

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
WALTER T. MOSLEY
SECRETARY OF STATE
CHAIR

LETITIA JAMES
ATTORNEY GENERAL
JAMES V. McDONALD, M.D., M.P.H.
COMMISSIONER OF HEALTH

TO: NEW YORK STATE CEMETERY BOARD
FROM: MICHAEL D. SEELMAN, INVESTIGATOR II
SUBJECT: PLAINVILLE RURAL CEMETERY ASSOCIATION, #34-039
RE: HAZARDOUS MONUMENT REPAIR CHECKLIST
DATE: June 24, 2024

Application completed, notarized and signed

21 Monuments Requested

Legal Notice run 3 times in The Messenger \$85.35

21 Monuments Appear Eligible

Estimates: **Barnett Memorials repair estimate \$22,866 (average \$1,089/ monument)**
Barnes Memorials repair estimate \$35,009 (average \$1,667/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 \$22,951.35.



Department of State
Cemeteries

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COMMISSIONER OF HEALTH

TO: New York State Cemetery Board

FROM: Michael D. Seelman, Investigator II

SUBJECT: Plainville Rural Cemetery, #34-039

RE: Application for Repair of Hazardous Monuments

DATE: June 20, 2024

Exhibits

- A) Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Hazardous Condition
- B) Barnett Memorials repair estimate for \$22,866 (average \$1,089/ per monument)
- C) Barnes Memorials repair estimate for \$35,009 (average \$1,667/ per monument)
- D) Invoices and copies from The Messenger for \$85.35

Introduction and Recommendation

The Division received an application (Exhibit A) for the repair of 21 hazardous monuments located in the Plainville Rural Cemetery, town of Lysander, Onondaga County. The application was submitted by Sherri Woods, Secretary/ treasurer, of the Plainville Rural Cemetery Association. Included with this application was an estimate, from Barnett Memorials (Exhibit B) totaling \$22,866, and an estimate from Barnes Memorials (Exhibit C) totaling \$35,009. Also included was an invoice from The Messenger for a legal notice (Exhibit D) that was run for three consecutive weeks from, February 14, through 28, 2024 for \$85.35.

I recommend approval of this application.

The Monuments

The Plainville Rural Cemetery was visited, and 21 monuments were found to be either loose on their foundations or tipping and appeared to pose a hazard to cemetery visitors and employees. Mrs. Woods 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 1924. 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
Cemeteries

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 and offer a ten-year warranty.

Recommendation

The Cemetery is up to date on annual reports and vandalism payments. This appears to be a legitimate claim for \$22,951.35. I recommend that this application be approved.

EXHIBIT A



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 <u>\$25,000</u> \$22,951.35	COUNTY IN WHICH CEMETERY IS LOCATED ONONDAGA
CEMETERY NAME PLAINVILLE RURAL CEMETERY ASSOCIATION	CEMETERY ID NUMBER 34039
NAME OF CEMETERY OFFICIAL Sherri Woods	TITLE Secretary/Treasurer
STREET [REDACTED]	
CITY/TOWN/VILLAGE [REDACTED]	ZIP CODE [REDACTED]
NUMBERS: Home [REDACTED]	Work [REDACTED]
E-MAIL ADDRESS [REDACTED]	FAX [REDACTED]

I, [REDACTED] received a grant from the Vandalism, Abandonment & Monument Repair Fund? YES* NO
 *If YES, when? September 2017 Amount Received: \$\$27482.80

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

- Provide a description of each damaged monument and/or marker and enclose referenced photos:
The identified gravestones are loose or partially slid off at the point where the base of the stone and the foundation meet.
- Attach copies of bids submitted by at least two contractors for the cost of repairs or removal and replacement.
- 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: Sherri Woods Date: Feb. 22, 2024

On this 22 day of Feb 2024
appeared Sherri Woods
known to me to be said person:
[Signature]
Notary Public

DANIELLE KARLIK
NOTARY PUBLIC-STATE OF NEW YORK
No. 01KA6263757
My Commission Expires June 11, 2024

EXHIBIT B



236 East Main St.
Elbridge, NY 13060
315-689-3813 (T)
315-689-5241 (F)

131 Seymour St.
Auburn, NY 13021
315-255-1234 (T)
315-255-1333 (F)
barnettmemorials1@gmail.com

September 23 , 2023

Dear Plainville Rural Cemetery,

Attached is our bid for your cemetery repair. Barnett Memorials, LLC will warranty any new foundations for 10 years from date of installation. Our foundations are completed to a depth of 42" as required by the State of New York. Any destruction due to vandalism is not included in this warranty. We will also clean all monuments that are repaired. If we are the low bid for your restoration, we would ask that you contact us as soon as possible so we can plan for the 2024 season, as we do a few of these per year. This quote provided is also good thru November of 2024.

Thank you,
Barnett Memorials

EXHIBIT C

	Barnes Memorials / Oswego County Monuments	Plainville Cemetery Restoration	11/18/2023
	Total Cost of Removal, Repair & Reset	Total Cost of New Foundaiktions	Total Cost of Removal of Existing Foundations
	\$12,600.00	\$13,609.00	\$8,800.00
		Total Cost - \$35,009	

Notes - Foundations are to be poured at ground level or slightly below and due to the size of hole required during removal of existing foundation/digging out memorials does not include frames around the foundation. Quote is good for 8 months and cannot be guaranteed to remain the same after that point


EXHIBIT D

AFFIDAVIT OF PUBLICATION
State of New York
County of Onondaga)SS.:

Ashley Alexander being duly sworn that she resides in the
Town of Keeseville, County of Clinton, New York and that she
is the Agent of the BALDWINSVILLE MESSENGER
a weekly newspaper published at Baldwinsville in the
County of Onondaga, and that the notice, a printed copy of
which is hereto attached, was printed in said
BALDWINSVILLE MESSENGER
on the following dates:

02/14/2024 02/21/2024 02/28/2024

Signed this 29th day of February , 2024


_____ Agent

Sworn to before me this 29th day of February , 2024


_____ Notary Public

Gayle M Alexander
Notary Public, State of New York
No. 01AL4977709
Qualified in Essex County
Commission Expires 02/11/2027
325947

Ad text :

PLAINVILLE RURAL CEMETERY

To: The last known owner or owners of the following burial lots located in the PLAINVILLE RURAL CEMETERY, 752-754 W. Genesee Road, Plainville, NY 13137, town of LYSANDER, in ONONDAGA County, New York, and all persons having or claiming to have an interest in said burial lots:

Section / Lot

Louise West	1/8
Bradt, Sarah	1/4
John Shrubbs	1/3
Mary Somes	1/3
Robert Barrus	1/7
Else Osborn	1/11
Truman Lee	1/18
Benjamin Fowler	1/15
Phebe Baker	2/3
Charles Bratt	2/30
Lois Davis	2/34
Frick	2/69
Fred Langley	2/40
John Kelly	2/18
Herbert Kelly	2/18
Peter Simmons	1/24
Willie Reed	2/25
Eli Stoughtenger	2/37
Clinton Vaun	2/48
Ada Mastin	1/7
David Osborn	1/11

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 April 29th, 2024 and, (3) if the persons to whom this notice is addressed fail to repair or remove said monuments or markers after April 29th, 2024, the Plainville Rural 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 Charles Bratt, [REDACTED] prior to April 29th, 2024.

BM-325947

COMMUNITY MEDIA GROUP, LLC
PO BOX 182
ELIZABETHTOWN NY 12932
(518)873-6368ext
Fax (315)434-8883

ORDER CONFIRMATION

Salesperson: SYRACUSE LEGAL

Printed at 02/08/24 18:06 by lcong

Acct #: 2136088

Ad #: 325947

Status: New WHOLD

PLAINVILLE RURAL CEMETERY
ATTN SHERRI WOODS

Start: 02/14/2024 Stop: 02/28/2024

Times Ord: 3 Times Run: ***

LGL 1.00 X 70.00 Words: 233

Total LGL 70.00

Class: 001 LEGAL ADS

Rate: LGL Cost: 85.35

Affidavits: 1

Contact: SHERRI WOOD

Ad Descrpt: TO: THE LAST KNOWN OWNER

Phone:

Given by: *

Fax#:

P.O. #:

Email:

Created: lcong 02/08/24 17:58

Agency:

Last Changed: lcong 02/08/24 18:06

PUB ZONE EDT TP START INS STOP SMTWTFS
C02 A 96 W Wed 02/14/24 3 Wed 02/28/24 W

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Sherrri Woods

Name (print or type)

Sherrri Woods

Name (signature)

(CONTINUED ON NEXT PAGE)

COMMUNITY MEDIA GROUP, LLC
PO BOX 182
ELIZABETHTOWN NY 12932
(518)873-6368ext
Fax (315)434-8883

ORDER CONFIRMATION (CONTINUED)

Salesperson: SYRACUSE LEGAL

Printed at 02/08/24 18:06 by lcong

Acct #: 2136088

Ad #: 325947

Status: New WHOLD WHOI

**PLAINVILLE RURAL
CEMETERY**

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Frick 2/69
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John Kelly 2/18
Herbert Kelly 2/18
Peter Simmons 1/24
Willie Reed 2/25
Eli Stoughtenger 2/37
Clinton Vaun 2/48
Ada Mastin 1/7
David Osborn 1/11

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 May 10th, 2024 and, (3) if the persons to whom this notice is addressed fail to repair or remove said monuments or markers after May 10th, 2024, the Plainville Rural 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 Charles Bratt, (607) 873-6368 prior to May 10th, 2024.
BM-325947