

Whitney Point, New York
Approved December 1, 2012

Section One – Bylaws - Cemetery Administration

Article 1 – All lots in the Riverside Cemetery are sold and held in accordance with the provisions of the laws of the State of New York and shall not be used for any other purpose than as a burial place for dead human beings.

Article 2 – The affairs and property of the Association shall be managed by the Directors who may sell and convey the lots designated on the map of the grounds, upon such terms as shall be agreed, and subject to such conditions and restrictions as prescribed by these Rules and Regulations, or such regulations as the Directors may hereafter prescribe. All conveyances shall be executed in the manner provided by State law and Regulations.

Article 3 – To be eligible for Office or the Board of Directors, the candidate must be a lot owner. No director shall receive any salary for his or her services as a board member or Officer except for the position of Secretary or Treasurer. Compensation for those positions will be defined by the Board.

Article 4 – The Directors shall annually appoint from their number a President and a Vice-President, and shall also appoint a Secretary and Treasurer, who shall hold their places during the pleasure of the Board of Directors. Vacancies in office of the board of Directors will be filled by vote at the Annual meeting.

Article 5 – The Annual Meeting of the association will be held the Third Tuesday of April in each year. Such meeting will be held at a time and place determined by the directors.

Article 6 – It shall be the duty of the Secretary to give public notice of such meeting by publication of the same in the Whitney Point Reporter, or other local paper.

Article 7 – It shall be the duty of the President at each annual election (meeting) to make a report to the lot proprietors of Association doings, and of the management and condition of the property and concerns of the Association.

The general order of business will be:

- a. President's call to order and approval of previous meeting minutes
- b. Treasurer's Report
- c. Election of Officers and Directors
- d. Appointments of Maintenance Personnel and Sexton
- e. Discussion of Issues and Problems from the previous year
- f. Discussions of Proposed New Business for upcoming year
- g. Open discussion of any other items not covered above
- h. Open floor to Lot Owner's questions or concerns

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Article 8 – At all meetings, in the absence of the President and Vice-President, the Secretary/Treasurer will conduct Association meetings.

Article 9 – The board of directors will meet as required. The Secretary may call a meeting on request of the President or two directors by giving notice to all directors within one week. A majority of the directors will constitute a quorum.

***Article 10** – At Annual Board Meetings, Lot Owners are allowed to vote during the election of officers and trustees. They may cast one vote for each seat for each cemetery deed that they represent. . Only one vote per lot will be accepted and recorded for each seat elected.

Article 11 – The President, with the approval of the directors, may appoint two of the Directors as an Executive Committee, the President being ex-officio one of said committee. The President may appoint, subject to the approval of the directors, such other committees as may seem best to assist in the management of the affairs of the Cemetery Association.

Article 12 – The Secretary shall keep the records of the Association and the minutes of all meetings of the Directors.

Article 13 – The Treasurer shall safely keep all funds of the association and pay out funds on the direction of the President. The Treasurer shall keep an account of all funds received and paid out and render a true report thereof at each annual meeting and whenever called upon by the Directors for the same.

Article 14 – The general charge for day to day maintenance and supervision shall be under the control of the Association President and Secretary/Treasurer. They will:

- Maintain maps of the cemetery layout
- Maintain a list of Lot Owners and Interments
- Have control of Association property and tools
- Insure that the regulations of the Association are adhered to

Article 15 – *All work done in the Cemetery shall be done by Cemetery employees or under the control of the Superintendent or Board of Directors. . **This includes:***

- Burials

- Foundations

- Memorial Placements

- Any physical changes (except individual grave decorations)

Article 16 – The Directors shall appoint a Superintendent of the Cemetery grounds who is required to be in attendance at every interment. In the absence of the Superintendent, an Association Officer must be in attendance.

Article 17 – A permanent fund shall be established by the Association from payments, fees, sales or bequests received, which shall be kept invested in interest bearing securities, the income from which shall be used for the care, keeping, maintenance and improvement of the cemetery. Any funds belonging to the Cemetery Association, when not invested in securities, shall be deposited in such bank or banks as may be designated by the Directors.

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Article 18 – All funds received by the Association other than those to be applied to the permanent fund, may be used for the care, keeping and improvement of the Cemetery and such other purpose as the Board of Directors may approve.

Article 19 – All Association funds will be managed in accordance with New York State Department of Cemeteries rules and guidelines.

Article 20 – All permanent fund investments other than certificates of deposit or savings accounts shall be made only by direction and vote of the Directors.

***Article 21** – Perpetual care will be given by the Association for all lots within Riverside Cemetery. Care will include cutting, trimming and general elevation of each lot. Care of memorials erected and unique vegetation and decorations authorized will be the responsibility of the lot owners. (Also see Sec 2 Art 12 & Sec 3 Art 6)

Article 22 – Lot Sales:

- a. The full purchase price must be paid before a deed will be given or burial allowed on the lot.
- b. Lot sales of more than 8 graves will require approval of the Board of Trustees.
- c. Lots may be saved or placed on hold for a period of 90 days only. The lots will be returned to the “available” list at the end of 90 days with no refund of payments made.

Article 23 – Memorial Requirements

- a. Provisions must be made in advance for permanent grave markers, providing the name of the deceased and the date of death. It must conform to the size, shape and material specified by Riverside Cemetery. The request may require the signatures of the lot owners or appropriate heirs.
- b. All foundations will be installed under the control of Riverside Cemetery. There will be no exceptions without approval of the Cemetery Officers and Trustees. Monuments cannot be delivered until approved by the Superintendent or a cemetery officer.
- c. Monuments must be placed at the head of the grave except for horizontal monuments such as Veterans Plaques.
- d. Grave plots intended for Cremains (See Appendix A) can have a vertical monument at the head of the grave and a horizontal monument in the center of the plot. This center marker cannot exceed 3’W x 1’D.
- e. Monument size limit is dependent on the number of contiguous plots. Maximum width is 36” on a single lot, 48” on a double lot, 60” on a triple lot and 72” on a quadruple lot. Maximum height is not to exceed 36” on a single lot.
- f. Veterans Military Memorials, furnished by the Veterans Administrations are exempt from any of the above.

Article 24 – The Orientation of remains in the graves may vary from Tract to Tract but the same orientation is to be maintained as others within the tract.

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Article 25 – Requirements for graves intended to be used for multiple cremains will require conformance to the graphical specifications in Appendix A. Up to 8 individual cremains can be interred in a single 4' x 10' lot. Once a interment occurs outside these specifications, the lot will be limited to two cremain burials.

Article 26 – Burials:

- a. No interment is allowed to take place without the Superintendent or other Association Officer present.
- b. Burials will supersede any other activity within the cemetery.
- c. Administrative information must be provided prior to or at the time of the funeral. It will include Full Name, Date of Birth, Date of Death, Place of Death, Tract/Site/Grave#, Funeral Home name, Military Service Branch and Service Dates. Other information can be accepted by the Association for their records at the family's discretion.
- d. All fees are due prior to the funeral.
- e. Except for allowances for Cremain Plots (Article 25), a maximum of two full burials per grave or two cremains per grave are allowed. Special approval must be obtained from the association for two full burials.

Section Two - Cemetery Rules & Regulations

Article 1 - Burial must be scheduled in advance by contacting the Association Officers or the Superintendent.

Article 2 - Any burial or attempted burial not coordinated with Riverside Cemetery Association personnel may cause the burial rights to that Lot to be rescinded. Burials will not be allowed in that Lot until all issues have been resolved.

Article 3 - Cremains - All cremain Interments must be made in accordance with NYS Cemetery Law and Riverside Cemetery Bylaws and Rules.. These Interments are treated the same as any other Interment and must be properly recorded by the Cemetery Association. The Administrative Fee, State Mandate and in some cases, the State Vandalism Fee must be paid prior to the Interment.

Article 4 - No vault or mausoleum shall be built above ground without the permission of the board of directors and then only in such location as they may approve.

Article 5 - All foundations will be constructed by or under the direction of Riverside Cemetery Association.

Article 6 - No monument will be allowed to be delivered in the Cemetery until the foundation is installed and ready to receive the monument.

Article 7 - Concrete vaults or concrete grave liners are required for interments in all graves purchased on or after March 20, 1997.

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Article 8 - The grade of all lots will be determined by the board of directors.

Article 9 - To encourage the use of natural decorations, artificial flowers and arrangements will only be allowed between November 1 and April 15 - Grounds-keeping personnel will remove any remaining artificial decorations prior to Memorial Day.

Article 10 - Riverside Cemetery reserves the right to remove all flowers, wreaths, or other decorations from lots as soon as they become unsightly.

Article 11 - Placing of glass blocks or vases as receptacles for flowers, either artificial or grown, on graves or plots, is prohibited.

Article 12 - Riverside Cemetery reserves the right to remove, after due notice to the lot owner, any embellishment on the lot, effigy or inscription which, in the opinion of the majority of the directors, is unsightly or dangerous.

Article 13 - Riverside Cemetery reserves the right to restrict the planting of shrubs and trees and to remove, after due notice to the lot owner, any shrub or tree deemed dangerous to the public or grounds-keeping personnel.

Article 14 - Any stones or other material, which project away from the headstone and interfere with grounds-keeping are also prohibited.

Article 15 - The proprietors of lots and their families shall be allowed access to the grounds at all times between dawn and dusk, observing the rules which are or may be adopted for the regulation of visitors.

Article 16 - Scheduled Funerals In Progress have full priority over other visitors.

Article 17 - Children are not permitted to visit the grounds unless accompanied by their parents or Adult Leader entrusted with their care.

Article 18 - Appropriate respect for persons mourning at gravesites will be observed at all times.

Article 19 - No dogs are permitted unless leashed and the owner equipped with devices/material to immediately remove any droppings.

Article 20 - Visitors will not be permitted to enter lots that are fenced, unless the gates are unlocked; or to walk over or upon any graded lots without the consent of the owner thereof.

Article 21 - If any person leaves any rubbish or other items on any road, alley or lot, it may be removed by cemetery personnel and the lot owner billed for any costs.

Article 22 - Association retains the right of first refusal to buy back lots.

Article 23 - To transfer lots within the cemetery, the Association will first purchase the original lot(s) at the original price plus simple interest at the rate set by the NYS Division of Cemeteries. The Association will sell the new lots at the current price posted.

Article 24 - If, in the opinion of the superintendent, winter conditions such as frost, snow or other weather issues may cause damage to the cemetery or increase the risk of injury to attendees; graves will not be opened. . If the superintendent does allow burials during the

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winter months, any additional costs incurred (e.g. snow clearing, etc) will be the responsibility of the family and must be paid prior to the funeral.

Section Three - Responsibilities of Lot Owners

Article 1 - All lot owners are required to notify the Cemetery of any change in address. All notices required to be sent shall be sent to the last recorded address and such notices shall be deemed adequately serviced.

Article 2 - Lot owners are prohibited from allowing interments to be made on their lots for compensation.

Article 3 - Permission by a lot owner to inter in his lot, given to other than members of his family, must be made in writing, duly witnessed and delivered to the association by the lot owner. Lot owners cannot transfer or assign lots without written permission from the association (and approved by NYS Division of Cemeteries). Ancestral tracing may be required by the association (e.g., marriage records, birth certificates, etc)

Article 4 - The proprietor of each lot may erect any proper monument or sepulchral structure thereon, and with the consent of the Directors, cultivate trees, shrubs or plants on the same; except that no slate stone shall be set in any other than a horizontal position; and no tree growing upon the lot, or border, shall be cut down or destroyed, without the consent of the Directors. Foundations for monuments shall not be less than Three and a half inches thick. Larger monuments may require thicker foundations and must be approved by cemetery officials. Foundations shall be constructed of concrete.

Article 5 - To minimize cemetery maintenance costs, lot owners and their families are encouraged to make every attempt to remove dead flowers in a timely manner, trim shrubs and, in general, maintain their gravesites. No obstacles shall be placed in the mowing paths. Any vegetation must be contained in the general confines of gravesite memorials in a way that does not obstruct a clear mowing path.

Article 6 - If any lot remains in a neglected condition after the owner has been notified, the Association may advise the Superintendent to make the necessary improvements at the expense of the owner.

Article 7 – Lot owners are encouraged to consider their wishes for future usage of their lots after their own demise. Their legal wills or notarized affidavits to the Association can be utilized to assure that their wishes regarding their cemetery rights are perpetuated.

Changes approved by the Board of Trustees on August 26, 2012

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Appendix A

Grave Layout for Multiple Cremains

