

# **Brookfield Cemetery Corporation Manorville, NY**

## **Rules and Regulations**

### **INTRODUCTION**

Brookfield Cemetery is a non-denominational, not for profit Cemetery Corporation managed by a Board of Trustees (hereafter referred to as the ‘Trustees’). The trustees receive no remuneration or compensation for their work.

This cemetery sells graves (Final Resting Places), and charges fees for its services. Services that are provided by the Trustees include overseeing grave openings (interments and disinterments), the review of monument applications, overseeing monument construction, and deed replacements. Fee based services will not be performed unless payment has been received in full.

Fees and grave prices are determined by the Trustees. Fees are subject to approval by the New York State Department of State, Division of Cemeteries. 100% of the revenue collected is allocated to specific funds to be used for the management and betterment of the cemetery.

The cemetery may, and it hereby expressly reserves the right, at any time, with or without notice to lot owners, to adopt new rules and regulations or to amend, alter and/or repeal any rule, regulation and/or article, section or paragraph in these Rules and Regulations.

Special cases may arise where a rule may cause unnecessary difficulty or hardship. In such cases, where possible, the Trustees can construe rules to avoid the imposition of hardship as long as doing so does not alter the intent and application of the governing fee, rule or regulation.

## **SECTION I: Foundations and Monuments**

### **A: FOUNDATIONS**

In order to promote the good repair and lasting beauty of the cemetery, all monuments and markers, including flat and bronze markers, are required to be supported by a proper foundation. To ensure uniformity within the cemetery, all concrete foundations are required to meet the foundation design guidelines specified by the Board.

1. Old Section and New Center Section: All upright, slant monuments, and headstones (with the exception of cornerstones) shall be set on a solid foundation of concrete to a minimum depth of four (4) feet.
2. Beam Section: Monuments in the beam sections must be set upon said beams. Exception: Military flat markers at the foot of a grave.
3. Flat granite and bronze memorial markers, such as those provided by the military, must have a reinforced concrete foundation. The flat memorial must set directly upon a 12-inch-deep concrete base three (3) inches wider than the memorial on all sides. The concrete base must be supported by a minimum of two-24-inch-deep reinforced footings for a total foundation depth of 36 inches below grade. The memorial itself must not extend more than two (2) inches above the ground surface.
4. Statues, vases, or planting urns must be permanently affixed to a concrete or stone base adjacent to the side of the monument. The base footing should extend to at least three (3) feet below grade.

### **B: APPLICATION FOR THE ERECTION OF A MONUMENT**

1. The Board of Trustees must review and approve each monument prior to its installation.
2. An 'Application for the Erection of a Monument' shall be obtained from and submitted to the Secretary of the Brookfield Cemetery Corp. This application must show highly detailed specifications of each monument, marker, and foundation. The monument review fee must accompany each application.

3. The presence of a Brookfield Cemetery trustee is required during any monument installation.

## **C: MONUMENT GUIDELINES AND RESTRICTIONS**

### **1. Old Sections:**

- a.) Headstones and monuments in this section must face to the West.
- b.) No headstones shall exceed two (2) feet in height.
- c.) No family monument shall exceed four (4) feet in height.

### **2. Beam Sections (Cemetery Maps 5 and 6):**

- a.) Monuments shall face East and West.
- b.) The following dimensional guidelines must be strictly adhered to:

#### **Double Graves\*:**

Base: Maximum Length of six feet (6'), which is 75% of the total width of the two contiguous graves.

Height: Maximum Overall Height of three feet (3')

**\*Both base and monument must have a smooth, straight back**

#### **Single Graves\***

Base: Maximum Length of three feet (3'), which is 75% of the grave width.

Height: Maximum Overall Height of two feet six inches (2' 6")

**\*Both base and monument must have a smooth, straight back**

- c.) Stones and masonry work for each stone must be limited to ½ of the beam width (or 12"), leaving the remaining width for adjacent stone installation.

### **3. New Section (Cemetery Maps 11, 12, 17, 18):**

- a.) Monuments shall face East and West, *with the exception of Lots 11 and 12 (Map 11) and lots 56 and 57 (Map 17). Monuments in these sections will face West and the monuments will be on the west side of the graves.*
- b.) All monuments in this section require a foundation. Foundations must be four (4) feet in depth, and must not exceed one foot (1') in narrow width so as not to intrude onto the adjoining grave.
- c.) The following dimensional guidelines must be strictly adhered to:

**Double Graves\***

Base: Maximum Length of six feet (6'), which is 75% of the total width of the two graves.

Height: Maximum Overall Height of three feet (3')

**\*Both base and monument must have a smooth, straight back**

**Single Graves\***

Base: Maximum Length of three feet (3'), which is 75% of the grave width.

Height: Maximum Overall Height of two feet six inches (2'6")

**\*Both base and monument must have a smooth, straight back**

The cemetery reserves the right to inspect the completed installation of any memorial to ensure that the installation was performed in accordance with the cemetery's guidelines and installation requirements. Should the Board determine that the installation was not completed or properly performed, it shall notify the contractor and require that the deviations be expeditiously corrected. Any contractor who willfully violates the Rules and Regulations will be prohibited from performing further work in Brookfield Cemetery.

**SECTION II: Interments**

- A. Only human or cremated human remains shall be interred in this cemetery. All full burial interments shall be under the supervision of licensed funeral director.

- B. A trustee must be present for every interment performed, including those for cremains. Allow 48 hours prior notice for this scheduling.
- C. The spreading of ashes on any plot, grave, or open area of cemetery land is not considered an acceptable method of interment, and is therefore prohibited in this cemetery.
- D. When an interment has been made, this grave shall be considered filled and no other interments shall be made subsequently in that grave, with the following exceptions:
  - ◆ Two cremation urns may be interred in a single gravesite, and two separate openings will be permitted.
  - ◆ A mixed burial is permitted (one casket, one cremation urn). However, the casket burial **must** be the **first** interment in the grave. The cremation urn or vault may be buried simultaneously or at any time thereafter.
- E. No grave shall be dug less than three (3) inches from the boundary line of any adjoining plot.
- F. All graves for the burial of intact remains must be dug to a depth not less than five (5) feet, east and west.
- G. Cremation urns must be buried to a depth of not less than 24 inches. If two urns are interred into a single plot, but at different times, placement must be at opposite ends of the plot and so noted on the cemetery map.
- H. Grave mounds are not permitted in this cemetery. All surplus soil must be moved to a designated portion of the cemetery or removed from the premises, as directed by the Trustees.
- I. **Disinterment:** No grave shall be opened by any person except at the discretion of the Trustees or pursuant to an order of Supreme Court, Suffolk County, and no human remains disinterred and/or removed from the cemetery except as follows:
  - ◆ An entitled individual must make a formal application to the Board of Trustees and obtain written permission from the Trustees prior to the action.
  - ◆ The application and fee for disinterment and/or burial shall be submitted to the Secretary of the Brookfield Cemetery Corp.

- ◆ Disinterments, including notifications, are subject to all provisions of Article 15, Section 1510 (e) of the NYS Not-for-Profit Public Cemetery Law relating to such removals.

### **SECTION III: Permanent Maintenance And Sale And Transfer of Gravesites:**

- A. Permanent maintenance of lot or lots shall be included in the purchase price.
- B. The sale (or re-sale) of burial rights in any lot, plot, or part thereof are subject to the requirements set forth by the New York State Not-For-Profit Public Cemetery Law Article 15, Section 1513.

### **SECTION IV: Protection Of Property and Preservation of Burial Grounds.**

Existing monuments, trees, plants, vines, or shrubbery, which, in the opinion of the Trustees have either become dangerous, pose a risk to persons or property, have become damaged, or were installed without permission, must be removed, repaired or corrected by the grave owner or family, if known. Notification to grave owners and follow-up actions will be made in accordance with the applicable statute or New York State Cemetery Board regulations.

- A. Fences, enclosures, or curbing are not permitted to be constructed on any lot.
- B. All persons are prohibited from throwing waste paper, discarded flowers, waste, or refuse matter on any part of the cemetery grounds or on any adjoining property.
- C. Dogs, horses, or unauthorized vehicles are not allowed on the cemetery grounds.
- D. No use whatsoever shall be made of the roads, paths, or driveways leading into and through the Cemetery, or any part thereof, except for cemetery purposes, and no person shall trespass onto any lot or plot of ground within the cemetery

not their own, or pick flowers, break or injure any tree, shrub or plant, or deface, injure or write upon any monument, stone, fence or structure within the limits of the cemetery.

- E. No commercial work may be performed in the cemetery on Sunday, except that which is necessary for burials, or in emergencies, unless authorized by the Board of Trustees.
- F. There shall be no night-time access to cemetery grounds.

## **SECTION V: GRAVE DECORATING**

- A. The planting of trees and shrubs anywhere on Cemetery Property requires Trustee Approval.
- B. No cut or artificial Christmas trees are permitted, but evergreen wreaths, and/or grave blankets are permitted from Thanksgiving to January 15 of the following year.
- C. Grave owners will be notified by United States First Class Mail and be given 30 days to remove unsightly or unauthorized decorations. If trustees remove the items, they will be held for another 30 days for the owners to retrieve them, but then discarded.
- D. No glass, porcelain, ceramic, plastic containers or items, or small toys and trinkets will be permitted. These pose a hazard to workers and visitors\.
- E. No stand-alone LED or solar lighted fixtures are allowed.
- F. Real or Artificial flowers are allowed, but placement cannot extend beyond one foot (1 ft.) in front of the grave marker or monument. Alternatively, flowers can be:
  - Placed in cemetery-approved fixed vases or urns that are anchored to a solid base adjacent to the side of an existing monument.
  - placed in a buried (underground) vase directly in front of a monument
  - Temporarily attached to the top of the monument (Grave saddle).

- G. Permanent vases, planting urns, and statues must be pre-approved by the Trustees prior to installation. Approval criteria include: adequate space (no encroachment on adjacent graves), depth (to frost line) and solid material of construction (concrete, stone). Vases should have a removable liner.
- H. Approved vases or planting urns must be made of concrete, granite, marble or metal manufactured for cemetery use.
- I. Approved Statues may be made of concrete, granite, or marble and may not exceed the height of the associated monument.

## **SECTION VI: ADMINISTRATIVE GUIDELINES**

- A. The annual meeting of the Corporation shall be held in April of each year. The date, time, and place shall be set forth in the notice of the meeting.
- B. The Board of Trustees shall be made up of seven (7) members, all of whom shall be lot owners.
- C. The trustees may assess an annual tax for the improvement or maintenance of the cemetery as long as the provisions of Section 1509(f) of the NYS Not-for-Profit Corporation Law are complied with.

*The above Rules and Regulations are in accordance with the NYS Not-for-Profit Corporation Law Article 15: Public Cemetery Corporations. Appeals for change shall be made to the Brookfield Cemetery Corporation. The Trustees are authorized to enforce the foregoing rules and regulations and to maintain any necessary legal action in courts or elsewhere for the purpose of ensuring compliance therewith, and for recovering any damage due to violations thereof.*