

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
WWW.DOS.NY.GOV

KATHY HOCHUL
GOVERNOR

CEMETERY BOARD

ROBERT J. RODRIGUEZ
SECRETARY OF STATE
CHAIR

LETITIA JAMES
ATTORNEY GENERAL

JAMES V. McDONALD, M.D., M.P.H.
ACTING COMMISSIONER OF HEALTH

TO: NEW YORK STATE CEMETERY BOARD

FROM: MICHAEL D. SEELMAN, INVESTIGATOR II

SUBJECT: HOLLAND PATENT CEMETERY, 33-0

RE: HAZARDOUS MONUMENT REPAIR CHECKLIST

DATE: January 23, 2023

Application completed, notarized and signed

26 Monuments Requested

Legal Notice run 3 times in The Observer Dispatch \$94.26

26 Monuments Appear Eligible

Estimates: **North-East Cemetery Services repair estimate \$34,900 (average \$1,342/ monument)**

Humphrey Memorial repair estimate \$38,475 (average \$1,478/monument)

Both contractors propose 42-inch foundations and offer a 10-year warranty.

The cemetery is up to date on Annual Reports and Vandalism Payments

Recommend Approval in the amount of \$34,994.26.

It should be noted that North-East Cemetery Services requires 50% down to begin work.

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ACTING COMMISSIONER OF HEALTH

TO: New York State Cemetery Board

FROM: Michael D. Seelman, Investigator II

SUBJECT: Holland Patent Cemetery Association, #33-027

RE: Application for Repair of Hazardous Monuments

DATE: January 9, 2023

Exhibits

- A) Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Hazardous Condition
- B) North-East Cemetery Services repair estimate for \$34,900 (average \$1,342 / per monument)
- C) Humphrey Memorials repair estimate for \$38,435 (average \$1,478 / per monument)
- D) Invoices and copies from The Observer Dispatch for \$94.26

Introduction and Recommendation

The Division received an application (Exhibit A) for the repair of 26 hazardous monuments located in the Holland Patent Cemetery, village of Holland Patent, Oneida County. The application was submitted by Thomas Furlong, President of the Holland Patent Cemetery Association. Included with this application was an estimate, from North-East Cemetery Services (Exhibit B) totaling \$34,900, and an estimate from Humphrey Memorials (Exhibit C) totaling \$38,435. Also included was an invoice from The Observer Dispatch for a legal notice (Exhibit D) that was run for three consecutive weeks from August 23, through September 6th, for \$94.26.

I recommend approval of this application.

The Monuments

The Holland Patent Cemetery was visited, and 26 monuments were found to be either loose on their foundations or tipping and appeared to pose a hazard to cemetery visitors and employees. Mr. Furlong 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 1956. 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

Both contractors propose 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. Mohawk Valley Monuments did not provide warranty information and North-East Cemetery Services provides a 10 -year warranty.

North-East Cemetery Services requires 50% down to begin work.

Recommendation

The Cemetery is up to date on annual reports and vandalism payments. This appears to be a legitimate claim for \$25,427.94. I recommend that this application be approved.

EXHIBIT A



Division of Cemeteries

RECEIVED
DIV. OF CEMETERIES

DEC 19 2022

ALBANY OFFICE
DEPARTMENT OF STATE

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 <u>\$34,994.26</u>	COUNTY IN WHICH CEMETERY IS LOCATED <u>ONEIDA</u>
CEMETERY NAME <u>HOLLAND PATENT CEMETERY</u>	CEMETERY ID NUMBER <u>33027</u>
NAME OF CEMETERY OFFICIAL <u>THOMAS C. FURLONG</u>	TITLE <u>PRESIDENT</u>
STREET ADDRESS [REDACTED]	[REDACTED]
[REDACTED]	ZIP CODE [REDACTED]
TELEPHONE NUMBERS: Home [REDACTED]	Work () [REDACTED]
E-MAIL ADDRESS [REDACTED]	FAX [REDACTED]

Has this cemetery 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:

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: Thomas C. Furlong Date: 12/15/2022

JAIME LEMIEUX
Notary Public in the State of New York
Qualified in Oneida County 0111-055819
My Commission Expires May 15, 20 25

On this 15 day of Dec 20 22
appeared Thomas C. Furlong.
known to me to be said person.
Jaime Lemieux
Notary Public

Holland Patent Cemetery Inc.

PO Box 211
Holland Patent, NY 13354
Phone 315-525-0789

Thomas C. Furlong President
Stuart A. Gates, Vice President
Evelyn K. Clark, Secretary/Treasurer

Founded 1797
Incorporated 1850 & 2018

December 15, 2022

NYS Department of State
Division of Cemeteries
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001

To whom it may concern:

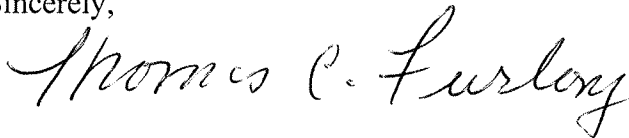
The Holland Patent Cemetery would like to submit the enclosed application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Dangerous Condition.

- Enclosed are
1. A description of the damaged monuments including photographs
 2. Copies of the two bids received:
 - a) Northeast Cemetery Services for \$34,900
 - b) Humphrey Memorials, Inc. for \$38,435
 3. Proof of publication of the Legal Notice and invoice for \$94.26
 4. Notarized application

We are requesting \$34,994.26 which is the low bid of \$34,900 from Northeast Cemetery Services and the cost of the publication of the Legal Notice which was \$94.26,

Thank you for your consideration.

Sincerely,



Thomas C. Furlong
President

EXHIBIT B

Northeast Cemetery Services

Edward McOwen
11383 Steuben Rd. East
Deerfield, NY 13502
(315)725-2385

NeCemeteryServices@Gmail.com

10/17/2022

Northeast Cemetery Services proposes repair of 26 stones in Holland Patent Cemetery, located in Holland Patent, NY. For a total of \$34,900.00.

Repair of the monuments described in the attached spreadsheet will be performed as follows:

- Monuments will be set aside.
- The original foundation and soil will be excavated to a depth of 42" below grade.
- The excavated material will be placed in the cemetery dump area.
- Concrete will be poured in the excavated hole to a few inches below grade.
- The base stone/tablet will be set in wet concrete.
- Topsoil and seed will be applied around the base to cover the concrete.
- The remaining pieces of the monument will be assembled with an appropriate adhesive and all joints will be sealed with caulk.

Please note: Some excavated holes may be formed with wood at the discretion of the contractor. Base pieces deemed unrepairable will be discarded and the tablet/monument will be placed in/on a foundation the same dimensions as described in the spreadsheet.

While Northeast Cemetery Services agrees to use due care while handling these monuments, due to the age and fragile condition of the pieces we will not be held liable for chips, breaks or cracks beyond a best effort repair.

The work mentioned above will resolve the current hazardous condition. The depth of the foundation and the joint sealing will resist frost movement and stabilize the monument for the foreseeable future.

Work will begin following a down payment of fifty percent of the total.

A workmanship warranty of ten (10) years applies. Only violations of this agreement apply. Further natural deterioration of the stone and other damages caused by outside forces including mowers, tree limbs and other such circumstances are not covered.

Thank you.

Edward McOwen.

HAZARDOUS MONUMENT SPREADSHEET

Cemetery- Holland Patent Cemetery

Contractor - Northeast Cemetery services. 11383 Steuben Rd East. Deerfield, NY 13502. Contact Edward McOwen

MONUMENT INFORMATION							NEW FOUNDATION			
NAME ON MONUMENT FIRST, LAST	LOCATION		YEAR	MATERIAL	STYLE	HAZARD	FOUNDATION DIMENTIONS 42" DEEP	NEW FOUNDATION PRICE	REMOVE, REPAIR & RESET	TOTAL FOUNDATION & REPAIR
	SECTION	LOT								
1 JOHN JONES	2	28	1939	GRANITE	UPRIGHT	LEAN/LOOSE	38" X 20"	\$850.00	\$650.00	\$1,500.00
2 CATHERINE VINNIGOMBE	2	1	1883	MARBLE	UPRIGHT	LEAN/ROCK	24" X 12"	\$500.00	\$400.00	\$900.00
3 FRED NORTON	2	N	1940	MARBLE	OBOLESK	LEAN/ROCK	28" X 20"	\$600.00	\$500.00	\$1,100.00
4 ROBERT ROBERTS	1	35	1914	GRANITE	UPRIGHT	ROCK	30" X 20"	\$650.00	\$500.00	\$1,150.00
5 SARAH WALKER	1	34	1936	MARBLE	UPRIGHT	ROCK	28" X 16"	\$500.00	\$400.00	\$900.00
6 RICHARD DEAKIN	1	33	1910	MARBLE	UPRIGHT	ROCK	28" X 16"	\$500.00	\$400.00	\$900.00
7 ISABEL DEAKIN	1	34	1956	MARBLE	TABLET	LEAN	30" X 16"	\$550.00	\$400.00	\$950.00
8 MARY WEBB	1	33	1909	GRANITE	UPRIGHT	LEAN/ROCK	30" X 20"	\$650.00	\$500.00	\$1,150.00
9 PHILLIP SLATTER	1	8	1905	MARBLE	OBOLESK	LEAN	28" X 28"	\$850.00	\$650.00	\$1,500.00
10 WILLIAM ROBERTS	1	A	1857	MARBLE	OBOLESK	LEAN/ROCK	32" X 32"	\$1,150.00	\$800.00	\$1,950.00
11 HARVEY SPENCER	2	75	1882	MARBLE	UPRIGHT	LEAN/ROCK	34" X 18"	\$650.00	\$500.00	\$1,150.00
12 PHILENIA HIGBY	2	70	1867	MARBLE	UPRIGHT	LEAN/LOOSE	36" X 20"	\$800.00	\$600.00	\$1,400.00
13 CHARLES HIGBY	2	70	1883	MARBLE	UPRIGHT	LEAN/LOOSE	36" X 20"	\$800.00	\$600.00	\$1,400.00
14 ROSETTA WARD	2	69	1866	MARBLE	UPRIGHT	LEAN/LOOSE	36" X 20"	\$800.00	\$600.00	\$1,400.00
15 MARY BOOTH	1	75	1886	MARBLE	UPRIGHT	LEAN/CRACK	28" X 16"	\$500.00	\$400.00	\$900.00
16 ALWIN HAMILTON	AONR		1895	MARBLE	OBOLESK	LEAN/LOOSE	32" X 32"	\$1,150.00	\$800.00	\$1,950.00
17 ELIZABETH SEYMOUR	AONR		1891	GRANITE	UPRIGHT	LEAN	30" X 16"	\$550.00	\$400.00	\$950.00
18 CHARELS ROBINSON	1	77	1887	MARBLE	UPRIGHT	LEAN/LOOSE	48" X 16"	\$850.00	\$650.00	\$1,500.00
19 WELTRA SMITH	AONR		1857	MARBLE	OBOLESK	LEAN/LOOSE	26" X 26"	\$750.00	\$550.00	\$1,300.00
20 THOMAS FARRINGTON	AONR		1859	MARBLE	OBOLESK	LEAN/LOOSE	30" X 30"	\$1,000.00	\$750.00	\$1,750.00
21 MARY BARNS	AONR		1885	MARBLE	UPRIGHT	LEAN	30" X 14"	\$500.00	\$400.00	\$900.00
22 WILLIAM SACKETT	AONR		1851	MARBLE	OBOLESK	LEAN/LOOSE	28" X 28"	\$850.00	\$650.00	\$1,500.00
23 JOHN GRANDE	2	45	1877	CAST	OBOLESK	LEAN	38" X 38"	\$1,600.00	\$800.00	\$2,400.00
24 EMMA CARTER	3	33	1911	GRANITE	UPRIGHT	LEAN	32" X 20"	\$700.00	\$550.00	\$1,250.00
25 ELLEN WILLARD	AONR		1836	MARBLE	OBOLESK	LEAN	36" X 36"	\$1,450.00	\$800.00	\$2,250.00
26 MONROE LAWTON	4	120	1904	MARBLE	UPRIGHT	LEAN	28" X 16"	\$500.00	\$400.00	\$900.00
TOTALS								\$20,250.00	\$14,650.00	\$34,900.00

EXHIBIT C

Humphrey Memorials, Inc.

3051 State Rt. 28

Herkimer, NY 13350

315-866-4471*humphreymemorials@gmail.com

November 11, 2022

Holland Patent Cemetery
Tom Furlong
Holland Patent, NY 13354

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

Holland Patent Cemetery

Tom Furlong

#	Memorial Name	Location	Recess, Repair, Rest Cost	New Foundation ("xH" xDepth)	New Foundation Cost	Foundation Exp Cost	Removal/Disposal Cost	Gravestone Material Expenses & Labor BE	Total Cost
1	JONES, JOHN	2-28	\$800.00	36X20X42	\$950.00				\$1,750.00
2	VINNINGOMBE, CATHERINE	2-1	\$400.00	24X12X42	\$360.00				\$760.00
3	NORTON, FRED	2-N	\$600.00	28X20X42	\$700.00				\$1,300.00
4	ROBERTS, ROBERT	1-35	\$500.00	30X20X42	\$750.00				\$1,250.00
5	DEAKIN, SARAH	1-34	\$400.00	28X16X42	\$560.00				\$960.00
6	DEAKIN, RICHARD	1-33	\$400.00	28X16X42	\$560.00				\$960.00
7	DEAKIN, ISABEL	1-34	\$300.00	24X14X42	\$420.00				\$720.00
8	DRAPER, MARY WEBB	1-33	\$500.00	30X20X42	\$750.00				\$1,250.00
9	SLATER, PHILIP	1-8	\$600.00	28X28X42	\$980.00				\$1,580.00
10	ROBERTS, WILLIAM	1-A	\$800.00	32X32X42	\$1,280.00				\$2,080.00
11	SPENCER, HARVEY	2-75	\$600.00	34X18X42	\$765.00				\$1,365.00
12	HIGBY, PHILENIA	2-70	\$400.00	36X20X42	\$900.00				\$1,300.00
13	HIGBY, CHARLES	2-70	\$400.00	36X20X42	\$900.00				\$1,300.00
14	WARD, ROSETTA	2-69	\$400.00	36X20X42	\$900.00				\$1,300.00
15	BOOTH, MARY	1-75	\$400.00	28X16X42	\$560.00				\$960.00
16	HAMILTON, ALWIN	AONR	\$1,100.00	32X32X42	\$1,280.00				\$2,380.00
17	SEYMOUR, ELIZABETH	AONR	\$400.00	30X16X42	\$600.00				\$1,000.00
18	ROBINSON, CHARLES	1-77	\$600.00	48X16X42	\$960.00				\$1,560.00
19	SMITH, WELTHA	AONR	\$900.00	26X26X42	\$845.00				\$1,745.00
20	FARRINGTON, THOMAS	AONR	\$1,100.00	30X30X42	\$1,125.00				\$2,225.00
21	BARNES, MARY	AONR	\$400.00	30X14X42	\$525.00				\$925.00
22	SACKETT, WILLIAM	AONR	\$600.00	28X28X42	\$980.00				\$1,580.00
23	CANDEE, JOHN	2-45	\$1,300.00	38X38X42	\$1,805.00				\$3,105.00
24	CARRIER, EMMA	3-33	\$400.00	32X20X42	\$800.00				\$1,200.00
25	WILLARD, ELLEN	AONR	\$1,300.00	36X36X42	\$1,620.00				\$2,920.00
26	LAWTON, MUNROE	4-120	\$400.00	28X16X42	\$560.00				\$960.00

EXHIBIT D

LOCALiQ

Observer-Dispatch | Daily Messenger
Times Telegram | New Jersey Herald
Times Herald-Record

PO Box 631202 Cincinnati, OH 45263-1202

PROOF OF PUBLICATION

Tom Furlong
Holland Patent Cemetery

STATE OF NEW YORK, COUNTY OF ONEIDA

The Observer Dispatch, a newspaper published in the City of
Utica, New York.

The text of the notice as published in said newspaper is as set
forth below, or in the annexed exhibit, was published in the issue
dated:

08/23/2022, 08/30/2022, 09/06/2022

and that the fees charged are legal.

Sworn to and subscribed before on 09/06/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$94.26

Order No: 7677349

Customer No: 825388

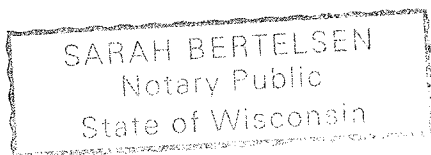
PO #:

of Copies:

1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.



LEGAL NOTICE

TO: The last known owner of
the following burial lots located
in HOLLAND PATENT CEME-
TERY, Holland Patent, New
York, and all persons claiming
to have an interest in said bur-
ials.

Area of no record (AONR)

NAME SECTION LOT

JOHN JONES 2 28

CATHERINE VINNIGOMBE 2

1

FRED NORTON 2 N

ROBERT ROBERTS 1 35

SARAH WALKER 1 34

RICHARD DEAKIN 1 33

ISABEL DEAKIN 1 34

MARY WEBB 1 33

PHILLIP SLATTER 1 8

WILLIAM ROBERTS 1 A

HARVEY SPENCER 2 75

PHILLENIA HIGBY 2 70

CHARLES HIGBY 2 70

ROSETTA WARD 2 69

MARY BOOTH 1 75

ALWIN HAMILTON AONR

ELIZABETH

SEYMOUR

AONR

CHARELS ROBINSON 1 77

WELTRA SMITH AONR

THOMAS

FARRINGTON

AONR

MARY BARNS AONR

WILLIAM SACKETT AONR

JOHN GRANDE 2 45

EMMA CARTER 3 33

ELLEN WILLARD AONR

MONROE LAWTON 4 120

PLEASE TAKE NOTICE

(1) The monuments or mark-
ers are so badly out of repair
or dilapidated as to create a
dangerous condition, (2) the
person(s) to whom this notice
is addressed must repair or
remove markers within 60 days
of the date of this publication,
and (3) if the person(s) to who
this is addressed fail to repair
or remove said monuments or
markers within 60 days of this
publication, Holland Patent
Cemetery Association may
remove or repair said monu-
ments without further notice to
the person(s) addressed.

Contact Tom Furlong

or by
mail to Holland Patent Ceme-
tery, R [REDACTED]
Patent, NY 13354

Aug. 23, 30, Sept. 6, 2022
#7677349

LEGAL NOTICE
Check # 1196

Finance Department

Receipt Voucher

Receipt No.	3686002	Receipt Date	8/18/2022	Receipt Amount
Receipt From	Holland Patent Cemetery			94.26 \$
Amount	Ninety-four \$ Only			
Cash/Cheque	62FEB042DA585056 6C8289E82FBC6DF D95905356%^% 57494X7677349	Type of Cheque	Card Payment – THANK YOU	
Date of Cheque	8/18/2022	Bank Name		
Details				

Cashier

Fifth Third-7680 ChasePay Credit Cards

Collector	Doc Type	Doc Ref	Doc Date	Customer	Allocation Type	Amount Allocated
Kimble, Catherine	Order	7677349	8/18/2022	Holland Patent Cemetery	Opp	94.26

Page: 1 of 1

Abbreviation	Allocation type
Ip	Invoice Payment
Opp	Order Pre-payment