

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

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: BROADWAY CEMETERY ASSOCIATION, #54-002
RE: HAZARDOUS MONUMENT REPAIR CHECKLIST
DATE: MAY 19, 2020

Application Completed and notarized

17 Monuments Requested

Legal Notice complete and run 3 times in The Owego Pennysaver \$193.98

17 Monuments Appear Hazardous

Estimates: **WNY Cemetery Service repair estimate \$15,205 (average \$894/ monument)**

Broome Monument repair estimate \$18,945 (average (\$1,114/ monument)

Endicott Artistic Memorials repair estimate incomplete

Repairs Appear Appropriate

Both estimates propose 42-inch foundations. WNY and Broome offer a 20-year warranty

Cemetery Up to Date on Annual Reports and Vandalism Payments

Legal notice is not in standard format but appears adequate.

Recommend Approval in the amount of \$15,398.98.



DIVISION OF CEMETERIES
STATE OF NEW YORK
DEPARTMENT OF STATE
STATE OFFICE BUILDING
44 HAWLEY STREET
BINGHAMTON, NY 13901
TELEPHONE: (607) 721-8756
FAX: (607) 721-8753
WWW.DOS.NY.GOV

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DEPARTMENT OF STATE - DIVISION OF CEMETERIES
MEMORANDUM

TO: New York State Cemetery Board
FROM: Brendon Stanton, Investigator
SUBJECT: Broadway Cemetery Association, #54-002
RE: Application for Repair of Hazardous Monuments
DATE: April 22, 2020

Exhibits

- A) Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Hazardous Condition
- B) WNY Cemetery Service estimate for \$15,205.00
- C) Broome Monument Company estimate for \$18,945.00
- D) Endicott Artistic Memorials estimate for \$16,705.00
- E) Invoice and copy from Owego Pennysaver legal notice for \$193.98

Introduction and Recommendation

I received an application (Exhibit A) for the repair of 17 hazardous monuments located in the Broadway Cemetery of the town of Owego, Tioga County. The application was submitted by Cathy Robinson, treasurer of the Broadway Cemetery Association. Included with this application were three estimates: one from WNY Cemetery Service (Exhibit B) totaling \$15,205.00; one from Broome Monument Company (Exhibit C) totaling \$18,945.00; and one from Endicott Artistic Memorials (Exhibit D) for \$16,705.00. Also included was an invoice from a Owego Pennysaver newspaper legal notice (Exhibit E) that was run for three consecutive weeks for \$193.98.

I recommend approval of this application.

The Monuments

I visited the cemetery on April 8, 2020 and found that all 17 of the 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. Based on the advanced age of the monuments in question, it is assumed the foundations were laid privately by either the families or by monument contractors.

All three estimates propose to: remove the monuments from the existing foundations; dig out the existing foundation; place a new foundation made of solid concrete poured to a depth of 42 inches; and replace the monument, resealing all joints with setting compound or epoxy. Both Broome Monument Company and WNY Cemetery Service offer a twenty-year warranty. The estimate from Endicott Artistic Memorials was incomplete and the contractor was not interested in providing additional information without an assurance that his bid would be accepted; it is included solely for completeness.

Recommendation

The cemetery is current with its payments to the vandalism fund and with the filing of its annual reports. The advertisement is not in the standard format, but does appear to have included the necessary information and has not been republished in the interest of saving funds. All documents appear to be in order, and this appears to be a legitimate claim for \$15,398.98. 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.

Form fields including: AMOUNT REQUESTED (See bids \$15,205.00 or \$18,945.00), COUNTY IN WHICH CEMETERY IS LOCATED (Tioga), CEMETERY NAME (Broadway Cemetery Assoc.), NAME OF CEMETERY OFFICIAL (Cathy Robinson), STREET ADDRESS (1892 Day Hollow Rd), CITY/TOWN/VILLAGE (Owego), ZIP CODE (13827), TELEPHONE NUMBERS (Home (607) 687-4328), E-MAIL ADDRESS (nightsheep4@yahoo.com).

RECEIVED DIV. OF CEMETERIES

ALBANY OFFICE DEPARTMENT OF STATE

Has this cemetery previously applied for and received a grant from the Vandalism, Abandonment & Monument Repair Fund? [] YES* [X] NO. *If YES, when? Amount Received: \$ [] YES [] NO. 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: All seventeen stones have foundation problems. Some are tipping. Some are cracked and some of the oldest are missing foundations. 2. Attach copies of bids submitted by at least two contractors for the cost of repairs or removal and replacement. Brendon Starton flagged all of the stones. Daniel Foster - top of stone ending off.

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: Cathy Robinson / Treasurer Date: 1/14/20

Sarah A. Darling Notary Public, State of New York Reg. No. 01DA6102067 Qualified in Tioga County My Commission Expires November 24, 2023

On this 14 day of Jan. 2020 appeared Cathy Robinson known to me to be said person. [Signature] Notary Public

Exhibit B

BROADWAY CEMETERY ASSOCIATION CATHY/JIM ROBINSON 1892 DAY HOLLOW RD , OWEGO, NY 13827 607-687-4328 TIOGA COUNTY

STAKE 17 STONES	NAME 3-20-19	DIVISION- PLOT- GRAVE	42 INCHES DEEP	Remove, Repair, Reset		Total	Remove & dispose		Bronze maker	Foundation Cost	Total with Bronze	Remove & dispose		Granite Maker	Foundation Cost	Total with Granite
				Foundation	Reset											
1	Daniel Foster		23x23	\$490.00	\$375.00	\$865.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
2	Henry Brooks	38	23x23	\$490.00	\$375.00	\$865.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
3	Charles Stevens	32	24x24	\$576.00	\$375.00	\$951.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
4	Nathaniel Warrick	31	24x24	\$576.00	\$375.00	\$951.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
5	Emanuel Decker	27	13x26	\$450.00	\$375.00	\$825.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
6	Willard Foster	28	24x24	\$576.00	\$375.00	\$951.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
7	Charles Kellogg	21	24x24	\$576.00	\$375.00	\$951.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
8	John Dodge	16	27x22	\$450.00	\$375.00	\$825.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
9	William Hoagland	15	26x26	\$665.00	\$375.00	\$1,040.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$155.00	\$950.00	\$150.00	\$1,265.00		
10	Edward Stanton	14	18x31	\$450.00	\$375.00	\$825.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$165.00	\$950.00	\$150.00	\$1,265.00		
11	Henry Cornell	24	20x20	\$450.00	\$375.00	\$825.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$165.00	\$950.00	\$150.00	\$1,265.00		
12	Benjamin Truesdell		21x22	\$450.00	\$375.00	\$825.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$165.00	\$950.00	\$150.00	\$1,265.00		
13	David Decker		24x24	\$576.00	\$375.00	\$951.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$165.00	\$950.00	\$150.00	\$1,265.00		
14	William Ingersoll	10	22x33	\$490.00	\$375.00	\$865.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$165.00	\$950.00	\$150.00	\$1,265.00		
15	Stephen Ingersoll	11	21x21	\$450.00	\$375.00	\$825.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$165.00	\$950.00	\$150.00	\$1,265.00		
16	Seth Ingersoll		26x26	\$665.00	\$375.00	\$1,040.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$165.00	\$950.00	\$150.00	\$1,265.00		
17	Ithamer Day	30	23x23	\$490.00	\$375.00	\$865.00	\$165.00	\$1,300.00	\$150.00	\$1,615.00	\$165.00	\$950.00	\$150.00	\$1,265.00		
TOTAL				\$8,830.00	\$6,375.00	\$15,205.00	\$2,805.00	\$22,100.00	\$2,550.00	\$27,455.00	\$2,805.00	\$16,150.00	\$2,550.00	\$21,505.00		

Western New York Lawn Service, Inc DBA WNY Cemetery Service offers written warranty for our foundation work for stone repairs for cemetery jobs are guaranteed for 20 years (Twenty), we dig below first level stones and foundation will not move.
 Western New York Lawn Service, Inc DBA WNY Cemetery Service 4085 Quakerstown Rd Warsaw NY 14569 585 786 3504

Exhibit C

Hazardous Monument Application Spreadsheet

Date: 5/19/18

Cemetery Name & Address
 Name: Broadview Cemetery
 Address: 1803 Day Hollow Rd
 Phone: 1007-687-4328
 Contact Person: Anthony Robinson

Contractor or Monument Company Name & Address
 Name: B. Crane Monuments
 Address: 43 Glenwood Ave
 Phone: 201-967-0779
 Contact Person: Rocky Spore

Association
 Total Number of Stones: 177

5 sizes
 foundation

1 Name on Monument Last Name, First Initial	2 Location/ Section Plot/lot	3 Cost to Remove, Repair & Reset Monument	4 Cost of Foundation with 3 Dimensions	5 Cost of Foundation Chippard	6 Total Cost of Repair & Foundation	7 Estimate to Remove & Dispose	8 Cost to Lay Smaller Monument Flat	9 Cost of BRONZE Replacement Marker	10 Cost of GRANITE Replacement Marker	11 Total to Remove, Destroy Monument & Replace with BRONZE Marker & Foundation	12 Total to Remove, Destroy Monument & Replace with GRANITE Marker & Foundation	Length	Width	Depth
Foster, David		475	675	750	1150	900	775	3600	675	1925	4275	27	27	42
Brooks, Henry	38	475	675	750	1150	900	775	3600	675	1925	4275	27	27	42
Spencer, Charles	32	520	700	825	1225	950	825	4150	700	2025	4850	28	28	42
Ward, Albert	31	450	675	750	1125	875	750	3825	675	1900	4820	27	27	42
Becker, Edward	27	525	700	825	1225	950	825	4600	700	2025	5300	30	30	42
Walker, Edward	28	525	700	825	1225	950	825	3725	700	2025	4425	28	28	42
Wells, Charles	21	475	700	825	1225	950	825	3725	700	2025	4425	28	28	42
Oliver, John	16	500	700	825	1225	950	825	3825	700	2025	4425	28	28	42
Hoyland, William	15	500	700	825	1225	950	825	3725	700	2025	4425	28	28	42
Stanton, Edward	14	450	525	675	975	600	725	3650	525	1800	4175	34	34	42
Cornell, Henry	24	425	525	675	975	600	725	3650	525	1800	4175	34	34	42
Trumbull, Benjamin		525	675	750	975	775	790	3315	550	1825	3840	27	27	42
Decker, David		525	675	750	975	775	790	3315	550	1825	3840	27	27	42
Thompson, William	10	475	600	720	1075	825	825	3420	675	2000	4475	28	28	42
Irving, Stephen	11	425	525	675	975	825	725	3825	600	1825	4425	25	25	42
Irving, Seth	7	525	700	825	1225	975	825	3650	525	1800	4175	25	25	42
Day, Ethan	30	450	550	750	1000	650	725	4175	700	2025	4450	30	30	42
								3650	550	1825	4200	27	27	42

Total Bid \$18,945.00

Exhibit D

Exhibit E

Rock model 607-972-4893 -
Bryan 607-239-9699

Berkshire, NY 13736

Notice from the Broadway Cemetery of Day
Hollow Rd., Owego, NY to owners or persons
responsible for the following listed monuments.

The monuments have been deemed unsafe by
the state investigator and must be repaired or
replaced.

Please call 607-687-4928 at your earliest
convenience to resolve this hazard so the
cemetery remains safe for visitors and respectful
of our deceased. Thank you.

DANIEL FOSTER • HENRY BROOKS • CHARLES SEVENS
NATHANIEL WARREN • EMANUEL DECKER
WILLARD FOSTER • CHARLES KELLOGG • JOHN DODGE
WILLIAM HOAGLAND • EDWARD STANTON
HENRY CORNELL • BENJAMIN TRUESDELL
DAVID DECKER • WILLIAM INGERSOLL
STEPHEN INGERSOLL • SMITH INGERSOLL • THOMAS DAY

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OWEGO PENNYSAVER
181-183 FRONT ST.
OWEGO, NY 13827

CUSTOMER'S ORDER NO.	DEPT.	DATE: 9/22/19				
NAME: Broadway Cemetery						
ADDRESS:						
CITY, STATE, ZIP						
SOLD BY:	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE RTD.	PAID OUT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1			193 98
2	3wvd - 2x3		
3			
4	9/22, 9/29, 10/16		
5			
6			
7			
8			
9	paid ck 100		
10			
11			
12	Stone repair notice		
13			
14			
15			
RECEIVED BY: <i>Arthur Brown</i>			

ORIGINAL
©2001 REFORM® 5L320

we had only one call regarding this notice by someone who saw the same last name as theirs but actually was no relation.