

**TOWN OF LUDLOW  
BOARD OF CEMETERY COMMISSIONERS**

**REGULAR MEETING**

**ZOOM ELECTRONIC ONLINE CONFERENCE  
ZOOM MEETING LINK: <https://us02web.zoom.us/j/8961117714>**

**MEETING ID:896 2111 7714**

**Wednesday, May 20, 2020**

**Board Members Present:**

Brett Sanderson  
Bob Brandt

Lou Gabranski  
Bruce Schmidt

Herb Van Guilder

**Others Present:**

Kevin McPherson

Doug Sheehan

**1. Call to Order – ELECTRONIC MEETING GUIDELINES**

- A. Scott Murphy called the meeting at 4:07. He advised the following Electronic Meeting Guidelines:

This open meeting of the Town of Ludlow Board of Cemetery Commissioners is being conducted remotely consistent with Governor Scott’s Executive Order of 01-20 Act 92, due to the current State of Emergency given the outbreak of the coronavirus.

In order to mitigate the transmission of the virus and reduce the risk of COVID-19 illness, we have been advised and directed by the State of Vermont to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. All members of public bodies are allowed and encouraged to participate remotely.

- A. Scott Murphy asked members, when I call your name, please respond in the affirmative.  
Brett Sanderson – aye  
Bob Brandt – aye  
Lou Gabranski – aye  
Bruce Schmidt – aye  
Herb Van Guilder – aye

**2. Annual Board Re-Organization**

- A. Elect Chair of the Board - Brett Sanderson  
B. Elect Vice Chair of the Board - Bob Brandt  
C. Elect Clerk of the Board - Bruce Schmidt  
D. Elect Signer of Deeds - Brett Sanderson  
E. Appoint Recording Secretary – Lisha Klaiber  
i. **Motion by Herb Van Guilder and seconded by Bob Brandt that all officers and appointee be reelected. Motion passed unanimously.**
- F. Set Day and Time of Regular Meetings – Alternate Meetings  
i. **Motion by Bruce Schmidt and seconded by Brett Sanderson to set the third Wednesday of the month at 5:00 p.m. as day and time for regular meetings. Motion passed unanimously.**
- G. Designate Newspaper of General Circulation  
i. **Consensus of the board to retain THE VERMONT JOURNAL as the newspaper of general circulation with THE RUTLAND HERALD as backup.**
- H. Adopt Roberts Rules Order  
i. **Consensus of the board to continue using Roberts Rules of Order.**

3. **Consideration of Changes, Additions or Removal to the Agenda**

- A. Scott Murphy said he would like to add Discussion of the Mausoleum under other business.

4. **Comments from Citizens**

- A. Herb Van Guilder said that this meeting is out of order. It discriminates against handicapped people. He can't hear well or see well. He is not being called on to speak. We need to have in person meetings.
- B. Brett Sanderson said that there is no other option.
- C. Scott Murphy that is correct. At this time, we cannot legally hold in person meetings.
- D. Herb Van Guilder said he will call the Secretary of State and the Governor.

5. **Approve Minutes of Previous Meeting**

- A. Brett Sanderson said that the minutes to be reviewed are from December 18, 2019.
- B. **Motion by Bob Brandt and seconded by Bruce Schmidt to accept the minutes from December 18, 2019 as presented.**
- C. Herb Van Guilder said that, regarding items 4C and 6B, there is a question regarding personnel. He wants an Executive Session to discuss this. He said that in item 4I, he requested a special meeting.
- D. Scott Murphy suggested that the board hold off approving the minutes until they can have an Executive Session. He said, at the present time, we legally may not have an Executive Session in a public forum.

6. **Review Cemetery Staffing Needs**

- A. Brett Sanderson said that he will table this item until the board can meet in person. He said that at the present time, we are not planning to hire employees.

7. **Establish & Prioritize Goals for Capital Projects**

- A. Brett Sanderson tabled this item until the next time the board can meet in person.

8. **Sexton's Report**

- A. Herb Van Guilder complimented the sexton on the report. He commented about compensation.
- B. The sexton's report was submitted and accepted.

9. **Buildings & Grounds Report**

- A. Scott Murphy said that he spoke with Kevin McPherson today. The top of the cemetery has been trimmed and mowed. They turned the water on on Monday and with were no major leaks. He said that the bottom section was  $\frac{3}{4}$  mowed and trimmed and they possibly finished that today. They are getting ready for Memorial Day weekend.
- B. Bob Brandt said they put up the flags yesterday and it looks good.
- C. Herb Van Guilder complimented staff of the great job they have been doing. This is the earliest that the cemetery has been opened in several years. They put a stone line by the fences and it looks great.
- D. Brett Sanderson said he has been up to the cemetery and agreed that it looks good.

10. **Cemetery Financial Update**

- A. Scott Murphy said that they have spent 50% of the budget of the current fiscal year. He said that the monument company may be there within the next week or two. Their work has been considered non-essential by COVID guidelines and they were not allowed to work before. He said that Doug Sheehan had sent them pictures and hopefully we will be at the beginning of their project list.
- B. Herb Van Guilder asked about costs.
- C. Scott Murphy said we don't have them yet. He said that there was a mix-up with their address and the pictures have been resent. Scott Murphy said that currently, there is about \$18,800 in

the Cemetery Fund, \$33,000 in the Capital Reserve and they will be receiving about \$15,000 from the Trustees of Public Funds. He said that in the current budget, there is \$8,000 for monument work and they budgeted another \$8,000 in the next fiscal year's budget. In May 2018, spent \$9,500 on monument straightening.

- D. Herb Van Guilder asked if they can carry over the \$8,000 in this year's budget to next year.
- E. Scott Murphy said they have to spend it before July 1<sup>st</sup>. He said if the company comes within the next two weeks, there is time.

**11. New Business**

- A. There was no new business.

**12. Other Business**

- A. Brett Sanderson said the plot owner wants to put the mausoleum in the same spot, but it will only go 2 high and match the existing one on the plot.
- B. Herb Van Guilder said they should put this off until the next meeting and it can be on the agenda. He said that the minutes from December reflect that Brett Sanderson was supposed to get back to him with information from the owners.
- C. Brett Sanderson apologized and said that he had only met with the owner this past Sunday. For health reasons, they want to start the work as soon as possible. He made his proposal without us having anything in the regulations about this.
- D. Bob Brandt asked if would only be 2 high.
- E. Brett Sanderson said 2 high and 5 feet wide on either side.
- F. Herb Van Guilder said we have a precedent of only 2 high and we should stay with that.
- G. Brett Sanderson asked Scott Murphy to talk to the town attorney about this, because we don't have any regulations in place.
- H. Scott Murphy asked if the plot owner can hold off until after our next meeting.
- I. Brett Sanderson said the mother is not in good health and they want to start as soon as possible.
- J. Scott Murphy said they can put it on the agenda for the next meeting. He asked that all board members with any questions or comments get them to him and he will contact the town attorney.
- K. Herb Van Guilder said the commissioners should not be pressured into making a decision. They have had a precedent for several years. We have to wait until we hear from the Municipal Manager on the legal side of this.
- L. Bruce Schmidt said that Scott Murphy should ask what we can do if the bylaws are silent. We need to know that first. He said just because there is a precedent, it may or may not be legal. There may be a reason why the regulations are silent. We need to let the plot owner know that we need to get a legal opinion and that no work may be started until we give approval. He suggested that the board may want to hold a special meeting. Bruce Schmidt said he is not in favor of in person meetings at this time. We need to take the state guidelines seriously. He said that he understands Herb Van Guilder's feelings. But there is another side to this. He said that some of us may call in to the meetings.
- M. Brett Sanderson asked all board members to funnel all questions and concerns through Scott Murphy. He said that the plot owner would like an answer. He added that we do not have anything in the bylaws against this. Please get any information you receive to Scott Murphy.
- N. Herb Van Guilder said there is a strong precedent and nothing may be done in the cemetery without the approval of the commissioners.

**13. Set Date for Next Meeting**

- A. Bruce Schmidt suggested that the chair work with Scott Murphy and that Scott Murphy can poll the board for a meeting date in the beginning of June. He does not think we should wait another month.
- B. Scott Murphy said that two weeks would be June 3 and three weeks would be June 10<sup>th</sup>. He will aim for one of those dates.
- C. Herb Van Guilder said that commissioners should not be rushed into a decision. "Haste makes waste."
- D. Brett Sanderson asked if the commissioners still want to schedule their next regular meeting for June 17<sup>th</sup>. There was a consensus to schedule it.
- E. Next regular meeting - Wednesday, June 17, 2020 at 5:00 p.m.

14. **Sign Warrant Orders**

- A. The warrant orders have been signed.

15. **Possible Executive Session/Personnel/Contracts/Legal Issues**

- A. Scott Murphy said none is needed.

16. **Adjourn**

- A. **MOTION by Bruce Schmidt and seconded by Bob Brandt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 4:50 Q5Y8rbI9Mu3 p.m.

Respectfully submitted,

Lisha Klaiber

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Brett Sanderson, Chairman

\_\_\_\_\_  
Bruce Schmidt

\_\_\_\_\_  
Bob Brandt

\_\_\_\_\_  
Herb Van Guilder

\_\_\_\_\_  
Lou Gabranski