

A Message from Our Supervisor

During the summer of 2015, the Towns of Plattsburgh and Ellenburg were contacted by representatives of the State of New York's Division of Cemeteries, indicating that Whispering Maples Memorial Gardens, Inc. (Whispering Maples) had been declared abandoned by the state.

Whispering Maples includes a crematory and stand-alone mausoleum in the Town of Ellenburg and a stand-alone Mausoleum in the Town of Plattsburgh.

This abandonment occurred because there was no longer a board of trustees sufficient to conduct the business of the cemetery and that the financial condition prevented its operation for the benefit of the lot owners. Previously, the State Cemetery Board had removed two cemetery trustees by state order which eliminated a quorum necessary for the cemetery to operate. Another not-for-profit cemetery was also solicited to take over operations but those efforts failed to materialize.

Under state law, abandoned cemeteries become the wards of the municipalities in which they are located.

The New York State Division of Cemeteries indicated that Whispering Maples was immediately being turned over to the two towns. Town representatives immediately reached out to the Association of Towns for guidance and assistance in this matter.

Plattsburgh and Ellenburg made it clear from the beginning that their stated priority was to protect the families that had invested in Whispering Maples as well as to protect the taxpayers of the towns.

The consultation with the Association of Towns provided some direction and assisted the communities in engaging the professional services of a firm that specializes in cemetery administration and abandonment.

Consultants were immediately engaged to assist the towns in this situation. The towns, working with professional staff, immediately began discussions and meetings with state officials which ultimately led to legal action to provide the towns some breathing room so that they could examine the condition of the cemetery operations and the overall financial situation of the cemetery. Working with the Office of the Attorney General, the towns directed that a time of receivership should be implemented to provide for a proper and acceptable transfer of Whispering Maples to the towns. The consultant retained by the towns began to interview individuals for the post of a court appointed receivership. This person would review and manage operations of Whispering Maples and make recommendations relative to the ultimate transfer to the towns. The towns were appreciative of and supported the court appointment of Connie Goedert, Town of Queensbury Cemetery Superintendent, to the post of temporary receiver of the organization. She had agreed to serve at no pay.

Ms. Goedert, working with retained consultants, is updating the organization's structure and planning for the transition to the towns. As part of this process, an application is being drafted to the state's abandoned cemetery fund to allow the towns to apply for a grant of funds to enact significant and comprehensive repair of the mausoleums. Additionally, thanks to the support and efforts of Senator Betty Little and Assemblywoman Janet Duprey, a state budget designation of \$300,000 will be disbursed to the towns for permanent maintenance of the facilities.

The current temporary receivership is expected to expire in June of 2016. There is a great deal of work being conducted in advance for the transition. A structural engineer is currently reviewing all repairs and costs and management refinements are being enacted in all cemetery facilities.

A joint public meeting was convened by supervisors of both towns on April 27, 2016 to allow the communities to be updated directly by public officials as well as cemetery industry experts. That meeting outlined that the process for complete repair and restoration of the facilities will take some time. The towns are sincerely appreciative of the patience of our community partners in this process.

We will continue to keep you updated throughout this process.

Thank you.

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Supervisor

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