

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: BAPTIST RURAL CEMETERY ASSOCIATION, #59-002

RE: HAZARDOUS MONUMENT REPAIR CHECKLIST

DATE: August 18, 2020

Application Completed and notarized

15 Monuments Requested

Legal Notice complete and run 3 times in The Times of Wayne for \$166.78

15 Monuments Appear Hazardous

Senecal Memorials repair estimate \$26,228 (average \$1,749/ monument)

DA Construction repair estimate \$28,490 (average \$1,899/ monument)

Repairs Appear Appropriate

Senecal Memorials proposes 42-inch foundations and offers a 20-year warranty

DA Construction did not include depth and warranty info

Cemetery Up to Date on Annual Reports and Vandalism Payments

Previous funds used properly

Recommend Approval in the amount of \$26,394.78.



**Department
of State**

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: Michael D. Seelman, Investigator II

SUBJECT: Baptist Rural Cemetery Association, #59-002

RE: Application for Repair of Hazardous Monuments

DATE: August 18, 2020

Exhibits

- A) Application for Repair or Removal of Dilapidated or Disrepaired Monuments that Create a Hazardous Condition
- B) Senecal Memorials estimate for \$26,228
- C) DA Construction estimate for \$28,490
- D) Invoice and copy from The Times of Wayne legal notice for \$166.78

Introduction and Recommendation

I received an application (Exhibit A) for the repair of 15 hazardous monuments located in the Baptist Rural Cemetery of the town of Sodus, Wayne County. The application was submitted by Andrea Vermulen, secretary/ treasurer of the Baptist Rural Cemetery Association. Included with this application was an estimate from Senecal Memorials (Exhibit B) totaling \$26,228, and an estimate from DA Construction (Exhibit C) totaling \$28,490. Also included was an invoice from a newspaper legal notice (Exhibit D) that was run for three consecutive weeks in The Times of Wayne for \$166.78, and photos.

I recommend approval of this application.



The Monuments

I visited the cemetery on August 10, and found that all 15 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 either legal advertisement that 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.

Senecal proposes to: remove the monuments from the existing foundations; dig out ten of the existing foundations; 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 and offers a 20-year warranty. The remaining five monuments will be resealed on the existing foundations.

DA Construction is a higher bid and did not include the proposed depth of the foundations or the warranty information.

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 the previous allocation was used properly. This appears to be a legitimate claim for \$26,394.78. I recommend that this application be approved.

EXHIBIT A



NEW YORK STATE OF OPPORTUNITY
Division of Cemeteries

New York State
Department of State
DIVISION OF CEMETERIES
One Commerce Plaza
99 Washington Avenue
Albany, NY 12241-0004
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 (See Bids, if applicable) \$26,574.78 COUNTY IN WHICH CEMETERY IS LOCATED Albany County

CEMETERY NAME Rodst Rural Cemetery of Sodas Center CEMETERY ID NUMBER 15-0614031

NAME OF CEMETERY OFFICIAL Andrea Vermeulen TITLE Secretary/Treasurer

STREET ADDRESS 51e71 Bond Road

CITY/TOWN/VILLAGE Sodus ZIP CODE New York

TELEPHONE NUMBERS: Home (315) 483-8824 Cell Work (315) 871-8140

FAX _____

Has this cemetery previously applied for and received a grant from the Vandalism, Abandonment & Monument Repair Fund? NO YES NO

If YES, when? 2015 & 2017 Amount Received: \$2017-444,201.44 (79 monuments) YES NO

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

1. Provide a description of each damaged monument and/or marker and endorse referenced photos: see inside completed paperwork

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: Andrea Vermeulen Date: 4/14/20

Notary Public: Paula J. Stritzel

On this 14 day of April, 2020
appeared Andrea E. Vermeulen
known to me to be the said person,
Notary Public: Paula J. Stritzel

EXHIBIT B



Senecal Memorials

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

Job: Baptist Rural Cemetery, Sodus, NY monument repairs

#	Name:	Foundation Rough Size:	Foundation Cost:	Removal & Resetting:	Total:
1	Borradaile / Richard S.	46x27	\$2484	\$500	\$2984
2	Powell Archibald	35x35	\$2450	\$550	\$3000
3	Tomas Carruthers	53x28	\$2968	\$400	\$3368
4	Charles Westley TinkelPaugh	46x28	\$2576	\$350	\$2926
5	Lorenzo Whitley	38x24	\$1824	\$300	\$2124
6	Raymer Marjorie	31x19	\$1178	\$250	\$1428
7	Hoxie Gertrude	37x26	\$1924	\$350	\$2274
8	Allen Lester	32x23	\$1472	\$350	\$1822
9	John W. Messenger	36x20	\$1440	\$300	\$1740
10	Kansier Christopher	34x34	\$2312	\$500	\$2812
11	William Cramer			\$300	\$300
12	Morgan Israel			\$400	\$400
13	Klump			\$450	\$450
14	Mason Orrin			\$300	\$300
15	Barnes			\$300	\$300
				Total:	\$26,228

EXHIBIT C

D.A Construction, PO Box 122, Newark NY 14513

Job estimate : Baptist Rural Cemetery

<u>Monument repairs</u>	<u>Rough size</u>	<u>Foundation cost</u>	<u>Removal</u>	<u>Total estimate</u>
• Borradaile, Richard	46x27	\$2,670.00	\$625.00	\$3,295.00
• Powell, Archibald	35x35	\$2,634.00	\$700.00	\$3,334.00
• Tomas, Carruthers	53x28	\$3,190.00	\$400.00	\$3,590.00
• C.W TinklePaugh	46x28	\$2,770.00	\$375.00	\$3,145.00
• Lorenzo, Whitley	38x24	\$1,960.00	\$300.00	\$2,260.00
• Raymer, Marjorie	31x19	\$1,266.00	\$300.00	\$1,566.00
• Hoxie, Gertrude	37x26	\$2060.00	\$400.00	\$2,460.00
• Allen, Lester	32x23	\$1,582.00	\$400.00	\$1,982.00
• J.W Messenger	36x20	\$1,548.00	\$300.00	\$1,848.00
• Kansier, C	34x34	\$2,485.00	\$600.00	\$3,085.00
• William Cramer	reseal			\$350.00
• Morgan Israel	reseal			\$500.00
• Klumpp	reseal			\$475.00
• Mason Orrin	reseal			\$300.00
• Barnes	reseal			\$300.00

Total estimate \$28,490.00

EXHIBIT D

TIMES OF WAYNE COUNTY, INC

P.O. Box 608
 Macedon, NY 14502
 315-986-4300 Fax: 315-986-7271
 Email: news@waynetimes.com

Invoice

Date	Invoice #
4/9/2020	45193

Bill To
 Baptist Rural Cemetery
 c/o Andrea Vermulien
 5671 Bond Road
 Sodus, NY 14551

Please use Invoice Number on remittance to insure proper credit.
 Check out
 www.waynetimes.com
 for up to date news

There is a \$5.00 charge for Tearsheet Requests.
 The entire Times of Wayne County Newspaper is available to subscribers on-line at www.waynetimes.com

Rep	P.O. No.	Terms	Due Date
		Net 30	5/9/2020

2% finance charge is applied on overdue invoices past 30 days.

Item	Quantity	Description	Rate	Amount
Legal	52	Line Legal Notice(s) Appearing in Issue (s) Dated 04/05/2020	0.415	21.58
Legal	8	Remaining Legal Notice(s) Appearing in Issue (s) Dated 4/12, 4/19, 4/26, 5/3, 5/10, 5/17, 5/24, 5/31/20	16.90	135.20
Proof	1	Notarized Proof of Publication Affidavit Notice: DISREPAIR OF MARKERS	10.00	10.00
Total				\$166.78

*Paid 4/6/2020
 Check # 1666*

