

FINAL

**CITY OF LEBANON
BOARD OF CEMETERY TRUSTEES
REGULAR MEETING MINUTES
REMOTE VIA MICROSOFT TEAMS
LebanonNH.gov/Live
TUESDAY, January 12, 2021
5:00 PM**

MEMBERS PRESENT: Chair Fran Hanchett, Vice Chair Antonio Palazzo, Caitlyn Hauke, David Muzzy, Susan Painter

MEMBERS ABSENT: None

STAFF PRESENT: Pat McCarthy – Sexton, Paula Maville – Deputy City Manager, James Donison – Director Public Works, Paul Coats – Recreation and Parks Director

GUESTS:

I. CALL TO ORDER

The meeting was called to order at 5:00 PM by Chair Fran Hanchett.
A Roll Call of Board Members who participated remotely is listed above.

Review of meeting procedures and NH RSA 91-A “Right-to-Know” requirements
Chair Hanchett delivered the Right to Know procedures to the Members and the public.

II. APPROVAL OF MINUTES

A. November 10, 2020

***Mr. Muzzy MOVED to approve the November 10, 2020 Minutes as presented with amendments.
Seconded by Vice Chair Palazzo.***

Amendments: Page 2, Line 2; Remove ‘they are’. Page 2, Line 8; Add ‘are’. Page 2, Line 30; Remove ‘is also a casket buried’ and Add ‘are also burials’. Page 2, Line 38; Remove ‘Ped Bike’ and Add ‘Pedestrian and Bicycle’. Page 2, Line 44; ‘Remove Pine Tree Cemetery Road’ and Add ‘Mascoma Street’. Page 3, Line 17; Add ‘Mascoma’ before Greenway. Page 4, Line 22; Add ‘-in-law’ after sister.

Roll Call Vote

Vice Chair Palazzo, Mr. Muzzy, Ms. Painter, Ms. Hauke and Chair Hanchett all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (5-0).***

III. CEMETERY SEXTON REPORT

A. Monthly Report

The update from November is 4 cremations and 6 full burials. The cremations were 2 on weekdays and 2 on weekends. The burials were 5 on weekdays and 1 on a weekend. This gave staff an opportunity to demo the mini excavators, as the purchase of one was approved by the City Council in this budget year. They tried 5 different machines, and this helped to determine which ones fit between the rows and worked

best in the cemeteries. Perimeter clearing was also done around Glenwood Cemetery. It continued through December as the weather held out. All the pine needles were cleaned up at Pine Tree Cemetery because there was time with the good weather.

December was a slower month for burials. They did one cremation on a weekday and one entombment. They completed the perimeter clearing, removed the low hanging branches and sucker trimming; and they also replaced the fence at the Mascoma Cemetery with vinyl fencing. In the springtime all the stones will be straightened and cleaned. A large tree by the entrance was also removed.

They are tearing down the mowers and preparing them for next year. In December some of the staff helped New Durham with a mutual aid call. The weather was a problem for their town. They helped with fallen trees, opening roadways, and helped so the power companies could restore the electric service.

Burials are year-round if possible and so far, this year there have not been any hold overs due to cold weather. There may be a higher number of entombments. But there has not been a big difference due to the Covid. Because of the pandemic, funeral homes say more people than usual are being cremated.

IV. OLD BUSINESS

A. Discussion of potential bicycle path through Sacred Heart/Valley Cemetery connecting Mascoma Street to the Mascoma River Greenway.

Ms. Painter discussed the petition that was circulated by the Upper Valley Mountain Bike Community in support of the bike path. Paul Coats shared his screen showing the bike path that is being proposed and the renegade path where bikers and walkers have been going over gravesites. The Mountain Bike Association is in support of the connector path. Over 200 signatures were collected and over 90 signatures were from the Lebanon area. It circulated through social media. The Lebanon Bike and Pedestrian Committee passed a recommendation in favor of the pathway to connect the Mascoma Greenway using this connector path and suggested a trial test to see if it is a reasonable solution.

Mr. Coats continued to say that the last discussion was informative, to understand the perspective of the Lebanon crew, the Cemetery Board, and the concerned citizens who are not in support of a pathway through a sacred cemetery. He recognizes that the opponents to the pathway say cemeteries are places of deep respect and a pathway should not jeopardize the nature of the cemetery experience. But there needs to be a solution to the renegade path. If the solution, at the end of the day, is to prohibit any traffic from the Greenway, then Mr. Coats would like to assist with that solution. But again, if the proposed pathway along the edge of the cemetery is a viable answer, then he would like to work together to determine the feasibility. Doing nothing is the worst solution. He would like to test a pilot solution before making a permanent decision. If the normal solution would be to build a higher fence, he asked if it can be postponed. This would help to determine if the pathway is a reasonable answer while it is experimentally tried. They would like to pilot the pathway solution to determine if it benefits everyone. Ms. Painter followed up on moving forward and asked what a pilot process would look like. Mr. Coats believes some kind of decision has to be made tonight.

Ms. Maville clarified what the process would be. She said the vote for tonight should be to determine whether or not to make a motion to amend Chapter 46. That amendment is governed by the City Council. Some language could be crafted to amend the code to either temporarily or permanently allow bicycles in the cemetery. Or, the vote could be to not recommend changes to Chapter 46 to allow bicycles.

Mr. McCarthy said he received numerous phone calls, emails and letters that opposed adding the pathway. Some of the letters and emails are in the packet. He read one from Mr. McClain, who is opposed to the pathway between the Greenway and Old Pine Tree Cemetery Road. He said no bikes are allowed in any cemeteries and allowing them in this cemetery would establish a precedent that users would extend to other cemeteries. It is not respectful of the nature of a cemetery and the services that take place in the cemetery. Recent biking activity has shown there is no regard for the deeded grave sites. He cited several bike abuses that have gone over his family's graves. Fences were torn down. Allowing bikers along the burial cemeteries would be disrespectful. Enforcing the closure of the pathway after a pilot test would be nearly impossible. Another pathway exists within a half mile. Mr. McCarthy showed pictures that document the damage that has occurred over the last summer.

The Board discussed the proposals and the letters that have come before the Board. Some solution is required. There is a conflict, in that some cemeteries are part of the community. Children use their bikes to get to school through the cemeteries. At one time, no one was trying to get to the Greenway by going through the cemetery. Some Members said it is premature to agree to adding this pathway. There is no concrete information about how this work would get completed and how it would be monitored. It is possible that the bikers do not realize they are trespassing. They would likely be willing to take the correct path that is already established if they were informed and it is believed they would cooperate.

Mr. Donison, Director of Public Works, confirmed there is access within less than a half mile. The pictures are testimony of the type of damage that can occur and City staff should not be in a position to enforce the rules in the cemetery.

Mr. McCarthy said, late in the day of this meeting he received a second petition in opposition to adding the pathway. It includes 685 signatures of Lebanon residents or deeded cemetery lot owners. He will provide it to the Board Members, and it will be made available in the public record.

Mr. Coats said the westerly side pathway is a reasonable solution. When it comes to enforcement, he believes, by eliminating the renegade trail and not offering another pathway the problem could increase. A pilot could be tried to dissuade people from using the trail.

Mr. McCarthy said anyone who is being respectful would have at least stayed on the roads, but they are cutting across the grass and the graves. Even having a designated route, it is not clear why they would stick to the pathway anyway.

Hearing no other comments, Chair Hanchett opened the meeting to public input.

Clayton Morlock from the Mountain Bike Association spoke noting that desecration is happening. They are offering volunteer workers to help with the work of building the pathway and materials for it. If there was an access way that was sanctioned, it would not just be for bikers. It would also be for other walkers, and some who would be visiting the cemetery. In his reading of the regulations, it states that bikes are not allowed, and vehicles should abide by the State regulations. Bikes are considered vehicles, which conflicts with the statement about vehicles.

Robert Nicolson spoke. He feels that providing a bike path is bad. It would sanction a recreational path through a cemetery. It is not the purpose of a cemetery and the founded sacred grounds.

Colin Smith, Chair of the Pedestrian Bicyclist Committee spoke. He is in support of the proposal and believes a pilot project is a good solution. He is aware of the illegal trail that is use by walkers, kids and

bikers. He is not aware of damage that is occurring in other cemeteries when pedestrians walk through the cemeteries.

Mr. McLain spoke. His letter to Mr. McCarthy was previously read into the minutes. He does not support the pathway. The lack of awareness is a concern because it is not a recreational point. The pathway would be along the west edge of the cemetery, to cross a busy road. There is a lack of respect for what goes on in a cemetery. It is just begging for problems. He was also told that Renihan Meadows also denied a short path through their property as well. Cemeteries plots are private property. It would take a lot to shut a pilot down. He spoke of other private property in other areas that has been damaged by biking.

Doug Boisvert, Ward 3, strongly opposes a pathway through the cemetery. Damage has occurred, and it has been since the connector trail was developed; that's when the damage began. It was mistakenly listed on the recreation website and was eventually taken off the website. He would like a chain link fence across the entire back of the cemetery.

Pamela Callioras Plockman spoke in opposition to the addition of a pathway. Her family has been here for generations and she has family members buried in the cemetery. There is recourse for the persons breaking the cemetery rules.

Billy Saine from Ward 3 spoke in opposition to the pathway. He noted that signs do not work. People and dog walkers are not picking up after themselves and there are signs prohibiting that use. The evidence of the vandalism is occurring from the use of the bikers. There are nice paths already provided and this pathway is not necessary.

Peter DeCato spoke in opposition to the pathway. A recreational pathway is not needed in a cemetery. He urges the Board to find another solution.

***Vice Chair Palazzo MOVED that the Board of Cemetery Trustees not recommend amendments to Chapter 46 to allow for the use of bicycles within the Sacred Heart Valley Cemetery.
Seconded by Mr. Muzzy.***

Vice Chair Palazzo elaborated on his reasons for his motion. Ms. Painter believes that dedicated pathways through cemeteries are not creating problems when bikers or walkers do not create a disturbance. She believes there is a conflict between how uses are differing across each of the cemeteries. Ms. Hauke asked for some way to resolve what users are currently doing.

Roll Call Vote

Vice Chair Palazzo, Mr. Muzzy, and Chair Hanchett all voting yea.

Ms. Painter voting no.

Ms. Hauke abstained.

****The Vote on the Motion was approved (3-1-1)***

Mr. Muzzy MOVED to install a fence along the back of the cemetery and enclose off the back completely.

Seconded by Vice Chair Palazzo.

The Board discussed that the fence would be installed by Public Works. They discussed the cost, that it could come out of the cemetery budget. Mr. Coats suggested approaching the Mascoma River Greenway

Coalition to contribute to the cost of the fence. They want to be a part of the solution, now that this decision has been made.

Roll Call Vote

Vice Chair Palazzo, Mr. Muzzy, Ms. Hauke and Chair Hanchett all voting yea.

Ms. Painter voting no.

****The Vote on the Motion was approved (4-1).***

B. Natural/Green Burials: Review Draft Outline

This topic was not discussed.

V. NEW BUSINESS

VI. FUTURE AGENDA ITEMS

A. Infant Graves

VII. ADJOURNMENT

Mr. Muzzy MOVED for adjournment.

Seconded by Vice Chair Palazzo.

Roll Call Vote

Vice Chair Palazzo, Mr. Muzzy, Ms. Painter, Ms. Hauke, and Chair Hanchett all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (5-0).***

The meeting was adjourned at 6:57 PM.

Respectfully Submitted,

Linda Billings

Recording Secretary