

# **Hillside Memorial Cemetery and Park Committee Meeting January 16, 2013**

**Members Present:** Millard Murphy (Mayor), Heather Stevens (Trustee/Liaison), Bruce Meldrim (Cemetery Commissioner), Andrew Traub (Traub Funeral Home Representative), Jean Breed, Linda Murphy, Penny Faulter and Mark LaRobardiere (Watson Funeral Home Representative).

**Absent:** Clara Sauter and Mike Ours

The meeting began about 11:00am. There were no minutes from the previous meeting for approval. (Note there seems to be missing minutes for all meetings in 2011 and 2012). Mayor Murphy ran the meeting in Mr. Ours absence.

**New Chairperson:** Mike Ours submitted via email a note that he is no longer able to be the chairperson for this committee due to work obligations. However, he would like to remain on as a general member. Andrew Traub has agreed to become the new chairperson for this committee. Everyone agreed. Heather Stevens volunteered to record minutes when she is in attendance.

**New Member wanted:** Clara Sauter is in a nursing home and is unable to continue as a member. Mr. Murphy asked everyone to keep their ears open for someone who may be interested in taking this opening.

## **Old Business:**

**Columbarium:** Mr. Murphy would like to move forward with the purchase of a columbarium. No specifics were given on price and size, however may have previously but since there are no minutes this information may need to be updated and reviewed before actual purchase. At a past meeting a location in the old section of the cemetery had been discussed. However, Mr. Murphy, Mr. Meldrim and Mr Avery looked at the location and feel that it is not a good option. That area is not accessible due to the lots being too close together and it would impede equipment from getting where needed. They feel that a spot in

the new section, perhaps where the 3 roads meet may be a better choice. The new section has easy access, parking and more stable ground. It was requested that committee members stop by cemetery and take a look to form their own opinion.

**Stonewall on North Main:** The Stonewall on North Main in cemetery as previously reported is beginning to lean into the roadway. The first priority is to try to preserve the wall as much as possible for historical reasons. If not feasible we may need to tear it down and replace. The pressure that is forcing it to lean is due to no drainage. Regardless of solution, drainage must be addressed. The graves lie very close to wall and a remedy should be reached/completed in the next 1-2 years at most. Would be great if we could find a grant to help with this project.

#### **New Business:**

**Donation for trees and shrubs (\$738):** We have received \$738 in donations for cemetery. Kimberly Lilacs have been suggested along new fence line. Heather Stevens also mentioned we need a tree restoration plan. It was suggested members doing some brainstorming on types of trees and placement. Some suggestions that Heather and Bruce made were Weeping Cherry, sunburst locust, rose of Sharon and red maples. Mayor Murphy again mentioned that although the Cleveland Pears are great we need variety. The new section is gravel and sand whereas old section is clay.

**Tree removal:** Once again we have trees that need to be removed in the cemetery. We received a quote on 1/16/2013 for \$2246 from DeBottis Tree Care to cut down three hard maples, leave wood and brush and grind the three stumps.

**Hydrant:** Bruce would like to add a hydrant near the new section of the cemetery. There is no water there as of yet. No price or further information/timeline was given.

**Reacquisition and resale of plots/lots:** Mayor Murphy inquired in to this policy for informational purposes. The following info was sent from John A. Mancini, Counsel NYS Conference of Mayors 1/15/2013 per WestlawNext citing 18 N.Y. Jur. 2d Cemeteries and Dead Bodies 59. A lot of it comes down to whether the cemetery is incorporated or not and

in the end, contact municipal attorney. "A cemetery corporation may, upon application and approval by the cemetery board, reacquire, resubdivide, and resell a lot, plot or part thereof under circumstances provided by statute. Except as otherwise provided by the Not-For-Profit Corporation Law, only the public cemetery corporation may sell or convey the right to use any lot or part thereof within the corporation's cemetery, and lots may not be purchased or sold for the purpose or resale. However, this provision does not prohibit the sale of lots, or the right to use any lot to members by a membership or religious corporation or unincorporated association or society providing burial benefits for its members. Such a provision applies to religious corporations which have acquired burial rights within a cemetery owned and operated by an unrelated cemetery corporation.

More broadly, the General business Law Provided that any sale of lots, or of niches in a community mausoleum or in a columbarium or crematorium, on the promise, representation, or inducement of resale at a financial profit is expressly prohibited and is punishable as a misdemeanor.

Heather Stevens asked if this was considered if sites could be examined to be positive there were no remains. Yes, that is a possibility.

**Gugliotta statues and encasement:** The statues and encasement on the Gugliotta family lots in Section 1 Annex No. 1 Lot 1 (6 graves) has fallen in to disrepair. The situation was discussed and the conclusion reached that the village needs to contact the family and notify them on the situation. Currently the items have been removed. (It is suggested a photograph be taken to document disrepair). They may retrieve the items and proceed as they would like (keep, repair and return etc). A copy of letter will be included with these minutes once approved by the village board.

#### **Open Forum:**

Bruce reported that there were 19 full and 9 cremation burials in 2012.

2013 meeting dates for the committee will be April 17 and September 18, 2013 at 11:00am.

The meeting ended at 12:20pm.

Respectfully submitted by Heather A. Stevens

# Hillside Memorial Cemetery and Park Committee Meeting (addition) January 16, 2013

The following is the suggested updates made by the cemetery committee as a recommendation to the current rules and regulations for the village board.

4<sup>th</sup> paragraph:

If any monument, vault, tomb, effigy or structure whatever or any inscription be placed in or upon any lot, which shall be determined by a majority of the Village board of Trustees for the time being to be offensive or improper, the said Board of Trustees shall have the right, and it shall be their duty, to delegate to the Commissioner of Cemeteries to enter upon such lot and remove the said offensive or improper object.

Be revised to:

If any monument, vault, tomb, effigy or structure whatever or any inscription be placed in or upon any lot, which shall be determined by a majority of the Village board of Trustees for the time being to be offensive or improper, **or should fall in to disrepair**, the said Board of Trustees shall have the right, and it shall be their duty, to delegate to the Commissioner of Cemeteries to enter upon such lot and remove the said offensive or improper object. **If an item should fall in to disrepair, the Board of Trustees shall have the right, and it shall be their duty, to delegate to the Commissioner of Cemeteries to enter upon such lot and remove item(s) and contact family when possible.**

The following bullet:

All monuments or markers must be constructed of granite or bronze.

Be changed to:

All monuments, **memorials** or markers must be constructed of granite or bronze.

**Also suggest that village board consider if present memorials are to be grandfathered in or not.**

Finally Perpetual care needs to be addressed to include something similar to the following:

Village of Central Square operating through its Cemetery and Village Board is responsible for the perpetual care of the Hillside Memorial Cemetery and Park.

This includes the upkeep and general condition of all current and future interment, including all common grounds, access roadways, the trees and shrubs (Planted by the

village only) of the cemetery.

**It does not include** the maintenance, repair or replacement of grave markers nor the planting of flowers or ornamental plants on individual sites of interment, nor the maintenance of any special or unusual features associated with individual sites of interment. Furthermore, perpetual care does not include the repair or reconstruction, either partial or complete, of any marble, granite or other stonework or bronze or concrete artwork or any structure damaged or destroyed by action of the elements, Act of God, common enemy, thieves, vandals, malicious mischief makers, explosions, accidents, invasions, insurrections, riots or by the order of any military or civil authority, whether the damage by direct or collateral.