



Cemetery Commission Meeting Agenda

July 13, 2017, 4:30 PM

Lakeview Cemetery, 455 North Avenue

- I.** Approval of Agenda
- II.** Approval of Minutes from June 15, 2017 Meeting
- III.** Old Business
 - A. Storm water easement: map showing location available yet?
 - B. Chapel Handicap Access follow-up
 - C. List of tipped stones righted at Greenmount May 20, 2017
 - D. No Dogs Allowed signs status
 - E. Chapel roof repair/insurance needed question status
 - F. Specific questions from Thea Lewis about Cemetery Event Policy
- IV.** New Business
 - A. Welcome new Commissioner, Francis (Tag) Taginski
 - B. Setting Commission goals & timeline
- V.** Superintendent's Items
- VI.** Commissioner's Items
 - A. Green Burials
- VII.** Office Report
 - A. Memos re new policy for use of City-owned Cemeteries for events emailed to Friends of Lakeview Cemetery and Thea Lewis, Queen City Ghostwalks
 - B. Front gate welding and new gate installation at Greenmount
 - C. New lot prices: confirm that these are not to be put into effect yet because Section 6 not yet surveyed and pinned, and Office Assistant position not made full-time. Also, need to clarify discrepancy in start date, and status of Oak Annex prices. In addition: review Mausoleum interment fee.
- VIII.** Public Comments
- IX.** Adjournment

Act No. 19 (H.3). Health; cemeteries

An act relating to burial depth in cemeteries

This act requires that interment of a human body in a cemetery be at least three and one-half feet below the natural surface of ground.

Effective Date: July 1, 2017

Act No. 24 (H.25). Health; cemeteries; natural burial grounds An act relating to natural burial grounds

This act creates a new type of cemetery, a natural burial ground, which is maintained using ecological land management practices for the burial of unembalmed human remains or human remains embalmed using nontoxic embalming fluids. Remains buried in a natural burial ground shall be laid to rest either without a burial container or in a nontoxic, nonhazardous, plant-derived burial container or shroud. The only improvements authorized on land used as a natural burial ground are winter storage facilities or improvements that are either devotional or educational in nature. Existing law pertaining to cemeteries also applies to natural burial grounds with a few exceptions. First, the act allows for the use of nonstandard methods of platting in natural burial grounds to the extent that the exact location and identity of each buried body is known and demarcated in the town land record. Second, the act exempts selectboard members and cemetery commissioners from any obligation to clear weeds and grass from a public natural burial ground. Third, the act exempts selectboard members from maintaining or repairing a fence around a public natural burial ground where the perimeter is marked in a less obtrusive manner. And finally, the act exempts selectboard members or aldermen from any obligation to install a marker on a person's grave in a public natural burial ground unless the regulations of a particular natural burial ground specify otherwise. Other provisions of this act include the establishment of water setback boundaries for any new cemetery or expansion of an existing cemetery, including natural burial grounds; rulemaking authority enabling the Commissioner of Health to determine the disposition of human remains in natural burial grounds where the deceased had a disease or condition considered a Public Health Emergency of International Concern or where the burial poses a public health hazard; and language specifying that a natural burial ground shall not be established prior to the act taking effect.

Effective Date: July 1, 2015

Relevant Statutes:

Sec. 1. 18 V.S.A. § 5302 DEFINITIONS

Addition of

(10) "Ecological land management practices" means utilization of land stewardship decision-making processes that account for the best available understanding of ecosystem functions and biological diversity;

(11) "Natural burial ground" means a cemetery maintained using ecological land management practices and without the use of vaults for the burial of unembalmed human remains or human remains embalmed using nontoxic embalming fluids and that rest in either no burial container or in a nontoxic, nonhazardous, plant-derived burial container or shroud;

Sec. 2. 18 V.S.A. § 5319(b) DISPOSITION OF REMAINS OF DEAD

(b)(1) Interment of any human body in the earth shall not be made unless the distance from the bottom of the outside coffin or body shall be at least five three and one-half feet below the natural surface of the ground, ~~excepting only infants under four years of age, whose bodies shall be so interred that the bottom of the outside coffin enclosing them shall be at least three and one-half feet below the natural surface of the ground or if buried without a coffin shall be so interred that the bottom of the body shall be at least five feet below the natural surface of the ground.~~ Nothing in this subdivision shall be construed to prohibit the interment of a human body at a depth greater than three and one-half feet below the surface of the ground.



Cemetery Commission Meeting Minutes

Meeting Date: Thursday, July 13, 2017, 4:30 pm

Commissioners Present: Rita Church, Allison Curran, Lainey Rappaport, Emma Swift, Francis (Tag) Taginski

Staff Present: Annie D’Alton, Cemetery Office Assistant

Public Present: Michelle Acciavatti, End of Life Specialist

Attachments: Draft Cemetery Fee Schedule
Copy of Act 19, Act 24 and Relevant Statutes, provided by Acciavatti

Mtg. was started at 4:35 by Co-Chair Allison Curran, who asked for introductions for the benefit of Michelle Acciavatti.

Emma Swift distributed Parks Parking Passes to Commissioners, given to her by Parks Interim Parks Department Director Nina Safavi, who said these are given to all Parks Commissioners.

I. Approval of Agenda

A. Swift moved to approve; Lainey Rappaport seconded; all approved.

II. Approval of Minutes from June 15, 2017 Meeting

A. Rita Church moved to approve; Rappaport seconded; all approved.

III. Old Business

A. Storm water easement

1. No map or other information has been forwarded to the Cemetery Office or Commission. The Commissioners asked Annie D’Alton to email Nina Safavi asking for any updates about this proposed project when they become available. *(Done 7.13.17.)*

B. Chapel Handicap Access Follow-up.

1. Church reported that the Friends of Lakeview Cemetery felt that the Parks Department should be responsible for addressing this need.
2. Curran suggested adding this to the list of items to be presented to the City Council when the Cemetery Commission reports on their activities, as suggested by Councilor Hartnett.

4:40 Tag Taginski arrived and all present introduced themselves to him.

3. Church reported that the Friends of Lakeview Cemetery felt that the Parks Department should be responsible for addressing this need.
4. Church reported that a florist from Chicago will be providing decorations for a wedding in the Chapel, and the Friends hope to acquire photos for marketing use.



5. Taginski suggested coordinating presentation, including budget needs, to City Council with the Council's discussion of the FY19 Budget, and that the Commission should spend some time discussion what the talking point should be.
- C. List of Tipped Stones righted in Greenmount May 20, 2017
1. Curran will ask Diane and Donna Waldron if they have this list. In the future, the Commissioners decided to assign someone the duty of documenting the work.
- D. No Dogs Allowed sign status
1. Rappaport reported that she asked Jeff Shedd if there were any stored signs, and that he reported no, and that he did not think using signs would help. Rappaport and many others do feel signs would help, at least in the instances like that reported by Church at the last meeting, in which a person with a dog defended their entry into the cemetery by saying "there's no sign saying no dogs allowed".
 2. Church asked what happened to the Cemetery signs that Bridges said were to be included in the big Parks signage redesign. D'Alton noted that she had not heard anything about this. Rappaport indicated that a grant that was supposed to help did not come through.
 3. Swift had spoken with Safavi, who wanted a sign on the new gate at the west side of Lakeview to welcome people to the cemetery.
 4. Taginski asked if there was a policy in place to back up the signs. D'Alton printed the Code of Ordinances Section pertaining to this issue (Sec. 9-14).
 5. Curran noted that is a timely issue, as local population increases from the opening of the Cambrian Rise development.
- E. Chapel roof repair
1. Church reported that the Friends feel this is more important than the pointing work that is scheduled as a capital improvement. Swift asked what the rationale was for this opinion, and Church indicated that the Friends are concerned that the City's insurance may not cover interior repairs, such as would be needed by water damage from a leaking roof. *(Note: Hartnett had suggested asking Safavi to find out if there are insurance coverage restrictions for Chapel.)* The repair is needed at the left corner.
 2. Taginski suggested asking the Vermont State Historical Society to assess Chapel repair needs and priorities; they do not usually charge. The request should come from the Commission, a municipal entity, not the Friends. The report could be presented to Martha Keenan to help prioritize repairs. Church noted that the repair has been deferred for a long time. Curran will email the State Historical Society to set this up.
- F. D'Alton reviewed her response to email from Thea Lewis, and Commissioners agreed with her answers to Thea's questions:
1. \$25 permit fee applies to each event, so if an event is repeated, an additional \$25 would be charged each time the event repeats.
 2. The Impact Fee of \$5 per participant should be paid after the event, so if there are drop-ins who haven't pre-registered, they can be included in total.
 3. No form is required for scheduling an event. Cemetery Staff will give permission to organizers who describe an event appropriate for the Cemetery. Taginski felt this was a grey area, and asked if it could be defined more clearly. D'Alton said believed she recalled a definition being agreed upon, and she'd try to find reference to that. *(Need to hold off*



on publishing new Fee Schedule until this language is approved & included.)

IV. New Business

- A. Tag welcomed to the Commission.
- B. Setting Commission Goals & Timelines: tabled until next mtg., when presentation to City Council will be discussed.

V. Superintendent's Items

- A. None submitted, Superintendent not present.

VI. Commissioner's Items

A. Green Burials

1. At the request of her client who is terminally ill, Michelle Acciavatti requested a special exception to the Cemetery's vault requirement for his burial. He is planning to forgo embalming and wants to be buried per the new State regulations: grave dug 3 ½' deep, with no vault. Discussion of green burials followed.
 - ◆ Acciavatti assuring the Commissioners that there is no potential damage to environment from decomposition of body—the client does not have in infectious disease; he has cancer and medication he's taken will be metabolized in the soil.
 - ◆ No disturbance of green burials by scavengers has been reported.
 - ◆ Grave can be machine-dug, lowering device can be used, with back board under shrouded body for support during lowering.
 - ◆ Acciavatti suggested that Jeff Shedd contact Jim Holman, green burial manager for Mount Auburn cemetery, to discuss issues and procedures.
 - ◆ The client does not care where he is buried, or what type of marker he has.
2. Taginski asked if Mt. Auburn would share their green burial regulations, and any price differentials based on extra maintenance required by ground settling. He noted that a cemetery in North Hero accepts green burials. Acciavatti thanked him and will approach them, too.
3. D'Alton noted that commission would probably not be able to make an exception to the Cemetery rules—the Superintendent (Safavi) would hold that responsibility. They could make a recommendation.
4. Swift expressed concern about setting a precedent, opening the door to many such requests before setting in place a carefully thought-out plan for green burials.
5. Church felt the Commission should ask for advice from the City Attorney.
6. Curran noted that the Commission has been moving toward discussion and recommending adding the green burial option to the City's cemeteries, but this will require research and discussion.
7. Swift asked Acciavatti for a time frame for a decision: 3 months.
8. Swift & Curran are both asked frequently if Lakeview will allow green burials. All the commissioners expressed the feeling that is the Commission's responsibility to offer services that address the changing needs of the community.
9. Swift suggested that in the interest of time the Commission request advice from the City Attorney assigned to Parks, Gregg Meyer, even though these requests usually go through Cemetery Staff (D'Alton is about to have a 2-week vacation). Taginski offered to do this.
10. Curran reported that Terri Hallenbeck of Seven Days called to ask about green burials at Lakeview. D'Alton reported that she had called the office, too. Curran asked the



Commissioners how to respond to Hallenbeck's questions. Swift suggested just that the Commission is learning about this option with the expectation of making a recommendation to the Superintendent after thorough research.

VII. Office Report

- A. D'Alton noted that she had written the memos requested at the June meeting.
- B. The 2nd access gate where fence had been cut repeatedly at Greenmount was installed July 8.
- C. D'Alton reformatted the Cemetery Fee Schedule in order to include Chapel and Event fees, then asked Shedd to review it.
 - 1. In light of the fact that Section VI has not been surveyed & pinned, pricing in that area should not be included. Commission agreed.
 - ◆ Rappaport asked D'Alton to find out if water test had been done to indicate that the ground is ready for burials.
 - 2. Consider mausoleum burial charges—too high? Commission voted to keep these fees the same as in-ground burial fees.
 - 3. Oak Annex should not be included in "other remaining lots". Commission had already agreed.
 - 4. Swift noted that because base rate for lots hadn't increased in 9 years, it does make sense to increase cost of Section VII and other remaining lots.

VIII. Adjournment

- A. Next meeting: Thursday, September 14, 4:30 pm.
- B. At 6:30 Swift moved to adjourn, Taginski seconded, all in favor.