

In VT there are close to 2,000 cemeteries.

Most of Vermont's Cemeteries date from the early 1800s and many from the late 1700s.

These cemeteries hold the remains of Vermonters who settled the state and fought in all the colonial and modern wars.

You cannot teach American history without including Ethan Allen, the Green Mt Boys, Roberts Rangers and countless others who built this country.

The people who made this history and their families are buried in VT's historic cemeteries.

Under the current Vermont Statutes, the municipalities are responsible for having and maintaining fences around cemeteries.

In VSA Title 18, it clearly states that **the selectboard and cemetery commissioners have the authority to take steps to ensure that there is adequate fencing around a cemetery. (18 V.S.A. § 5361.)**

These fences insure the boundaries of Vermont's long-established burial grounds.

Senate Bill 168 will remove that stipulation in statute and will state that only "required" cemeteries will have the legal requirement for fencing.

In addition, Senate Bill 168 includes "Where a fence is not required, the perimeter of the public burial ground may be marked in a less **obtrusive** manner, such as by survey markers."

I never heard anyone describe a VT cemetery fence as obtrusive.

I view these fences as dignified and appropriate way of protecting and identifying Vermont's burial grounds.

I am sure that most, if not all, of the people who visit these historic burial grounds would feel the same way.

In Vermont's environment, survey markers, posts, metal stakes etc. will eventually vanish and the cemetery boundaries will eventually only be remembered in local historic memory.

There are numerous examples of the need of fencing around cemeteries.

There are well-documented cases of roads encroaching on a cemetery and homes being built on forgotten burial sites.

Human remains have been discovered during construction, as the borders of some cemeteries have been forgotten and neglected over the years.

One only has to revisit the history of the War of 1812 Veteran's Cemetery in the North End of Burlington, which is rediscovered periodically during road construction, to realize what happens to a burial ground once the fences and monuments of a cemetery are lost to a community's memory.

With the dwindling number of dairy farms left in Vermont, I see few "required" fences being identified in counties that do not have large agrarian presence.

To limit cemetery fencing requirements only to adjacent property that maintains livestock, would allow municipalities to disregard the maintenance and/or eliminate fences that are not considered a "required" fence.

S168 is designed to allow municipalities to circumvent the current legal requirement that ensures that Vermont's historic burial grounds will be protected by having fences that designate and protect Vermont's history, heritage and the Vermonters who are buried in these cemeteries.

Our hope is that this bill will not move forward.

Thank you for the opportunity to provide written testimony on S.168 bill today.

Tom Giffin

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Rutland City Cemetery Commissioner