

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ORDINANCE COMMITTEE

Monday, December 6, 2021, at 9:00 AM

Rev. 12/20/2021

MEETING REPORT

MEETING CALLED BY:	GARY DAVIS		
COMMITTEE MEMBERS:	GARY DAVIS	CHUCK OYLER	TOM SCHWARTZ
	JOHN CASEY		
SECRETARY:	KIMBERLY BURKARD		
GUESTS:	TERRY FENNELLY	KATE SILVERSTRIM	SARAH REYNOLDS
	SARALINDA HOOKER	LIEF HERRGESSELL	DONNA WEST
	RICHARD WEST		
TOWN STAFF:	SHAWNA BONSHAK		

PRIVILEGE OF THE FLOOR

Mr. Davis opened the meeting at 9:00 am.

PRIVILEGE OF THE FLOOR

COMMITTEE BUSINESS

Cemetery Committee Document Review

- Introduction of guests by Mr. Davis.
- Ms. Hooker presented comments and viewpoints from the History Team. She said that the History Team was not interested in being involved in new burial activities but would be involved with the cemeteries as a historic resource. She said that they see themselves being involved with the education and interpretation of cemeteries as well as encouraging the preservation of them. She also said that they were not interested in the day-to-day management of them.
- Ms. Hooker said that the History Team assisted Ray Henry in creating a map and inventory of Hunn Cemetery. The History Team also is doing similar work with Academy Cemetery (on-going) and look to create a map and flyer for the cemetery as the result.
- Ms. Hooker said that the Ontario County Historical Society's Genealogical Committee and the Daughters of the American Revolution (DAR) have done inventories of the cemeteries in the Town as well as the county. She also noted the "Find a Grave" online site as a resource, <https://www.findagrave.com/>, which has information and photos of the majority of the headstones in the Town's cemeteries.
- Ms. Hooker spoke with Babette Huber, Victor Town Historian <https://www.victoryny.org/109/Historian>, and notes that there is a Cemetery Preservation

& Restoration Committee in Victor, <https://www.victorny.org/150/Cemetery-Preservation-Restoration-Committee>. This committee was established in 2015 and is a sub-committee of Victor's History Advisory Team. At inception, their cemetery committee had a 5-year cemetery plan and it was successful. That work enables their cemetery budget to now be lower and more manageable. That committee has learned many best practices and would be a good resource for the Town of Canandaigua.

- Ms. Hooker said that some of the headstones are disintegrating because of the stone material. A plan must be made for how to manage them.
- Ms. Hooker said a landscaping plan must be created. She also noted that the Tree Committee has reviewed the cemeteries and made recommendations that are still pending/needed. Lawn maintenance is also needed and needs to be done with more care to not damage the stonework.
- Mr. Davis asked if Victor had approved code regarding their cemeteries. Ms. Hooker noted that she found NYS law classifying cemeteries into three classes and each requires a different amount of upkeep. These classes dictate minimum mowing schedule of 3x, 2x, and 0x mowing per year. She suggested that reducing the number of times they are mowed may free-up budget money for preservation work. Mr. Schwartz commented that long grass may hide stones and lead to increased mower damage. Mr. HerrGessell noted that cemetery mowing is included the Parks & Rec budget but there is no breakdown of costs/services. He estimated maybe a cost of \$8000–\$10,000 for annual cemetery mowing and that there is an approved budget allocation for a cemetery committee in 2022. Ms. Silverstrim added that landscaping services used for cemeteries will be separated in 2022 so costs can be tracked and the separate contract also allows for different direction in how the work is done.
- Mr. HerrGessell said that Hunn Cemetery is currently at a maintenance level as much preservation work has already been done there.
- There was discussion about increasing the costs for burials/perpetual care at the remaining active cemeteries and it was noted that people managing the active cemeteries are aging-out and not being replaced.
- Mr. Fennelly noted that the History Team is a subset of the CIC and questioned if the History Team should be a committee and suggested using what Victor has done as a template. He added that day-to-day operations (mowing, landscaping, maintenance, burials, etc.) are being managed by Town staff so the History Team and any Cemetery Committee would not be involved in managing that.
- Mr. Davis suggested that a canvassing activity should be done to see if there is interest in serving on a cemetery committee. Ms. Reynolds said that a cemetery committee would need to be responsible for reviewing the cemeteries and making suggestions for the upcoming budgets. She noted that a call for volunteers is often made in January and that a committee can meet prior to being made official.
- Mr. Casey noted that preservation and maintenance are distinct issues and that maintenance is already being effectively handled. He added that stone is by nature a degradable material and wondered if preservation, after the stones have been documented, should be funded by tax-payer dollars or performed by volunteers. Ms. Silverstrim said that maintenance and preservation have been difficult to separate and that the maintenance that has been being done does contribute to the destruction of the cemeteries. She expressed that there is a level of preservation in doing maintenance in the correct manner.
- Ms. Hooker suggested identifying the roles and needs of the committee and finding people for those needs, including Town historian, local history team member, Town Board or Town Administration member, DAR Genealogy group, interpretation/education experience.

- Ms. Silverstrim suggested reviewing Victor's cemetery laws and committee information. (Included following the meeting notes.)
- Mr. Schwartz suggested making cemeteries self-sustaining. Ms. Silverstrim said that grants and other funding can be researched. Ms. Reynolds said that DAR can be a funding source but others for physical restoration are harder to find.
- Plots at Academy are all sold but the burial fees are noted in the Town Fee Schedule: <http://www.townofcanandaigua.org/documents/files/2021-09-20%20Amended%20fee%20schedule-%20Town%20Clerk.pdf>
- The 2022 cemetery budget monies are for both maintenance and preservation.
- Some of the outstanding issues are: should the History Team be made a committee, should there be a cemetery sub-committee or should this be History Team responsibility.
- The Committee questioned what NYS required for cemetery maintenance. Mr. HerrGessell will get that information and share it with the Committee.
- Mr. Davis thanked Ms. Hooker, Mr. West, and Mrs. West for joining the meeting and the work they donate.



Babette

TOWN SUPERVISOR
742-5020

TOWN CLERK
TAX RECEIVER
742-5080

TOWN COURT
924-5775
924-5262

ASSESSMENT
742-5010

ECONOMIC
DEVELOPMENT
742-5073

FINANCE
742-5025

HIGHWAY
924-3323

HISTORIAN
742-5065

PARKS & RECREATION
742-0140

PLANNING &
BUILDING
742-5035

PLANNING / ZONING
742-5040

RESOLUTION No. 497

ESTABLISHMENT OF GUIDELINES AND OPERATING PROCEDURES FOR THE VICTOR CEMETERY RESTORATION AND PRESERVATION COMMITTEE

On motion of Councilman Palermo, seconded by Councilman Guinan, the following resolution was

ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, on June 11, 2007 the Town Board adopted Resolution #222 Establish a Victor Village Cemetery Restoration and Preservation Committee; and

WHEREAS, on September 14, 2015 the Town Board adopted Resolution #276 Changing the Name of the Village Cemetery Restoration and Preservation Committee; and

WHEREAS, the guidelines, structure, and operating procedures were not specified in this initial resolution, and now require formalization as follows:

CEMETERY PRESERVATION AND RESTORATION COMMITTEE GUIDELINES AND OPERATING PROCEDURES

INTENT AND PURPOSE:

A. The Town of Victor's Cemetery Preservation and Restoration Committee was created in an effort to preserve, interpret and educate about historic cemeteries, active and inactive, in the Town and Village of Victor. This mission statement reflects the Town's commitment to the importance, preservation and continuation of the Town's history for generations to come. The Cemetery Preservation and Restoration Committee serves the town as an advisory sub-committee under the auspices of the Historic Advisory Committee.

The Cemetery Committee was created:

1. To interpret our Town's rich history for present and future generation.
2. To honor and represent the history of Victor with a goal of preserving our burial grounds.
3. To increase public awareness of the value of historic and cultural preservation by developing and participating in education programs as approved by the Town Board.
4. To provide assistance to Town Boards by recommending that development is done in a manner which preserves our historic burial grounds.
5. To help research and document the cemeteries of Victor.

**TOWN OFFICES | 85 East Main Street | Victor, NY 14564
(585) 742-5080 | Fax (585) 924-0202 | www.victorny.org**

DUTIES:

- A. The powers and duties of the Committee are advisory in nature only.
- B. To advise, assist and support the Historian, Historic Advisory Committee, Town Board, Planning Board and Zoning Board in matters pertaining to Victor's cemeteries.
- C. To provide assistance in research of history, documentation, maintenance of our burial sites.
- D. To contribute knowledge for educational materials as approved by the Town Board, that promise an understanding and appreciation of preserving our historic cemeteries, including, but not limited to, walking tours, brochures, lectures, exhibits and other appropriate methods of knowledge.

DEVELOPMENT OF GOALS, OBJECTIVES, AND PLANS OF ACTION CONSISTENT WITH DUTIES:

- A. The Town Historian and /or her designee, shall serve as the facilitator to help the Committee with the development of its specific goals, objectives, and plans of action consistent with the Committee's duties and intent.
- B. Minutes of each meeting will be recorded by the designated secretary at each meeting, and will be kept on file in the Town Historian's Office,

MEMBERSHIP AND TERMS:

- A. The membership of this Committee shall be appointed by the Victor Town Board, and shall consist of five members, providing a balanced community-wide representation. Members are Victor residents who have an interest in and knowledge of local history and historic preservation.
 - B. Members shall serve a term of three years, initially staggering terms upon the adoption of this resolution, two of which shall be one year, two which shall be two years, and one which shall be three years. After the initial staggering of the committee terms, future committee terms will be three (3) years. Vacancies on the Committee other than by expiration of a term shall be filled to complete the unexpired term of the vacancy. Recommendations for new Committee members shall be forwarded to the Town Board for review.
 - C. The Cemetery Committee Chair will serve as a member of the Historic Advisory Committee.
 - D. In addition, the Town Historian shall serve as an ex-officio nonvoting member.
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- E. All member of the Cemetery Committee shall serve without compensation except for such amounts determined appropriate, in advance, by the Town Board to offset expenses incurred in the performance of their duties.
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- F. Cemetery Committee members will be expected to attend all meetings and functions of the Committee, in the event of two absences by a Committee member in one calendar year, or malfeasance of membership as determined by the Committee, said Committee member's position may be declared vacant by a majority vote of a quorum of the Committee,

- G. Cemetery Committee members may resign at any time by providing formal written notice to the Chairperson of the Committee who will then forward such notice to Human Resources and to the Town Historian.
- H. A Committee member serves at the pleasure of the Town Board, and may be removed from office if such Committee member engages in an act [or acts] demonstrating a conflict of interest, misconduct, a violation of the Town's Code of Ethics or Standards of Conduct, or any other act which calls into question the Committee member's qualifications, integrity, or ability to participate on the Committee in a manner upholding the public trust, as may be determined by the Town Board in its sole discretion.

ORGANIZATION:

- A. The Cemetery Committee shall, by majority vote, recommend to the Town Board one of its members to serve as Chairperson to preside over the meetings and one member to serve as Vice-Chairman. After approval by the Town Board, the members so designated shall serve in these capacities for the term of two years.
- B. A quorum for the Cemetery Committee shall consist of at least 50% of its sitting members. A quorum is necessary for the Cemetery Committee to conduct business. A roll call shall be taken upon the request of any member. A tie vote shall be deemed as denial of the motion or recommended action.

MEETINGS:

- A. The Cemetery Committee shall meet eight times a year [March –October] at a mutually agreeable date/time specified by the members of the Committee. Meetings may be canceled or rescheduled by the mutual agreement of the Committee Chairperson and the Town Historian.
- B. A written agenda for each meeting shall be drafted by the Chairperson with input from the Committee members and the Town Historian and be sent to the members of the Committee at least three days prior to the meeting, as well as to be posted on the Town of Victor website.
- C. Minutes will be kept by the designated member of the Committee and shall be distributed to all Committee members and appropriate personnel within seven days of the meeting.
- D. Special meetings may be called by the Chairperson or the Town Historian. These meetings must be scheduled at least three days prior to the intended meeting date with written notification of the date, time, location, and purpose of the meeting sent to all Committee members in advance. These notices will also be placed on the Town of Victor website within three days of the intended meeting date.
- E. Each member of the Cemetery Committee shall have one vote on any matter submitted to the Committee for action. A majority vote is required for the passing of any action items. A majority of the Committee shall constitute a quorum. All meetings shall follow Robert's Rules of Order.
- F. Committee business at each meeting shall be as follows:
 1. Approval of the previous meeting minutes.
 2. Review of the agenda
 3. Discussion of the agenda items

4. Review of action items
5. Set agenda for subsequent meeting including the action items for that meeting yearly.
6. Set budget review as required

COPIES OF PROVISIONS:

Copies of these Guidelines and Operating Procedures shall be sent to all members.

Now, therefore be it

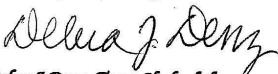
RESOLVED that the Guidelines and Operating Procedures for the Victor Cemetery Preservation and Restoration Committee be accepted, and be it further

RESOLVED that a copy of this resolution be forwarded to all Victor Cemetery Preservation and Restoration Committee members, Director of Parks & Recreation, Town Clerk, Town Historian, and Human Resources.

*State of New York)
County of Ontario)*

I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Town of Victor, New York, and that the same is a correct transcript there from and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board of the Town of Victor, New York on December 12, 2016.

Given under my hand and official seal


*Debra J. Denz, Town Clerk of the
Town of Victor, New York,*

Upcoming Meetings:
January 5, 2022 @ 9:00 am

Adjournment @ 10:03 am