



RICHARD J. CODEY
Acting Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey Cemetery Board
124 Halsey Street, 6th Floor, Newark, NJ 07102

JUL 29 2005



PETER C. HARVEY
Attorney General

KIMBERLY S. RICKETTS
Director

"CERTIFIED TRUE COPY"

July 21, 2005

William T. Jackson, Executive Director
Bayview-New York Bay Cemetery
321 Garfield Avenue
Jersey City, New Jersey 07305

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

Re: Offer of Settlement In Lieu of Filing a
Formal Complaint

Dear Mr. Jackson:

This letter is to advise you that the New Jersey Cemetery Board (hereinafter "the Board") has had an opportunity to review information concerning the purchasing of 2 parcels of property for cemetery purposes by Bayview-New York Bay Cemetery without approval of the New Jersey Cemetery Board and the dedication of the additional lands for cemetery purposes without approval of the Board.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that these purchases were in violation the New Jersey Cemetery Act, 2003; and the regulations promulgated thereunder, specifically, **N.J.A.C.13:44J-13.5(a)**, which states in pertinent part:

A cemetery company shall not purchase land to enlarge the cemetery area without prior approval of the Board.

Also, the dedication of the additional lands for cemetery purposes was in violation of **N.J.S.A. 45:27-25(e)** which states in pertinent part:

A cemetery company shall not dedicate additional land to cemetery purposes without Board approval.

At this juncture, the Board has preliminarily concluded that the above violation is sufficient to warrant the initiation of formal proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of formal proceedings, should you consent to:

1. cease and desist from purchasing additional lands for the purpose of enlarging the cemetery without prior Board approval;
2. cease and desist from dedicating additional lands to cemetery purposes without New Jersey Cemetery Board approval;
3. Pay a Civil Penalty in the amount of \$250.00 for each parcel of land purchased.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violation. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you have your attorney contact Deputy Attorney General John D. Hugelmeyer, who may be reached at (973) 693-5056.

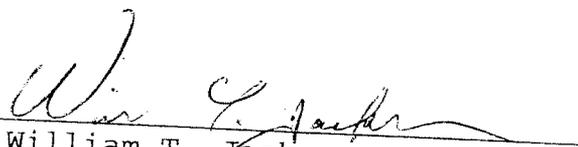
If you elect to settle this matter now, you should sign the acknowledgment at the bottom of this letter and return it to the Board within thirty (30) days following your receipt of this letter. In the event that the Board receives no response from you within thirty (30) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY CEMETERY BOARD

By: *Dianne L. Tamaroglio*
Dianne Tamaroglio
Executive Director

ACKNOWLEDGMENT: I, William T. Jackson, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to comply with all requirements set forth in the settlement letter.

Dated: 7/28/05


William T. Jackson

cc: John D. Hugelmeyer, Deputy Attorney General
Richard N. Campisano, Esquire
certified & regular mail

BAYVIEW-NEW YORK BAY
CEMETERY ASSN.
321 GARFIELD AVE.
JERSEY CITY, NJ 07305-4054

10036

PAY
TO THE
ORDER OF

55-33/212

DATE July 28, 2005

New Jersey Cemetery Board

THE SUPERVISORS



www.fleet.com
92002
Bayview Square Office
Jersey City, New Jersey 07306

\$ 500.00

DOLLARS



FOR Civil Penalty

[Handwritten Signature]

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