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**Town of Woodford  
Regular Selectboard Meeting Agenda  
September 16, 2015  
7:00 pm Town Hall**

1. General Public
  2. Approval of August Meeting Minutes
  3. "Garbage Law" ordinance
  4. Treasures Report- warrants and unpaid bills
  5. Cemetery Board update(Maps and Funds)
  6. Ancient Road discussion and acknowledgement of recognized Roads and Trails in Woodford
  7. Other business
  8. Executive Session for funds of Cemetery Committee if needed
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# TOWN OF WOODFORD OUTSTANDING BILLS

9/16/2015

VENDOR	PURPOSE	AMOUNT	ACCOUNT	CHECK #
susan wright	postage/certified letters (paid)	\$ 93.43	general	3378
BCN	phone (already paid)	\$ 113.56	general	3396
Bennington Cty Sherriffs Dept	patrolling August 01-31, 2015	\$ 918.00	general	
Green Mountain Power	electric	\$ 88.00	general	
NEMRC	consult	\$ 500.00	general	
NEMRC	2015 Tax Forms	\$ 42.90	general	
Post Master	pre-stamped envelopes(paid)	\$ 284.20	general	3387/3395
Thomas Sweet	trash removal	\$ 49.00	general	
Tom De Pollo	Fire Extinguisher Service	\$ 30.00	general	
John Dovitski	Postage (paid)	\$ 7.95	general	3397
Uncle Bob's Septic	Septic pumped	\$ 235.00	general	
Town of Bennington	Bennington transfer station	\$ 780.00	general	
John Dovitski	Cemetary Mowing	\$ 270.00	general	
		\$ 3,412.04		

SELECTMEN:

*[Signature]* 9/16/15  
*Mike Chantler* 9/16/15  
*[Signature]* 9/16/15

These bills listed are exclusive of the payroll tax required to be paid

09/01/15  
10:17 am

Town of Woodford Payroll  
Check Warrant Report #PR-8  
Period end date 08/01/15 to 08/31/15

Employee	Gross	Fringes	Reimburse	FWT	FICA	MEDI	SWT	SDI	Local	Oth Dedu	Net Amt	Elec Amt	Check No
HIGGINS, RONALD J.	666.67	0.00	0.00	14.17	41.33	9.67	3.99	0.00	0.00	0.00	597.51	0.00	3353
KINNEY, JAMES R.	170.00	0.00	0.00	0.00	10.54	2.47	0.00	0.00	0.00	0.00	156.99	0.00	3354
KINNEY, JAMES R.	1369.55	0.00	0.00	57.72	84.91	19.86	21.31	0.00	0.00	0.00	1185.75	0.00	3361
Total of 2 items for 77K											1342.74	0.00	
DOVITSKI, JOHN H.	142.80	0.00	0.00	0.00	8.85	2.07	0.00	0.00	0.00	0.00	131.88	0.00	3385
RUTKOWSKI, GAIL K.	1000.00	0.00	0.00	38.33	62.00	14.50	11.83	0.00	0.00	0.00	873.34	0.00	3355
HARRINGTON, SANDRA D.	61.20	0.00	0.00	0.00	3.79	0.89	0.00	0.00	0.00	0.00	56.52	0.00	3352
WRIGHT, SUSAN C.	91.80	0.00	0.00	0.00	5.69	1.33	0.00	0.00	0.00	0.00	84.78	0.00	3386
	3502.02	0.00	0.00	110.22	217.11	50.79	37.13	0.00	0.00	0.00	3086.77	0.00	

To the Treasurer of Town of Woodford  
we hereby certify that there is due to the several persons whose  
names are listed hereon the sum against each name and that  
there are good and sufficient vouchers supporting the payments  
aggregating \$ \*\*\*3,086.77  
Let this be your order for the payments of these amounts.


Board of Selectmen  
*[Signature]* 9/16/15  
*[Signature]* 9/16/15  
*[Signature]* 9/16/15

09/01/15  
09:58 am

9/16/15 MPC 9/16/15  
Rob

Town of Woodford Accounts Payable  
Check Warrant Report # AP-8 Current Prior Next FY Invoices  
For checks For Check Acct 01 (GENERAL) 08/01/15 To 08/31/15

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
244	CHARLENE FOSTER	07/14/15 bca meeting	10.20	0.00	10.20	3356	08/06/15
56	MAUREEN O'NEIL	7/14/15 bca meeting	10.20	0.00	10.20	3357	08/06/15
55	RONALD HIGGINS	7/14/15 bca meeting	10.20	0.00	10.20	3358	08/06/15
239	TIFFANY TOBIN	7/14/15 bca meeting	10.20	0.00	10.20	3359	08/06/15
75	VIRGINIA ULITSCH	7/14/15 bca meeting	10.20	0.00	10.20	3360	08/06/15
177	BCN TELECOMMUNICATIONS	21867024 phone	106.69	0.00	106.69	3362	08/20/15
158	STAPLES	08 supplies	219.35	0.00	219.35	3363	08/20/15
GKR	GAIL K. RUTKOWSKI	08/15/05 home depot supplies	19.91	0.00	19.91	3364	08/21/15
JLR	JOSEPH RUTKOWSKI	8/10/15 help with tax bills	51.00	0.00	51.00	3365	08/21/15
21	ADAMS LOCK & SECURITY	33117 service call/locks/keys	312.00	0.00	312.00	3366	08/22/15
45	BENNINGTON COUNTY	MARCH 1 2015 benn cty tax warrant	3684.42	0.00	3684.42	3367	08/22/15
133	BENNINGTON COUNTY SHERIFF'S DE	28171 july patrols 2015	879.75	0.00	879.75	3368	08/22/15
244	CHARLENE FOSTER	7/22/15 bca meeting	15.30	0.00	15.30	3369	08/22/15
05	GMP GREEN MOUNTAIN POWER	08/10/2015 electric	86.61	0.00	86.61	3370	08/22/15
55D	JOHN DOVITSKI	7/22/15 bca meeting	15.30	0.00	15.30	3371	08/22/15
55D	JOHN DOVITSKI	782285 cemetery mowing	360.00	0.00	360.00	3371	08/22/15
55D	JOHN DOVITSKI	JULY 10 2015 po mailings	17.70	0.00	17.70	3371	08/22/15
56	MAUREEN O'NEIL	7/22/15 bca meeting	15.30	0.00	15.30	3372	08/22/15
245	MICHAEL CHARETTE	8/22/2015 bca meeting	15.30	0.00	15.30	3373	08/22/15
23	NEMRC	34978 annual support agreement	1291.36	0.00	1291.36	3374	08/22/15
03	NEW ENGLAND NEWSPAPERS	0715125095 cls public notices	64.30	0.00	64.30	3375	08/22/15
243	RYAN THURBER	8/22/15 bca meeting	15.30	0.00	15.30	3376	08/22/15
54	STEVEN WRIGHT	7/22/15 bca meeting	15.30	0.00	15.30	3377	08/22/15
206	SUSAN WRIGHT	2015JUNE/JUL postage	51.90	0.00	51.90	3378	08/22/15
206	SUSAN WRIGHT	M/AP/MAY15 postage	41.53	0.00	41.53	3378	08/22/15
239	TIFFANY TOBIN	7/22/15 bca meeting	15.30	0.00	15.30	3379	08/22/15
149	TOWN OF BENNINGTON	07/17/15 hazmat/ may 9, 2015	217.11	0.00	217.11	3380	08/22/15
217	UNICORN COMPUTER SYSTEMS	I20150728 computer maintenance	80.00	0.00	80.00	3381	08/22/15
75	VIRGINIA ULITSCH	7/22/15 bca meeting	15.30	0.00	15.30	3382	08/22/15
	--- None ---	-- VOID --	0.00	0.00	0.00	3383	08/22/15
	--- None ---	-- VOID --	0.00	0.00	0.00	3384	08/22/15
19	BANK NORTH	PR-07/01/15 Payroll Transfer	316.86	0.00	316.86	20150731	08/10/15
19	BANK NORTH	PR-07/23/15 Payroll Transfer	47.88	0.00	47.88	20150731	08/10/15

 TOTAL = 8021.77

09/01/2015  
09:58 am

*9/16/15*  
*Ryb*

Town of Woodford Accounts Payable  
Check Warrant Report # AP-8 Current Prior Next FY Invoices  
For checks For Check Acct 01(GENERAL) 08/01/15 To 08/31/15

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
Report Total			8,021.77	0.00	8,021.77		

Board of Selectmen

To the Treasurer of Town of Woodford, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ \*\*\*\*\*8,021.77  
Let this be your order for the payments of these amounts.

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*Mark Charrette 9/16/15*

*Steven Murphy 9/16/15*

\_\_\_\_\_

\_\_\_\_\_



Betty Charette &lt;betty.charette@gmail.com&gt;

## Regular Selectboard Meeting Agenda

2 messages

Ryan Thurber &lt;ryanthurber@msn.com&gt;

Sun, Sep 13, 2015 at 5:21 PM

To: Susan Wright <wrightmother3@yahoo.com>, "betty.charette@gmail.com" <betty.charette@gmail.com>, "campgreenwood@aol.com" <campgreenwood@aol.com>, "mike.charette@vishay.com" <mike.charette@vishay.com>, "botzow@sover.net" <botzow@sover.net>, Ryan Thurber <ryanthurber@msn.com>, "gailr1391@gmail.com" <gailr1391@gmail.com>

# Town of Woodford Regular Selectboard Meeting Agenda September 16, 2015 7:00 pm Town Hall

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3. "Garbage Law" ordinance
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6. Ancient Road discussion and acknowledgement of recognized Roads and Trails in Woodford
7. Other business
8. Executive Session for funds of Cemetery Committee if needed

Betty Charette <betty.charette@gmail.com>  
To: Ryan Thurber <ryanthurber@msn.com>

Sun, Sep 13, 2015 at 7:31 PM

Ryan,

Under "Other Business"....or "Approval of the Minutes", there should be a recognition that Mike was not in attendance at the July meeting, therefore a quorum was not met in August when Steve was not in attendance.

Betty  
[Quoted text hidden]

## CHAPTER 7: CEMETERY COMMISSIONER

### *Roles and Responsibilities*

Generally, town cemetery matters are the responsibility of the selectboard. However, the voters may decide to put the town's public cemeteries under the charge of cemetery commissioners. The voters then elect a board of three or five cemetery commissioners for three- or five-year staggered terms, respectively. 18 V.S.A. § 5374. This board is responsible for the care and management of the town's cemeteries, which includes the following tasks:

- The cemetery commission may grant and/or convey by deed lots in the cemetery and may make regulations governing the sale, price, and care of the lots. 18 V.S.A. §§ 5376, 5377.
- Cemetery commissioners may set aside a portion of the cemetery for the burial of indigent persons, and may make regulations for the use of this special area. 18 V.S.A. § 5375.
- Cemetery commissioners may maintain the public cemeteries and hire someone to perform this work. The expenses, not to exceed \$500 per year of town funds, may be paid by the commissioners drawing orders on the town treasurer. 18 V.S.A. § 5362.
- Cemetery commissioners may grant a temporary right-of-way over private land to reach a graveyard to which there is no public right-of-way. 18 V.S.A. § 5322.
- Cemetery commissioners must keep in repair the fence around a public burial ground. 18 V.S.A. § 5364.
- Cemetery commissioners must submit an annual report to the town auditors, including a detailed financial statement, a listing of the work of the commissioners, and the condition and needs of the cemetery. 18 V.S.A. §§ 5379, 5380.
- The cemetery commissioners (and not the selectboard) may appoint individuals to fill vacancies on the board until the next annual meeting, even if a majority of the positions on the commission are vacant. 18 V.S.A. § 5374.
- A cemetery commissioner may be fined \$400 for failure to keep a fence in repair after written notification of its disrepair, and may be fined \$200 for the willful neglect of his or her duties. 18 V.S.A. §§ 5363, 5364.

**Creation of a Board of Cemetery Commissioners.** When a town votes to place its public cemeteries under the charge of cemetery commissioners, it must elect a board of either three or five members. 18 V.S.A. § 5373.

When a five-person board of cemetery commissioners is first elected, one commissioner must be elected for a five-year term, a second for a four-year term, the third for a three-year term, and so on. When the term of each of these commissioners expires, his or her successor will be elected for a five-year term. A three-member board is elected for a three-year term, with staggered terms created in a similar manner as the five-member board. 18 V.S.A. § 5374. A cemetery commissioner may not also be an auditor or a town treasurer. 17 V.S.A. § 2647(a)(3).

If the town wishes to return the care and control of the cemeteries to the selectboard, it may vote to do so, at which time the terms of office of the commissioners will terminate. 18 V.S.A. § 5381.

## CHAPTER 7. CEMETERY COMMISSIONER

**Powers of the Board of Cemetery Commissioners.** Cemetery commissioners have all the powers, rights, and duties formerly exercised by the selectboard in regards to cemeteries. 18 V.S.A. § 5373. These duties include the following:

- **Care and management of cemeteries.** The board is responsible for the care and management of the cemeteries owned by the town. A town may vote such amounts of money as it deems “necessary for purchasing, holding and keeping in repair suitable grounds and other conveniences for burying the dead.” 18 V.S.A. § 5361. Specifically, in the case of unsightly weeds, unchecked growth of grass, or headstones displaced or in need of repair, the commissioners must make the necessary repairs and may draw orders not to exceed \$500 per year to pay for the expenses incurred. When a headstone or monument is to be replaced, the commissioners must notify relatives of the deceased, if known, of the date of removal and that the relative may claim the removed headstone or monument within 30 days after the date of the notice. 18 V.S.A. § 5362.
- **Keeping fences in repair.** Cemetery commissioners have a special obligation to keep the fences that surround public burial grounds in good repair. In fact, failure to repair such a fence within 20 days after receiving a written notice that a fence is out of repair could result in liability for the damage done as a result of the disrepair, plus a penalty of up to \$400. (The fine amount must be used to repair the fence, under the direction of a commissioner appointed by the court.) 18 V.S.A. §§ 5364, 5366.
- **Laying out, selling and conveying cemetery lots.** In addition to being responsible for the care and maintenance of public cemeteries, the commissioners are also charged with laying out, selling, and conveying cemetery lots. 18 V.S.A. § 5367. The commissioners are authorized to make all necessary bylaws and regulations concerning the burial grounds and the interment of the dead, so long as they are not inconsistent with law and do not restrain a person in the free exercise of his or her religion as to the burial of the dead. 18 V.S.A. § 5378. Such regulations must be recorded in the town clerk’s office. The board may also fix the prices of lots and make regulations as to the sale and care of the lots. 18 V.S.A. § 5377.

One board member, appointed by the cemetery commission for this purpose, may grant or convey cemetery lots in the name of the town. The deeds of these lots must be recorded in the office of the town clerk. The commissioners may also accept legacies, bequests, and gifts whose proceeds, along with the proceeds of any sales of lots, must be used to improve and embellish the grounds of the cemetery. 18 V.S.A. §§ 5376, 5377, 5382.

- **Managing proceeds of sale of lots.** The proceeds from the sale of lots must be paid into the town treasury, but are kept in a separate account, to be used solely for the care, maintenance, and improvement of the burial grounds. If the town so votes, the cemetery commission may also sell lots upon condition that the proceeds therefrom will be paid into the town treasury in trust, and the income thereof be expended in caring for such lots and the structures thereon. 18 V.S.A. § 5377.

Note that cemetery lots are exempt from property taxation. 32 V.S.A. § 3802(7).

- **Closing a cemetery.** When it is impractical to preserve a burial ground in a proper condition, the commissioners may cause the remains of the dead therein to be removed and interred in a more suitable public burial ground. 18 V.S.A. § 5369. If family members of the deceased are known to be living, such remains may not be removed until after 30 days notice of the intention to do so if the family members live in the state, or 60 days if they live out of state. The notice must be given personally or by registered mail. 18 V.S.A. § 5370. When the remains are removed, the board must cause suitable headstones or monuments to be erected in memory of the deceased, or to designate the place of interment. Contact the Vermont Department of Health any time a body is disinterred.



## CHAPTER 7. CEMETERY COMMISSIONER

- **Providing lots for the burial of indigent people.** The board of cemetery commissioners may set aside a portion of the public burial grounds as a place for the burial of individuals who cannot afford to purchase a lot. It may make all necessary regulations governing the granting of such lots and may set out paths and embellish this area of the burial grounds with appropriate trees, shrubs, and flowers. 18 V.S.A. § 5375. When an individual is buried who has no known estate and no suitable marker or gravestone erected at his or her grave within three years after burial, the legislative body may cause to be erected a suitable marker or headstone with the name of the deceased and the dates of his or her birth and death, if known. 18 V.S.A. § 5371.
- **Burial of the dead.** A sexton is an individual who cares for a cemetery, tomb, or receiving vault and who is employed by the cemetery commission. He or she must not permit burial or removal of remains until a certificate or permission is issued and presented to him or her. 18 V.S.A. § 5214. The certificate of permission shall state the time, place, and manner of the burial, entombment, or disposition. To remove a dead body from town where the death occurred, the certificate of permission must contain the essential facts as found in the death certificate and accompany the remains to its destination, and may be accepted as a permit for burial or entombment by a sexton or other person having the care of a cemetery. 18 V.S.A. § 5210.
- **Managing abandoned private burial grounds.** In certain circumstances, the cemetery commissioners may manage private burial grounds. When the use and care of a private burial ground has been abandoned and such ground becomes unsightly, or when headstones and monuments have been displaced, the board of cemetery commissioners may treat the graveyard as a public burial ground. To do so, however, the commissioners must receive a written request by three legally qualified voters of the town, and must publish a notice in a newspaper of general circulation in the town calling upon any person with an interest in the burial grounds to put it in proper condition within three months of the date of the notice. If the three months have expired and the cemetery remains in poor condition, the commissioners must treat it as though it were a public burial ground. 18 V.S.A. § 5321.
- **Issuing permits to cross private property to visit a burial ground.** Cemetery commissioners are authorized to issue a permit to temporarily cross over private property to an individual who wishes to have access to a graveyard that is on private property and to which there is no public right-of-way. The individual who desires such a permit must apply in writing to the commissioners, and must specify the reason for the request and the period of time for which the right is to be exercised. This individual must also notify the owner or occupier of the private property over which the right-of-way is desired. If the commissioners find that the request is reasonable, they may issue a permit for a temporary right of entry, designating the particular place and manner of entry. The owner or occupier of the land may recommend a place of crossing, which, if reasonable, must then be the place designated by the cemetery commissioners.

An owner or occupier of land who refuses to comply with a permit may be liable for reasonable attorney's fees and costs expended to enforce the permit. 18 V.S.A. § 5322.

- **Cemetery trust funds.** All monies received by a town in trust for cemetery purposes must be paid over to the town treasurer, unless directed otherwise by the donor, to be invested and reinvested. In towns that elect trustees of public funds the trustees shall be responsible for investing such moneys. 18 V.S.A. § 5384.
- **Making an annual report to the auditors.** Each year, the cemetery commissioners must submit to the town auditors a report including the condition and needs of the burial grounds under its control and a

## CHAPTER 7. CEMETERY COMMISSIONER

detailed statement of its receipts and expenditures and of the amount and disposition of the funds in its hands or subject to its control. 18 V.S.A. § 5379. The town auditors must audit the statement, file it in the office of the town clerk, and include it or a summary in the annual report.

- Cemetery commissioners who willfully neglect any of their statutory duties may be fined up to \$200 (unless other penalties are provided). 18 V.S.A. § 5363.

For more information see *Digging Deep - Unearthing the Mysteries of Burial and Cemetery Law* (2010) published by the Vermont Secretary of State's Office.