



"CERTIFIED TRUE COPY"

State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY CEMETERY BOARD
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

DONALD T. DiFRANCESCO
Acting Governor

JOHN J. FARMER, J
Attorney General
MARK S. HERR
Director

February 23, 2001

Mailing Address:
P.O. Box 45036
Newark, NJ 07101
(973) 504-6553

Colestown Cemetery Co.
c/o Harvey Jones, Treasurer
Church Road & Kings Highway
Cherry Hill, New Jersey 08002

Re: Maintenance & Preservation Trust Fund

Dear Mr. Jones:

This is to advise you that the New Jersey Cemetery Board has received and reviewed certain information regarding the fact that Colestown Cemetery Co. has failed to make timely deposits into the cemetery's Maintenance and Preservation Trust Fund. The Board's initial review disclosed what appears to be a violation of the following:

N.J.A.C.13:44J-5.2(c) Monies required to be deposited into the Maintenance & Preservation Trust Fund are payable to said fund on a monthly basis. Such deposits must be made no later than the last day of the month following the month in which the monies were received.

You are hereby offered the opportunity to settle this matter and avoid the initiation of formal disciplinary proceedings by signing and returning the enclosed certification and paying a two hundred fifty dollar (\$250.00) civil penalty.

Alternatively, you may waive your right to a hearing and submit a written statement or explanation to the Board. The Board will consider this statement and render a final decision thereon.

You may also request a hearing in which case the matter will be scheduled and this notice will serve as a complaint. At the hearing, you may, either personally or with the assistance of an

attorney, submit such testimony or other evidence as you may deem necessary in order for the Board to finally determine whether the unlawful acts alleged herein have been proven. Please be advised that if you request a hearing, the Board will not be bound to the penalty herein determined on a preliminary basis. The Board will base its final determination upon an evaluation of the evidence presented, impose any of the sanctions contained in N.J.S.A. 45:1-25 which include revocation or suspension of licensure, and assessment of additional penalties up to \$20,000.00 per violation. You should also be aware that the Board may assess civil penalties in an amount greater than that herein offered in settlement.

Additionally, the Board may, if the facts are found to so warrant, enter an order requiring restoration of any monies acquired by unlawful acts, requiring payment of all costs involved in this matter; and directing you to cease and desist from the continued practice of acts found to be unlawful by the Board.

The enclosed certification should be returned to the Board office with your indicated course of action within ten (10) days following receipt hereof. In the event that the Board receives no response within ten (10) days, the allegations contained herein shall be deemed admitted and the Board will proceed to finally review the matter and enter an appropriate final order in relation thereto.

Sincerely,



Susan H. Gartland
Executive Director

SHG.dlt

cc: D.A.G. Nancy Costello Miller
certified and regular mail

CERTIFICATION

I, Harvey E Jones Jr, hereby acknowledge that I have read and reviewed the Board's letter dated February 20, 2001 regarding allegations of violations of the Board's enabling act and/or regulations.

Please check one:

X I acknowledge the conduct which has been charged and **agree** to:

pay a penalty in the amount of \$250.00 (to be paid upon signing of this certification);

I am also aware that the action taken against me by the Board herein is a matter of public record and that the Board's letter and this certification are public documents.

 I hereby waive any rights I may have to a hearing in this matter in order to defend myself against any charges, but ask the Board to **consider my explanation** before rendering its final decision. I understand that the Board may order any of the terms specified in its letter and that if it does so i will be obligated to comply. I am also aware that the action taken against me by the Board herein is a matter of public record, and that the Board's letter and this certification are public documents. Failure to comply may subject me to further disciplinary action and any failure to make a required payment will result in the filing of a certificate of debt.

 I **request a formal administrative hearing** to contest the charges specified in the UPL. I understand that I will be advised of the time, date and place for that hearing at another time. I am aware that I may be represented by an attorney and that at the time of the hearing I may submit to the Board testimony and documentation relevant to the charges. I understand that in making its final decision, the Board may, if unlawful activity has been proven, assess civil penalties in an amount greater than herein offered in its letter and may order such other remedies as it may deem appropriate. I am also aware that this proceeding is a matter of public record and that the Board's letter and this certification are public documents.

Harvey E Jones Jr
SIGNATURE

HARVEY E JONES JR
PRINT NAME

6/21/01
DATE

CERTIFICATION

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Harvey E Jones Jr
SIGNATURE

HARVEY E JONES JR
PRINT NAME

6/21/01
DATE

Sorry for the delay.
Mr. Jones has
been ill.

JUL 02 2001

◀ ◀ ◀ REMOVE THIS STUB BEFORE CASHING

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74707455097	CVS pharmacy	05/15/01	75-53 919
	For the location nearest you 1-800-Shop CVS	7470745509	MONEY ORDER
	PAY TO THE ORDER OF <u>NJ Cemetery Board</u>	IMPORTANT - SEE BACK BEFORE CASHING	
	<u>Harvey E. Jones Jr.</u> PURCHASER, SIGNER FOR DRAWER PURCHASER, BY SIGNING YOU AGREE TO THE TERMS ON THE REVERSE SIDE	**\$250.00** TWO HUNDRED * * * * * FIFTY DOLLARS * * 00 CENTS * * * * * * * * 27249066830668 0949907135213509	
<u>Colestown</u> MONEY ORDER, ADDRESS / GIFT CERTIFICATE, RECIPIENT	NOT GOOD OVER	ISSUER/DRAWER: TRAVELERS EXPRESS COMPANY, INC.	
Perable Thru: WF National Bank South Central Fairbault, MN			
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