

By - Laws
Of the
Port Gibson Rural Cemetery Association
Port Gibson, N.Y.

**Article I
Organization**

Declarations:

1. Executive Board:- The affairs of the association shall be controlled by the Trustees and administered by the Executive Board.
2. The Executive Board shall consist of six (6) Trustees, a President, Vice-President, Secretary, and Treasurer.
3. The Executive Board shall have the power to remove any of said Officer at any time for sufficient cause.
4. The Executive Board, at each Annual Public Meeting, will make reports to the plot owners of their activities, management/condition of the property, concerns of the Association, and cemetery finances.

**Article II
Trustees and Officers**

Trustees:

Are required to be at least 18 years of age.

Are required to be lot owners and/or have relatives interred in the Port Gibson Rural Cemetery (lot owner is defined as any person having a lawful title to the use of a niche, lot, plot, ect. Or part thereof, in a cemetery, or columbarium).

Trustees are elected into a two(2) year term at an Annual Public Meeting of the Association.

Trustees voted into position outside of a regularly scheduled Annual Public Meeting will be considered interim Trustees until the following Annual Public Meeting where they may be voted into a permanent Trustee position.

All Officers:

Are required to be at least 18 years of age.

The term Officers includes the President, Vice-President, Secretary, Treasurer, and Caretaker.

Are required to be lot owners or have relatives interred in the Cemetery of the Association, and/or live in the Port Gibson area with an interest in the preservation and improvement of the Port Gibson Rural Cemetery.

Elected officers hold a two (2) year term with President and Treasurer re-elections happening on years ending in odd numbers and Vice-President, Secretary, and CareTaker re-elections happening on years ending with even numbers. All elections are to be held at the Annual Public meetings.

President:

It is the duty of the President of the Association to

- Preside at all meetings of the Executive Board and all Annual Public meetings
- Appoint all committees not otherwise provided for
- Appoint any vacancies of the Association that may occur until such time an election of officers may be held
- Sign deeds for cemetery lots and other documents requiring his or her signature
- Call special meeting of the Executive Board when requested to do so by two of its members
- Perform such other Presidential duties.

The President may not make a motion while conducting a meeting nor cast any ballots except to break a tie.

Vice-President:

The duty of the Vice-President is to assume those duties of the President in the absence or incapacity of the President.

Secretary:

It is the duty of the Secretary to:

- Give public notice of the Annual Public meeting in the manner required by law (see Article III, Meetings).
- Attend all meetings of the Executive Board and all Annual Public meetings.
- Record the proceedings of those meetings.
- Safely keep and preserve the current log being used to record minutes.
- Upon completion of term, transition all property of the Association to the successor

Treasurer:

It is the duty of the Treasurer to:

- Sign all deeds with the President
- To accept all payments made to the Association and pay the Association's debt.
- Keep just and accurate accounts of all financial transactions
- Report the Finances at each Annual Public Meeting
- Keep a registry of Burials
- Forward Burial Permits to the Town Clerk
- Safely keep and reserve all books and papers belonging to the Association
- Upon completion of term, transition all property of the Association to the successor.
- Obtain and maintain Tax Exempt status
- Submit required annual reports to the State Department of Cemeteries.
- File annual 990 tax forms as applicable

Caretaker (a.k.a.Sexton, a.k.a. Superintendent):

It is the duty of the Caretaker to:

- Keep the grounds neat and in good order
- Grant all burial permits

- Oversee the opening and closing of all graves
- Provide the location of the deeded burial site to Funeral Directors
- Keep records of all burials, giving documentation (documentation should include name of person, certificate of cremation or burial transit log, date of interment, plot number, and veteran status) to Treasurer as appropriate.
- Submit collected payments, burial permits and/or certificates of cremation to Treasurer as appropriate
- Eject from the grounds any person(s) acting in a manner that is disrespectful or destructive of the cemetery or the cemetery property, monuments, gravestones, ect. The CareTaker has the right to take action up to and including involvement of law enforcement. And must follow such actions by notifying the President of the Board.
- Perform other ground maintenance duties as necessary or as assigned by the Association

Article III Meetings

Annual Public Meeting:

Public Notice - The annual public meeting will be held on the first saturday of every March at 10:00am at the Port Gibson Church whenever possible. A public notice must be placed by the Secretary in a local newspaper published in the same county and/or the immediate area of the Port Gibson Rural Cemetery. This public notice is to inform of the upcoming meeting and must run at least three consecutive weeks prior to the meeting date. The cemetery bulletin board should announce the regularly scheduled annual public meeting date and time.

Voting - Every lot-owner, Trustee and officer may (either by person or by proxy) cast one vote per actionable item at all annual meetings. The President may only vote as a tie-breaker.

Quorum - A quorum must be met in order to perform any business at any annual meeting of the Board. A quorum is met when at least half of the Board members are present.

Order of Business - The following order of business must be observed at each annual meeting of the Association.

Call to order (President/Vice President)

Make note that Public Meeting minutes are available to those who request them.

Reading of minutes of prior Public meeting (Secretary)

Report of Treasurer (Treasurer)

Report of Caretaker (Caretaker)

Report of other other officers/Committees (Reporting office)

Old Business (President opens it to the floor)

New Business (President opens it to the floor)

Election of Trustees and Officers

Reading and correction of Minutes of current meeting

Adjournment

Executive Board Meetings:

Frequency - Must minimally occur once per calendar year immediately following the Annual Public Meeting.

Voting - Every lot-owner, Trustee and officer may (either by person or by proxy) cast one vote per actionable item at all Executive Board meetings. The President may only vote as a tie-breaker.

Quorum - A quorum must be met in order to perform any business at any annual meeting of the Board. A quorum is met when at least half of the Board members are present. Members of the Executive Board who do not attend the scheduled meeting voluntarily forego their right vote on matters held at that meeting.

Order of Business - The following order of business must be observed at each annual meeting of the Association.

- Call to order (President/Vice President)
- Reading of minutes of prior Executive meeting (Secretary)
- Report of Treasurer (Treasurer)
- Report of Caretaker (Caretaker)
- Report of other other officers/Committees (Reporting office)
- Old Business (President opens it to the floor)
- New Business (President opens it to the floor)
- Election of Trustees and Officers
- Reading and correction of Minutes of current meeting
- Adjournment

Special Meetings of the Executive Board:

For special meetings every attempt is made to notify executive Board Members at least 7 days prior to the meeting. Purpose of the Special Meeting is to be stated in the notice.

Voting - Every lot-owner, Trustee and officer may (either by person or by proxy) cast one vote per actionable item at all Executive Board meetings. The President may only vote as a tie-breaker.

Quorum - A quorum must be met in order to perform any business at any annual meeting of the Board. A quorum is met when at least half of the Board members are present. Members of the Executive Board who do not attend the scheduled meeting voluntarily forego their right vote on matters held at that meeting.

Order of Business - The following order of business must be observed at each special meeting of the Association.

- Call to order (President/Vice President)
- Reading notice that was sent out giving reason for the meeting (Secretary)
- Special Business (President / Vice President)
- Report of Caretaker (Caretaker)
- Reading and correction of Minutes of current meeting (Secretary)
- Adjournment (president)

Article IV

Amendments

These By-Laws may be amended only with the approval of at least a quorum of all Trustees and officers at a regular or special meeting.

Article V

Effective Date

The effective date of these By-Laws is

Previous By-Laws were last amended on February 9th, 1989.

These By-Laws were adopted by the Executive Board of the Port Gibson Rural Cemetery Association on the _7th__ day of _March_____, 2025 and supersedes any previous By-Laws of said Association.