

BOARD OF SELECTMEN MEETING
NOVEMBER 17, 2014

PRESENT: George Lawrence, Chairman, Woody Meiszner, Joanne Meshna, Mark Stevens, Jim Coffey, Jim Parison, Jay Hopkins, David Leel, Peter Goewey, David Cotzin

The meeting was called to order at 10:00 a.m. Selectman Lawrence announced that the meeting was being held to address the problems at Smithville Cemetery with Mr. Stevens from the DES Dam Bureau.

Mr. Stevens gave an update since the last meeting held on April 8, 2014. At that time the Town agreed to submit to him within sixty days (June 6) the number of people buried in the area in a casket or cremation urn; that was never received. Jay responded he had given that information to the Town Administrator to forward to Mr. Stevens and was not sure what had happened after that. He has since given that information to Selectman Doyle to be forwarded to Mr. Stevens. Mr. Stevens continued that within sixty days the Town was going to contact the people who had purchased lots and buy back or swap the land. Jay stated that no-one has been contacted and it is not underway. Within ninety days (July 8) the Town was going to contact people who had purchased multi plots with only one person there and determine how many were willing to have their loved one relocated so they could all be buried together; that was not done. Further, Mr. Stevens noted that someone from the Town was to get back to him once it was determined how much fill had been added to the ball field and where an equal amount of fill could be removed within the flowage easement; also the Town was going to get back to him with a proposal that would address floating items such as backstops, port-a-potties, home run fence, etc. He never heard from the Town.

Selectman Meiszner stated the Town does not know how much fill has been added but questioned if an arbitrary number could be agreed upon. Mr. Stevens responded he has an existing topo map before the dam was built and one as it exists today and an engineer could determine the amount. Jay noted that in the original conversation going back 18 months, 37 yards of stone dust had been hauled in for the Little League field. Mr. Stevens noted things have changed since the meeting on April 8 and fill has been brought in over the past years. Jay inquired why this was an issue now as it was not discovered in 50 years and Mr. Stevens responded that a lot was supposed to happen and did not. Deadlines came and went and the case has been referred to the Attorney General's office; it is now in their hands.

Selectmen Lawrence noted they had located and flagged the pipe. Between the pipe and the graves there is room enough to drive through. For the staging area, there is a parking area at the end of Taylor Road that could be used. Mr. Stevens asked if anyone at the State had asked the Town to locate the pipe and Selectman Lawrence responded they did not. Mr. Stevens noted that in some places it is less than 25 feet which is too narrow for equipment and some graves will have to be moved. Mr. Stevens stated there are 80 plots on State land and 50 plots in the State flowage and questioned if the Town was in agreement with those numbers. The list of plots prepared by the Cemetery Trustees was located and given to Mr. Stevens.

Representative Coffey suggested that Ed Rogers review the topo maps to determine amount of fill. Once it is determined, the fill can be removed. Selectman Lawrence asked if the back stops which are in concrete have to be removed. Mr. Stevens stated there is some wiggle room to work with the Town. He noted the bleachers and benches are still there and that struck him as a lack of good faith on the part of the Town. Jay suggested removing the 37 yards of material. Mr. Stevens responded if it had been done in July it might have gone away but he was not sure about now. Mr. Stevens inquired if the Town was going to hire a professional engineer or surveyor to calculate the volumes and come up with a plan. If the Town is going to do that, he suggested the 37 yards not be removed. Representative Parison stated he had spoken with Ed Rogers and he was willing to help.

Representative Parison asked if the fill was the most important part or the floatable objects. Mr. Stevens responded 37 yards was not significant but now plans have been reviewed and cumulatively more than 37 yards have been added. The cemetery is the bigger issue.

Representative Coffey suggested dredging out the pond on the lot. Selectman Meiszner questioned the cost of dredging rather than taking out the fill. Jay noted that the pond at the Center Cemetery had been dredged for a cost of \$47,000.

There was agreement reached that the Town would contact Ed Rogers. Mr. Stevens has maps he can share. He asked that regular progress reports be forwarded to him. Selectman Meiszner will contact Ed and have him contact Mr. Stevens directly. Ed will be asked to come up with a plan.

There are 174 lots that have been sold, full burials 66, cremations 17, and 68 memorials. The average cost to move a burial is \$2,000. Mr. Stevens stated the burials along the toe of the dam have to be moved. There are a lot of plots in the staging area that have not been sold. A staging area is needed next to the dam. Selectman Lawrence asked why the entrance to the ball field could not be used for a staging area. Mr. Stevens responded the area does not work for emergencies; it could work for planned maintenance.

Mr. Coffey stated it might be helpful to have an unofficial diagram of what might be acceptable. Mr. Stevens responded that in April he could have done more but now it is not completely in his hands. He presented maps of the site and indicated that the row of burials along the dam must be moved.

Representative Coffey discussed enabling legislation that he and Representative Parison were considering submitting that would allow the State and the Town to work together to solve the issue.

Mr. Stevens noted that letters should be sent to those who own unoccupied lots on State property. The burials along the strip would have the highest impact and should have a different letter. Mr. Coffey suggested that everyone who owns a lot occupied or not should get a letter stating there is a problem and they may be contacted in the future.

The meeting was summarized as follows:

- 1) Selectman Meiszner will contact Ed Rogers or another engineer and they will contact Mr. Stevens.
- 2) A list of the burial lots from the Trustees was given to Mr. Stevens.
- 3) The Cemetery Trustees will meet within the week to discuss buying back lots or doing a land swap of unoccupied lots. Jay will inform Mr. Stevens by December 17 a course of action.
- 4) The Selectmen will contact Mr. Stevens by letter or phone call with an action plan for the occupied lots within 30 days.
- 5) The Selectmen will be discussing funding and putting a warrant article on the 2015 warrant.

Mr. Cotzin stated he was happy the Selectmen were taking the issue serious and thanked the two representatives for their assistance.

The meeting adjourned at 11:30 a.m.

Respectfully submitted,
Joanne Meshna, Land Use Manager

November 17, 2014 minutes approved by the Board:

George H. Lawrence, Chairman

Woody Meiszner

Rebecca M. Doyle

