

A workshop was held by the Town Board of the Town of Moreau on October 11, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York, for the purpose of discussing cemeteries in Moreau.

Supervisor Jenkins called the workshop to order at 6:30 p.m.

The Town Clerk called the roll.

Town Board Members Present

Tom Cumm	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Preston Jenkins	Supervisor

Town Board Members Absent

Todd Kusnierz	Councilman
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Also Present: Jeanne Fleury, Town Clerk; Reed Antis, Town Resident and Planning Board Alternate Member; Jesse Fish, Water Superintendent (arrived at 6:45 p.m.); Paul Joseph, Highway Superintendent (arrived at 6:49 p.m.); Karla Buettner, Attorney for the Town (arrived at 6:53 p.m.); Town Residents: John Telisky (arrived at 6:55 p.m.) and John Benoit (arrived at 6:56 p.m.); and Village Resident, Andre Delvaux (arrived at 6:56 p.m.)

Supervisor Jenkins welcomed everyone to the workshop on cemeteries.

Supervisor Jenkins stated that there are 18 cemeteries in Moreau that the Town is technically responsible for maintaining. Rice Cemetery and Griswold Cemetery are two of the bigger cemeteries that have burials in them more frequently than the rest.

Reed Antis stated that the Town should mow the cemeteries two or three times a year, weed, and make minor repairs to fencing so they look presentable. He said the Town isn't responsible for repairing headstones. He stated that the issue is that people are being buried in Griswold Cemetery and two other cemeteries in Moreau on a somewhat regular basis and there is no policy in place. He further stated that the Town Clerk put together a draft policy that outlines about 15 to 16 points of what we can do. The Town Attorney recommended that a policy be adopted and not a law. It was Reed's opinion that a small fee should be charged. At the very least a person should have to go before the Town for permission to be buried in one of these cemeteries. Do we want to keep it as a "Moreau Cemetery" or at least have some control over it? He also suggested that we create a map of the cemeteries showing who is buried in them and what plots are available.

Discussion followed on maintenance of cemeteries.

Councilman Cumm stated there have been very few burials in four of the cemeteries and to maintain these at the level we are maintaining them is a waste of money, if we aren't charging.

Supervisor Jenkins stated that Rice Cemetery and Griswold Cemetery are the two cemeteries that are most visible and need to be maintained more often than the others.

Councilman Cumm stated that he is convinced the reason the mower deck on the John Deere A300 had to be replaced was because of the sand that it was picking up in the cemeteries. It ate away at the deck and the flywheel blades.

Councilman Prendergast stated that we can look into cutting back on the mowing.

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Councilman Cumm stated that we need to set aside some amount of money to preserve the cemeteries in Moreau, even if it is just \$1,000.00 a year. He said starting a committee called "Friends of Moreau Cemeteries" was a good idea. He was willing to serve on that committee. Once the \$1,000.00 was gone they would have to wait until the next budget year when another \$1,000.00 could be allocated, and the "Friends of Moreau Cemeteries" could tackle another project.

Councilwoman LeClair said she would support that.

Councilwoman LeClair stated that one of the biggest expenses the first year would probably be training. She asked Reed if the cost to attend a seminar was around \$500.00.

Reed Antis said he didn't know for sure what the cost was, but he thought it was around \$500.00.

Reed Antis stated the first step was creating a policy.

Councilman Cumm asked what happens if a relative of Griswold wants to be buried in the Griswold Cemetery.

Reed Antis said it is too late. The Town has been maintaining it since 1922. Town Law reads that when a cemetery has been neglected for a period of 14 years it becomes the Town's responsibility. If a group of people come forward and say they want to take it off the Town's hands, let them have it. They would then have to take care of it. He has the records from the Town Board Minutes since the 1920's that shows that the Town has been putting money aside for cemeteries. He said yes, Mr. Griswold said the cemetery site can never be sold and yes, Mr. Rice donated the land to the Town for the Rice Cemetery and yes, the Roger's Cemetery was for family plots and the families eventually were all gone, but after so many years the cemeteries became neglected and they became the Town's responsibility. As a Town we took on the responsibility of taking over the maintenance of the cemeteries in order to keep them clean and nice.

Councilman Prendergast said he thought there should be a fee. It seems that if we want to charge a fee then it should be by local law and not resolution.

The Town Clerk stated that Attorney Auffredou had said that it should be by resolution. It is too involved and costly to keep changing a local law in the event that a Town Board wanted to change the rules and regulations or fee schedule. By resolution the Town Board could easily change the rules and regulations or fee schedule.

Councilman Prendergast asked what would happen if someone said they didn't want to pay the fee.

Reed Antis asked what happens if a person doesn't pay their water bill.

Supervisor Jenkins said they add it to their property taxes.

The Town Clerk said she wasn't sure if they could add this kind of fee to property taxes or not for non-payment.

Councilman Cumm asked what would happen if someone wanted to be buried in Rogers Cemetery. The cemetery has never been touched by the Town of Moreau. Should we charge a fee for any of the cemeteries that the Town hasn't maintained over the years, when they haven't cost us any money. Should they be charged a fee even though they can hardly get into the cemetery?

Reed Antis said he was primarily talking about three cemeteries that the Town is currently maintaining.

Councilman Cumm stated that as others come down along the line we could add those.

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Reed Antis stated that moving forward the Town should be a little more forthright in taking care of the cemeteries and make them presentable.

Councilwoman LeClair stated that if the Town was going to put money into caring for them then it was fair that the users pay a fee.

Councilman Cumm stated the next question is what fee do we charge?

Supervisor Jenkins suggested \$100.00 to \$175.00 range.

Reed Antis said a more reasonable fee would be \$300.00.

Councilman Prendergast asked if we have prices from other Towns.

Councilman Cumm replied yes, but the other Towns do all the services, opening and closing graves, etc.

Supervisor Jenkins stated that they have a set price for plots though.

Reed Antis said he was talking about a fee to pay for the plot so it just isn't a piece of free land.

The Town Clerk asked if they were talking about a fee for maintenance/perpetual care. She asked what would happen if a person comes forward and claims to have rights to a plot that was passed down through the family for years. They may not have a deed to the plot, but have rights to it.

Supervisor Jenkins stated that when they stopped maintaining the cemetery and the Town took it over and started maintaining it then they lost their rights to the plot(s).

Reed Antis concurred that during his research nobody has been able to produce for him a deed or proof of ownership of a plot. To him it is hearsay. He finds it hard to believe that there are any actual plots, but rather it is more of a common burial ground where people bury their loved ones, and over time nobody took care of it, and the Town took the initiative to take care of it, and has been for 90 years. We need some control.

Councilwoman LeClair stated that out in the back of Griswold cemetery there is an immense amount of garbage from decorations removed from graves.

Reed Antis said he thinks that the Town employee who is taking care of the cemetery is dumping the stuff there rather than taking it to the Transfer Station.

Councilman Prendergast said the board has to make sure that it isn't a Town employee who is doing this.

Reed Antis asked the board if they wanted to create a policy on the use of the three cemeteries that we are taking care of.

Supervisor Jenkins said they needed to get sample prices on lots that are being sold.

Reed Antis asked if the board was comfortable with the policy that the Town Clerk drafted for the August meeting. He said there were a couple of points in the policy that she recommended be removed and a notation made about following the State Cemetery Law.

Councilman Cumm said he went over this with her and she suggested removing items 10, 12, 13 and 14.

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The Town Clerk said that the State Law regulates the type of vaults used so there was no need to include this in the rules and regulations.

Supervisor Jenkins asked the Town Clerk to update the policy and get a new draft to the board and he would put it on the agenda for the next meeting.

The Town Clerk asked the board if they wanted her to send the draft to Attorney Buettner for review and the board said yes.

Councilwoman LeClair asked if they could have some suggestions for fees by the next meeting so they would be ready to make a decision or some ideas on what other communities charge.

The Town Clerk advised that she copied the board on fees from other communities. She said that most of the Towns contacted didn't charge fees.

Councilman Cumm added that those Towns who do charge are "full service" Towns meaning that they take care of everything that needs to be done in their cemeteries and we don't. That is part of the problem.

Reed Antis stated that there needs to be some control.

Supervisor Jenkins asked the Town Clerk again to revise the draft policy and they would come up with some prices and hopefully they can finalize it at the next meeting.

Supervisor Jenkins thanked Reed Antis for all the work he put into this.

Reed Antis said it was his pleasure and hopefully they will finalize it before the year is done.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to close the workshop at 7:00 p.m.

Roll call vote resulted as follows:

Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Absent
Supervisor Jenkins	Yes

Workshop adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk

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