

BYLAWS AND REGULATIONS OF THE JACKSONVILLE RURAL CEMETERY ASSOCIATION

The following Regulations and By-Laws were approved by a unanimous vote of the Trustees on April 20th, 2023.

Trustees present: President Maysel Markham, Vice President Connie Horner, Secretary Dale Snow, Treasurer Anne Wyman, Mary Ellen Rushford, Carole Menzel, Margaret Tanner, Mary Mosher, JoAnne Greene.



INTRODUCTION

The name of this Association shall be known as the Jacksonville Rural Cemetery Association of the Town of Lysander, organized under Chapter 527 of the Laws of 1870 of the State of New York.

The persons who met at the office of Nelson Charles Dunham at Little Utica on the 3rd day of December 1870, and formed said Association were: Edward Bentley, Turner Cornell, Alanson Dunham, Simeon Blakeman, Nathaniel Palmer, Frederick W. Fenner, William Fancher, Oscar Allen, Daniel Eggleston, George Fisher, Thomas Gifford and Nelson Charles Dunham.

The following amendments were approved on April 20th, 2023. Trustees present: President Maysel Markham, Vice President Connie Horner, Secretary Dale Snow, Treasurer Anne Wyman, Mary Ellen Rushford, Carole Menzel, Margaret Tanner, Mary Mosher, JoAnne Greene.

ARTICLE I

The officers of this Association shall consist of a President, Vice-President, Secretary, Treasurer and five (5) Trustees, of which the President shall be Chairman. Said President, Vice President, Secretary and Treasurer shall be chosen by and from the Trustees at the Executive Session of the annual meeting and shall hold their respective offices for one year. The said Trustees elected shall hold their offices for three years, of which three (3) shall be elected at each annual meeting. In case of failure to elect at an annual meeting the Officers and Trustees then in office shall hold their respective positions until others are duly elected and qualified to fill their place.

ARTICLE II

There shall be an annual meeting of the Association for discussions, concerns and the election of Trustees to be held on the first Saturday in May at nine o'clock a.m. each year. The meeting will be open to the public. The Secretary shall cause notice to be given by publishing at least two legal notices at least two weeks before the day of election and posting a notice at the cemetery. Only lot owners or relatives not more remote than grandchildren of deceased lot owners are eligible to the Office of Trustee of the Jacksonville Rural Cemetery Association. Lot owners or relatives not more remote than grandchildren of the deceased lot owners are members of the Association and are entitled to one vote for a Trustee position.

ARTICLE III

It shall be the duty of the President to preside at all meetings of the Association and sign all lot deeds.

ARTICLE IV

It shall be the duties of the Secretary to attend all meetings of the Board of Trustees, to keep a full and accurate record of all the business proceedings of the Association meetings, to act as its agent during the term of their office, and to issue all deeds for lots sold. Any money received by the Secretary, from whatsoever source, will be submitted to the Treasurer for recording and deposit.

ARTICLE V

It shall be the duty of the Treasurer to receive and deposit the funds of the association, maintain accounts receivable and accounts payable; to report all moneys in the treasury and the financial conditions of the Association to the Trustees at any special or annual meeting. It shall be the responsibility of the Cemetery Association to secure bond insurance to cover officers and trustees in the faithful performance of their duties.

ARTICLE VI

In case of the absence of the President, the Vice-President shall perform all the duties of the President.

ARTICLE VII

The Board of Trustees shall have power to make such by-laws as they may deem necessary for the security and governing of said Association, subject only to the Laws of the State of New York, to fill all vacancies occasioned by death, removal, or resignation of officers or trustees, and have supervision and control of the affairs of the Association.

BY-LAWS of the JACKSONVILLE RURAL CEMETERY ASSOCIATION

as amended on April 20, 2023

Section 1:

The Trustees shall have general care and supervision of the cemetery grounds and property, with power to carry into execution any plans for improvement and embellishment of the cemetery. They shall have power jointly to direct respecting the grading, and erection of monuments so as to require conformity with the regulations prescribed by the Association; to determine the lines of burial lots, and prevent encroachments on the borders, avenues and walks; to employ all necessary workers, and generally to take care that the provisions of the Laws of the State applicable to cemeteries and the by-laws and regulations of the Association be enforced.

Section 2:

Any person who shall be dissatisfied by the actions of the Cemetery Association may submit their grievance in writing (electronically, by mail, or by personal delivery) and shall include the basis of their complaint for review by the Trustees.

Section 3:

If any tree or shrub on any lot shall become detrimental to the adjoining lots or avenues or may mar the effect or beauty of the scenery, it shall be the duty of the trustees, and they shall have the right to enter the said lot and remove the said tree or shrub, or such part thereof as they may desire.

Section 4:

The Trustees, or a majority of them shall, from time to time as the Association may require, classify the lots and plots of the grounds open for sale and occupation into classes in reference to location and eligibility for burial purposes and the price shall be graduated according to such classification.

Section 5:

No person shall take possession of any lot or make improvements until it has been paid for and the owner has received the deed.

Section 6:

All regulation graves shall be 4 feet wide by ten feet long.

Section 7:

Any person who shall select any grave(s) or lot(s) and shall pay the price to the Treasurer, will be entitled to receive from the Association a conveyance (deed). Except as provided for in Section 1513c of the NY Not for Profit Corporations Law, no lot owner may transfer their lot. If the requirements are met, no transfer shall be held valid until the officers of the Jacksonville Rural Cemetery have approved the request and a transfer deed has been issued.

Section 8:

All lots shall be held subject to the act authorizing the formation of rural cemetery associations passed April 27, 1847, and all amendments thereto which now are or which hereafter may be made. All lots are held subject to the Rules, Regulations and By-Laws of the Jacksonville Cemetery Association and the State of New York.

Section 9:

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

Section 10:

The Treasurer shall enter in the Book of Record the name of every person to whom a deed has been given and the date thereof or transfer therewith.

Section 11:

All persons are prohibited from picking flowers, either wild or cultivated, or damaging any tree or shrub in the Cemetery.

Section 12:

All persons are prohibited from damaging any monument, fence or other structure in or belonging to Jacksonville Rural Cemetery.

Section 13:

The President, or two Trustees, or five members of the Association may convene the Board of Trustees at any time by notifying the Secretary in writing (with the object of such meeting) to call a special meeting of said Board by giving at least a five days' notice.

Section 14:

A majority of the Board of Trustees shall constitute a quorum to do business.

Section 15:

Any and all persons are prohibited from removing a body or ashes from the cemetery or from one lot to another in the cemetery without first presenting a written request to the Board and obtaining permission. Provisions of Section 1510 of the NY Not for Profit Corporation Law (NPCL) must be complied with, and the proper documentation provided to Jacksonville Rural Cemetery Association.

Section 16:

Interments in a lot are restricted to those entitled to burial therein, according to the terms of Section 1512 of the Not-for-Profit Corp Law. Permission for burial of non-lot owners must be filed with the Jacksonville Rural Cemetery Association by the current lot owner(s) or heirs.

Section 17:

The by-laws may be amended at any regular meeting of the Trustees upon an affirmative vote of two-thirds of all the Trustees.

AMENDMENTS

- No. 1 All materials brought into the cemetery to be used in improving the lots or otherwise must be transported and deposited under the direction of the Superintendent/Sexton and at the expense of the proprietor of such lot.
- No. 2 To ensure the proper regulation of the grounds the grade of all lots will be determined by the Trustees.
- No. 3 All workers employed in any way within the grounds must be subject to the control and direction of the Trustee or their agent, and any workman failing to conform to this regulation will not be permitted afterward to work on the grounds.
- No. 4 Foundations and monuments must be made and installed by a professional monument company to the specifications of the cemetery association.
- No. 5 All lots sold in the cemetery currently include perpetual care in the price of the lot.
- No. 6 All graves of adults shall be at least 5 feet deep and shall be dug only by persons in the employ of the Association and/or under the direction of the Superintendent/Sexton of the grounds or his agent.
- No. 7 Whenever interment is to be made, notice must be given the Superintendent/Sexton at least 24 hours before burial is to take place, with the top measurement of the case and location of the grave on the lot.
- No. 8 Superintendent/Sexton or Treasurer must be contacted with arrangements to place a body or ashes in the vault.
- No. 9 All bodies/ashes placed in the chapel for storage must be embalmed and/or placed in a sealed container. All bodies left in the vault during the winter must be interred by May 12th unless prevented by weather conditions. Charges are determined by the Trustees and approved by NYS Cemetery Board.
- No. 10 Interment prices provide for the opening, closing and sodding of the graves.
- No. 11 All rates and fees shall be determined by the Trustees of the Association and approved by the NYS Cemetery Board.
- No. 12 Bodies may be received in the vault during the months of May, June, July, August, September and October, but with the condition that they be removed within 5 days from day of entrance.

The following are the exact words of our much esteemed Vice-President E. F. Palmer, "deceased." (1940)



"The purpose to which this property is dedicated is such: that to obtain a proper administration and satisfactory results; definite and somewhat rigid rules must be in force, for that reason we ask for the co-operation of Lot Owners and the Public. Visitors are reminded that Jacksonville Rural Cemetery is the Sleeping Place of the dead and indispensable, therefore there should be strict observance of all proprieties, due the place."

Through his ceaseless efforts and the co-operation of the Trustees this has become a Cemetery that the surrounding community may well be proud of.