

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



**Department
of State**

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ANDREW M. CUOMO
GOVERNOR

CEMETERY BOARD

ROSSANA ROSADO
SECRETARY OF STATE
CHAIR

LETITIA JAMES
ATTORNEY GENERAL

DR. HOWARD A. ZUCKER
COMMISSIONER OF HEALTH

TO: New York State Cemetery Board

FROM: Michael D. Seelman, Investigator II

SUBJECT: Constantia Center Cemetery Association, #38-007

RE: Application for Repair of Hazardous Monuments

DATE: April 16, 2021

Exhibits

- A) Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Hazardous Condition
- B) Artisan Engraving repair estimate for \$11,455
- C) Kellogg Memorials repair estimate for \$13,563
- D) Invoice and copy from The Queen Central News for \$59.33

Introduction and Recommendation

The Division received an application (Exhibit A) for the repair of 23 hazardous monuments located in the Constantia Center Cemetery, town of Constantia, Oswego County. The application was submitted by Christopher Cook, president of the Constantia Center Cemetery Association. Included with this application was an estimate, from Artisan Engraving (Exhibit B) totaling \$11,455 and an estimate from Kellogg Memorials (Exhibit C) for \$13,563. Also included was an invoice from The Queen Central News for legal notices (Exhibit D) that were run for three consecutive weeks for \$59.33

I recommend approval of this application.

The Monuments

The Constantia Center Cemetery was visited April 6, 2021 and all 23 monuments were either loose on their foundations or tipping and appeared to pose a hazard to cemetery visitors and employees. The cemetery has had no response to the legal advertisement which it placed, and has no funds dedicated to the restoration of monuments.

The Estimates

Artisan Engraving proposes to: remove the monuments from the existing foundations; dig out 11 existing foundations; place new foundations made of solid concrete poured to a depth of 36 -48 inches (where necessary); and replace the monument, resealing all joints with setting compound or epoxy and offers a ten-year warranty. The remaining 12 monuments will be reset on the existing foundations.



Department
of State

Kellogg Memorials proposes to: remove the monuments from the existing foundations; dig out 12 existing foundations; place new foundations made of solid concrete poured to a depth of 48 inches (where necessary); and replace the monument, resealing all joints with setting compound or epoxy and offers a ten year warranty. The remaining 11 monuments will be reset on existing foundations.

Recommendation

Constantia Center Cemetery has used a previous allocation appropriately and is up to date on annual reports and vandalism payments. This appears to be a legitimate claim for \$11,514.33. I recommend that this application be approved.

EXHIBIT A



**Division of
Cemeteries**

RECEIVED
DIV. OF CEMETERIES
MAR 16 2021
SYRACUSE 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	\$11,514.33	COUNTY IN WHICH CEMETERY IS LOCATED	Oswego
CEMETERY NAME	Constantia Center Cemetery	CEMETERY ID NUMBER	38007
NAME OF CEMETERY OFFICIAL		TITLE	Vice President
STREET ADDRESS	65 Saunders Dr.		
CITY/TOWN/VILLAGE	Bernhards Bay, NY	ZIP CODE	13028
TELEPHONE NUMBERS:	Home (315) 481-2958	Work ()	
E-MAIL ADDRESS		FAX	

Has this cemetery previously applied for and received a grant from the Vandalism, Abandonment & Monument Repair Fund? YES* NO

*If YES, when? 2019-2020 Amount Received: \$ 7,901.24

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:

attached

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: Christopher Cook Date: 3/6/2021

On this 14th day of March, 2021
appeared Christopher Cook
known to me to be said person.

Nanette Austin
Notary Public

EXHIBIT B

ARTISAN ENGRAVING, LLC
 - 133 Sand Road
 Sandy Creek, NY 13145

Estimate

Date	Estimate #
2/12/2021	873

Name / Address
Constantia Center Cemetery c/o Bette Lathan PO Box 138 Martinsburg, NY 13404

Project

Description	Qty	Rate	Total
1. BUTLER, CHARLES - Reset only compound / epoxy		200.00	200.00
2. CARR, EDWARD - Reset only compound / epoxy		200.00	200.00
3. CARR, JOSEPH - Foundation 24x24 Rem/Rep/Reset		777.00	777.00
4. CARR, LOUIS - Reset only compound / epoxy		200.00	200.00
5. DELINE, ELIJAH - Foundation 34x18 Rem/Rep/Reset		826.00	826.00
6. DUTCHERT, WILLIAM H. - Reset only compound / epoxy		200.00	200.00
7. GOODRICH, GEORGE - Foundation 30x16		648.00	648.00
8. GRANEY, WILLIAM - Foundation 24x24 Rem/Rep/Reset		777.00	777.00
9. HALLOCK, JENETTE - Foundation 30x16 Rem/Rep/Reset		648.00	648.00
10. LADD, IRA - Foundation 24x16 Rem/Rep/Reset		518.00	518.00
11. LINCE, JAY - Foundation 24x24 Rem/Rep/Reset		777.00	777.00
12. NICHOLS, BENJAMIN - Reset only compound / epoxy		200.00	200.00
13. NICHOLAS, CHAS. B. - Foundation 24x24 Rem/Rep/Reset		777.00	777.00
14. NICHOLS, CHARLIE - Foundation 20x20 Rem/Rep/Reset		540.00	540.00
15. REAMORE, CHRISTOPHER - Reset only compound / epoxy		200.00	200.00
16. REYNOLDS, C. HENRY - Foundation 26x18 Rem/Rep/Reset		631.00	631.00
17. SLATER, C.W. - Foundation 18x18 Rem/Rep/Reset		437.00	437.00
18. TAYLOR, ALBERT - Foundation 24x24 Rem/Rep/Reset		777.00	777.00
19. TAYLOR, DAVID - Foundation 34x20 Rem/Rep/Reset		918.00	918.00
20. VANDERWERKEN, ALEXANDER - Reset only compound / epoxy		200.00	200.00
21. VAUGHN, ALPHEUS - Reset only compound / epoxy		200.00	200.00
22. WOOD, KIMBLE - Foundation 28x16 Rem/Rep/Reset		604.00	604.00
23. WOOLWORTH, BERNARD - Reset only compound / epoxy		200.00	200.00
NYS Bid - 2021 - includes 10 yr guarantee			
		Subtotal	\$11,455.00
		Sales Tax (0.0%)	\$0.00
		Total	\$11,455.00

EXHIBIT C

CONSTANTIA CENTER CEMETERY REPAIRS, submitted 1/12/21

<u>MONUMENT</u>	<u>FOUNDATION COST</u>	<u>FOUNDATION DIMENSIONS</u>	<u>COST TO REPAIR/RESET</u>	<u>COST PER MONUMENT</u>
Butler, Charles			\$150.00	\$150.00
Carr, Edward			\$150.00	\$150.00
Carr, Joseph	\$460.00	22x22x48	\$300.00	\$760.00
Carr, Louis			\$150.00	\$150.00
DeLine, Elijah	\$399.00	30x14x48	\$300.00	\$699.00
Dutcher, William			\$150.00	\$150.00
Goodrich, George			\$150.00	\$150.00
Graney, William	\$275.00	17x17x48	\$300.00	\$575.00
Hallock, Jenette	\$426.00	32x14x48	\$300.00	\$726.00
Ladd, Ira	\$274.00	24x12x48	\$300.00	\$574.00
Lince, Jay	\$503.00	23x23x48	\$300.00	\$803.00
Nicholas, Benjamin			\$150.00	\$150.00
Nicholas, Charles	\$460.00	22x22x48	\$300.00	\$760.00
Nicholas, Charlie	\$308.00	18x18x48	\$300.00	\$608.00
Reamore, Christopher			\$150.00	\$150.00

Reynold, C. Henry	\$319.00	24x14x48	\$300.00	\$619.00
Slater, V.W.			\$150.00	\$150.00
Taylor, Albert	\$334.00	22x16x48	\$300.00	\$634.00
Taylor, David	\$581.00	34x18x48	\$300.00	\$881.00
Vanderwerken, Alexander			\$150.00	\$150.00
Vaughn, Alpheus			\$150.00	\$150.00
Wood, Kimble	\$274.00	24x12x48	\$300.00	\$574.00
Woolworth, Bernard			\$150.00	\$150.00
			SUBTOTAL	\$9,863.00

MATERIALS/MISC

Pallets of concrete, topsoil for clean up, setting compound, epoxy, silicone

\$3,700.00

GRAND TOTAL \$13,563.00

*** Please note that the above repair quote is good through November 2021. All foundations will be 48" in depth and all monuments will be reset straight, level and solidly attached utilizing setting compound and clear silicone sealants. We guarantee our work with a ten year warranty. Thank you.

Kelley M. Merviel

EXHIBIT D



ACCOUNT ENDING - 56002

CARD MEMBER

Delta SkyMiles® Platinum

BETTE LATHAN

DATE	DESCRIPTION	AMOUNT
Oct 25, 2019	CAMDEN NEWS 39 MAIN ST CAMDEN NY 13316 (315) 245-1849 http://www.camdenny.com/business/newspaper.html	\$59.33
	CAMDEN NEWS INC 00-0CAMDEN NY Will appear on your Nov 21, 2019 statement as CAMDEN NEWS INC 00-0CAMDEN NY CARD BETTE LATHAN DELTA SKYMILES® 1X on Other purchases 59 ADDITIONAL INFORMATION 31099539298 315-2451849	

STATE OF NEW YORK

SS.

COUNTY OF ONEIDA

James L. VanWinkle, Amber L. McNabb or Adrian L. Ranieri of the Town of Camden, County of Oneida and State New York, being duly sworn, says that he or she is, and during the time of publication of the notice hereinafter mentioned, was an officer of the Camden News, Inc., publisher of the

QUEEN CENTRAL NEWS

a Public Newspaper, published in the Village of Camden, County of Oneida, aforesaid. And deponent further says that the Legal Notice - Constantia Center Cemetery of which a Printed Copy is hereto annexed, was published in said Newspaper for Three week (s) commencing the 28th day of October, 2019 ending the 11th day of November, 2019
Amber McNabb

Subscribed and Sworn to before me
this 4th day of Dec, 2019
Robin L. Mitchell

ROBIN L. MITCHELL
Notary Public, State of New York
Qualified in Oneida County
My Commission Expires 7/3/22

LEGAL NOTICE
LEGAL NOTICE

TO: The last known owner or owners of the following burial lots located in the Constantia Center Cemetery, Oswego County, New York, and all persons to have an interest in said burial lots:

Charles Butler, Edward (Moses) Carr, Joseph Carr, Louis Carr, Elijah Deline, William Dutcher, George Goodrich, William Graney, Jenette Hallock, Ira Ladd, Jay Lince, Benjamin Nichols, Charles Nichols, Charlie Nichols, Christopher Reamore, C. Henry Reynolds, ? (veteran) Slater, Albert Taylor, David Taylor, Alexander Vanderwerken, Alpheus Vaughn, Kimble Wood, Bernard Woolworth.

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 January 31, 2020 and, (3) if the persons who this notice is addressed fail to repair or remove said monuments or markers, after January 31, 2020 the Constantia Center 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 may be directed to Bud Cook, 315-481-2958, prior to January 31, 2020.

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