

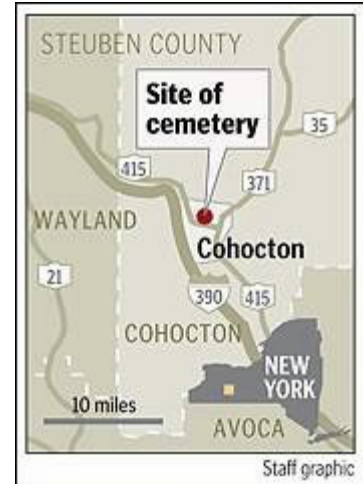
## Man's grave is focus of dispute

Church says husband's burial site in wrong area;  
wife wants him to stay

*Jim Memmott, Senior editor  
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COHOCTON — Maureen Wolcott, a 76-year-old resident of this Steuben County town, is doing all she can to keep her husband, Charlie Wolcott, in his grave.

The problem is that officials of Holy Family Parish, which includes St. Pius V Church in Cohocton, contend that Mr. Wolcott was buried in the wrong place last July.



The struggle between Maureen Wolcott and the parish, which has been going on for months but is supposed to be resolved today, is proof positive that in cemeteries, as in real estate, it's all about location, location, location.

"To me, where a person is buried, that's where they should stay," said Wolcott. "It's a sacred trust."

The parish doesn't quarrel with her overall point, but it says that Mr. Wolcott was buried by mistake in a part of the cemetery that isn't really a cemetery.

Officials concede that the mistake was theirs and have offered to move the remains free of charge to another area of the cemetery. Wolcott, however, likes things the way they are.

The church, through a lawyer, has given Wolcott an ultimatum to reach an agreement by today or they will move her husband's remains to "an appropriate part of the cemetery."

However, Leon T. Sawyko of the Harris Beach law firm, who is representing the parish, says that nothing will happen today if the matter isn't resolved.

"Conversations continue," he said. "I don't think I can comment further."

Wolcott, encouraged by her brother, Tim Burke, a lawyer in Boston, says she would engage in civil disobedience if anyone tried to move her husband's remains.

"Tim said to go down there ... and sit on the grave and let them arrest me," she says.

"I can't believe they would," she adds, suggesting that pictures of a 76-year-old widow being forcibly removed from her husband's gravesite might not be the best public relations for the Roman Catholic Diocese of Rochester, of which Holy Family Parish is a member.

### Diocese keeping mum

Asked to comment, Doug Mandelaro, a spokesman for the diocese, said there wasn't much he was at liberty to say. "It would be inappropriate for us to discuss in the media such a sensitive

and personal matter involving a family's mourning and a person's burial, so we won't comment beyond that," Mandelaro said.

Stressing that he wasn't taking a stand on this case, John Toale, second vice president of the New York State Cemetery Association, said that situations like this are "very rare."

More often, graves are relocated because of situations such as a highway going through, says Toale, who is also president of the Woodlawn Cemetery in the Bronx.

## **How it happened**

Wolcott, the former supervisor of the town of Cohocton (population 2,626), says she believes she's speaking not only for herself, but for her husband.

The couple met while at school in Cohocton, a village known for its annual Fall Foliage Festival and Tree Sitting Contest.

The Wolcotts married on April 21, 1951, in St. Pius V Church. Their five children were baptized and confirmed at the church.

For a while, the Wolcotts contemplated home burial on their dairy farm, which is about three miles out of the village of Cohocton.

"Charlie loved the farm so much, we had thought about creating our own cemetery spot on a hill on the farm," Wolcott said.

The couple decided against that because small family cemeteries sometimes get neglected as time goes on.

"That was our first mistake," Maureen Wolcott said of the decision not to stay at home.

They hadn't approached the church about a cemetery lot before Charlie was diagnosed with a fatal and swift moving form of leukemia last June.

Knowing there wasn't much time, family members met with the cemetery caretakers.

The cemetery is divided into sections. Section I was full, so the Wolcotts were asked to select a site in Section II.

They didn't like what they saw.

The Wolcott's son, Paul, of Cohocton, said to some people that it wasn't so much the appearance of that section of the cemetery as it was one of the residents, a person the family didn't like.

But Maureen Wolcott said it wasn't any of the neighbors. "I swear on a stack of Bibles it wasn't that," she said.

There were at least a couple of reasons for rejecting Section II, she said.

Her husband liked open spaces, and Section II seemed crowded.

And she preferred yet another spot, a corner of a field which has not been developed as part of the cemetery, though it runs parallel to the cemetery and isn't separated by a paved road.

The parish administrator, the Rev. Stephen Karani, gave the permission to go ahead with preparation of a grave there, Wolcott said.

The Wolcotts purchased that plot and seven other adjacent plots, though they have yet to receive a bill.

### **A mistake**

Charlie Wolcott died on July 2, 2006, at age 76 and was buried in his designated grave after a church funeral. A few months later, the Wolcotts were notified that a "mistake" had been made and the remains would have to be moved.

According to the minutes of the Nov. 6, 2006, meeting of the Holy Family Parish Cemetery Board, the remains could be placed either in the current Section II or in a new, currently undeveloped, section known as Section III. The board would pay the expenses.

The Wolcotts had already rejected their Section II choices, and Maureen Wolcott found Section III unappealing. "It looks like it's ready for the dump truck," she says.

The Wolcotts offered to contribute \$5,000 to keep up the area where Mr. Wolcott was buried. Their offer was not accepted.

The cemetery association minutes don't clarify what the mistake was in burying Charlie Wolcott where he was buried.

### **Isn't it a cemetery now?**

However, Sawyko's letter to Maureen Wolcott and her daughter said that the burial spot "was not, and is not, intended to be a part of the cemetery."

In Wolcott's opinion, however, the site is now a cemetery. Her husband of 55 years is buried there; she expects to be buried there.

"I cannot recall him ever getting angry at me, and certainly I'm not a saintly type person," she said. "But he would be appalled at the fact they want to move him."

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