

Glover Cemetery Commission Meeting Minutes  
July 12, 2016, Town Clerk's Office, 8-9 AM

Present: Committee members Joan Alexander, Don Atkins and Ricky Blanchard; sexton Donna Sweeney. Jon Perkins was invited by phone message, but did not attend.

The Commission met to discuss the questions Elizabeth Urie Bomberger had emailed Joan concerning moving her mother's (Elaine Urie) casket at Andersonville to a different lot so it the vault can be completely buried. As it is now, when the hole was dug there was so much rock that the vault could not be completely buried, and earth was mounded over the gravesite.

The family owns a total of 8 contiguous lots at Andersonville. They want to exhume the body and bury it completely underground in one of the other 7 spots. They have considered having an excavator dig the hole with a bigger machine than Jon Perkins used to dig the current gravesite; a bigger machine might be able to break up any ledge or rock that might be found. Another option they have considered is to use a pneumatic jack hammer to break up any rock found. A third option they have considered is to use a "liquid dynamite" product like Ecobust that would break up any rock or ledge found.

Donna requested that before anything was done, signatures of all the siblings be gathered, stating they were all in agreement with the move, and Elizabeth has done that. Elizabeth wondered if she should also get her father's signature; Donna said yes, she will also need his signature. Donna would like Elizabeth to have a notary notarize a statement from Elizabeth saying that she has gathered these signatures and that each one signing has signed of their free will.

We suggest the required notice be printed in the *Chronicle* rather than the *Newport Daily Express*, as *the Chronicle* has a wider readership, though with all the sibling's and husband's signatures, it is likely there will be no objection. Even so, it is state law that the notice be printed for two consecutive weeks and that the clerk will then issue a permit after 45 days from when the notice was last published. (Joan has previously emailed Elizabeth the discussion of the statues covering removal of a body from a cemetery, p. 6 -7 from "Digging Deep", the handbook of cemetery laws published by the VT Secretary of State, 2014.)

Elizabeth had asked if the excavation could begin before the 45 days had elapsed. We decided that work could start after 40 days.

The commission suggests the following steps:

1. Leave the vault where it is until a new spot is found; this will eliminate having it sitting around or paying for it to be in storage, should the digging take longer than a day.
2. Probe and pick a new spot from the other 7 lots. We realize the family will be wanting an area that is big enough to accommodate Elaine's vault now, and her husband's in the future.
3. Dig in the new spot. If the digging goes off without a hitch, then Elaine's vault could be dug up and moved to the new lot, and then the monument could be moved, too.
4. If the digging results in more rock than an excavator or jackhammer can handle, and a hole the traditional depth cannot be dug, the family would be asked to alert the commission, as we want to help decide what the next step should be.

Elizabeth had also asked about the wording for the notice. Here is wording taken from a notice that was recently used in the *Chronicle* for proposed move in a Barton cemetery :

"In accordance with the provision of 18 V.S.A. §5212 the town of Glover hereby provides notice of its intent to remove the buried body of Elaine Urie from its current location in the Andersonville Cemetery and to reinter the same in the so-called Elaine and Bernard Urie Family Lots (No. 32 and 33) in said cemetery. The spouse, child, sibling or descendant of either Elaine or Bernard, or the cemetery commissioner or other municipal authority responsible for cemeteries in the Town of Glover may object to the proposed removal by filing a complaint to the Orleans District Probate Court in accordance with the provisions of 18 V.S.A. §5212a. If no objection is filed, the Glover Town Clerk will issue a removal permit 45 days following the second publication of this notice."

Looking for guidance about trying to break up rock in cemeteries and wondering if anyone had experience using “liquid dynamite” products in a cemetery, Joan contacted the Vermont Cemetery Association and, through their suggestion, put a query on the State of VT “Local Roads” website and received the following advice: The town of Stowe has had good experience with no-explosive rock removal products; there was no adjacent disturbance. A town employee in Colchester suggested contacting someone from the excavator they use; Joan did contact him and he said it is a common practice for it to be used in cemeteries. However, he (as well as the President of the VT Cemetery Association) noted that using such a product would be more expensive (and take more time) than having someone use a pneumatic rock hammer, which would likely be able to hammer the rock out and also excavate the rock. (Patrick Healy, the president of the VT Cemetery Association, had hoped to come up with a probe to take a look at the site before our meeting, but he was not able to make it. He had suggested that an excavator might first remove the top soil from the 7 lots so that you could better see what is there.)

Elizabeth wondered if the family needed permission to plant flowers or erect a birdhouse; they do not need permission to do that.

Elizabeth asked about financial contribution the cemetery commission was willing to contribute toward the costs. We will need to see the total costs and what the funeral service is contributing to be able to answer that.

Elizabeth had also asked who would be responsible for restoring the original gravesite; she suspected topsoil would needed to be brought in, and she offered to do the finish work on that. We did not get to this question at the meeting.

The Commission members want to express how sorry we are that there has been all this trouble. We wish that we had been informed as soon as it was realized that the stone/ledge was preventing the grave being dug to the usual depth; that would have been the best time to explore other options.

At the meeting it was decided that Joan would call the funeral service and the vault company, to try and get more information about the costs and also to try and understand what procedures are followed if a grave is dug and then it is discovered it is not the traditional depth; and then also contact Jon and discuss with him the procedures. After the meeting, Joan contacted the funeral service to see if they had been aware in advance of the grave not being dug the traditional depth (they were not) and to ask if they had insurance for situations like this (“not really”.) However, Ron Britch did suggest contacting Wayne Libby of Brownington who is a grave digger with experience breaking up rock to get an estimate for what he might charge; Ron thought the previous estimate Elizabeth received from a local excavation company was high.) Joan left messages with Ron Libby and also with the Ivan Maxwell Vault Company. Later that same day, Ron Britch called back to say that he had discussed it with his maintenance crew, and they have had good success using a jack hammer and believe they could handle the job, and also they have worked with Wayne Libby and know that he has had experience with liquid dynamite products. Ron felt that if the family approves and the notice has been published and the 40 days expired without objection, we could get everyone together at the site (Ron Libby, Jon Perkins, the Curtis-Britch maintenance crew and reps from the family and the Glover Cemetery Commission) and try the jack hammer approach first.

Respectfully submitted,

Joan Alexander, July 12, 2016