

Letter of Support

HB 5891

Presented by Howard Wayland,
Lebanon Cemetery Commission Chairman
Abandoned Cemeteries

I am Howard Wayland, chairman of the Lebanon Cemetery Commission speaking in favor of HB 5891

A ¼ acre family cemetery in the Town of Lebanon had 11 family members interred between 1820 and 1886 with no family activity since 1886. Maintenance has not been performed by the family within at least the last 40 years.

In 1990 a family member, whose name was undocumented, discussed the condition of the cemetery with the Cemetery Commission. The commission, believing this to be a Town Cemetery, obtained funding from the Board of Finance and with the help of volunteers brought the cemetery up to town standards.

In an effort to utilize available burial space and at the desire of the spouses, the Sexton interred a father and a son, who were unrelated to the family, in 2000 and 2001 and reserved plots for the spouses who are still living.

In 2002, a collateral descendent, came forward and asked that we cease any further burials in the family cemetery.

A review by the Town's Attorney found that the land had never been conveyed out of the family and that ownership is with the 5 to 7 generations of lineal heirs even though it has been listed as town property on tax records. There is no record that a qualified lineal descendent has ever come forward.

This leaves the town with the following options:

1. disinter the father and son and abandon the cemetery. This is very emotional, does not resolve the ownership problem, and leaves a cemetery in the Town of Lebanon without any clear organization for management or maintenance.
2. initiate legislation that provides procedures for the town to assume ownership, or to require the owner(s) to be identified and to set up an organization that meets the requirements of the State Statutes and the Town Ordinances.

HB 5891 contains language that will provide Lebanon and all Connecticut Communities with the tools to maintain and utilize these long abandoned cemeteries.

I respectfully request your support of HB 5891.