DIVISION OF CEMETERIES
STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
TELEPHONE: (518) 474-6226
FAX: (518) 473-0876
HTTPS://DOS.NY.GOV

KATHY HOCHUL
GOVERNOR

CEMETERY BOARD
ROBERT J. RODRIGUEZ
SECRETARY OF STATE
CHAIR

LETITIA JAMES
ATTORNEY GENERAL

MARY T. BASSETT, M.D., M.P.H.
COMMISSIONER OF HEALTH

TO: New York State Cemetery Board

FROM: Michael D. Seelman, Investigator II

SUBJECT: Augusta Cemetery Association, #33-003

RE: Hazardous Monument Checklist

DATE: August 12, 2022

Application Completed

41 Monuments Requested

Legal Notice complete and run 3 times in The Waterville Times for $148.20

41 Monuments Appear Hazardous

Pexton Memorials repair estimate $36,849 (average $899/ monument)

Humphrey Memorials repair estimate $62,335 (average $1,520/ monument)

Repairs Appear Appropriate

Pexton proposes 48-inch foundations and offers a 6-year warranty

Humphrey proposes 42-inch foundations and offers a ten-year warranty

Cemetery Up to Date on Annual Reports and Vandalism Payments

Recommend Approval in the amount of $36,997.20

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COMMISSIONER OF HEALTH

TO: New York State Cemetery Board

FROM: Michael D. Seelman, Investigator II

SUBJECT: Augusta Cemetery Association, #33-003

RE: Application for Repair of Hazardous Monuments

DATE: August 12, 2022

Exhibits

A) Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Hazardous Condition
B) Pexton Memorials repair estimate for $36,849 (average $899/ per monument)
C) Humphrey Memorials repair estimate for $62,335 (average $1,520/monument)
D) Invoice from The Waterville Times for $148.20

Introduction and Recommendation

The Division received an application (Exhibit A) for the repair of 41 hazardous monuments located in the Augusta Cemetery, town of Augusta, Oneida County. The application was submitted by Maridee Dukett, secretary/ treasurer of the Augusta Cemetery Association. Included with this application was an estimate, from Pexton Memorials (Exhibit B) totaling $36,849 and an estimate, from Humphrey Memorials (Exhibit C) totaling $62,335. Also included was an invoice from The Waterville Times for a legal notice that was run for three consecutive weeks. $148.20

I recommend approval of this application.

The Monuments

The Augusta Cemetery was visited, and 41 monuments were found to be either loose on their foundations or tipping and appeared to pose a hazard to cemetery visitors and employees. Ms.Dukett stated that the cemetery has no records for the monuments in question and as such, could not contact the last known lot owners by mail, the most recent monument is dated 1926. The cemetery has had no response to the legal advertisements which it placed, and has no funds dedicated to the restoration of monuments. Based upon the information provided, it is the Division's understanding that the cemetery has determined that the monument owners cannot be found.

The Estimates

Pexton Memorials proposes to: remove the monuments from the existing foundations; dig out existing foundations; place new foundations made of solid concrete poured to a depth of 48 inches and replace the monument, resealing all joints with setting compound or epoxy and offer a six-year warranty. The estimate averages $899 per monument, which is below average for the last ten applications approved by the Board.

Humphrey Memorials proposes to: remove the monuments from the existing foundations; dig out existing foundations; place new foundations made of solid concrete poured to a depth of 42 inches and replace the monument, resealing all joints with setting compound or epoxy and offer a ten-year warranty. The estimate averages $1,520 per monument.

Recommendation

The Cemetery is up to date on annual reports and vandalism payments. This appears to be a legitimate claim for $36,997.20. I recommend that this application be approved.

EXHIBIT A

NEW YORK STATE OF OPPORTUNITY. | Division of Cemeteries

New York State
Department of State
DIVISION OF CEMETERIES
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231-0001
Telephone: (518) 474-6226
www.dos.ny.gov

Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Dangerous Condition

This application applies only to Not-for-Profit Cemetery Corporations and must be completed in full and signed before a notary public. Funds may be allocated for the above-captioned purposes in accordance with 19 NYCRR §200.11(statutory authority: Not-for-Profit Corporation Law, §1510-a). The full text of this Cemetery Board Directive appears on the reverse.

AMOUNT REQUESTED
$36,997. 20

CEMETERY NAME
Augusta Cemetery Association

NAME OF CEMETERY OFFICIAL
Maridee Dukett

TELEPHONE

[redacted] previously applied for and received a grant from the Vandalism, Abandonment & Monument Repair Fund? . . . . . ☐ YES* ☐ NO

*If **YES**, when? _____ Amount Received: $_____

Was proof of completed work forwarded to the Division of Cemeteries? . . . . . ☐ YES ☐ NO

1. Provide a description of each damaged monument and/or marker and enclose referenced photos:
   There are several damaged monuments and foundations, I am attaching pictures of them.

   There are several damaged monuments and foundations, I am attaching pictures of them.

2. Attach copies of bids submitted by at least *two* contractors for the cost of repairs or removal and replacement.

3. Attach proof that the cemetery corporation has given not less than 60-day notice to the last known owner to repair or remove the monument or marker and that said owner has failed to do so within the time prescribed in that notice.

I, the undersigned, duly authorized, swear or affirm under the penalties of perjury that the above-named cemetery has not been able to obtain sufficient funds from the family of the deceased, that the proposed costs of the repairs or removals and replacements are fair and reasonable and that the above-described monuments and/or markers are so badly out of repair or dilapidated as to create a dangerous condition. I further swear or affirm that the information contained in this application is true and correct. I agree that, upon receipt of monies for the repair or removal of dilapidated or disrepaired monuments that create a dangerous condition, such repairs will be made as quickly as possible and documentation (receipts and statements) of the repairs and removals will be submitted to the Division of Cemeteries within 90 days following completion of work.

Signature of Cemetery Official: Maridee Dukett *Date:* 03-01-2022

SUZANNE M. COLLINS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ONEIDA COUNTY
REG. 01C06179579
MY COMM. EXPIRES 12/24/23

On this 1st day of March 2022
appeared Maridee Dukett
known to me to be said person.
Suzanne M. Collins
Notary Public

EXHIBIT B

Augusta Cemetery Assoc.

Phone [redacted]

Contact Maridee Dukett

County

Contractor Name Pexton Cemetery Management, Inc.
PO Box 405
Canastota, NY 13032

Denny Pexton 315-420-9504

Claim#	Name	Location		Remove, Repair, Reset	Foundation	Foundation Cost	Total Cost of Repair
1	Burdick	E/53		$125.00	32 x 32	$665.00	$790.00
2	Porter	E/11		$125.00	56 x 26	$728.00	$853.00
3	J. Porter	E/2		$75.00	28 x 14	$254.00	$329.00
4	Bartholamew	E/9		$125.00	30 x 30	$665.00	$790.00
5	Pexton	A/8		$125.00	36 x 36	$665.00	$790.00
6	E. Pexton	A/12		$75.00	28 x 14	$254.00	$329.00
7	Tullah	B/17		$125.00	36 x 14	$421.00	$546.00
8	Dudley	B/18		Reseal			$225.00
9	Rich	B/31		$475.00	48 x 48	$1,497.00	$1,972.00
10	Sturdavant	B/37		$245.00	36 x 36	$842.00	$1,087.00
11	Chase	B/24		$475.00	48 x 14	$1,497.00	$1,972.00
12	Lanunion	B/35		Mortar foundation			$145.00
13	Allen	B/34		$175.00	48 x 24	$748.00	$923.00
14	Francis		31	$875.00	48 x 48	$1,497.00	$2,372.00
15	Putnam		36	$125.00	36 x 14	$327.00	$452.00
16	Richmond		43	$75.00	28 x 14	$254.00	$329.00
17	Frost		109	$25.00	26 x 14	$236.00	$261.00
18	Frost		154	$175.00	26 x 14	$585.00	$760.00
19	Moore/Hawley		158	$1,450.00	60 x 60	$2,340.00	$3,790.00
20	Allen	B/31		Reseal			$345.00
21	Wells			Reseal Vase			$35.00
22	Mackey		96	$145.00	56 x 24	$873.00	$1,018.00
23	Smith		144	$125.00	30 x 30	$374.00	$499.00
24	Wright		75	$45.00	24 x 24	$374.00	$419.00
25	Burton		91	$175.00	48 x 24	$748.00	$923.00

26	Knox	136	$175.00 28 x 28	$509.00	$684.00
27	Hart	78	$245.00 32 x 32	$665.00	$910.00
28	Ferry	88	$475.00 48 x 48	$1,497.00	$1,972.00
29	Howland	86	$675.00 50 x 50	$1,625.00	$2,300.00
30	Hanar	343	$675.00 50 x 50	$1,625.00	$2,300.00
31	Jones	341 Reseal			$225.00
32	Whitley	351 Reseal			$375.00
33	Pond	376 Reseal			$225.00
34	Smith		$245.00 60 x 28	$1,092.00	$1,337.00
35	Metcalf	398	$125.00 28 x 20	$364.00	$489.00
36	J. Metcalf	397	$125.00 28 x 14	$254.00	$379.00
37	Robains		$225.00 60 x 28	$1,092.00	$1,317.00
38	Dennison	418	$125.00 40 x 20	$520.00	$645.00
39	Austin	124	$75.00 28 x 14	$198.00	$273.00
40	Allen		$145.00 28 x 28	$509.00	$654.00
41	Lints Ward		$225.00 30 x 30	$585.00	$810.00
	Totals		$8,895.00	$26,379.00	$36,849.00
	Total Cost				**$36,849.00**

All areas will be cleaned, topsoiled and seeded as needed.

All foundations will be 48" deep unless not able to go to desired depth because of roots, vaults or other obstacles, foundations are are warranteed for 6 years unless damaged by weather or other climate conditions

Shepard D. Pexton, President

Pexton Cemetery Management, Inc.

EXHIBIT C

Humphrey Memorials, Inc.

3051 State Rt. 28
Herkimer, NY 13350
315-866-4471*humphreymemorials@gmail.com

January 20, 2022

Augusta Cemetery Association
[redacted]

The attached bid sheet being submitted by Humphrey Memorials, Inc. will include the following work to be performed:

-Remove Memorials from existing foundation
-Disassemble Memorials if necessary
-Remove existing foundations
-New concrete foundations poured as stated dimensions-42" depth
-Reset Memorials on new foundations
-Reassemble and repair Memorials as needed
-Clean & Seal all joints of the Memorials
-Clean up of materials & repairing of affected grounds

The Memorials will be sealed with a Thirty(30) year silicone caulk. If any monument needs structural repairs, we will use a two part epoxy and/or mortar to make those repairs. New foundations and repairs completed will have a warranty of Ten(10) years. If any foundation or monument repair fails within those Ten(10) years, Humphrey Memorials, Inc. will make repairs or replace at no cost to the cemetery. If you have any further questions, please contact us at anytime.

Thank you,
CJ Karker
Humphrey Memorials, Inc.

Humphrey Memorials, Inc. 3051 State Highway 28 Herkimer, NY 13350 315-866-4471	AUGUSTA CEMETERY ASSOCIATION [redacted] Maridee Dukett

#	Monument Name	Location	Remove, Repair, Rest Cost	New Foundation L"xW"xDepth"	New Foundation Cost	Foundation Cap Cost	Removal&Disposal Cost	Granite marker Replace & Intall RE	Total Cost
1	ALLEN	B-34	$600.00	46X24X42	$1,100.00				$1,700
2	STURDEVANT	B-37	$750.00	24X24X42	$575.00				$1,325.00
3	CHASE	B-24	$950.00	32X32X42	$1,025.00				$1,975.00
4	RICH	B-31	$900.00	30X30X42	$900.00				$1,800.00
5	DUDLEY	B-18	$950.00	36X36X42	$1,300.00				$2,250.00
6	TULLOH	B-17	$800.00	30X20X42	$600.00				$1,400.00
7	ALLEN	B-3	$650.00	24X24X42	$575.00				$1,225.00
8	PEXTON	A-8	$500.00	30X18X42	$540.00				$1,040.00
9	BEXTON	A-12	$650.00	24X24X42	$575.00				$1,225.00
10	BURDICK	E-53	$750.00	26X26X42	$675.00				$1,425.00
11	PORTER	E-11	$800.00	50X22X42	$1,100.00				$1,900.00
12	PORTER	E-2	$600.00	30X18X42	$540.00				$1,140.00
13	BARTHOLOMEW	E-9	$800.00	24X24X42	$575.00				$1,375.00
14	LANUNION	B-35	$500.00	34X14X42	$475.00				$975.00
15	WHITELY	351	$900.00	30X30X42	$900.00				$1,800.00
16	ROBBINS	420	$800.00	44X22X42	$970.00				$1,770.00
17	WARD	419	$700.00	26X26X42	$675.00				$1,375.00
18	DENISON	418	$500.00	30X20X42	$600.00				$1,100.00
19	METCALF	398	$500.00	26X18X42	$470.00				$970.00
20	METCALF	397	$600.00	32X18X42	$575.00				$1,175.00
21	POND	376	$950.00	50X22X42	$1,100.00				$2,050.00

22	JONES	341	$900.00	36X36X42	$1,300.00				$2,200.00
23	HANAR	343	$950.00	34X34X42	$1,160.00				$2,110.00
24	HOWLAND	86	$900.00	34X34X42	$1,160.00				$2,060.00
25	KNOX	136	$700.00	26X26X42	$675.00				$1,375.00
26	FERRY	88	$800.00	32X32X42	$1,025.00				$1,825.00
27	HART	78	$700.00	24X24X42	$575.00				$1,275.00
28	BURTON	91	$550.00	38X20X42	$760.00				$1,310.00
28	AUSTIN	124	$450.00	26X12X42	$310.00				$760.00
30	WRIGHT	75	$450.00	16X12X42	$190.00	-	-	-	$640.00
31	SMITH	144	$700.00	28X28X42	$785.00				$1,485.00
32	MACKEY	96	$700.00	50X22X42	$1,100.00				$1,800.00
33	FROST	109	$500.00	28X12X42	$340.00				$840.00
34	FROST	154	$600.00	22X22X42	$485.00				$1,085.00
35	HAWLEY	158	$1,200.00	38X38X42	$1,450.00				$2,650.00
36	FRANCIS	31	$1,000.00	40X40X42	$1,600.00				$2,600.00
37	PUTMAN	36	$600.00	24X20X42	$480.00				$1,080.00
38	RICHMOND	43	$450.00	26X12X42	$310.00				$760.00
39	SMITH, SUMMER		$800.00	50X30X42	$1,500.00				$2,300.00
40	WELLS, JOHN		$700.00	30X30X42	$900.00				$1,600.00
41	ALLEN, GEORGE		$800.00	28X28X42	$785.00				$1,585.00
53									
54	TOTALS		$29,600.00		$32,735.00				$62,335.00
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EXHIBIT D

The Waterville Times
129 W. Main St., PO Box C,
Waterville, NY 13480
315.841.4105

Customer:
Augusta Cemetery

PUBLIC NOTICE

To: The last known owner or owners of the following burial lots located in the Augusta Cemetery, town of Augusta, in Oneida County, New York, and all persons having or claiming to have an interest in said burial lots:

Burdick, Henry C	E-44	Wells, John R	117
Porter, William	E-6	Mackey, Aaron B & Caroline A.	99
Porter, Julia	E-6	Smith, Peter H.	116
Bartholamew, Amelia	E-7	Wright, Justus	71
Pexton, Lillie E	A-9	Burton, John - Hughes	75
Pexton, Edward & Miranda	A-9	Knox, Russell	129
Tullia, Jennie R	B-7	Hart, Charles H	136
Dudley, William	B-18	Ferry, Samuel	136
Rich, John	B-30	Howland, Dr. E.G.	348
Sturdavant, John W	B-36	Haner, John & Elizabeth	383
Chase, Amos	B-24	Jones, Thomas J	380
Lamunion, Seymoure	B-15	Whitley, William	351
Allen, Arthur & Mary	B-35	Pond, Tilden Phillip	262
Allen, Lula Pierce	B-2	Smith, Sumner	394
Francis, Jab & Schabob	33	Metcalf, Theodore	399
Putnam, George	38	Metcalf, John F	399
Richmond, Rev I. P.	45	Robbins, Albert & Edwin	420
Dennison, Asa W.	418	Dennison, Asa W.	418
Frost, Theodore V.	109	Austin, George	92
Frost, Eliza	154	Allen, George C	106
Hawley, Henry L	158	Ward, Lints, Francis & Ida Jane	419

PLEASE TAKE NOTICE: That (1) the monuments or markers are so badly out of repair or dilapidated as to create a dangerous condition, (2) the persons to whom this notice is addressed must repair or remove said monuments or markers after the third publication of this notice or by (date 60 days after the third publication) and, (3) if the persons to whom this notice is addressed fail to repair or remove said monuments or markers after (date 60 days after the third publication), the Augusta Cemetery Association may remove or repair said monuments without further notice to the persons to whom this notice is addressed.

If you have questions, they can be directed to Maridee Dukett 315-843-4107 prior to (date 60 days after last publication).

April 6, April 13 & April 20, 2022

Waterville Times/W. Winfield Star
PO Box C
Waterville, NY 13480 US
315-841-4105
advertising@cnymail.com
www.watervilletimes.com

Invoice 14832

BILL TO
Augusta Cemetery
Association

DATE	PLEASE PAY	DUE DATE
03/28/2022	$148.20	04/27/2022

DATE	ACTIVITY	QTY	RATE	AMOUNT
04/06/2022	**Legal Notice/Waterville Times** Burial Lots 4/6/2022-4/20/2022	1	148.20	148.20

TOTAL DUE **$148.20**

THANK YOU.

Please remit payment to:
The Waterville Times: PO Box C, Waterville, NY 13480
West Winfield Star: PO Box 6, West Winfield, NY 13491

To pay online, please go to www.watervilletimes.com