

Contact Information:

Town of St. Armand
PO Box 338
1702 NYS Route 3
Bloomingtondale, NY 12913
Phone: 518-891-3189
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www.townofstarmandny.gov

Physical Location:

Franklin Falls Cemetery
2004 Gillespie Drive
Franklin Falls, NY

Purpose

The following rules and regulations have been adopted as a guide to the use and internments of Franklin Falls Cemetery. The rules and regulations will help protect all who have interest here. All owners of interment rights, visitors and contractors performing work within Franklin Falls Cemetery shall be subjected to said rules. Updates to regulations, amendments or alterations as shall be adopted by the Town of St. Armand Board as necessary.

Definitions

Cemetery Office - the term Cemetery Office shall refer to the Town Clerk located in the Town of St. Armand.

Internment - the term internment shall mean the permanent disposition of the remains of a deceased person by cremation, entombment or burial.

Deed - refers to the Deed of the Lot sold to an individual or family designation their burial Lot.

Grave - the term grave shall apply to a space of sufficient size to accommodate one adult internment, approximately three by ten feet.

Lot - the term Lot shall apply to numbered divisions as shown on the record which consists of a single, double or family burial Lot.

Lot sizes are as follows:

Single - five feet by ten feet (5'x10')

Double - ten feet by ten feet (10'x10')

Family - twenty feet by ten feet (20'x10')

Memorial - the term memorial shall include a monument, tablet, tombstone, grave marker or headstone identifying a grave or graves, cremated interred or a nameplate with inscription identifying a crypt or niche.

Monument - the term monument shall refer to an upright memorial made principally of stone or marble which extends above the surface of the ground.

Marker - the term marker shall mean a memorial that is flush with the ground.

Lot Marker - the term Lot marker refers to any means used by Franklin Falls Cemetery grounds keepers or families of the interred to locate corners of graves. i.e.: cornerstones, steel posts, etc.

Management - the term Management shall refer to the Town of St. Armand Board.

Cemetery Office - the term Cemetery Office shall mean:

Office of the Town Clerk
Town of St. Armand
PO Box 338
1702 NYS Rt. 3
Bloomingdale, NY 12913
Phone: 518-891-3189

Cemetery Office Supervisor - the term Cemetery Office supervisor shall refer to the Town of St. Armand Supervisor.

Owner(s) is the person or persons to whom the Town of St. Armand has conveyed a burial right (Deed) or rights or a person or persons who have acquired such rights by transfer in accordance with the rules of Franklin Falls Cemetery, or a person or persons who hold such burial right or rights by inheritance.

Single grave/single Lot is a grave for one person.

Urn is a container used for cremated remains.

Permanent Urn refers to an urn that is non-biodegradable and is made from ceramic, metal, stone or other hardened material.

General Rules and Regulations

1. Rules and Regulations of Franklin Falls Cemetery and prices for burial spaces and services are made by the Town Board and become effective upon approval by a Resolution of the Town Board.
2. Management 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 in which the literal enforcement of the rule may impose unnecessary hardship. The Town Board, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of the Rules and Regulations when, in its judgment, the same appear advisable, and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of such.
3. Management retains to itself, for the benefit of all interment right owners, full and complete supervision, control of the land, buildings, improvements, roads, walks, utilities, development, books and records, and the full and complete authority, rights and privileges to make, change administer and enforce all rules and regulations and restrictions not inconsistent with the laws of the State of New York; wherein Franklin Falls Cemetery is located.
4. All Lots in Franklin Falls Cemetery are sold in accordance with the provisions of the laws of the State of New York.
5. Purchase of a Lot only gives Lot owners burial privileges.
6. No Lot owner may not sell or lease a Lot to anyone. A Lot may be willed to an heir or heirs.
7. Lot owners may Deed a Lot back to the Town of St. Armand, if they desire. The Town of St. Armand will not reimburse owners for any Lots that are deeded back to the Town.
8. Upon the death of a Lot owner, the heir (s) to the Lot must provide in writing, a Notarized letter allowing for specific relatives to be interred in Franklin Falls Cemetery Office.
9. Lots must be paid in full before a burial is made or a monument is erected. Full purchase price must be paid before a Deed is issued. The Town Clerk issues to each owner of the rights of burial for its Lots a Deed describing the location and

- naming the owner or owners of the said location. The naming of more than one owner is indicative of joint ownership in common with rights of survivorship.
10. The issuance of such Deed is the Managements' sole form of recognition of ownership. Possession of the Deed by a person whom is not listed on the Deed is not in itself evidence of ownership. Purchasers of Lots simply acquire the right of burial.
 11. In the event of loss or destruction of a Deed of Ownership and upon the presentation of a written request, accompanied by a properly executed affidavit by the owner setting forth the circumstances of the loss or destruction and indemnification of the Deed, the Town Clerk will prepare a duplicate Deed from its records. The price of a replacement Deed is ten dollars (\$10.00).
 12. Lot owners are prohibited from allowing interments to be made on their Lots for compensation.
 13. All Lot owners are required to notify the Cemetery Office of any change of address. All notices required to be sent shall be sent to the last recorded address and such notices shall be deemed adequate.
 14. No person, other than employees of the Town of St. Armand, shall be allowed to perform any work within Franklin Falls Cemetery without permission from the Cemetery Supervisor.
 15. The Cemetery Supervisor shall direct all improvements within the grounds and upon all Lots before and after interments have been made herein.
 16. Management will take all reasonable precautions to protect Lot owners and their property within Franklin Falls Cemetery from loss, damage or injury but it shall not be responsible for any loss, damage or injury.
 17. The right to use automobiles or other vehicles in Franklin Falls Cemetery is authorized solely and exclusively for the purpose of transporting persons to visit burial plots. The speed limit within Franklin Falls Cemetery is five (5) miles per hour. Parking and/or driving on any gardens or grassy areas are prohibited for purposes other than those obtained from the Cemetery Supervisor.
 18. Snowmobiles, motorcycles, horses, four-wheelers, etc., may not be used on Franklin Falls Cemetery lands except with the approval of the Cemetery Supervisor. Dogs are not permitted except when kept on a leash or in a vehicle.
 19. Consuming alcoholic beverages or illegal drugs in Franklin Falls Cemetery is strictly prohibited.

20. Funeral staff, monument staff and internment workers shall have the right to enter upon or use any adjoining Lot or Lots to carry out the duties as to interments, erection of monuments or markers, etc., without prior notice to the Lot owner.
21. No signs or notices of any kind shall be allowed in Franklin Falls Cemetery unless placed by the Town of St. Armand.
22. Peddling of any kind or soliciting the sale of any commodity is prohibited within the confines of Franklin Falls Cemetery.
23. All lots in Franklin Falls Cemetery are only to be sold to Residents' of the Town of St. Armand or former Residents' of the Town of St. Armand. Once a lot is sold, it is the lot owner who determines who may or may not be buried in their plot.

Interment & Funeral Regulations

1. Interments into a Lot are restricted to those entitled to burial therein according to these rules and regulations.
2. Management shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made or where the rules and regulations have not been complied with.
3. The use of one grave space shall be limited to interments as follows unless otherwise permitted by the Management:
 - a) One adult burial, or
 - b) One adult burial and one infant burial, or
 - c) One adult burial and two urns of cremated remains, or
 - d) Six urns of cremated remains
4. Refer to additional pages "Franklin Falls Cemetery Rules & Regulations - Cremated Remains" for additional information regarding cremated internments.
5. No disinterment will be allowed without permission of next of kin, the Lot owner, Cemetery Supervisor and the proper authorities.
6. Management shall in no way be liable for any container, receptacle or urn of cremated remains placed in any Lot, crypt or niche. A permanent type of urn or vault is required for ground interment of cremated remains. The scattering of cremated remains over a family Lot is prohibited.
7. All internments must be made under the direction of the Cemetery Supervisor who will have entire control of the digging of graves, and all matters relating to burials.
8. The Cemetery Supervisor must be notified of an intended interment at least 48 hours in advance, in order that suitable arrangements can be made.

9. Once a casket containing a body is within the confines of Franklin Falls Cemetery, no funeral director, embalmer, assistant, employee or agent shall be permitted to open the casket or touch the body without the consent of legal representation of the deceased, or an order signed by a court of competent jurisdiction.
10. Burial permits required as directed and governed by the State of New York.
11. Franklin Falls Cemetery Rules and Regulations also include any and all state, local and federal laws regarding internments of human remains.

Disinterment

1. Application for disinterment of a body shall be made at the Cemetery Office. Permission must be based upon the application of the spouse, child or next of kin of the deceased person.
2. Law Enforcement disinterment must follow all applicable state, federal and local laws.

Flower & Decoration Regulations

1. Management reserves the right to remove all flowers, wreaths or other decorations from Lots as soon as they become unsightly.
2. Trees and shrubs are placed throughout Franklin Falls Cemetery for overall beauty and serenity of the grounds. Individual graves are not permitted to have trees or shrubs. Any such tree or shrub not approved by the Cemetery Supervisor may be removed without notice to the Lot owner.
3. Management shall have the right to remove all objects whose appearance and condition warrant removal and/or violate the rules and regulations. Management also will not be liable for any flower or decoration removed or lost by any cause.
4. In the event a memorial is placed where it is necessary to remove it for a disinterment, Management shall have the right to remove such memorial without proper notice to the Lot owner.

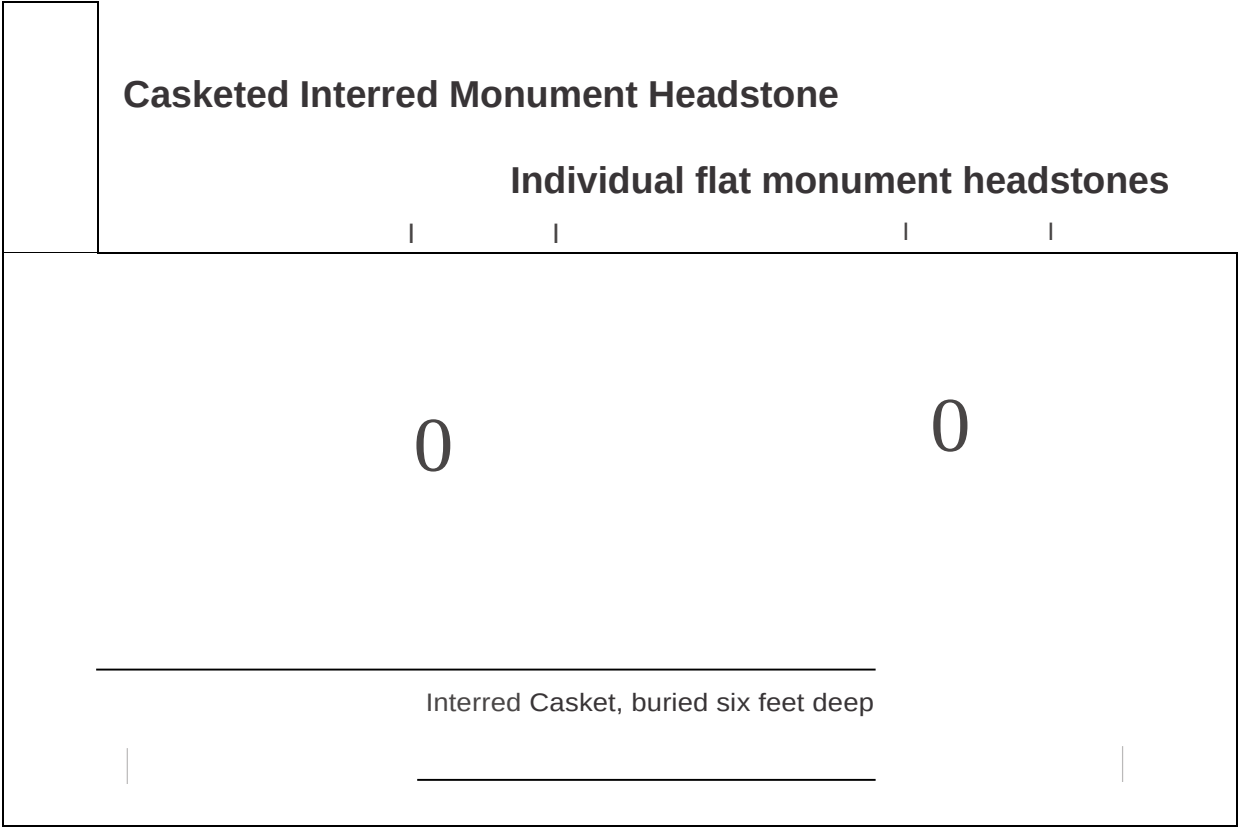
Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

Cremations interred in the same plot as casket interred individuals

No more than two cremated remains may be interred with a casket. The monuments for cremations that are interred above a casket must be "flat" and rise no more than six inches above the ground. For cremated individuals, only a single flat headstone may be installed; with a maximum size of 20 inches long by 12 inches wide and 6 inches high. Cremations will be buried 2.5 to 3.0 feet underground.

In the case of cremated remains interred with casketed remains, there are no size restrictions to the casketed interred Monument.

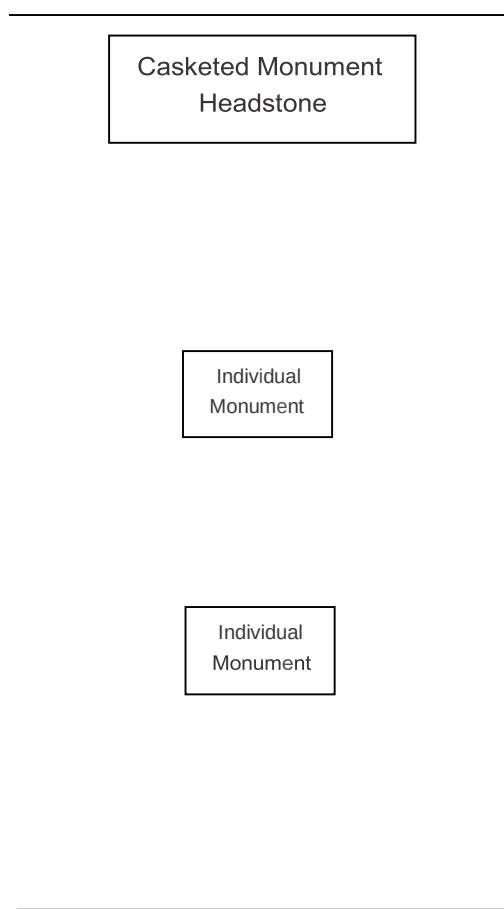
Profile view of interred casket with two cremations



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Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

Top View - single casketed interred with two cremations.



Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

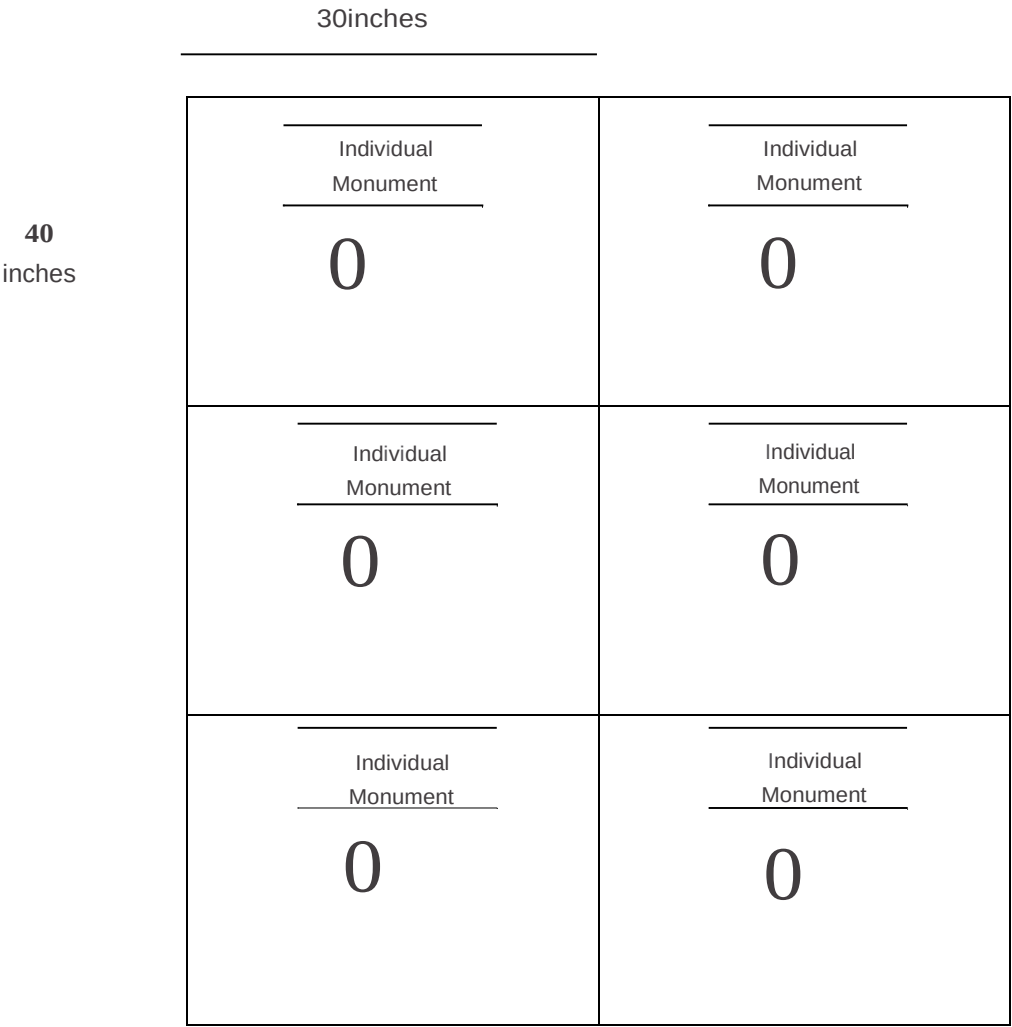
The size of a single plot is 5 feet by 10 feet, or 60 inches by 120 inches.

Each cremated individual that is interred in the plot shall have no less than a 30-inch by 40-inch burial space.

For cremated individuals, only a single flat headstone may be installed; with a maximum size of 20 inches long by 12 inches wide and 6 inches high. See below for Family Memorial informant.

No more than six cremations may be interred into a single burial plot.

Cremated remains must be contained in a Permanent Urn. A Permanent Urn is not bio-degradable, and is made of glass, stone, ceramic, plastic, metal or some other non-biodegradable product.



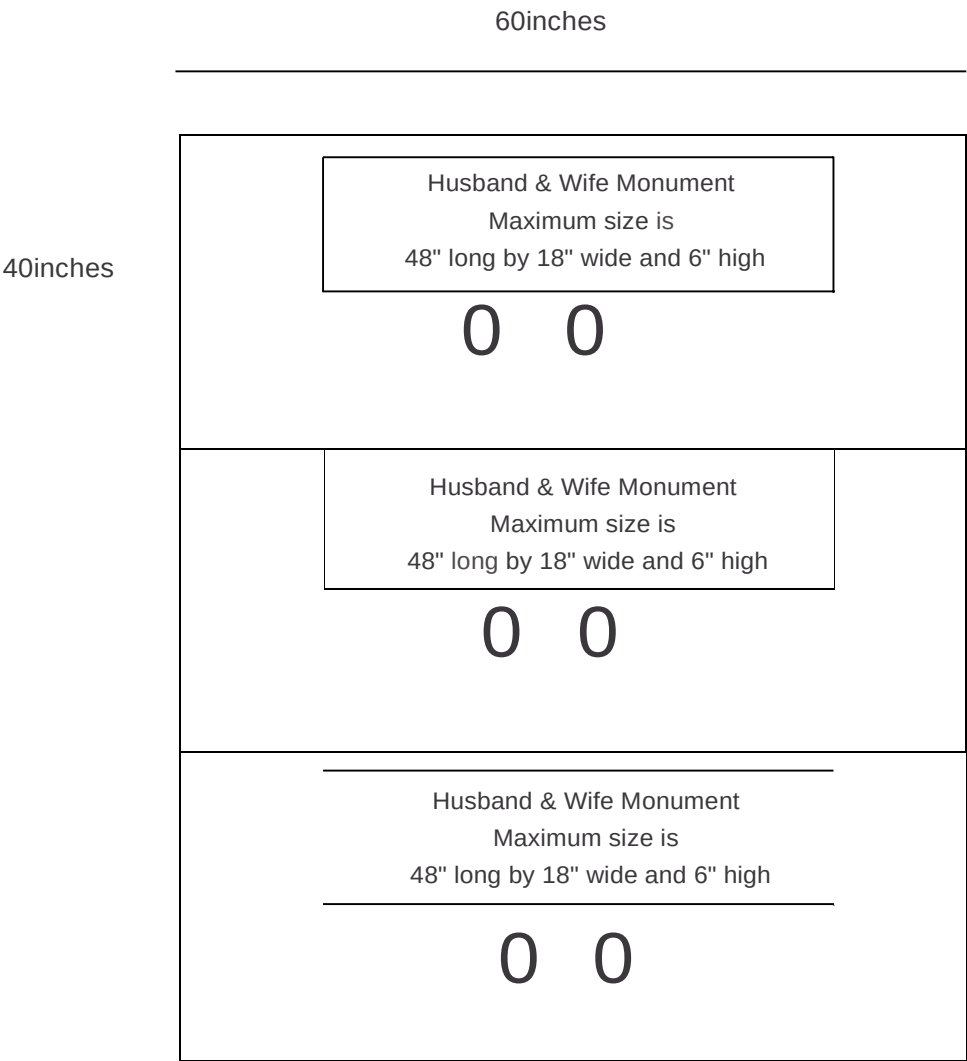
0 This symbol represents an interred urn

Franklin Falls Cemetery Rules & Regulations - Cremated Remains

In the event that a husband and wife with cremated remains wish to be interred adjacent to each other, the individual cremations may be interred together. A double headstone for them may be installed, but may not be larger than 48 inches long by 18 inches wide by 6 inches high.

Combinations of cremated remains may be interred, as diagramed below.

No more than six cremations may be interred into a single burial plot.



0 This symbol represents an interred urn

Franklin Falls Cemetery Rules & Regulations - Cremated Remains

A Vertical Family Monument (Headstone) may be installed at the head of the plot.

The size of the BASE of the Family Monument may not be greater than 48 inches long by 12 inches wide by 8 inches high. (48"x12"x8")

The Family Monument must rest on this base; there is no height restriction on the Family Monument itself.

A Family Monument may be installed in any cremation plot, but it must follow the size restrictions listed above, and it must be installed at the Head of the plot.

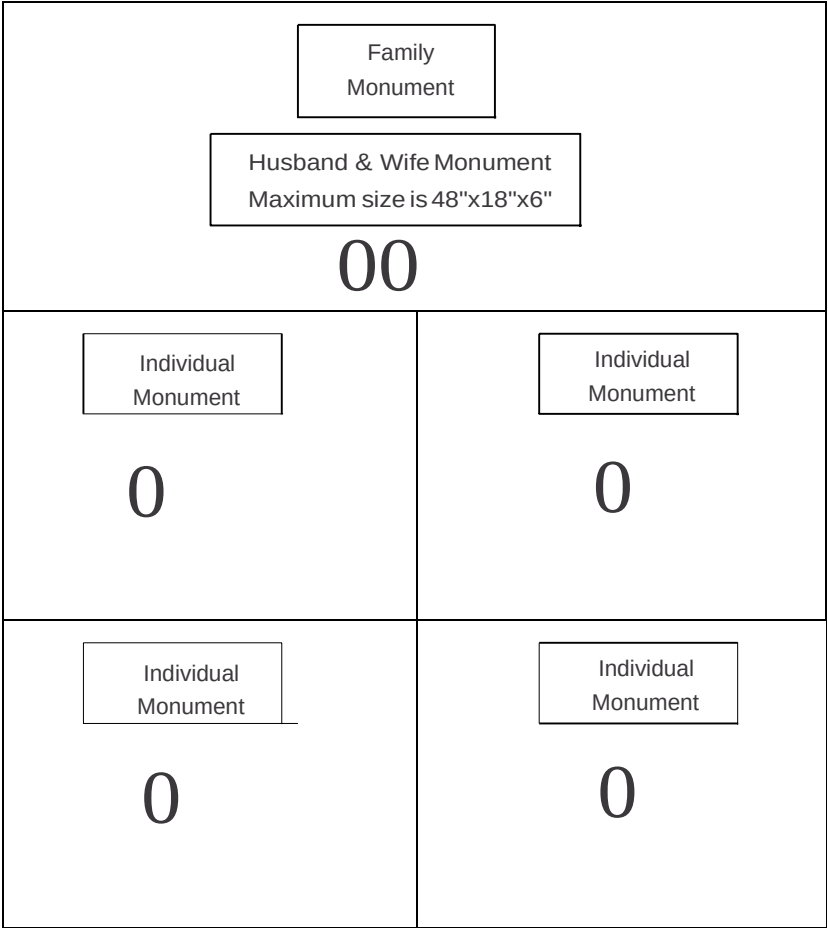


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Franklin Falls Cemetery Rules & Regulations - Cremated Remains

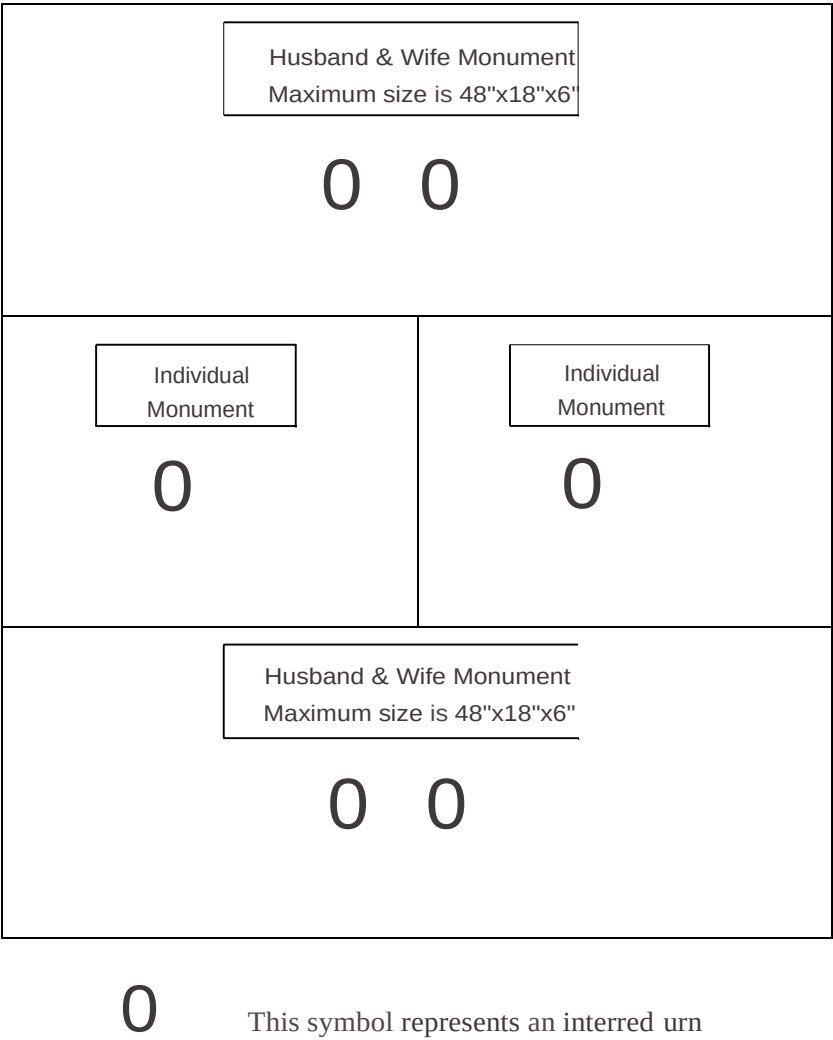
Example of acceptable internment of cremated remains in a single five foot by ten-foot plot:



0 This symbol represents an interred urn

Franklin Falls Cemetery Rules & Regulations - Cremated Remains

Example of acceptable internment of cremated remains in a single five foot by ten-foot plot:



There are many other combinations for interred cremated remains, and they are acceptable as long as the basic rules of six cremations per single plot are followed.

The rule regarding one vertical family monument at the Head of a single plot are required to ensure visual harmony within Franklin Falls Cemetery.

Town of St. Armand

1702 NYS Route 3

P.O. Box 338

Bloomington, NY 12913

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Town Council Members

Donna Whitelaw

JP O'Neil

Joseph Fisher

Supervisor

Davina Thurston

Deputy Supervisor

Karl Law

RESOLUTION # 68 OF 2026

RESOLUTION AUTHORIZING NATURAL BURIALS IN BROOKSIDE CEMETERY AND FRANKLIN FALLS CEMETERY AND ESTABLISHING REQUIREMENTS THEREFORE

Councilperson JP O'Neil, who moved its adoption, offer the following Resolution:

WHEREAS, the Town of St. Armand owns, operates, maintains, and/or has responsibility for cemetery property within the Town, including Brookside Cemetery and the portion of Franklin Falls Cemetery under the jurisdiction and maintenance responsibility of the Town of St. Armand; and

WHEREAS, the Town Board recognizes that individuals and families may desire natural or "green" burial practices that minimize the use of non-biodegradable materials, avoid unnecessary chemical preservation, and permit human remains to return to the earth through natural processes; and

WHEREAS, New York State law does not specifically define the term "natural burial" or "green burial," and the New York State Department of State, Division of Cemeteries, recommends that cemeteries wishing to offer natural burial establish rules defining natural burial and specifying the practices and materials that will be permitted; and

WHEREAS, New York State law does not generally require the embalming of human remains prior to burial, and New York State funeral regulations recognize direct burial arrangements that do not require embalming; and

WHEREAS, New York State does not generally require the use of a conventional casket, concrete burial vault, grave liner, or other outer interment receptacle as a condition of burial and recognizes the use of unfinished wooden boxes and alternative burial containers constructed of cardboard, pressed wood, composition materials, canvas, and other suitable materials; and

WHEREAS, New York State Public Health Law § 4201 governs the right to control the disposition of human remains and provides for the designation of an agent and an order of priority for persons authorized to control such disposition; and

WHEREAS, the Town Board desires to provide residents and families with the option of natural burial while ensuring that all interments are conducted safely, respectfully, and in accordance with applicable New York State and local laws and the rules and regulations of the Town; and

WHEREAS, there is no statewide New York State requirement establishing a specific depth for graves, and the Town Board therefore finds it appropriate to establish a minimum grave-depth requirement for natural burials conducted within cemeteries under the Town's jurisdiction; and

WHEREAS, the Town Board finds that permitting natural burials under the conditions established herein is consistent with the respectful and orderly operation and maintenance of Brookside Cemetery and Franklin Falls Cemetery;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of St. Armand hereby authorizes natural burials within Brookside Cemetery and within the portion of Franklin Falls Cemetery under the jurisdiction and maintenance responsibility of the Town of St. Armand, subject to the provisions of this Resolution and any additional cemetery rules and regulations duly adopted by the Town; and be it further

DEFINITION OF NATURAL BURIAL

RESOLVED, that for purposes of the Town of St. Armand's cemetery operations, a Natural Burial shall mean the interment of intact human remains in a manner intended to permit natural decomposition and may include burial:

1. Without embalming, except where embalming or other preparation is required by applicable law or circumstances;
2. In a biodegradable casket, coffin, container, or unfinished wooden box;
3. In a biodegradable burial shroud;
4. Without a concrete or metal burial vault or grave liner; and
5. Using other biodegradable materials determined by the Town or its designated cemetery official to be appropriate for natural burial; and be it further

EMBALMING

RESOLVED, that the Town of St. Armand shall not require embalming solely as a condition of burial in Brookside Cemetery or Franklin Falls Cemetery when embalming is not otherwise required by applicable law; and be it further

CASKETS, CONTAINERS, VAULTS AND GRAVE LINERS

RESOLVED, that the Town shall not require a concrete burial vault, metal burial vault, grave liner, or other outer interment receptacle for a natural burial, provided that the burial otherwise complies with this Resolution, applicable law, and Town cemetery rules; and be it further

RESOLVED, that acceptable biodegradable burial containers may include, but are not necessarily limited to:

- Simple unfinished wooden or pine caskets or boxes;
- Wicker or other naturally woven burial containers;
- Cardboard, fiberboard, or other biodegradable containers;
- Natural-fiber burial shrouds; and
- Other biodegradable containers or materials approved by the Town or its designated cemetery official; and be it further

SIX-FOOT MINIMUM BURIAL DEPTH

RESOLVED, that all natural burials shall be placed in a grave having a minimum depth of six (6) feet, measured vertically from the finished grade at ground level to the bottom of the grave; and be it further

RESOLVED, that the six (6) foot minimum grave depth is hereby expressly established as a Town of St. Armand cemetery requirement for natural burials and shall apply regardless of whether the deceased is interred in a biodegradable casket, coffin, wooden box, wicker container, burial shroud, or other approved biodegradable burial container; and be it further

RESOLVED, that no natural burial shall be permitted in a grave having a depth of less than six (6) feet unless a different depth is required by applicable federal or New York State law or an appropriate governmental authority having jurisdiction; and be it further

REQUIRED DOCUMENTATION AND FUNERAL ARRANGEMENTS

RESOLVED, that all natural burials shall comply with applicable provisions of the New York State Public Health Law, including Public Health Law § 4201 concerning the disposition of human remains, applicable New York State regulations governing funeral directing and disposition, and all other applicable State and local requirements; and be it further

RESOLVED, that all required death certificates, burial or disposition permits, authorizations, and other documentation required by law shall be properly completed and provided prior to interment; and be it further

RESOLVED, that arrangements for the care, transportation, preparation, and burial of human remains shall be made through a duly licensed and registered New York State funeral director to the extent required by New York State law; and be it further

CEMETERY OPERATIONS

RESOLVED, that all natural burials shall be coordinated with and approved by the Town or its designated cemetery official prior to interment and shall comply with the Town's cemetery rules and regulations, including requirements concerning:

- Grave location and lot boundaries;
- Grave opening and closing;
- Burial depth;
- Approved biodegradable burial materials;
- Identification and documentation of burial locations;
- Monuments and markers;
- Plantings, flowers, and landscaping;
- Cemetery access;
- Maintenance and mowing;
- Fees for grave opening, closing, and other cemetery services; and
- Any other reasonable requirements necessary for the safe, respectful, and orderly operation of the cemetery; and be it further

DESIGNATED NATURAL BURIAL AREAS

RESOLVED, that the Town Board may designate a specific section, sections, lots, or plots within Brookside Cemetery and/or Franklin Falls Cemetery for natural burials if the Board determines that such designation is appropriate for cemetery operations, maintenance, recordkeeping, environmental considerations, or long-term cemetery planning; and be it further

MONUMENTS AND MARKERS

RESOLVED, that monuments and grave markers for natural burial plots shall be permitted subject to the rules and regulations of the applicable cemetery, and the Town Board may establish additional requirements concerning the size, type, placement, or materials of markers within any specifically designated natural burial section; and be it further

SETTLING AND MAINTENANCE OF NATURAL BURIAL GRAVES

RESOLVED, that the Town recognizes that natural burial graves without burial vaults or grave liners may experience greater settling of the soil than conventional graves, and the Town or its designated cemetery personnel are authorized to add soil, seed, grade, or otherwise maintain natural burial graves as reasonably necessary to maintain safe and appropriate cemetery grounds; and be it further

CONVENTIONAL BURIALS REMAIN PERMITTED

RESOLVED, that nothing contained in this Resolution shall prohibit an individual or family from selecting a conventional burial, including embalming, a conventional casket, burial vault, grave liner, monument, or other customary funeral or cemetery service where otherwise permitted; and be it further

AUTHORITY TO ADMINISTER POLICY

RESOLVED, that the Town Supervisor, Town Clerk, Cemetery Sexton, Highway Superintendent, and other appropriate Town officials and employees are hereby authorized to take such actions as may be reasonably necessary to implement this Resolution, coordinate natural burials with funeral directors and families, and maintain accurate cemetery and burial records; and be it further

RESOLVED, that the Town Board may from time to time adopt, amend, or supplement rules, regulations, fees, forms, and procedures governing natural burials in Brookside Cemetery and Franklin Falls Cemetery as necessary for cemetery administration, maintenance, public health and safety, environmental protection, and compliance with applicable law; and be it further

COMPLIANCE WITH LAW

RESOLVED, that nothing contained in this Resolution shall be construed as authorizing any burial or disposition practice prohibited by federal or New York State law, nor shall this Resolution waive any death certificate, burial permit, disposition authorization, public health, funeral-directing, recordkeeping, or other requirement imposed by applicable law; and be it further

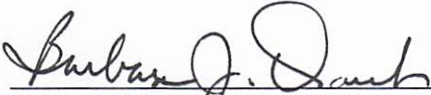
RESOLVED, that in the event any provision of this Resolution conflicts with applicable federal or New York State law, the applicable law shall control without invalidating the remaining provisions of this Resolution; and

EFFECTIVE DATE

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its adoption.

This Resolution was duly seconded by Councilperson Donna Whitelaw, and adopted by Roll Call vote as follows:

Supervisor Davina Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O'Neil	AYE
Councilperson Joseph Fisher	AYE


Barbara J. Darrah
St. Armand Town Clerk

Dated: September 15, 2026

