

Wellfleet Cemetery Commission

December 5, 2019

Attended by Bonnie Robicheau, Nancy Vail, David Agger

Agenda

1. Reviewed and approved May 2019 meeting minutes
2. Fall 2019 Clean Up Review- good volunteer response (20+); still have downed wood; sent out thank you letters out to AmeriCorps, Banner and Independent
3. Gift Fund Donations- discussed success of "Tax Bill" flyer request for donations. Discussed thank you letters details and use of funds; **commissioners** will share responsibility for mailing letters
4. Plans for future headstone restoration- Bob Devaney has completed his list of repairs. **David** will walk the cemetery to confirm completion. Then he will create a new stabilization/remount list and discuss with John Fougere
5. Alternate member for Commission-Nancy reported on Pros and Cons for adding an alternate member: creating a job description, creating an article for town meeting requesting an addition of an "alternate member" for Commission; asking for a volunteer; is there an established or required approval process?
6. Budget Issues-Nancy reported that we need to continue researching ways to establish a Cemetery Town budget line item
7. CPC grant Application Request Review- Reviewed amount received (requested \$70,000, received \$10,000.00), Commission response letter, and formula used to disperse funds each year
8. Winter Lower Cape Cemetery Commissioners Meeting
 - dates/times: 9-Noon sometime between January 15-February 7 with a snow date
 - Location: someplace free- Wellfleet Preservation hall, Library, Fire Station Meeting Room
 - Planning committee: not necessarily
 - agenda: Introduction of participants, sharing of Town concerns and issues, consensus for meeting again
 - format: see above
 - speakers: none; assess interest for future meetings
 - David** will continue to take the lead with coordination and planning this event
9. Green Burial update: David shared conversation with Town Counsel (see below) and recommendation to reach out to other stakeholders/interested parties (Heath Dept., Conservation Comm., etc.)for input, provide public forum to introduce plan, move forward w/o need to approval from any other Town entity

"David:

You have asked me to summarize our telephone conversation of this morning regarding green burials.

As an initial matter, you stated that you had contacted someone at the state who advised that green burials are a local matter. I agree with this, as G.L. c. 114, the statute governing cemeteries in Massachusetts, does not impose requirements on materials used for interments. Instead, pursuant to G.L. c. 114, §23, local cemetery commissioners may make reasonable regulations governing the care and management of public cemeteries.

Second, you asked about the process for Wellfleet to regulate green burials and what boards or actions are involved. Currently, there are no provisions in the Town's Charter or General Bylaws addressing burials, and therefore, no Town Meeting action is required. Rather, the Wellfleet Cemetery Commissioners have adopted regulations, and it is my opinion that the Commissioners may amend their existing Rules and Regulations to include a provision for "green burials". The regulations should be amended at a public hearing, advertised in advance, at which the public is invited to provide comments on the proposed regulations.

You also asked whether the Cemetery Commissioners should consult with other Town boards, such as the Select Board, Board of Health and/or Conservation Commission before enacting any green burial regulations. While the Commissioners are not required to seek input from other boards, the Commissioners may nonetheless gain valuable input from boards with different areas of expertise. For example, we discussed concerns about a deceased person having undergone high doses of chemotherapy and whether such a deceased opting for a green burial poses a public health risk. In this instance, the Board of Health may be able to offer recommendations, as the Commissioners consider where to allow green burials and whether such areas should be a minimum distance from a private well, public water supply or septic system. Likewise, Wellfleet's soil or groundwater levels may present some unique concerns such that the Conservation Commission may offer valuable input.

Finally, I have attached, above and below, links to examples from other municipalities which currently allow "green burials" within public cemeteries. You will note that the regulations typically provide a definition for "green burial," include the types of materials permitted to be used for these burials, and restrict or limit "green burials" within the cemetery based on location or plot size. Another consideration to add to the regulations is a provision that the burial should be at a depth of 3.5 to 4 feet to allow for aerobic bacteria to enhance decomposition.

<http://records.brewster-ma.gov/WebLink/PDF/ceytcptydspxold0napumq0/11/Cemetery%20Rules%20and%20Regulations.pdf>

<http://www.wenhamma.gov/Cemetery%20Rules%20&%20Regulations.pdf>

<http://www.townofchesterfieldma.com/cemetery-commission>

Please let me know if you would like assistance in drafting or reviewing proposed regulations. Thank you,

Carolyn M. Murray, Esq."

10. Pleasant Hill DEF sections: one sale and monument, some other interest, no "ponding" this
Past season, postpone decision to hydro-seed. *Will defer decision until Spring and review visual and drainage need.*

11. corner markers status update: **Nancy** will confirm with John Fougere (and question about storage of extra concrete vaults)

OLD BUSINESS

-David sent commissioners and Bob Devaney list of PG/Oakdale headstones to be repaired and stabilized in 2019. Devaney reported starting date in April and his understanding of the limitations of his contract. *Commissioners reviewed repair and stabilization work done to date by Devaney. Discussion about future work to complete project with Devaney and other companies*

-Nancy reported on DPW request to grade and reshell PH and Oakdale Cemetery roads. Make request for Spring 2020. **David** will contact Dan Stevens and Rob Hatch regarding repointing and repairing vault on Jason Ave.

- Bonnie completed her research and ideas for new signage for Duck Creek and Boudro Cemeteries. Signs have been installed

Matt McPartland provided estimate quote gate for Gross Hill entrance. Decided quotes were too expensive; deferred decision for permanent gate versus chain link chain to be used only during Oysterfest.

-Televising meetings: Commission had another discussion about televised meetings; agreed to table decision. *We will wait for Town Administrator decision.*

Next meeting: Monday, January 6, 2020 at 2pm

Minutes reported by David Agger

Meeting adjourned at 4:10pm