



FUNERAL CONSUMERS ALLIANCE OF WESTERN MASSACHUSETTS

P. O. Box 994 ♦ Greenfield, MA 01302-0994 ♦ (413) 774-2320
www.FuneralConsumersWMass.org

Newsletter

Fall 2010

ASSISTING FUNERAL CONSUMERS FOR 50+ YEARS

ANNUAL MEETING 2010:

**Sunday, October 24, 2010
2:00 - 4:00 p.m.**

Brief Business Meeting

**Program by Joanna Lillian Brown
“Caring for Dying Loved Ones”**

**Community Room
Rockridge Retirement Community
25 Coles Meadow Road
Northampton, MA 01060**

IMPORTANT MEMBERSHIP VOTE

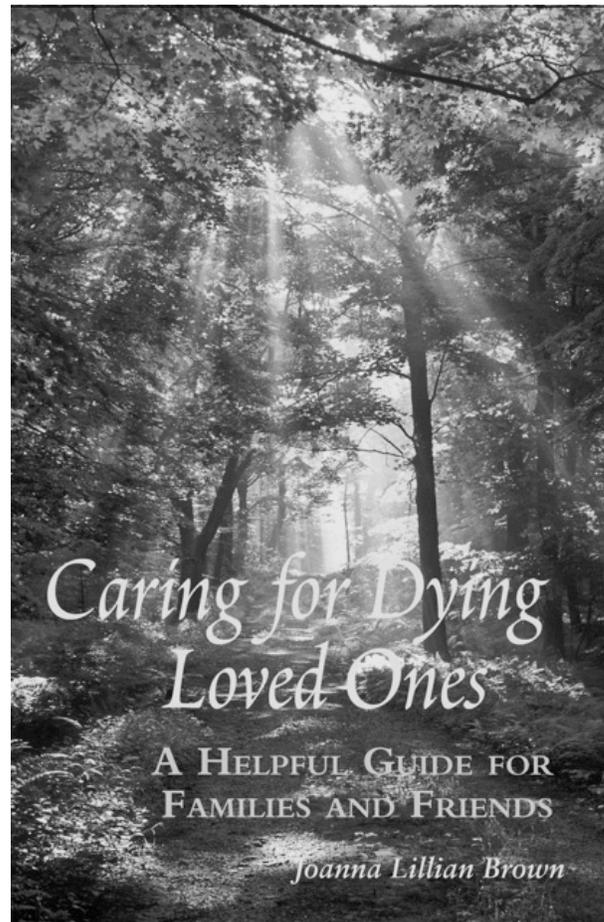
At this Annual Meeting we will be voting on the following matters:

- Election of officers for the coming year
(see slate of nominees, p. 2)
- Election of new board members
- Restatement of our Articles of Organization
in preparation for seeking tax exempt
status (see article on p. 5).

Your vote is important! Please come promptly at 2:00 pm so we can conduct this necessary business efficiently.

Light refreshments will be provided after the business meeting and before the program.

Funeral Consumers Alliance of Western Massachusetts



Joanna Lillian Brown, our keynote speaker on October 24, has written a book based on her experiences caring for her grandmother, parents, and several friends. *Caring for Dying Loved Ones: A Helpful Guide for Families and Friends* is a useful guide book for current and future caregivers as well as those who wish to consider their own end-of-life care options.

Newsletter Fall 2010

Biennial FCA Conference

Carol Coan and Sandy Ward traveled to Indiana in June (at their own expense) to attend the national Funeral Consumers Alliance Conference, which included practical workshops, informative panels, and much sharing of useful information among volunteers. Highlights included delightful talks by author Robert Fulghum at the beginning and end of the conference. Laughter and singing were frequently heard. Photos taken by Sandy may be seen at sward.smugmug.com/Events/FCA-Conference and audio files of selected presentations can be found at www.funerals.org/biennial2010roundup.



Trustee Profile: Ted Ennis

Ted joined the Board of Trustees last Fall. He not only volunteered to serve on the Board, but also agreed to become vice-president, and has helped review our financial records of the past 5 years in preparation for our application to the IRS for 501c3 status. Ted has experience as treasurer of the Unitarian Universalist Society of Amherst for five years and continues to serve on the Finance Committee. His position as a bank examiner with the FDIC was good training for management positions with the New Rochelle Hospital Medical Center and later with the Long Island College Hospital in Brooklyn, NY. In his teen years he served as a combat infantry soldier with the 1st Infantry Division in Germany during WWII and was wounded while clearing German tanks from the Hartz Mountains.

Ted has been nominated to be our next treasurer.



Thank you to outgoing Trustee **Will Thayer**, who has served as a board member for many years and most recently as our treasurer.

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www.FuneralConsumersWMass.org
Editor for this issue: Sandy Ward.

The FCA of Western Massachusetts is a non-sectarian all-volunteer non-profit corporation, dedicated to protecting a consumer's right to choose a meaningful, dignified and affordable funeral or memorial service.

Candidates for Election at October 24 Annual Meeting

The candidates listed below have been nominated and have agreed to serve if elected.

Officers for the coming year

- President - Sandy Ward
- Vice-President - Ceil Lewonchuk
- Treasurer - Ted Ennis
- Secretary - Joan Pillsbury

Board of Trustees

- 3-year term: Joan Pillsbury
- 1-year term: Don Bourcier

NOTE: additional Board of Trustees positions are open for nomination. Nominations for these or any of the officer positions may be made from the floor during the meeting.



Green Burial by Judith Lorei

An amazing thing happened on Sunday, May 16th in the meeting room of Green Fields Market [Greenfield, MA.] A roomful of people came together on a sunny Spring Sunday to learn about green burial!

Not long ago, “green” and “burial” were two words rarely used in the same sentence. Within the past few years, there has been a significant buzz about “green burial” or “natural burial” in the mainstream media. The concept of “going green” at death is becoming more attractive to a baby boom generation who now considers the cost to the environment an important factor when making plans for their final disposition or for those of family members. Committed environmentalists now have options in death care that didn’t exist even five years ago.

Green burial is interment without embalming, metal or hardwood caskets, cement burial vaults or large granite headstones. An un-embalmed body may be wrapped in a shroud or placed into a biodegradable casket and lowered directly into the earth. The simple idea behind green burial is to go out naturally and with as little harm to the earth as possible. A green cemetery is often located in a forest, field or meadow setting. Acres of land are preserved in a way that allow for loved ones to visit their deceased by walking or hiking in a natural setting as opposed to a conventional cemetery set with symmetrical rows of headstones, neatly trimmed fertilized grass and paved roads. There are a dozen green cemeteries in the United States and the number of new natural burial grounds is growing fast.

(continued on next page)

People choose green burial for a variety of different reasons. Some people make the decision based on environmental values, and others for spiritual or religious reasons. There are those who would like to have more direct involvement with burying their loved one and still others who just believe that simple is the best way to go. Some people express their wish for quick decomposition that direct contact with the earth provides when buried without a concrete vault or a metal casket. Whatever the reason, green burial provides options other than those offered by conventional cemeteries.

Massachusetts does not yet have a green cemetery, but interest in this issue is steadily growing. The Green Burial Committee of the Funeral Consumers Alliance of Western Massachusetts is actively working to raise awareness of this issue through 'house parties' like the one at Green Fields Market. The committee is also reaching out to land trusts in Massachusetts to identify appropriate parcels for this use.

If you are interested in learning more about the green cemetery movement in Massachusetts or would like to volunteer in the efforts to establish a green cemetery, contact Carol Coan at cncoan@verizon.net or 413-774-2320.

(Judith is a member of the FCAWM Green Burial Committee. Her article was originally published in the September 2010 issue of The New Beet, the newsletter of Franklin Community Cooperative.)

Website Update

Since the last newsletter was published, the FCAWM webmaster, Ed Brown, has created a new version of our informational website. The new design is intended to make it easier for visitors to find the information they seek. Improvements include indexes to the contents of major pages and a site map that gives an overview of all the topics covered on the whole site. Although a dedicated site-search-box has not yet been added, visitors can search for specific terms on any page using their browser's find function.

Please visit <http://FuneralConsumersWMass.org> to see the changes and help us make further improvements by sending us your comments or suggestions, and by reporting any problems you encounter. Thank you!

President's Report by Sandy Ward

I am looking forward to our Annual Meeting on October 24 with our invited speaker Joanna Brown, a compassionate advocate for dignity and care at the end of life. Her recent book is a practical, experienced-based guide for any of us facing care-giving responsibilities and choices. (See page 1 for Annual Meeting details.) Please come!

At that same meeting, I hope we will vote to approve a revised statement of our Articles of Organization. This is an important step in our path towards official tax-exempt status. Our original 1962 Articles lack the legal language now required by the IRS. With the help of a local lawyer donating his services, we've prepared appropriate text (see pages 5-6).

Looking back over the past year, I reflect on what I have learned since joining the Board and becoming President. My focus has been on strengthening this organization, building the board and increasing our outreach. I've learned more than I wanted to know about IRS rules and the Form 1023 application, but now believe that we'll succeed in our application for 501c3 status. I've learned that we don't have enough active volunteers, nor do we have a good database of our membership. (We have over 625 mailing addresses, but very few clues about who might be able to volunteer and in what capacities.) Bottom line: we need more members participating actively, and someone to help coordinate volunteers, and someone to organize an appropriate database on which we can build. We also need a few more people willing to serve on the Board, which meets monthly.

In June I attended the Biennial Conference of our national organization, **Funeral Consumers Alliance**. This was my first opportunity to meet the national leaders in our movement and the leaders of other regional groups. I'm so glad I went. It really was FUN as well as helpful. (See report on page 2 with link to my photos). On Oct 19-20 I'll be staffing an exhibit table at the **New England Hospice and Palliative Care Conference**. I've invited other FCA affiliates in New England to add their brochures to our display.

You, too, can help with outreach. Please talk with your family and friends about the benefits of thinking ahead about end-of-life choices. Read and share Martha's story of her mother (page 4). I was delighted to meet Martha, who just happened to overhear a conversation I was having at the Y with a friend about caring for his elderly dad. That conversation opened doors and led to the writing of her article, which I hope you will enjoy.

Mother, the Model by Martha Johnson

Like all human beings, my mother, Betty Johnson, had her foibles and frailties. But she also had a fanatic practicality which served her and her six children well, particularly in her later years. Having moved back to my childhood home of South Hadley when I was 60 and she was 85, I got the chance both to participate in, and to benefit from, the way she prepared for her end of life. She became the model to which I aspire for how she approached so many things in her life, most specifically the ending. It's a story I'd like everyone to hear.

My mother was always very clear: no nursing home for her. We all knew that from an early age. She joined the Hemlock Society so that she would have options. We also knew from the time her parents died and she and her siblings had such a difficult time arguing who would get what in their Wellesley 3-story home, that she was committed to handling things differently for her children. She kept that commitment.

At 70, after my father, her husband, died, she started slowly thinking about her future. Yes, she traveled. Yes, this former physical education teacher still played tennis with numerous friends. Yes, she was known around town for her entertaining slide shows about her travels. Yes, she mowed her own lawn and field beneath the mountain. And yes, she also started having discussions with her children about who wanted what trinkets and pieces of furniture. And she started allocating items in her home to us so there would be no arguments. She released the items she no longer needed to their new guardians.

At 85, she surrendered to the idea that caring for a home in which she lived alone was too much, and she moved to a retirement village where she took up pingpong. By that time, she had downsized sufficiently that her purchase of a studio unit was adequate for her needs and extremely comfortable. Given that I, her eldest daughter, purchased our family home, extra items could remain for the

interim. And she still had access to the lawn that she loved coming to mow whenever she got bored with the old folks.

It was easy for her to talk about death. She knew she would die. After all, everyone does. Most of all, she wanted to set up the inevitable in a way it would be easy for her children. So, we went to an elder law attorney and arranged for a transfer of all her assets so that probate would not be necessary. The trust among us was sufficient that no legal agreement was signed, despite advice to the contrary from the attorney. We all knew her wishes and trusted each other to carry them out according to plan.

About three years later, one month before her 90th birthday, she died unexpectedly, quickly, and exactly as she had wished, having had a great day. There would be no nursing home for her. I like to say she died in her sneakers.

The folder "upon my death" was in her desk. The picture, the written obituary, the instructions to the funeral home which she had already arranged, the instructions for where to donate her body for research, the definite instructions that we were to transfer her remains in a cardboard box, which she --a depression era thrift maven-- had been thrilled to discover would only deplete her savings \$25.00.

For us, her children, things were easy. We are still grateful she made it so. We had the luxury of being able to grieve and to celebrate her life, without extra distractions. We celebrated her life in a well-attended memorial service.

We, her family, all wore our sneakers in honor of a woman who knew how to live.

Truth to tell, we were also honoring a woman who knew how to die.

(Martha is author of a 2009 book titled [Why Not Do What You Love?](#) and a blog titled "Time for You." See <http://www.taketimeforyou.net/>.)

Can YOU volunteer some hours to help FCAWM?

What would you ENJOY doing?

- Joining a "worker bee" with others? Or working at home?
- Helping with Price Survey (analyzing data? publicizing results?)
- Preparing refreshments for a future meeting?
- Assisting with the website?
- Maintaining a database of volunteers?
- Writing letters? Making phone calls?
- Doing a one-time task? Or being part of an on-going team?

Contact FCAWM President Sandy Ward: 413-532-5306 or sandy@nonotuck.us

Articles of Organization -- Restated

Our original Articles of Organization document, filed with the Commonwealth of Massachusetts in 1962, had only one sentence of content: "*To promote through education and other means dignity and sincerity in funeral rites, and to do any and all things necessary and pertinent for the accomplishment of any of the purposes or objectives above mentioned and incidental thereto.*" But over time, as our organization evolved, changed names, and shifted fiscal years, the official records on file with the state have become complex and messy (and costly, if one is paying per page for official copies). Faced with the need to add legal language before we submit a certified copy to the IRS, we have chosen to restate the Articles, thus creating a single updated document.

Drawing words from our Bylaws, which had been updated and approved in 2003, and adding paragraphs provided by a lawyer with experience in assisting non-profits, we have prepared this restatement:

ARTICLE I

The name of the corporation is:

Funeral Consumers Alliance of Western Massachusetts, Inc.

ARTICLE II

The purpose of the corporation is to engage in the following activities:

The mission of the Funeral Consumers Alliance of Western Massachusetts is to promote and protect a consumer's right to choose meaningful, dignified, and affordable final arrangements: funeral or memorial services, care of the body and disposition of human remains (including burial, cremation or donation).

The Corporation is organized exclusively for educational and charitable purposes, as those terms are used in Section 501(c)(3) of the Internal Revenue Code as amended.

Activities:

- Encouraging and facilitating advance planning by consumers
- Providing information on available options and resources, related laws, regulations and practices
- Serving as a consumer advocate organization regarding current and proposed laws, regulations and practices
- Carrying out charitable activities and programs in furtherance of such purpose as may be carried out by a corporation organized under Massachusetts General Laws Chapter 180.

ARTICLE III [-- Not applicable]

ARTICLE IV

Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or members...

1. Except as an insubstantial part of its activities, the corporation shall not carry on any activities that are not in furtherance of its exempt purposes as set forth herein. No part of the net earnings of the corporation shall ever inure to the benefit of any private individual. No substantial part of the activities of the corporation shall be for the carrying on of propaganda, or otherwise attempting to influence legislation, nor shall the corporation participate in or intervene in (including the publishing or distributing of any statement) any campaign on behalf of any candidate for public office. The corporation shall not engage in any activities that would result in its being characterized as an "action organization", as that term is defined in Treasury Regulations under Section 501(c)(3) of the Internal Revenue Code. If and during any time that the corporation is deemed to be a private foundation as that term is defined in Section 509 of the Code, (i) its income for each taxable year shall be distributed at such time and in such manner as not to subject the corporation to tax under Section 4942 of the Code, and (ii) the corporation is prohibited (a) from engaging in any act of self dealing as defined in Section 4941(d) of the Code, (b) from retaining any excess business holdings as defined in Section 4943(c) of the Code, (c) from making any investments in such manner as to subject it to tax under Section 4944 of the Code and (d) from making any taxable expenditures as defined in Section 4045 of the Code.

(continued on page 6)

2. Except as may be otherwise required or permitted by law, the corporation may at any time authorize a petition for its dissolution to be filed with the Supreme Judicial Court of the Commonwealth of Massachusetts pursuant to Section 11A of Chapter 180 of the Massachusetts General Laws by the affirmative vote of a majority of the trustees of the corporation then in office; provided, however, that in the event of liquidation, dissolution, termination or winding up of the corporation (whether voluntary, involuntary, or by operation of law), the property or assets of the corporation remaining after providing for the payment of its debts and obligations shall be conveyed, transferred, distributed, and set over outright to Funeral Consumer Alliance, Inc., a national organization of which the corporation is an affiliate and which has qualified as being exempt from income tax under Section 501(c)(3) of the Code, or, if said organization is no longer in existence or is no longer exempt from income tax under said section of the Code, then to one or more educational, charitable, religious or literary institutions or organizations, created and organized for non-profit purposes similar to those of the corporation, contributions to which non-profit institutions or organizations are deductible under Section 170(c) of the Code and which qualify as exempt from income tax under Section 501(c)(3) of such Code as such sections may, from time to time, be amended or added to or under any successor sections thereto, as a majority of the total number of the directors of the corporation may by vote designate, and in such proportions and in such manner as may be determined in such vote; provided further that the corporation's property may be applied to charitable, religious, literary or educational purposes in accordance with the doctrine of *cy pres* in all respects as a court having jurisdiction in the premises may direct.

3. No officer or director shall be personally liable to the corporation or its members for damages for breach of fiduciary duty as an officer or director except (to the extent provided by applicable law) for liability (i) for breach of the officer's or director's duty of loyalty to the corporation or its members, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law or (iii) for any transaction from which the officer or director derived an improper personal benefit.

4. The corporation shall make no contribution for other than charitable, scientific or educational purposes.

5. The corporation shall, to the extent allowable by law, indemnify its officers, directors, employees and others as and to the extent provided for in its bylaws as initially adopted and as may be amended from time to time.

**Come VOTE
at the FCAWM Annual Meeting,
October 24, 2010, 2:00pm
at Rockridge Retirement Community.**

If the Restated Articles of Organization are approved by 2/3 of the voting members at the meeting, FCAWM will then be able to submit the document to the Commonwealth.

The next step will be submission of our application to the IRS for official 501(c)(3) status.

A certified copy of the approved Articles of Organization and a copy of our Bylaws must accompany our application.

Please make checks payable to **FCA of W. Mass.** and send to P. O. Box 994, Greenfield, MA 01302.
Note: Until we obtain 501c3 status with the IRS, your contributions are not tax-deductible.

___ YES! I'm renewing my support for the Funeral Consumers Alliance of W. Mass. and its mission of informing, educating and advocating for consumers and their rights and options for funerals and memorials. I'm enclosing my voluntary contribution of

___ \$15 ___ \$25 ___ \$50 ___ \$100 or \$ _____

___ I'm NEW. Please enroll me and send the "Before I Go" kit and membership package. (Suggested new member donation is \$30.) I am enclosing \$ _____

___ I have time and interest in helping this organization. Please contact me about volunteer opportunities.

Name: _____ Telephone: _____

Address: _____ E-mail: _____

✂-----

TIP from *Consumers Guide to Planning a Funeral*
Commonwealth of Massachusetts, Office of
Consumer Affairs & Business Regulation

"Shop around: Funeral Directors must provide you with prices over the phone and must provide you with a written price list of the goods and services they offer before they show you any goods; they must allow you to use a casket purchased elsewhere and may not charge a fee for this; they must explain your options such as cremation, direct burial without embalming, etc.; if cremation is chosen they must allow you an alternative container to a casket (they may offer a rental casket for viewings); they must explain costs associated with burial and provide you with a price list."



Consumer News *from national FCA*

The national Funeral Consumers Alliance (FCA), of which we are an Affiliate, has a very helpful website at www.funerals.org. On the menu under Consumer News, one can select Consumer Alerts, Legislative Watch, or National Issues. Check it out!

Funeral Home Price Survey

by Joan Pillsbury

Every two years we survey funeral homes in Western Massachusetts to obtain copies of their price lists. The last survey was completed in 2008 and is still downloadable from our website. In April 2010 the FCAWM Trustees mailed letters to almost 100 funeral home addresses in our area. We learned that mergers and closings have reduced that number to 88 active funeral homes. Follow-up phone calls were made, as needed, during the summer.

By now we have received replies from 55 of the 88 funeral homes serving Western Massachusetts.

Volunteers are continuing to contact the 33 non-responders. Funeral homes are required by state and federal regulation to provide a General Price List, (GPL) to anyone who comes to the funeral home inquiring about funeral services. They are not, however, required to respond to our mail inquiry.

Look for the summation of the data at the October 24th Annual Meeting. Josh Slocum, Executive Director National FCA, is being consulted as we collate the data. The complete GPL survey will be published later this fall on the FCAWM website.

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Address Service Requested

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Save Sunday, October 24, 2:00-4:00 pm, for the 2010 Annual Meeting and Program
Community Room, Rockridge Retirement Community, 25 Coles Meadow Road, Northampton
See page 1 for program details.

Read on page 4 about a remarkable woman who chose a cardboard casket!

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