

TOWN OF STOCKBRIDGE

Stockbridge Cemetery Commission Minutes

Tuesday, Tuesday, March 21, 2023 at 10:00 a.m.
Town Offices, 50 Main Street. In Person and via Zoom.

Present:

Candace Currie, Vice-chair, At-large
Patrick White, Select Board
Pat Flinn, LHA representative
Hugh Page, Highway Superintendent
Terri Iemolini, Town Clerk

Guests:

Peter Williams, Historical Commission

Meeting called to order at 10:05 am.

Approval of Minutes: White motioned to approve the January 31, 2023 minutes; Flinn 2nd. Approved.

Following Up...

CPC Funding – Funding of \$42,000 was approved by the Community Preservation Committee for the conservation of Sergeant monuments. Now goes for voter approval at Town Meeting in May.

Signs for Open Cemetery Hours

Page waiting for Currie to resend information.

Thyme Issues – Flinn reported the cemetery Thyme (*Thyme serpyllum*) - is difficult to source by Wards. They recommended taking plugs and replanting. The committee had concerns about holes left by plugs. White suggested getting input from other landscapers and several names were mentioned. [*Post adjournment note: White phoned Tom Farley, who suggested doing a test patch using small plugs taken with a spoon.*]

By-Laws – Draft and Alternate wording emailed to Committee

Item 1.2 in the existing bylaw refers to who is entitled to a burial space at the cemetery. Is it a homeowner, taxpayer, resident? The general idea from commission members to allow for more inclusivity rather than less; however, what about people who really only purchase properties for investment? There was comment that those taxpayers probably have no interest in being buried here, only in the investment income.

Existing bylaw

“1.2 Residents or taxpayers, including long-time residents or taxpayers who have needed to move to assisted living or nursing facilities, or have transferred their property interests to a parent, sibling, child, grandchild or other immediate family member, or to a family trust or other legal entity benefiting an immediate family member, shall be

entitled, upon death, to be interred in a burial plot in the Town Cemetery, subject to the requirements of this Article. No right of interment pursuant to this Article may be transferred, or sold.”.

Resident or Taxpayer

While it may be true that there might be people who have bought land in Stockbridge to be interred at the town cemetery, there was general agreement that it doesn’t appear to be a big problem to be corrected by using the word ‘homeowner’ instead of ‘taxpayer’. Does taxpayer only refer to homeowners, or could it refer to a café owner who may have had a shop in town for decades but doesn’t live in town? Ask Donna Brewer about businesses as taxpayers.

Resident vs Non-Resident

Currie explained that some town cemeteries charge an extra fee for non-residents who want to be buried in a particular town where they do not live. Might Stockbridge do this also as a ‘deterrent’ to those who aren’t considered residents? That approach met with favor.

Ensure Someone May be Buried in Town if they Must Move Away

There was general agreement that someone should be entitled to a burial spot even if they need to move away to be cared for, or to care for others. What if someone must move away for financial reasons? How do we include those people? Do we want to include health and financial well-being/health?

Not Everyone Has Living Next of Kin

The words about next of kin are discriminatory for those who do not have any living relatives and yet may find themselves in need of selling a home or moving elsewhere for more care. Strike these words related to next of kin.

Transfer of Property

Flinn commented that transfer of interest would not have any impact if the former taxpayer maintains primary residence in the house. Non-resident transfers no longer qualify as taxpayers; if they really want to be buried here, they should maintain taxpayer status if that becomes the criteria.

Reviewed Wording Provided by Town Counsel

“1.2 Residents or homeowners shall be entitled to be interred in a burial plot in the Town Cemetery, subject to the requirements of this Article. This includes residents or homeowners **who lived in Stockbridge for at least ten (10) years immediately** before moving to care facilities or out of town to care for a family member or significant other. This also includes those who have transferred their real property interests to a parent, sibling, child, grandchild or other immediate family member, or to a family trust or other legal entity benefiting one of the enumerated family members. No right of interment pursuant to this Article may be transferred or sold unless provided for herein.”.

A ten year time period was not seen as favorable by the commission. It is too restrictive and arbitrary. Strike the time period requirement.

ACTION ITEM

Currie agreed to write another version of 1.2 after these discussions.

Meeting Adjourned 10:45am.

For next meeting...Following Up

Page requested Utilities and Water discussion at the garage
Preservation Work Historic Stones – who will be trained?
Policies – Monuments, Markers, Plants and Decorations

Next Meeting: **Tuesday April 11, 2023 10:00 am**