

FINAL

**CITY OF LEBANON
BOARD OF CEMETERY TRUSTEES
REGULAR MEETING MINUTES
REMOTE VIA MICROSOFT TEAMS
LebanonNH.gov/Live
TUESDAY, February 9, 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

GUESTS: Doug Boisvert, Judith Bush, Rainie Kelly, and Sarah Riley

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. January 12, 2021

Vice Chair Palazzo MOVED to approve the January 12, 2021 Minutes as presented, with amendments. Seconded by Mr. Muzzy.

Amendments: Page 3, Line 36; Remove ‘Painter’ and Add ‘Hanchett’. Page 5, Line 7; Remove ‘(4-0)’ and Add ‘(4-1)’.

Roll Call Vote

Ms. Painter, Vice Chair Palazzo, Ms. Hauke, Mr. Muzzy, 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

January has been quiet. There was one burial, one entombment and one lot sale. Staff have been working on the mowers and have been assisting with City plowing. The Board discussed the plowing in the cemeteries. In West Lebanon Cemetery the snow has been plowed up on the monuments on the South end and by the military memorial. The areas where snow should not be plowed were staked off earlier this year. Mr. McCarthy will check on it this week.

IV. OLD BUSINESS

A. Natural/Green Burials: Review Draft Outline of Proposed Amendments

(Trustee Caitlyn Hauke would like 5-10 minutes to speak)

Ms. Maville introduced the Board to the process. Everyone has seen the outline that is in the packet and it includes all the suggestions from the Trustees and the public. To help with the discussion, she broke the document into sections and did some additional formatting that is not in the document in the packet. She shared her screen during the meeting and reviewed each section with the Board. Modifications were made during the discussion.

Ms. Hauke addressed the Board. She has been on the Board of The Green Burial Council for the last year and has a background in microbiology and sciences that are important for understanding natural burials. She believes adding natural burials should be an option in Lebanon. It is an alignment with the City's Master Plan. Natural burials are not a new concept and many cemeteries are moving forward with natural burials. She addressed some of the concerns that have been raised during discussions of natural burials. Some people are worried because animals contaminated with radiation during a research study were buried many years ago and that did contaminate water. It was due to inadequate burial procedures that would not be allowed at this time. Because of that past situation, some people conjecture that a similar problem could occur with burying human remains. But that is not the circumstances that occur with the burial of humans. Infectious disease-causing agents die after a person dies. There would not be concern that a body would contaminate the staff doing the burial. The depth of burials was scientifically determined to allow the microorganisms to disintegrate the body. There is no incidence of grave disturbances by animals when remains are at the correct depth. Animals and humans cannot smell the decomposing body. The Chair asked if Tuberculosis and Aids would be a problem, as she read something about that in a natural burial article. Ms. Hauke thought this may be more of a concern for the funeral director and it would not leach into the soil.

Section 1) Purpose Statement. The Purpose statement revisions were read by Ms. Maville. Rainie Kelly, guest, commented she would like to change the wording 'end of life' because it has a different meaning. She suggested changing it to 'disposition of remains.' The Board agreed.

Ms. Painter added 'gravesites are not maintained by the City' at the time she originally made recommendations, modifying the last sentence in the purpose statement. She believes this should be taken out of the purpose statement and added to the maintenance section. The consensus of the Board, currently, is to keep the wording in this section. It was also added to the Parking Lot for further consideration.

Section 2). Ms. Maville answered the questions that were raised by the Trustees. Rainie Kelly suggested that some decisions of where natural burials are permitted could be approved by the Sexton or the Board of Trustees. She would like more flexibility in the wording to allow for other decisions. Mr. McCarthy said due to the maintenance operations the City of Lebanon follows, this would be difficult. A large tractor is used by Lebanon and that would be damaging to natural graves within various areas of the cemetery. Mr. Muzzy said Corinth has only buried one person and that was not within the cemetery.

Section 3). A member of the public requested that natural burials remain open to non-residents and perhaps have a separate fee structure. Mr. McCarthy stated he would still like to limit the natural burials to Lebanon residents. This would be a new venture and after some experience with natural burials they may be able to be more flexible. As more towns allow natural burials there will likely be fewer nonresidents asking to be buried here. But at this time there are few options and people who want natural burials are looking for places to be buried even if they do not have a connection with the area. This is a first step and the Trustees can look at this again after there is more experience with natural burials in

Lebanon. Other towns did not add resident language and are now incurring the costs to maintain lots for people that were not residents. The cost falls on the taxpayers of the Town. The Board may want to consider allowing passed residents to return to be buried here. The meaning of resident will be discussed again, and the Board may establish other options in the future.

Sarah Riley, guest, commented that she would like the ability to have a natural burial to be the same as all other burials that are allowed in Lebanon. Right now, nonresidents can be buried in Lebanon cemeteries. The limited amount of space to have natural burials was discussed. It is reasonable that it would be for Lebanon residents. If in the future it is determined there is capacity, the City could revisit who will be allowed to have a natural burial. No one from the Board suggested changing the resident requirement at this time.

Section 4). The Board discussed that this is different from other burials. Mr. McCarthy believes it needs to be overseen to ensure all regulations are met regarding obtaining and filing a death certificate, getting a burial transit permit and the handling of a casket. In Chapter 46, regular burials are not required to be overseen by a cemetery sexton or a funeral director. The State does not require a funeral director; therefore Mr. McCarthy believes the City cannot make it a requirement for a traditional burial. However, Mr. McCarthy has never seen a burial that didn't involve a funeral director. But in the situation of natural burials, if the human remains are not handled properly that could cause problems. And laypersons may not even be aware of what they need to be doing. They are working with human remains that are not contained. Because of the sensitivity of remains and diseases that are contagious, the remains need to be safely handled until the remains are safe and cannot contaminate other people. Judith Bush, guest, said natural burials have a checklist of requirements that people are supposed to follow.

Sarah Riley, guest, asked what the justification is for this requirement. She felt that things should not be different from other burial requirements and if there is a distinction it needs verification of research, data and a purpose for that distinction. Mr. McCarthy responded. In nontraditional burials there is room for mistakes if the burial isn't managed by someone familiar with all the requirements. If the paperwork isn't correct, the burial could be stopped and postponed at the time of the funeral. The Board will continue to discuss the different approaches to burial oversight. Mr. Boisvert, guest, said indeed, these burials are different from what has historically been permitted in Lebanon Cemeteries. Natural burials are different from the established norms of the City's existing cemeteries. Perhaps all burials need to be overseen by the sexton or a funeral director. But, including natural burials in Lebanon is an extension of permitted uses and a revision of the Chapter 46 to allow this special circumstance. It is reasonable that there are separate requirements. Judith Bush, guest, said in 1994 the City of Lebanon allowed vault free burials in the Jewish Cemetery. This would not be the first time this has been allowed. Mr. McCarthy said the Jewish Cemetery is privately owned and has different regulations than the City of Lebanon. The City has signed an agreement to maintain the cemetery, but the requirements come from the privately owned cemetery.

Section 5). This section was compiled by Mr. McCarthy from information received from several other cemeteries and the issues that can arise during a natural burial. The natural burial area is thought to be more vulnerable to personal risk. It is a totally different environment from other burials due to open holes, unsupported ground disturbances and mounds of dirt. Sarah Riley, guest, said she would like to see this requirement added to the list of things that need further discussion. It is making a distinction between a natural burial and a traditional burial. Mr. McCarthy explained the whole process of how a death certificate is obtained upon death. Once a death certificate is completed a burial transit permit is provided to get the body from the place of death to the place of internment. This section is drafted to provide a release of liability in natural burials for any damage or circumstances that could occur during a natural

burial. Some Trustees feel strongly that the City should not be liable for new ventures such as this. Ms. Hauke said The Green Burial Council recommends signing a liability statement.

The Natural Burial discussion will continue at the March meeting.

V. NEW BUSINESS

The Mayor received a request to do a rubbing on a cemetery stone. The Board intends to discuss this at the next meeting after review of the rules that pertain to this matter.

VI. FUTURE AGENDA ITEMS

A. Infant Graves

B. Consideration to allow a grave rubbing

What do the regulations stipulate and what does a rubbing entail.

VII. ADJOURNMENT

Vice Chair Palazzo MOVED for adjournment.

Seconded by Mr. Muzzy.

Roll Call Vote

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

None voted Nay.

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

The meeting was adjourned at 6:54 PM.

Respectfully Submitted,

Linda Billings

Recording Secretary