

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](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: EAST PALMYRA CEMETERY ASSOCIATION, #59-008

RE: HAZARDOUS MONUMENT REPAIR CHECKLIST

DATE: May 27, 2022

Application completed, notarized and signed

36 Monuments Requested

Legal Notice run 3 times in The Times of Wayne \$95.30

36 Monuments Appear Eligible

Estimates: **Senecal Monuments repair estimate \$50,540 (average \$1,404 / monument)**

Monumental Memories repair estimate \$56,305.40 (average \$1,564 /monument)

Senecal proposes 42-inch foundations and offers a 10-year warranty.

Monumental did not provide depth or warranty information.

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

Recommend Approval in the amount of \$50,635.30.



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

TO: New York State Cemetery Board

FROM: Michael D. Seelman, Investigator II

SUBJECT: East Palmyra Cemetery, 59-008

RE: Application for Repair of Hazardous Monuments

DATE: April 18, 2022

Exhibits

- A) Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Hazardous Condition
- B) Senecal repair estimate for \$ 50,540.00 (average \$1,404 per monument)
- C) Monumental repair estimate for \$ 56,305.40 (average \$1,564 per monument)
- D) Invoices and copies from The Times of Wayne County for \$95.30

Introduction and Recommendation

The Division received an application (Exhibit A) for the repair of 36 hazardous monuments located in the East Palmyra Cemetery, town of East Palmyra, Wayne County. The application was submitted by Donald Wilkins, Superintendent of the East Palmyra Cemetery Association. Included with this application was an estimate, from Senecal Memorials (Exhibit B) totaling \$50,540.00, and an estimate from Monumental Memories (Exhibit C) totaling \$56,305.40. Also included was an invoice from The Times of Wayne County for a legal notice (Exhibit D) that was run for three consecutive weeks from , November 21, 2021 through December 5, 2021 for \$95.30

I recommend approval of this application.

The Monuments

The East Palmyra Cemetery was visited, and 36 monuments were found to be either loose on their foundations or tipping and appeared to pose a hazard to cemetery visitors and employees. Mr. Wilkins 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 early 1900s. 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.



**Department
of State**

The Estimates

Senecal Memorials 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 and offer a twenty-year warranty. Monumental Memorials offers no information foundation depth or on warranty length

Recommendation

The Cemetery is up to date on annual reports and vandalism payments. This appears to be a legitimate claim for \$50,635.30. I recommend that this application be approved.

EXHIBIT A



Division of Cemeteries

RECEIVED
DIV. OF CEMETERIES

FEB 18 REC'D
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

\$ 50,535

COUNTY IN WHICH CEMETERY IS LOCATED

Wayne

CEMETERY NAME
East Palmyra Cemetery Association

CEMETERY ID NUMBER

59-008

TITLE

Cemetery Superintendent

ZIP CODE

[Redacted]

Work ()

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:

see inside of provided packet

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: Donald W. Wilkins

Date: 1/27/2022

On this 27th day of Jan 2022,
appeared Donald W. Wilkins
known to me to be said person.

Irene E. Unterborn
Notary Public

IRENE E. UNTERBORN
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN WAYNE COUNTY
NO. 01UN6180173
MY COMMISSION EXPIRES JAN. 07, 2024

2/15/2022

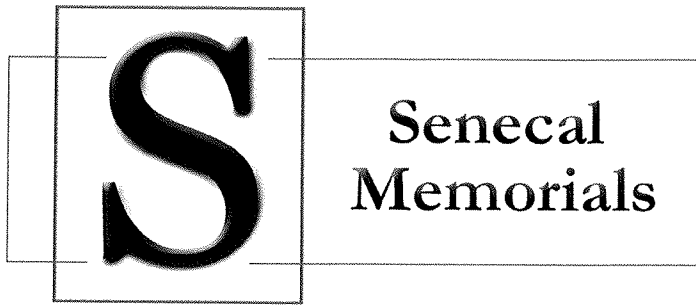
TO: New York State Cemetery Board

The East Palmyra Cemetery Association has had no response to the legal advertisement that was placed in the "Times of Wayne County" and the 60 day contact period which ended on 2/11/2022 has expired. The Cemetery Association has no funds dedicated to the repair of grave stones or monuments.

Donald Wilkins

Cemetery Superintendent

EXHIBIT B



3815 State Route 31
Palmyra, NY 14522
(315)597-2748
FAX: (315)538-9831

Senecal Memorials will supply suitable equipment and manual labor to remove each monument and to place in a safe location while work is being done. We will remove each old foundation and truck debris away for disposal. We will dig new foundations to appropriate size, set forms to a depth of 42" and stated dimension for each. We will finish concrete to a smooth surface and seal with appropriate sealer. We will reset each monument with new setting compound and silicone sealer if necessary where seam will not allow compound. We will back fill with topsoil, rake and seed as necessary.

Warranty

Senecal Memorials will warranty the workmanship of the foundations for a period of fifty years from the date of completion. Senecal Memorials will warranty for 20 years the resetting of all the monuments removed to install new foundations. This warranty will consist of every layer of the monument removed and reinstalled with setting compound and/or epoxy. This warranty does not cover any part of the stone that could not be removed due to large pinning of the original setting.

This warranty also does not cover incidental breakage or chipping of monuments due to their age and/or nature of the difficulty to remove some of the layers. This being said, Senecal Memorials will do everything within our control to remove and replace all monuments in a manner that would preserve their appearance and safety for many years to come.

Senecal Memorials 3815 St Rt 31, Palmyra NY 14522							Cemetery-East Palmyra		
Lot:	#	Name:	Size:	Details:	Remove & Set Stones:	Foundation:	Total Cost:		
205	1	Frary	28x28	Tilts & Rocks	\$400.00	\$1,100.00	\$1,500.00		
124	2	S.B Reeves	40x40	Tilts & Rocks	\$700.00	\$2,240.00	\$2,940.00		
110	3	Silas Peirson	32x32	Tilts & Rocks	\$350.00	\$1,435.00	\$1,785.00		
47	4	Robert Adams	17x4	Set in cement	\$350.00	\$250.00	\$600.00		
85	5	Francis Harris	21x21	Tilts & Rocks	\$350.00	\$620.00	\$970.00		
173	6	Christopher Beltey	33x33	Rocks on foundation	\$450.00	\$1,525.00	\$1,975.00		
160	7	Joshua Hall	54x32	Tilts	\$600.00	\$2,420.00	\$3,020.00		
172	8	Catherine Feller	32x17	Tilts & Rocks	\$250.00	\$770.00	\$1,020.00		
171	9	Eliza J Clinton	30x16	Tilts & Rocks	\$250.00	\$675.00	\$925.00		
121	10	Ziegler	42x22	Tilts & Rocks	\$450.00	\$1,300.00	\$1,750.00		
120	11	Alma Beal	30x30	Tilts	\$350.00	\$1,260.00	\$1,610.00		
158	12	Milo Hollister	34x34	Tilts & Rocks	\$500.00	\$1,620.00	\$2,120.00		
170	13	Christian Stingel	33x33	Tilt & Rocks	\$500.00	\$1,525.00	\$2,025.00		
157	14	A. F. Stearns	30x30	Tilts & Rocks	\$450.00	\$1,260.00	\$1,710.00		
119	15	Jotham Post	29x29	Tilts	\$500.00	\$1,200.00	\$1,700.00		
156	16	Conran Hillimire	32x20	Tilts & Rocks	\$350.00	\$900.00	\$1,250.00		
202	17	Hyman		Top is loose- reset only	\$350.00		\$350.00		
188	18	Francis Deyoe	28x17	Rocks	\$350.00	\$675.00	\$1,025.00		
187	19	Samuel Sherman	42x24	Moves on foundation	\$400.00	\$1,420.00	\$1,820.00		
200	20	Syrenus Cummings	20x34	Leans forward	\$400.00	\$950.00	\$1,350.00		
199	21	Abram Govenor	38x11	Tilts	\$400.00	\$585.00	\$985.00		
45	22	James Clark	35x35	Tilts & Rocks	\$550.00	\$1,720.00	\$2,270.00		
69	23	Olivia Clark	30x30	Tilts & Rocks	\$600.00	\$1,260.00	\$1,860.00		
95	24	Sarah Springs	31x15	Tilts & Rocks	\$350.00	\$650.00	\$1,000.00		
55	25	Henry Clark	26x46	Tilts	\$500.00	\$1,675.00	\$2,175.00		
80	26	Hiram Foster	26x26	Remove cracked base/Slightly tilted/Loose top.	\$650.00	\$950.00	\$1,600.00		

92	27	Hervey Foster	30x13	Reset and Repair	\$350.00	\$550.00	\$900.00
106	28	Elvira White		Reset and Repair	\$400.00		\$400.00
106	29	Asa White		Reset and Repair	\$350.00		\$350.00
91	30	Allen Sherman		Reset	\$550.00		\$550.00
92	31	Samuel Moore	28x27	Tilts & Loose	\$650.00	\$1,060.00	\$1,710.00
65	32	Cynthia Lovina Tinney	20x4	Set in	\$375.00	\$250.00	\$625.00
63	33	Jeter Jagger	26x26	Tilts & Loose	\$400.00	\$950.00	\$1,350.00
76	34	William Peirson	32x32	Tilts	\$500.00	\$1,450.00	\$1,950.00
101	35	John Seider	21x21	Tilts & Loose	\$350.00	\$620.00	\$970.00
87	36	Vannorman		Reset Only	\$400.00		\$400.00
		Totals:					\$50,540.00

EXHIBIT C

Monumental Memories
585-261-0012

5650 County Rd 41
Farmington, NY

East Palmyra:

#:	Lot:	Name:	Size:	Removal + reset of stones:	Foundation:	Total Cost:
1.	205	Frary	28x28	\$375	\$1254.40	\$1629.40
2.	124	S.B Reeves	40x40	\$800.00	\$2560.00	\$3360.00
3.	110	Silas Peirson	32x32	\$340.00	\$1638.40	\$1978.40
4.	47	Robert Adams	17x4	\$340.00	\$ 108.80	\$ 448.80
5.	85	Francis Harris	21x21	\$340.00	\$ 705.60	\$1045.60
6.	173	Christopher Beltey	33x33	\$500.00	\$1742.40	\$2242.40
7.	160	Joshua Hall	54x32	\$660.00	\$2764.80	\$3424.80
8.	172	Catherine Feller	32x17	\$250.00	\$ 870.40	\$1120.40
9.	171	Eliza J Clinton	30x16	\$250.00	\$ 768.00	\$1018.00
10.	121	Ziegler	42x22	\$600.00	\$1478.40	\$2078.40
11.	120	Alma Beal	30x30	\$350.00	\$1440.00	\$1790.00
12.	158	Milo Hollister	34x34	\$650.00	\$1849.60	\$2499.60
13.	170	Christian Stingel	33x33	\$650.00	\$1742.40	\$2392.40
14.	157	A. F. Stearns	30x30	\$400.00	\$1440.00	\$1840.00
15.	119	Jotham Post	29x29	\$500.00	\$1345.60	\$1845.60
16.	156	Conran Hilimire	32x20	\$450.00	\$1024.00	\$1474.00
17.	202	Hyman		\$325.00	Reset only	\$ 325.00
18.	188	Francis Deyoe	28x17	\$375.00	\$ 761.60	\$1136.60
19.	187	Samuel Sherman	42x24	\$400.00	\$1612.80	\$2012.80
20.	200	Syrenus Cummings	20x34	\$425.00	\$1088.00	\$1513.00
21.	199	Abram Govener	38x11	\$425.00	\$ 668.80	\$1093.80
22.	45	James Clark	35x35	\$600.00	\$1960.00	\$2560.00
23.	69	Olivia Clark	30x30	\$700.00	\$1440.00	\$2140.00
24.	95	Sarah Springs	31x15	\$350.00	\$ 744.00	\$1094.00
25.	55	Henry Clark	26x46	\$575.00	\$1913.60	\$2488.60
26.	80	Hiram Foster	26x26	\$625.00	\$1081.60	\$1706.60
27.	92	Hervey Foster	30x13	\$375.00	\$ 624.00	\$ 999.00
28.	106	Elvira White		\$500.00	Reset only	\$ 500.00
29.	106	Asa White		\$400.00	Reset only	\$ 400.00
30.	91	Allen Sherman		\$550.00	Reset only	\$ 550.00
31.	92	Samuel Moore	28x27	\$700.00	\$1209.60	\$1909.60
32.	65	Cynthia Lovina Tinney	20x4	\$400.00	\$ 128.00	\$ 528.00
33.	63	Jeter Jagger	26x26	\$400.00	\$1081.60	\$1481.60
34.	76	William Peirson	32x32	\$550.00	\$1638.40	\$2188.40
35.	101	John Seider	21x21	\$325.00	\$ 765.60	\$1090.60
36.	87	Vannorman		\$400.00		\$ 400.00
Totals:						\$56,305.40

EXHIBIT D

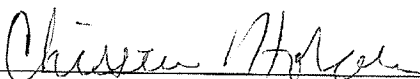
Mailing Address:
P.O. Box 608
Macedon, NY 14502




(315) 986-4300 – Phone
(315) 986-7271 – FAX
www.waynetimes.com
email:

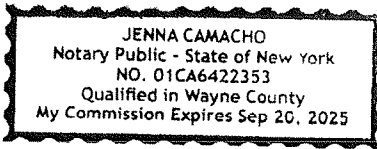
PROOF OF PUBLICATION

CHRISTINE HOLDRAKER being duly sworn, representing the
TIMES OF WAYNE COUNTY, INC., a weekly newspaper
published in the Town of Macedon, State and County aforesaid: do
duly state that the notice hereto annexed was published in said
newspaper 3 consecutive issues dated 11/21/2021, date of the last
publication in which the notice appeared is 12/05/2021 and there
being in 3 publications


CHRISTINE HOLDRAKER,
Representing the TIMES OF WAYNE COUNTY

Sworn to before me this 7th day of December, 2021


Notary Signature



LEGAL NOTICE
ANNOUNCEMENT ABOUT DISREPAIR OF MARKERS
EAST PALMYRA CEMETERY

TO: THE LAST KNOWN OWNER OR OWNERS OF THE FOLLOWING BURIAL LOTS IN THE EAST PALMYRA CEMETERY, TOWN OF PALMYRA, IN WAYNE COUNTY, NEW YORK AND ALL PERSONS HAVING OR CLAIMING TO HAVE INTEREST IN SAID BURIAL LOTS:

NAME	LOT #	NAME	LOT #
A.F. STEARNS	LOT 157	HYMAN	LOT 202
ABRAM GOVENER	LOT 199	JAMES CLARK	LOT 45
ALLEN SHERMAN	LOT 91	JETER JAGGER	LOT 63
ALMA BEAL	LOT 120	JOHN SEIDER	LOT 101
ASA WHITE	LOT 106	JOSHUA HALL	LOT 160
CATHERINE FELLER	LOT 172	JOTHAM POST	LOT 119
CHRISTIAN STENGEL	LOT 170	MILO HOLLISTER	LOT 158
CHRISTOPHER ELTEY	LOT 173	OLIVIA CLARK	LOT 69
CONRAN HILLMIRE	LOT 156	ROBERT ADAMS	LOT 47
CYNTHIA TINNEY	LOT 65	S.B. REEVES	LOT 124
ELIVIRA WHITE	LOT 106	SAMUAL SHERMAN	LOT 187
ELIZA CLINTON	LOT 171	SAMUEL MOORE	LOT 92
FRANCIS DEYOE	LOT 188	SARAH SPRINGS	LOT 95
FRANCIS HARRIS	LOT 85	SILAS PIERSON	LOT 110
FRARY	LOT 205	SYRENUS CUMMINGS	LOT 200
HENRY CLARK	LOT 55	VANNORMAN	LOT 87
HERVEY FOSTER	LOT 92	WILLIAM PIERSON	LOT 76
HIRAM FOSTER	LOT 80	ZIEGLER	LOT 121

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 FEBRUARY 11, 2022, AND (3) IF THE PERSONS TO WHOM THIS NOTICE IS ADDRESSED FAIL TO REPAIR OR REMOVE SAID MONUMENTS OR MARKERS AFTER FEBRUARY 11 AFTER THE THIRD PUBLICATION, THE EAST PALMYRA 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 DON WILKINS, CEMETERY SUPERINTENDENT, [REDACTED] PRIOR TO FEBRUARY 11TH, 2022. EAST PALMYRA CEMETERY ASSOCIATION 3X 11/28, 12/5, 121/12/21/21

LEGAL NOTICE

**ANNOUNCEMENT ABOUT DISREPAIR OF MARKERS
EAST PALMYRA CEMETERY**

**TO: THE LAST KNOWN OWNER OR OWNERS OF THE FOLLOWING
BURIAL LOTS IN THE EAST PALMYRA CEMETERY, TOWN OF PAL-
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IF YOU HAVE QUESTIONS THEY CAN BE DIRECTED TO

DON WILKINS, CEMETERY SUPERINTENDENT, (██████████)

PRIOR TO FEBRUARY 11TH, 2022.

EAST PALMYRA CEMETERY ASSOCIATION

3X 11/28, 12/5, 121/12/21/21

40 lines x 2 columns = 80 lines

80 lines @ \$.415 = \$33.30 (1st appearance)

80 lines @ \$.325 = \$26.00 (2nd appearance)

80 lines @ \$3.25 = \$26.00 (3rd appearance)

+ \$10.00 for proof of publication

TOTAL: \$95.30

Times of Wayne County, Inc.
PO Box 608
Macedon, NY 14502
3159864300
Billing@waynetimes.com
www.waynetimes.com

Proudly serving Wayne County since 1969
Times
of Wayne County

BILL TO
East Palmyra Cemetery
Assoc.



ITEM	QTY	DESCRIPTION	ISSUE	RATE	AMOUNT
Legal	3	Legal Notice(s) Appearing in Issue (s) Dated 11/21, 1128, 12/5/2021		28.433	85.30
Proof	1	Notarized Proof Of Publication Affidavit Public Notice		10.00	10.00
					0.00

*paid 12/15/2021
check # 1292*

East Palmyra Cemetery Association
c/o Melinda VanEenwyk

Key Bank National Association

1292



Date 12/15/21

Pay to the Order of Times of Wayne County, Inc.

\$ 95³⁰/₁₀₀

ninety five ³⁰/₁₀₀ Dollars

THIS CHECK IS DELIVERED IN CONNECTION WITH THE FOLLOWING ACCOUNT(S)

	517463	95	30

Mel 2/1

