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OAKLAND TOWN COUNCIL AGENDA

3/26/2025

6:00 pm

OAKLAND FIRE STATION

- I. Call to order
- II. Pledge of Allegiance
- III. Roll Call
- IV. To consider approving the minutes from March 12, 2025 and signing the weekly payables warrant.
- V. Business Agenda:

New Business:

- | | |
|--------------------|---|
| 1. Order – 68-2425 | William Cook – Transfer Station Trespass |
| 2. Order - 69-2425 | Cemetery Fee & Fines, and Policy Changes-Final Approval |
| 3. Order - 70-2425 | Sign Municipal Warrant for FY26 |

Manager Updates (if any)

Executive Session: None

Adjournment

Upcoming Meetings:

March 27, 2025 – Downtown TIF Committee Meeting – 3:00 p.m. Police Station

TOWN COUNCIL MEETING MINUTES
MARCH 12TH 2025

Council Members Present:

Mike Perkins, Chairman
Dana Wrigley Vice Chairman
David Groder

Robert Nutting
Kelly Roderick

Budget And Advisory Members Present:

Michael Rossignol-Chairman
Michelle Fontaine
Angela Jurdak
Glen Adams
Su Leigh

Rick Mackenzie-Vice Chairman
Arthur Morrisette
Phyllis Capanna
Don Ponitz
Jeremy Lizzotte

Others Present:

Kelly Pinney-Michaud, Town Manager
Nathan Smart, Code Enforcement Officer
David Coughlin, Fire Chief
David Savage
Ron Gruber

Kathleen Paradis, Town Clerk
Abigail Marshall, IT
Boyd Snowden, Town Engineer
Jon Cox
Kevin Barry

The meeting was called to order by the Council Chair Michael Perkins and led those present in the reciting of the Pledge of Allegiance.

1. **Roll Call:** Roll call was taken all five council members were present.
2. **To consider approving the minutes of February 26th, 2025, meeting:** It was moved by Dana Wrigley, seconded by David Groder, and voted 5-0 to accept the minutes of the February 26th, 2025, meeting.

Business Agenda:

1. Second Reading of Land Use Ordinance: Code Enforcement Officer Nathan Smart spoke to those present to amend the land use ordinance changes following the State LD2003 Law to include ADU's (accessory dwelling units). It was motioned by Robert Nutting and seconded by Dana Wrigley and voted 5-0 to accept the Land Use Ordinance with the new State changes.

2. Cemetery Fee & Fines, and Policy Change: Kelly Pinney-Michaud Town Manager informed the council that she has worked with AJ Cain on new fees and policy changes for the cemetery. These fees have not been changed since 2017 and need to be aligned with other cemeteries in the area. We are still below the other cemeteries fees in the area. Kelly Roderick asked how a resident is defined as it states you must have a vehicle registered, be a registered voter, be a full-time resident with an Oakland address. She went on to say that her parents would not qualify as they do not own a vehicle, nor are they registered to vote by their choice, and they do not own any property in town? After a discussion it was decided that it would be at the discretion of the Town Clerk as she would be familiar with the residents in Oakland. A

motion was made by Dana Wrigley, seconded by Kelly Roderick, and voted 5-0 to make the necessary changes to the cemetery fees and fines and vote at the next meeting.

3. 2024 Town Report Dedication and Spirit of America Award: Kelly Pinney-Michaud Town Manager explained to the council that in front of each of them there were two pieces of paper on which would be to vote for the dedication of our 2024 town report. The other would be to vote for a Spirit of America recipient. The Town Manager will take all the votes and tally them. She will then let them know who our town report will be dedicated to and will also let them know who the recipient is for the Spirit of America Award.

4. Public Works Excavator: Town Manager explained that AJ Cain from Buildings and grounds will be needing his excavator back as it is beginning to be his busy season. The Transfer Station is in need of a bigger excavator, she asked if could purchase one now with \$35,000 from the KMD reserve account and \$100,00 from the reserve money? David Groder asked if the price we are asking for is \$135,000. The Town Manager stated yes and if we want to purchase this, we could have it within 10 days. There are only two left, one in Maine and one in New Hampshire. Kelly Roderick asked if we had to go to a special town meeting where it was over \$10,000? Kelly Pinney Michaud explained that this money was voted on every year and put into reserve, so we do not have to have a special meeting. Dana Wrigley made a motion and seconded by Robert Nutting and voted 5-0, to use the \$35,000 from the KMD Reserve account and \$100,000 in reserve to purchase the new excavator.

Town Manager's Report:

Kelly Pinney Michaud informed the council that the Fire Department was awarded a grant of \$8,900 from the Maine Fire Protection for equipment. It was moved by Dana Wrigley, seconded by Kelly Roderick, and voted 4-0-1 with David Groder abstaining from voting to accept the grant money.

Voting on Warrant Articles: The Town Council and the Budget Advisory Committee voted on the warrant articles for the town report. They were approved and will be presented at the Town Meeting on May 6th, 2025.

Adjourn: It was motioned by Dana Wrigley, seconded by David Groder, and voted 5-0 to end the public meeting at 6:50pm and go into executive session.

Executive Session:

Executive Session began at 6:55pm.

It was then motioned by Rober Nutting and seconded by David Groder at 7:40pm to end the Executive Session.

It was moved by Dana Wrigley, seconded by Bob Nutting to move forward with the item discusses in executive session. 5-0 vote to move forward.

At 7:44pm it was moved by Kelly Roderick, seconded by David Groder, and voted 5-0 to adjourn.

CEMETERIES – RULES & REGULATIONS

SECTION A. Burial Rules and Regulations

1. All Oakland cemeteries are to be operated in accordance with the laws of the State of Maine.
2. The Town Clerk or his/her designee shall function as the Cemetery Recorder. The Town Clerk shall receive funds for payment of burial rights as well as trust fund deposits, record them properly and turn the money over to the Town Treasurer along with an adequate record of the source and application of said funds.

Residency Definitions: Resident shall mean a person who resides in the Town of Oakland and must have at least one of the following:

- (a) Registered motor vehicle in this municipality
- (b) The resident address, not a PO Box, is shown on current tax return.
- (c) The resident address, not a PO Box, shown on motor vehicle operator's license.
- (d) Voter registration card in the Town of Oakland.
- (e) Town Clerk discretion, if none of the above can be provided.

3. Specifications for grave spaces.

- (a) New full grave spaces shall be 4' x 10' in size except as provided for in Section A4 (a).
- (b) Grave spaces will be assigned in geographical progression.
- (c) Any number of grave spaces may be assigned at any one time with the appropriate payment.
- (d) Burial right assignments are to be made by the Cemetery Recorder.
- (e) No resident shall be denied burial in a town cemetery for lack of funds.
- (f) Grave spaces for those residents of Oakland, whom are honorably and medically discharged veterans, will be at no cost.
- (g) One full and one cremation or up to four (4) cremation burials will be allowed in a 4' x 10' grave space.
- (h) Up to two (2) cremation burials will be allowed in a 4' x 4' grave space.

4. Lakeview and Lewis Urn Garden

A section of the Lewis and Lakeview Cemetery will be set aside for cremation burials only.

(a) Lot Size

1. Each lot will be four feet by four feet (4' x 4')
2. No more than two (2) cremation burials per lot.

3. Lot costs will be as provided for in the fee schedule.
- (b) Memorial Markers
 1. All markers will be flush with the ground and will not be larger than the lot size.
 2. The Buildings and Grounds Supervisor will determine all marker locations.
- (c) Shrubbery and other plantings
 1. All permanent plantings such as shrubs, trees or perennials are not allowed in this section.
 2. Only cut flowers will be allowed to be placed at burials in this section.
 3. Any other placement of other items in this section will be at the discretion of the Buildings and Grounds Supervisor.
4. Lakeview and Lewis Urn Grave Spaces
 - a. Lot Size
 - i. Each lot will be four feet by four feet (4x4)
 - ii. No more than two (2) cremation burials per lot.
 - iii. Lot costs will be as provided in the fee schedule
 - b. Memorial Markers
 - i. Provided in section B3
 - c. Shrubbery & other plantings
 - i. Provided in section B1

SECTION B. General Rules and Regulations

1. No planting or shrubs will be permitted except as authorized by the Buildings and Grounds Supervisor. The Buildings and Grounds Supervisor will determine whether to trim or remove overgrown plants or shrubs that are not maintained, become unsightly, encroaches on neighboring lot or obstructs the normal operation of the cemetery.
*Absolutely NO planting or items are to be placed behind monuments.
2. Foot stones and corner markers are to be flush with the ground and placed within 8' of headstone.
3. Unless approved by the Buildings and Grounds Supervisor or as provided for in cremation burials, monuments shall not exceed four (4) feet in height and shall be placed in line on the back of the lots. Monuments are to be placed on a concrete foundation at least 4' deep. No raised objects will be allowed on other areas of any lot.
4. No artificial flowers will be allowed, except in containers placed adjacent to the monument or marker. Artificial flowers and all other non-permanent containers must be removed by October 15th of each year.

5. Burial rights may be transferred only by the Cemetery Recorder.
6. Bicycles, motorcycles, and snowmobiles will not be permitted to be ridden in cemeteries.
7. Trash containers placed with the Oakland cemeteries are for commonly accepted cemetery trash only. No household trash or garbage shall be allowed. Any household trash or garbage placed in any trash containers or left on the grounds of the Oakland cemeteries shall be a violation of this policy. It shall be the duty of the Buildings and Grounds Supervisor to report any infraction of this policy to the Oakland Police Department for further investigation and prosecution, if necessary.
8. Loitering, picnicking, swimming, fishing, or other disrespectful acts will not be permitted in the cemeteries, including the Oakland tomb area.
9. Lot levels shall not be altered – no mounding allowed.
10. All coffins shall be placed in permanent burial vaults in any Oakland cemetery.
11. No grave spaces shall be used for any purpose than for the burial of the human dead.
12. No vehicles, except emergency or law enforcement personnel, shall be permitted in any Oakland cemetery after being officially closed by the Town Manager upon the advice of the Public Works Director or Buildings and Grounds Supervisor.
13. No person or vehicle shall be within any cemetery or tomb area ½ hour after sunset to ½ hour before sunrise unless they are authorized to be there by the Town Manager, Buildings and Grounds-Supervisor, Police Chief, Fire Chief, and/or Public Works Director.
14. Dogs will not be allowed in any Town cemetery.
15. Any person found to be in violation of these rules shall be subject to a fine as provided for in a schedule to be kept by the Town Clerk. Fines will be remitted to the Town of Oakland.

SECTION C. Burial Costs

1. All burials shall be under the supervision of the Buildings and Grounds Supervisor. The Public Works Department will provide men and equipment as needed. No burials will be conducted by private parties.
2. For a burial in a newly assigned grave space, payment must be received for the cost of the grave space used.

3. Fee schedule will be kept by the Town Clerk and may be changed from time to time by the Town Council.
4. Graves purchased then asked to be returned to the Town, will be purchased back at the original purchase amount.

SECTION D. Perpetual Care Funds

Payments for burial rights under the current price schedule shall be received by the Town of Oakland with one half of all proceeds from lots of sales to be placed in the Perpetual Care fund. All other funds are deposited in the Town's General Fund revenue account.

1. Perpetual care includes keeping the turf even and in good condition, filling in sunken graves and the grass properly cut. It does not include care and cleaning of monuments and markers, nor the planting of flowers or ornamental plants, nor watering or sprinkling of lots, nor any other special work.
2. For those lots that have paid for perpetual care, and a request has been made by a family member, the Town reserves the right under the direction of the Town Manager and/or Buildings and Grounds Supervisor to make minor repair to cemetery monuments and markers and to clean the monuments and markers, as they deem appropriate. This does not require the Town to take such action, but merely grants the authority when it is necessary to maintain the overall appearance of the cemeteries in a dignified manner.

SECTION E. Amendments

This policy may be amended by majority vote of the Oakland Town Council in accordance with the requirements for adoption of any town Policy.

Amendment dates:

05/22/96
11/23/99
12/08/99
08/08/07
05/27/09
04/27/16
07/12/17
05/11/22
03/26/25

CEMETERY FEE SCHEDULE POLICY AND FINES

AS APPROVED MAY 1996
AMENDED MAY 26, 2010
AMENDED APRIL 27, 2016
AMENDED JULY 12, 2017
AMENDED MAY 11, 2022
AMENDED MARCH 26, 2025

Lakeview Cemetery

1. Resident 4'x4' Urn Garden Grave Space	\$300
2. Resident 4'x4' Urn Grave Space	\$500
3. Resident 4'x10' Grave Space	\$800
4. Non- Resident 4'x4' Urn Garden Space	\$600
5. Non- Resident 4'x 4' Urn Grave Space	\$1,000
6. Non-Resident 4'x10' Grave Space	\$1,600

Lewis Cemetery

1. Resident 4'x4' Urn Garden Grave Space	\$250
2. Resident 4'x4' Urn Grave Space	\$350
3. Resident 4'x10' Grave Space	\$500
4. Non- Resident 4'x4' Urn Garden Space	\$500
5. Non- Resident 4'x 4' Urn Grave Space	\$700
6. Non-Resident 4'x10' Grave Space	\$1,000

Burial Costs

Full Size Burial

Weekdays 7am-2pm	\$500
Weekdays after 2pm & Weekends 7am-2pm	\$650
Weekends after 2pm & Holidays	\$800

Cremation Burial

Weekdays 7am-2pm	\$250
Weekdays after 2pm & Weekends 7am-2pm	\$350
Weekends after 2pm & Holidays	\$450

Burial of two cremated remains in the same urn, will be for two cremation burials at designated rates. Cremated remain placed in urn vault will be charged an additional \$100 at designated rates.

Disinterment – Full Weekdays	\$600
Disinterment – Full Weekends	\$750
Disinterment – Cremations Weekdays	\$300
Disinterment – Cremations Weekends	\$400

NOTE: One half of all proceeds from lot sales shall be deposited in the Perpetual Care Account as specified by the Cemetery Policy.

SCHEDULE OF FINES

Any person summonsed for a violation of any rule or regulation as specified in the Cemetery Policy shall be subject to a fine of not less than \$25.00 nor more than \$50.00 for each and every offense.

All fines paid shall revert to the Town of Oakland.