

# 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:** HOPE CEMETERY ASSOCIATION, #51-028

**RE:** HAZARDOUS MONUMENT REPAIR CHECKLIST

**DATE:** August 17, 2020

Application Completed and notarized

21 Monuments Requested

**Legal Notice run 3 times in The Corning Leader for \$98.87**

(note that legal notice contains full names but not lot numbers)

21 Monuments Appear Hazardous

**DC Masonry repair estimate \$22,552 (average \$1,074/ monument)**

David Allen Enterprises estimate for \$24,316 (average \$1,158/ monument)

Repairs Appear Appropriate

Both contractors propose 42-inch foundations and offer a 10-year warranty

Cemetery Up to Date on Annual Reports and Vandalism Payments and previous grant used appropriately

**Recommend Approval in the amount of \$22,650.87.**

**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

ANDREW M. CUOMO  
GOVERNOR

CEMETERY BOARD

ROSSANA ROSADO  
SECRETARY OF STATE  
CHAIR

LETITIA JAMES  
ATTORNEY GENERAL  
DR. HOWARD A. ZUCKER  
COMMISSIONER OF HEALTH

**DEPARTMENT OF STATE - DIVISION OF CEMETERIES**

**MEMORANDUM**

**TO:** New York State Cemetery Board

**FROM:** Brendon Stanton, Investigator

**SUBJECT:** Hope Cemetery Association, #51-028

**RE:** Application for Repair of Hazardous Monuments

**DATE:** August 17, 2020

**Exhibits**

- A) Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Hazardous Condition
- B) DC Masonry estimate for \$22,552.00
- C) David Allen Enterprises estimate for \$24,316.00
- D) Invoice and copy from Corning Leader legal notice for \$98.87
- E) Completion report for previous hazardous monument work awarded in March 2019

**Introduction and Recommendation**

I received an application (Exhibit A) for the repair of 21 hazardous monuments located in the Hope Cemetery of the town and city of Corning, Steuben County. The application was submitted by Audrey Graham, superintendent of the Hope Cemetery Association. Included with this application were two estimates: one from DC Masonry (Exhibit B) totaling \$22,552.00; and one from David Allen Enterprises (Exhibit C) for \$24,316.00. Also included was an invoice from a Corning Leader newspaper legal notice (Exhibit D) that was run for three consecutive weeks for \$98.87.

I recommend approval of this application.



**Department  
of State**

## **The Monuments**

I visited the cemetery on September 5, 2019 and found that all 21 of the monuments were either loose on their foundations or tipping and appeared to pose a hazard to cemetery visitors and employees. I visited the cemetery again on July 23, 2020, and verified that the monuments remained hazardous. 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.

Both 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 DC Masonry and David Allen Enterprises offer a ten-year warranty.

## **Recommendation**

The cemetery is current with its payments to the vandalism fund and with the filing of its annual reports. All documents appear to be in order, and this appears to be a legitimate claim for \$22,650.87. The cemetery previously received a disbursement for hazardous monument work in March 2019, and the funds were spent appropriately (Exhibit E). The legal notice did not list the lot numbers for the monuments in need of restoration. I explained to the cemetery that this was required; however, the cemetery had used the same template as their previous application which was approved with no adverse comment in the period before this requirement was absolute. I do not believe the inclusion of lot numbers would have resulted in anyone coming forward due to the advanced age of these monuments and therefore 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 \$22,650.87	COUNTY IN WHICH CEMETERY IS LOCATED Steuben
CEMETERY NAME Hope Cemetery Association	CEMETERY ID NUMBER 51028
NAME OF CEMETERY OFFICIAL Audrey Graham	TITLE Superintendent
STREET ADDRESS 218 Wall St	14830
CITY/TOWN/VILLAGE Corning, 14830	ZIP CODE
TELEPHONE NUMBERS: Home ( 607 97: ) 607 973-0993      Work ( 607 97 ) 607 973-0993	
E-MAIL ADDRESS ajgraham21@empacc.net	FAX ajgraham21@empacc.net

Has this cemetery previously applied for and received a grant from the Vandalism, Abandonment & Monument Repair Fund?  YES\*  NO  
 \*If YES, when? Oct 30, 2017 Amount Received: \$ 14,303.88

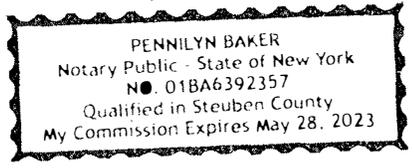
Was proof of completed work forwarded to the Division of Cemeteries?  YES  NO

1. Provide a description of each damaged monument and/or marker and enclose referenced photos:  
See attached  
See 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: Audrey J. Graham Date: Oct 30, 2017 7/2/2020



On this 2 day of July 2020  
 appeared Audrey Graham  
 known to me to be said person.  
Pennilyn Baker  
 Notary Public

51027

# Hope Cemetery Association

Audrey Graham, Superintendent  
218 Wall St., Corning, NY 14830  
607 973-0993

NYS Division of Cemeteries  
One Commerce Plaza  
99 Washington Ave  
Albany, NY 12231-0001

RECEIVED  
DIV. OF CEMETERIES

JUL 06 2020

ALBANY OFFICE  
DEPARTMENT OF STATE

July 2, 2020

Dear Division of cemeteries

Enclosed is an application for repair of 21 hazardous monuments in Hope Cemetery in Corning NY as identified by Brendon Stanton 9/5/2019.

Also included –

- (i) A description and photo of the monuments and what needs to be done to each of them to correct them. All but 4 are prior 1900, so none of the foundations can be capped, they need to be replaced and the sections resealed where necessary.
- (ii) The request for bids to two monument businesses. Both submitted bids and DC Masonry came in the lowest. He is also the one that did our last monument project to our specifications. I have his certificate of insurance on file.
- (iii) Publication of the notice to lot owners for the repair or removal of monuments. As these are so old, we did not have any kind of mailing list for relatives, and there wasn't any response from the legal notice.

Regards,



Audrey J Graham

## Hazardous Monuments - Hope Cemetery, Corning, NY

	<u>Section</u>	<u>Lot</u>	<u>Name</u>	
1	C	574	Mary Cleveland 1875	Tall monument where the seal has deteriorated around the base. Will be pulled up, new foundation installed, resealed & reset.
2	C	591	Edwin Pier 1887	Tall monument that is starting to tip. Will be pulled up, new foundation installed, resealed & reset.
3	C	599	James Harrower 1891	Tall monument that is starting to tip. Will be pulled up, new foundation installed, resealed & reset.
4	D	412	Augustus Haselbauer 1893	Tall monument where the seal has deteriorated around the base. Will be pulled up, new foundation installed, resealed & reset.
5	D	434	Julia Walter 1873	Tall monument where the seal has deteriorated around the base. Will be pulled up, new foundation installed, resealed & reset.
6	N	342?	Charles Wicks 1891	Medium monument where the seal has deteriorated around the base. Will be pulled up, new foundation installed, resealed & reset.
7	M	240	James Thurber 1869	Tall monument that is starting to tip. Will be pulled up, new foundation installed, resealed & reset.
8	M	251	John Wright 1889	Medium monument that is starting to tip. Will be pulled up, new foundation installed, resealed & reset.
9	H	6	Levi Thomas 1877	Medium monument that is starting to tip. Will be pulled up, new foundation installed, resealed & reset.
10	H	11	Caroline Harrington 1848	Medium monument that is starting to tip. Will be pulled up, new foundation installed, resealed & reset.
11	H	7	Joseph Robinson 1859	Two large tablet monuments that will be pulled up and share a single foundation when set as they are husband and wife.
12	H	7	Mary Robinson 1855	
13	H	18	Charlott Newton 1869	Tall monument that is starting to tip. Will be pulled up, new foundation installed, resealed & reset.



# Exhibit B

## Hazardous Monument Application Spreadsheet

Date: 5/28/2020

### Cemetery Name & Address

Name: Hope Cemetery Association  
 Address: 218 Wall St.

### Contractor or Monument Company Name & Address

Name: DC Masonry  
 Address: 2329 Chase Rd  
 Rock Stream, NY 14878  
 Phone: 607 738-0730  
 Contact Person: David Clancey

Total Number of  
 Stones **21**

Contact Person: Audrey Graham

1	2	3	4	5	5	6	7	8	9	10	11	12
Name on Monument	Location/Section	Cost to remove, repair & reset monument	Cost of foundation with 3 dimensions	Cost of foundation to be capped	Total cost of repair & foundation	Estimate to remove & dispose of old foundation	Cost to lay smaller monuments flat	Cost of BRONZE replacemt marker	Cost of GRANIT replacemt marker	Cost of foundation including dimemsions for flat marker	Total to remove, destroy monument & replace with BRONZE marker & foundation	Total to remove, destroy monument & replace with GRANITE marker & foundation
Cleveland, Mary	574 C-Main	\$300	34 X 34 X 42 \$1,202		\$ 1,627.00	\$125						
Pier, Edwin	591 C-Main	\$250	29 X 29 X 42 \$843		\$ 1,218.00	\$125						
Harrower, James	599 C-Main	\$200	21 X 21 X 42 \$573		\$ 898.00	\$125						
Haselbauer, Agustus	412 D-Main	\$250	30 X 30 X 42 \$920		\$ 1,295.00	\$125						
Walter, Julia	434 D-Main	\$200	26 X 26 X 42 \$779		\$ 1,104.00	\$125						
Wicks, Charles	342 N-Main	\$200	22 X 22 X 42 \$630		\$ 955.00	\$125						
Thurber, James	240 M-Main	\$200	27 X 27 X 42 \$748		\$ 1,073.00	\$125						
Wright, John	251 M-Main	\$200	22 X 22 X 42 \$630		\$ 955.00	\$125						
Thomas, Levi	6 H-Main	\$250	28 X 28 X 42 \$770		\$ 1,145.00	\$125						
Harrington, Caroline	11 H-Main	\$200	23 X 23 X 42 \$690		\$ 1,015.00	\$125						
Robinson, Joseph	7 H-Main	\$250	13 X 26 X 42 \$540		\$ 915.00	\$125						

## Hazardous Monument Application Spreadsheet

Date: 5/28/2020

**Cemetery Name & Address**

**Contractor or Monument Company Name & Address**

Name: Hope Cemetery Association  
 Address: 218 Wall St.  
 Corning, NY 14830  
 Phone: 607 973-0993  
 Contact Person: Audrey Graham

Name: DC Masonry  
 Address: 2329 Chase Rd  
 Rock Stream, NY 14878  
 Phone: 607 738-0730  
 Contact Person: David Clancey

Total Number of  
 Stones  
**21**

1	2	3	4	5	5	5	6	7	8	9	10	11	12
Name on Monument	Location/Section	Cost to remove, repair & reset monument	Cost of foundation with 3 dimensions	Cost of foundation to be capped	Total cost of repair & foundation	Estimate to remove & dispose of old foundation	Cost to lay smaller monuments flat	Cost of BRONZE replacemnt marker	Cost of GRANIT replacemnt marker	Cost of foundation including dimemsions for flat marker	Total to remove, destroy monument & replace with BRONZE marker & foundation	Total to remove, destroy monument & replace with GRANITE marker & foundation	
Robinson, Mary	7 H-Main	\$250	12 X 27 X 42 \$530		\$ 905.00	\$125							
Newton, Charlott	18 H-Main	\$200	18 X 18 X 42 \$421		\$ 746.00	\$125							
Kelly, Julia	43 H-Main	\$250	24 X 24 X 42 \$640		\$ 1,015.00	\$125							
Davis, Charles	49 H-Main	\$250	25 X 25 X 42 \$662		\$ 1,037.00	\$125							
Rhodes, Franklin	1030 G-Main	\$250	20 X 20 X 42 \$610		\$ 985.00	\$125							
Shaffer, Peter	1002 G-Main	\$200	26 X 26 X 42 \$779		\$ 1,104.00	\$125							
Carlton, Elmer	1021 G-Main	\$200	21 X 32 X 42 \$873		\$ 1,198.00	\$125							
DeGraff, William	1027 G-Main	\$200	21 X 38 X 42 \$947		\$ 1,272.00	\$125							
Harvey, Minor	115 Field	\$200	18 X 31 X 42 \$725		\$ 1,050.00	\$125							
Hayes, Charles	110 Field	\$200	18 X 30 X 42 \$715		\$ 1,040.00	\$125							
<b>Totals</b>		<b>\$4,700</b>	<b>\$15,227</b>		<b>\$22,552.00</b>	<b>\$2,625</b>							

# Exhibit C

# Hazardous Monument Application Spreadsheet

Date: 5/28/2020

## Cemetery Name & Address

Name: Hope Cemetery Association  
 Address: 218 Wall St.

## Contractor or Monument Company Name & Address

Name: David Allen Enterprises  
 Address: 4025 Pine Hill rd  
 Corning, NY 14830  
 Phone: 607 857-6503  
 Contact Person: David Allen

Total Number of  
 Stones  
**21**

Contact Person: Audrey Graham

1	2	3	4	5	5	6	7	8	9	10	11	12
Name on Monument	Location/Section	Cost to remove, repair & reset monument	Cost of foundation with 3 dimensions	Cost of foundation to be capped	Total cost of repair & foundation	Estimate to remove & dispose of old foundation	Cost to lay smaller monuments flat	Cost of BRONZE replacemt marker	Cost of GRANIT replacemt marker	Cost of foundation including dimeensions for flat marker	Total to remove, destroy monument & replace with BRONZE marker & foundation	Total to remove, destroy monument & replace with GRANITE marker & foundation
Cleveland, Mary	574 C-Main	\$300	34 X 34 X 42 \$1,276		\$ 1,711.00	\$135						
Pier, Edwin	591 C-Main	\$250	29 X 29 X 42 \$917		\$ 1,302.00	\$135						
Harrower, James	599 C-Main	\$200	21 X 21 X 42 \$647		\$ 982.00	\$135						
Haselbauer, Augustus	412 D-Main	\$250	30 X 30 X 42 \$994		\$ 1,379.00	\$135						
Walter, Julia	434 D-Main	\$200	26 X 26 X 42 \$853		\$ 1,188.00	\$135						
Wicks, Charles	342 N-Main	\$200	22 X 22 X 42 \$704		\$ 1,039.00	\$135						
Thurber, James	240 M-Main	\$200	27 X 27 X 42 \$822		\$ 1,157.00	\$135						
Wright, John	251 M-Main	\$200	22 X 22 X 42 \$704		\$ 1,039.00	\$135						
Thomas, Levi	6 H-Main	\$250	28 X 28 X 42 \$844		\$ 1,229.00	\$135						
Harrington, Caroline	11 H-Main	\$200	23 X 23 X 42 \$764		\$ 1,099.00	\$135						
Robinson, Joseph	7 H-Main	\$250	13 X 26 X 42 \$614		\$ 999.00	\$135						
					Page 1 of 2							

## Hazardous Monument Application Spreadsheet

Date: 5/28/2020

**Cemetery Name & Address**

Name: Hope Cemetery Association  
 Address: 218 Wall St.  
 Corning, NY 14830  
 Phone: 607 973-0993  
 Contact Person: Audrey Graham

**Contractor or Monument Company Name & Address**

Name: David Allen Enterprises  
 Address: 4025 Pine Hill rd  
 Corning, NY 14830  
 Phone: 607 857-6503  
 Contact Person: David Allen

Total Number of  
 Stones  
**21**

1	2	3	4	5	5	5	6	7	8	9	10	11	12	
Name on Monument	Location/ Section	Cost to remove, repair & reset monument	Cost of foundation with 3 dimensions	Cost of foundation to be capped	Total cost of repair & foundation	Estimate to remove & dispose of old foundation	Cost to lay smaller monuments flat	Cost of BRONZE replacemt marker	Cost of GRANIT replacemt marker	Cost of foundation including dimeensions for flat marker	Total to remove, destroy monument & replace with BRONZE marker & foundation	Total to remove, destroy monument & replace with GRANITE marker & foundation		
Robinson, Mary	7 H-Main	\$250	12 X 27 X 42 \$604		\$ 989.00	\$135								
Newton, Charlott	18 H-Main	\$200	18 X 18 X 42 \$495		\$ 830.00	\$135								
Kelly, Julia	43 H-Main	\$250	24 X 24 X 42 \$714		\$ 1,099.00	\$135								
Davis, Charles	49 H-Main	\$250	25 X 25 X 42 \$736		\$ 1,121.00	\$135								
Rhodes, Franklin	1030 G-Main	\$250	20 X 20 X 42 \$684		\$ 1,069.00	\$135								
Shaffer, Peter	1002 G-Main	\$200	26 X 26 X 42 \$853		\$ 1,188.00	\$135								
Carlton, Elmer	1021 G-Main	\$200	21 X 32 X 42 \$947		\$ 1,282.00	\$135								
DeGraff, William	1027 G-Main	\$200	21 X 38 X 42 \$1,021		\$ 1,356.00	\$135								
Harvey, Minor	115 Field	\$200	18 X 31 X 42 \$799		\$ 1,134.00	\$135								
Hayes, Charles	110 Field	\$200	18 X 30 X 42 \$789		\$ 1,124.00	\$135								
<b>Totals</b>											<b>\$4,700</b>	<b>\$16,831</b>	<b>\$24,316.00</b>	<b>\$2,835</b>

# Exhibit D

Gatehouse Media Corning Holdings  
 dba The Leader

621 Columbia Street Ext  
 Suite 100  
 Cohoes, NY 12047

# Invoice

Date	Invoice #
5/18/2020	385

Bill To
Hope Cemetery 218 Wall Street Corning, NY 14830

Customer E-mail

Account #
2128760

P.O. No.	Terms
	Due on receipt

Description	Start Date	# of Runs	Amount	
Public Notice Liner- Notice of Monuments in disrepair	05/07/20	3	73.87	
Affidavit			25.00	
<table border="1" data-bbox="142 1180 657 1409"> <tr> <td>           Please remit checks payable to:            The Leader            c/o New York Press Service            621 Columbia St Ext            Suite 100            Cohoes, NY 12047         </td> </tr> </table>				Please remit checks payable to: The Leader c/o New York Press Service 621 Columbia St Ext Suite 100 Cohoes, NY 12047
Please remit checks payable to: The Leader c/o New York Press Service 621 Columbia St Ext Suite 100 Cohoes, NY 12047				

<b>Total</b>	\$98.87
--------------	---------

**AFFIDAVIT OF PUBLICATION**

State of New York,

County of, Steuben

The undersigned is the authorized designee of Richard Emanuel, the publisher of the Corning Leader, a daily newspaper published in Corning, New York. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates: **05/07/20, 05/14/20, 05/21/20.**

This newspaper has been designated by the County Clerk of Steuben County, as a newspaper of record in this county, and as such, is eligible to publish such notices.

*Eliot T. Putnam*

Signature

Eliot T. Putnam

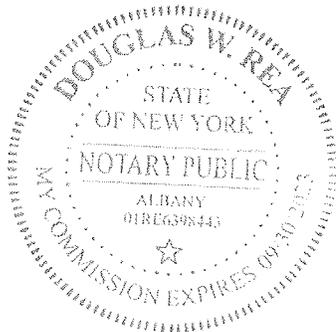
Printed Name

Subscribed and sworn to before me,

This 16 day of June 2020

*Douglas W. Rea*  
Notary Signature

Notary Public Stamp



Account: Hope Cemetery Assoc.

Description: Notice of Monuments in Disrepair

To: The last known owner or owners of the following burial lots located in the Hope Cemetery, town of Corning, in Steuben County, New York, and all persons having or claiming to have interest in said burial lots:

Mary Cleveland, Edwin Pier, James Harrower, Augustus Haselbauer, Julia Walter, Charles Wicks, James Thurber, John Wright, Levi Thomas, Caroline Harrington, Joseph & Mary Robinson, Charlott Newton, Julia Kelly, Davis Family, Franklin Rhodes, Peter Shaffer, Elmer Carlton, William DeGraff, Minor Harvey, Charles Hayes.

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 5/22/2020 and, (3) if the persons to whom this notice is addressed fail to repair or remove said monuments or markers after 5/22/2020, the Hope Cemetery Association may remove or repair said monuments without further notice to the persons to whom this notice is addressed.

If you have any questions they can be directed to Rich Graham 607 973-0993 prior to 5/22/2020.

# Exhibit E

**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

ANDREW M. CUOMO  
GOVERNOR  
CEMETERY BOARD  
ROSSANA ROSADO  
SECRETARY OF STATE  
CHAIR  
LETITIA JAMES  
ATTORNEY GENERAL  
DR. HOWARD A. ZUCKER  
COMMISSIONER OF HEALTH

## DEPARTMENT OF STATE - DIVISION OF CEMETERIES

### MEMORANDUM

**TO:** Lewis Polishook, Director

**FROM:** Brendon Stanton, Investigator

**SUBJECT:** Hope Cemetery Association, #51-028

**RE:** Repair of Hazardous Monuments

**DATE:** October 4, 2019

By application dated October 30, 2017, the Hope Cemetery Association of the town and city of Corning, Steuben County, applied for funds for the repair of 20 hazardous monuments. The State Cemetery Board approved this application in its meeting on March 12, 2019, in the amount of \$15,319.88. Due to an oversight, the amount requested should have been in fact \$14,319.88, and this is the total amount billed. The contract was awarded to DC Masonry. Having been informed that the work had been completed, I inspected the work on September 12, 2019, and found it satisfactory.