

RESOLUTION 09-66

CITY OF GARDINER, MAINE

ESTABLISHING A CITIZEN COMMITTEE TO CONSIDER ISSUES REGARDING
THE SITING OF A CREMATORIUM IN THE OAK GROVE CEMETERY

WHEREAS, the Oak Grove Cemetery Association has proposed a crematorium in the receiving tomb of the Oak Grove Cemetery in order to provide a revenue stream to ensure the long term financial viability of the Oak Grove Cemetery Association and its ability to meet its maintenance obligations in the cemetery;

WHEREAS, in response to expression of concern by cemetery abutters and others in the community, the Gardiner City Council has instituted a moratorium on consideration of crematoria in the high density residential zone (HDR) in the City of Gardiner until April 25, 2010; and

WHEREAS, the Gardiner City Council wishes to establish a group of citizens and staff to study the issues regarding the potential establishment of a crematorium in the Oak Grove Cemetery and to make recommendations to the City Council on the potential siting of a crematorium in the cemetery and possible alternatives to address the Oak Grove Cemetery Association's financial issues.

NOW THEREFORE,

BE IT RESOLVED: That a Crematorium Review Committee is established and is composed of 5 citizen members to be named below and the following ex officio members: City of Gardiner Interim Manager Anne Davis, City of Gardiner Planning & Development Director Jason Simcock, City of Gardiner Code Enforcement Officer David Cichowski, and City of Gardiner Planning Consultant Bill Najpauer;

BE IT FURTHER RESOLVED: That the following individuals are named as citizen members of the Crematorium Review Committee:

1. Crematorium Proponent:
2. Crematorium Opponent:
3. Neutral #1:
4. Neutral #2:
5. Neutral #3:

BE IT FURTHER RESOLVED: That the Crematorium Review Committee is assigned the following duties:

1. Identify and consider the public policy implications of siting a crematorium in the Oak Grove Cemetery, located in a high density residential zone, including but not limited to:

- a. Environmental and economic impact on abutters and others living in the vicinity of the Oak Grove Cemetery, including byproduct or waste from the cremation process, noise, and traffic;
 - b. Compatibility of a crematorium with use of the cemetery as a place of quiet enjoyment;
 - c. Compatibility of a crematorium with the cemetery as a place of historical significance in the community;
 - d. Compatibility of use of a crematorium with abutting properties in High Density Residential Zone.
 - e. A comparison with reasonably available information about the siting of crematoria in similar locations in other parts of the country.
2. Invite the Oak Grove Cemetery Association to share its analysis of its financial condition and future financial challenges that caused it to decide upon a crematorium as the preferred option to ensure future financial viability.
 3. Identify the City of Gardiner's potential liability in the case of the Oak Grove Cemetery Association's financial insolvency.
 4. Identify potential alternatives to a crematorium as the means of ensuring the long-term financial viability of the Oak Grove Cemetery Association.
 5. Be prepared to present an interim progress report to the Gardiner City Council on or about March 1, 2010.
 6. Prepare and present its findings and recommendations to the Gardiner City Council on or about March 30, 2010.

BE IT FURTHER RESOLVED: That the Crematorium Review Committee shall choose a Chair from among its citizen members who shall preside at its meetings and act as the Committee's reporter.

BE IT FURTHER RESOLVED: That the Crematorium Review Committee is authorized to meet as often as necessary in order to accomplish its assigned duties.

BE IT FURTHER RESOLVED: That the Crematorium Review Committee shall publicize its meetings to the general public through the City of Gardiner web site and through electronic mail to any interested member of the community based upon a list to be maintained by the City staff and that the Crematorium Review Committee shall hold its meetings in the City Council Chamber or other suitable location to accommodate the public.

WHEREFORE, this resolution is signed at Gardiner, Maine this 2 day of December, 2009.

A handwritten signature in cursive script that reads "Anne Davis". The signature is written in black ink on a white background.