offer them the discount.
  - v. Nataile Gruber said the daughter gave Herb VanGuilder the check on Sunday.
  - vi. Herb VanGuilder said no.
  - vii. Nataile Gruber said at the time paid, the veteran's discount had not been implemented. They got the discount before that.
- viii. Herb VanGuilder said that the sexton is working with the people.
- ix. Lou Gabranski said that he thought that only local veterans got the discount.
  - x. Herb VanGuilder said the people live up at Gill. Also, that some people may have lived in Ludlow and moved away for years, but want to come back here for burial.
  - xi. Marty Nitka said that the board had said all veterans and we will probably get swamped with requests for lots.
  - xii. Lou Gabranski said that transients could ask to buy lots.
  - xiii. Herb VanGuilder said the legion has an area to take care of them.

5. **Set Date for Next Meeting**

- A. The next regular meeting will be on July 18, 2014 at 5:00 p.m. or a special meeting may be called before that date. They may hold a meeting on June 25<sup>th</sup> at 4:00 p.m.

6. **Sign Warrant Orders**

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

7. **Adjourn**

- A. **MOTION by Marty Nitka and seconded by Nataile Gruber to adjourn this meeting.  
Motion passed unanimously.**  
B. Meeting adjourned at 6:38 p.m.

Respectfully submitted,

Lisha Klaiber

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Herbert VanGuilder, Chairman

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Marty Nitka

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Lou Gabranski

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Brett Sanderson

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Nataile Gruber