

## **TOWN OF DANUBE LEGAL NOTICE**

### **NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Danube, Herkimer County, New York at the Town Garage, 438 Creek Road, in the Town of Danube, Herkimer County, New York on Wednesday, June 21, 2000, at 7:00 PM, concerning proposed Local Law Number 1 of 2000. This Law may be known and cited as the Town of Danube Cemetery Moratorium Law.

THE SAID LOCAL LAW WOULD REGULATE CERTAIN ASPECTS OF THE TOWN OWNED CEMETERIES. THE LAW IN ITS ENTIRETY FOLLOWS.

### **Town of Danube Cemetery Moratorium Law**

**1. Overview.** The Town Board of the Town of Danube has legal responsibility for the care, administration and management of and/or ownership of five cemeteries in the Town. The cemeteries are the: (a) Garlock Cemetery on Johnnycake Road, (b) Houpt Cemetery off the corner of Newville Road and Fords Bush Road, (c) Ostrander Cemetery on West Fiery Hill Road, (d) Gardinier Cemetery off Paradise Road, and (e) Bellinger Cemetery off Bellinger Road. In the recent past the Town Board has taken a passive role with respect to the affairs of these cemeteries. There has been little maintenance of the sites and there have been instances where present interments have disturbed pre-existing graves. Recently, the Town Board has taken steps through the Cemetery Committee to undertake cemetery maintenance and repair. The Town Board now wishes to consider alternative ways to administer and manage the cemeteries and to discover, where and as possible, the extent to which burial sites were previously utilized in each cemetery.

**2. Purpose.** This local law will provide the Town Board together with the Cemetery Committee with time and opportunity to resolve the aforementioned issues and others related to the cemeteries while preserving the status quo at each facility and respecting those interred.

**3. Moratorium.** Commencing on the date this local law is filed with the New York Secretary of State, and for a period of six (6) months thereafter, except as provided below, there shall be no interments, no placement or replacement of headstones or markers, or removal of trees or shrubs within any of the five cemeteries identified in section 1. Interments together with the placement of headstones or markers will be permitted on gravesites marked previous to the adoption of this local law and reserved for identified individuals or families. Cutting of grass and trimming of trees or shrubs and routine maintenance of fences or other structures or the placement of flowers or other tributes within or around the cemeteries are allowed under this moratorium.

**4. Notice of Moratorium.** In addition to required legal notice or publication, the Town Supervisor may undertake such steps as he deems reasonable and necessary to notify directly local funeral directors, Herkimer County officials and other interested persons of this moratorium.

At such time and place, all persons interested in the subject matter thereof will be heard concerning the same.

There will be a Special Town Board meeting following the HEARING at which time action may be taken on this law.

Dated: June 9, 2000

By Order of the Town of Danube Town Board  
Diane K. Cagwin  
Town Clerk