

To: Richard Fishman, Director

From: Michael D. Seelman, Sr. Investigator

Subject: Mount Pleasant Cemetery Association, #27-017

Re: Application for repair of dangerous monuments

Date: February 7, 2012

Exhibits: A) Application for restoration funds
 B) Estimate from Doolen for \$7,850
 C) Estimate from Savicki for \$8,460
 D) Legal notice and bill for \$97.47
 E) Photos

I received an application for the repair of 20 dangerous monuments from Mary Ann Anderson, secretary/treasurer of Mount Pleasant Cemetery Association. I visited the cemetery and noted that all 20 monuments appeared to pose a danger as they were tipping or were loose on their bases.

Included with the application were two estimates for repairs, the Doolen estimate (Exhibit B) was for \$7,850 and the Savicki estimate (Exhibit C) was for \$8,460. Also included was a copy of the required legal notice and bill (Exhibit D) as well as photographs (Exhibit E).

The Mount Pleasant Cemetery Association ran the required legal notice in an attempt to locate any lot owners, there was no response to that notice. The Mount Pleasant Cemetery does not install foundations and is current on its vandalism payments. It is presumed due to the advanced age of the monuments in question that the foundations were installed either by family members or by monument dealers. This claim is for repair of monuments in the historic section of the cemetery, as such, it was requested that the historic monuments be repaired not replaced in order to preserve the original appearance of the cemetery.

All papers are in order and this **appears to be a legitimate claim for \$7,948.**

Exhibit A

NYS Department of State
DIVISION OF CEMETERIES
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231
(518) 474-6226

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 \$ 8,500.00 ~~\$ 7,984~~ (MS) COUNTY IN WHICH CEMETERY IS LOCATED Madison

CEMETERY NAME Mt. Pleasant Cemetery CEMETERY ID NUMBER 150392 720

NAME OF CEMETERY OFFICIAL Mary Ann Anderson TITLE _____

STREET ADDRESS _____ CITY/TOWN/VILLAGE Oneida, New York ZIP CODE 13421

TELEPHONE NUMBERS:
Home _____ Work () _____

E-MAIL ADDRESS mtpleasantcemetery@gmail.com FAX _____

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:
attached description and pictures. All enclosed monuments pose a danger to workers & visitors to the cemetery.
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-days 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: Mary Ann Anderson Date: Dec 15, 2011

On this 15th day of DEC 20 11
appeared MARY ANN ANDERSON
known to me to be said person.

Elaine N. Nash
Notary Public
ELAINE N. NASH
Notary Public, State of New York
No. 01NA4944084
Qualified in Oneida County
Commission Expires November 14, 20 14

Exhibit D

STATE OF NEW YORK

Madison County

City of Oneida

Karen Alvord of Oneida, in said County, being duly sworn, says that he/she is the General Manager of:

THE ONEIDA DAILY DISPATCH

which is a public newspaper, and is, and for the last six months and more has been, printed and published daily except Sundays, in the City of Oneida, in said County of Madison.

That a notice, of which the printed slip hereto attached is a copy, has been printed and published in said newspaper.

three (3) week(s) successively, 1 in each week, commencing on the 31 day of October 2011 and ending on the 14 day of November 2011

Subscribed and sworn to before me, this 14 day of November 2011

Michelle Loosman (Notary Public)

MICHELLE L. LOOSMAN NOTARY PUBLIC STATE OF NEW YORK APPOINTED IN MADISON COUNTY MY COMMISSION EXPIRES 9/8/14

LEGAL NOTICE

To: the last know owner or owners of the following burial lots located in Mt. Pleasant Cemetery, Mt. Pleasant Rd., Canastota, New York and all persons having or claiming to have an interest in said burial lots:

- Richardson, Margaret VanAlstine
Wise, Christopher
Plank,
MacPherson, Daniel K.
Warrick, Sarah A.
Bligh,
England, Geraldine
Gleason, Alfred W.
Meyer, Ludwig
VanDeWarker, John H., Clarinda
Gay, William
Cronk, Charles W.
Delaney, Mary J.
Lamb, Daniel
Richey, Fred C.
Perott,
England, Elizabeth
Curtis, Esther
Robbins, Lyman & Brown, Charles
Warren, William H., Jesse

PLEASE TAKE NOTICE that (1) monuments or markers located at said burial lot are so badly out of repair, delapidated or otherwise are creating a dangerous condition. (2) the persons to whom this notice is addressed must repair, straighten or remove said monuments or markers within 60 days of the date of third publication of this notice, and (3) if the persons to whom this notice is addressed fail to repair or remove said monuments or markers within such 60 day time period, the Mt. Pleasant Cemetery Association may remove or repair said monuments or markers without further notice to the persons to whom this notice is addressed.

Mr. Pleasant Cemetery Association, Mt. Pleasant Cemetery Rd., Canastota, NY c/o Mary Ann Anderson, Secretary. 542 Florence Ave., Oneida, New York 13421

ADVERTISING RECEIPT

DATE: 10/28/11 RUN DATES: 10/31/11, 11/7/11, 11/14/11

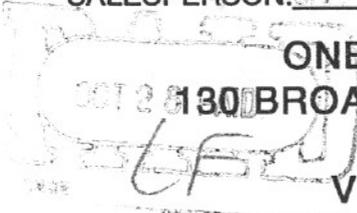
ACCOUNT NAME: Mt Pleasant Cem.

PHONE NO: [REDACTED]

DISPLAY READER CLASSIFICATION NO.: Legal #2

NET AMOUNT DUE: 97.47

SALESPERSON: MH



ONEIDA PUBLICATIONS

130 BROAD ST., ONEIDA, NY 13421

315-363-5100

Void If Not Stamped

CK# 1387