

NEW JERSEY CEMETERY BOARD
PUBLIC SESSION MINUTES
JANUARY 11, 2007

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, January 11, 2007. The meeting was convened in accordance with the schedule filed with the Secretary of State and was conducted in accordance with the provisions of the Open Public Meeting Act, Chapter 321, P.L.. Notice of the meeting was prepared in the office of the Board and mailed out to the Secretary of State, the Attorney General, the Star Ledger, the Record, the Press of Atlantic City, the Asbury Park Press and the Trenton Times. Board Chairman Frank J. DeGeeter, Jr. called the meeting to order at 9:30 A.M. A roll call was taken and the following attendance of Board members was recorded for these minutes:

Marion Brozowski Present
Lawrence Colasurdo Present
Frank J. DeGeeter, Jr. Present
Paul M. Desbiens Present
Waheed Khalid Present
June Nikola Present
William Nichols Present
Genevieve Raganelli Present

Also in attendance were: Dianne L. Tamaroglio, Executive Director, New Jersey Cemetery Board and Deputy Attorney General Ginger R. Provost.

II. ELECTION OF NEW JERSEY CEMETERY BOARD OFFICERS FOR 2007

Prior to this year's elections, Board Chairman, Frank J. DeGeeter, Jr. announced to the Board that he is resigning his position as Board Chairman as he will be officially retiring from the Cemetery Industry in August, 2007. Mr. DeGeeter has served as Board Chairman for 12 years and has been an active member of the Board for approximately 24 years. Mr. DeGeeter will continue as a Board member until his retirement becomes official. Upon Mr. DeGeeter's announcement, Executive Director Dianne L. Tamaroglio opened nominations for Chairman of the Board for 2007. Frank J. DeGeeter, Jr. nominated Marion Brozowski; the nomination was seconded by June Nikola. With no further nominations being made, Frank J. DeGeeter, Jr. made a motion to close nominations; June Nikola seconded the motion. A vote was taken and Marion Brozowski was voted Chairperson of the Board for 2007 by acclamation. As the newly elected Board Chairperson, Marion Brozowski opened nominations for Vice-Chairperson of the Board for 2007. Marion Brozowski nominated William Nichols; Paul M. Desbiens seconded the nomination. With no further nominations being made Paul M. Desbiens made a motion to close nominations; Larry Colasurdo seconded the motion. A vote was taken and William Nichols was voted Vice-Chairman by acclamation.

III. APPROVAL OF PUBLIC SESSION MINUTES OF DECEMBER 14, 2006

A motion was made by William Nichols and seconded by Frank J. DeGeeter, Jr. to approve the Public Session Minutes of December 14, 2006 as corrected. A vote was taken and the motion was passed by a unanimous vote.

IV. OLD BUSINESS

A. Cemetery believes it has an exemption from paying \$75.00 Filing Fee for Annual Reports
Re: Hayes Riverview Cemetery (CA #265)

The Board has received documentation from Warren Lane, Treasurer, Hayes Riverview Cemetery confirming the establishment of the cemetery's M&P Trust Fund as well as its Operating Fund. Everything appears to be in order with the Trust Fund being titled in the name of the cemetery. Also, the cemetery has supplied the Board with a

listing of past officers of the cemetery. The Board had requested this list to determine if the cemetery is a "family cemetery" and perhaps wouldn't need a C/A. It has been determined that persons other than family members have been buried at the cemetery and therefore, the cemetery must retain its C/A. This matter is now closed and removed from future Board meeting Agendas.

B. Provisional Orders issued June, 1999 for non-filing of Annual Reports

Deckertown Union Memorial Park Cemetery (CA #155)

The Board has not yet received any Annual Reports from the new management of the cemetery nor has it received a revised price list. A follow up letter will be sent. This matter will be carried over.

Perrineville Cemetery (CA #41)

Ruth Briggs, Treasurer, Perrineville Cemetery has filed the cemetery's delinquent Annual Reports up to and including 2001. Board Accountant George Booktor continues to assist Mr. Briggs when she has problems. This matter will be carried over.

Salem Evergreen Cemetery (CA #276)

The Board has not yet received any of Salem-Evergreen Cemetery's delinquent Annual Reports nor has there been any further communication to the Board from either Geraldine Patillo or Russell H. Ahlquist. A motion was made by William Nichols and seconded by Paul M. Desbiens to authorize DAG Ginger Provost to issue a subpoena for Mrs. Patillo's appearance at the Board's March 8, 2007 Board meeting. This matter will be carried over.

New Asbury Meeting House Cemetery (CA #349)

This matter will be held over at the request of DAG Ginger Provost.

Odd Fellows Cemetery (CA #330)

This matter will be held over at the request of DAG Ginger Provost.

C. Delinquent in filing Annual Reports since 1998

Re: Mount Zion Cemetery (CA #206)

This matter will be held over pending receipt of the Enforcement Bureau's Investigative Report.

D. Application for the approval of lease of non-dedicated cemetery property Re: Mount Hebron Cemetery Association d/b/a Liberty Grove Memorial Gardens (CA #312)

June Nikola was recused from this matter and moved away from the table.

The Board has heard nothing further with regard to this lease. Executive Director Dianne L. Tamaroglio will contact the cemetery again for the status of this matter.

E. Cemetery has never filed Annual Reports

Re: Barber Burying Ground Association (CA #285)

Executive Director has attempted to reach out to Ralph Hooven, the contact person for the cemetery but to no avail. Ms. Tamaroglio will continue to try to contact him.

F. Maintenance and Preservation Trust Fund Agreement

Re: Rose Hill Cemetery Company (CA #159)

The Board has received the signed Settlement Letter Acknowledgment from Joseph Uras. The Settlement Letter was issued for violation of NJSA45:27-16(c) . Mr. Uras has resigned as President of Rose Hill Cemetery. Vincent J. DiMatteo, attorney representing the cemetery previously asked the Board if it would be appropriate for Mr. Uras to do general maintenance at the cemetery and to provide memorials to the cemetery. The Board asked for an explanation of exactly what it is that Mr. Uras does at the cemetery. Mr. DiMatteo has advised the Board that Mr. Uras performs regular routine maintenance at the cemetery and installs foundations as a private contractor hired by the cemetery. Mr. DiMatteo also advised that Mr. Uras does not sell products or services of any kind at the cemetery. Any monuments that he may provide as part of his private business are handled through his own offices, not at the cemetery and without any other connection or relationship to the cemetery. The Board had also questioned whether or not Royal Alliance Associates, Inc., the brokerage holding the cemetery's Trust Fund is a New Jersey regulated brokerage. Mr. DiMatteo assured the Board that the brokerage is registered with the National Association of Security Dealers and regulated under the federal Securities Exchange Commission. This matter is now closed and removed from future Board meeting agendas.

G. Addition of graves spaces

Re: Maple Grove Park Cemetery (CA #168)

Board member Paul M. Desbiens advised the Board that the creation of additional grave spaces at Maple Grove Park Cemetery will not impede access to existing graves. This matter will be held over at the request of DAG Ginger Provost

H. Application for sale of land

Re: Eglington Cemetery (CA #98) to Michael J. Butcher, an individual

The Board has received the revised Contract of Sale for this sale stating the appropriate statutory citation. New Jersey Cemetery Association Executive Director Judith Welshons will conduct an on-site inspection of the area to be sold and report her findings back to the Board. This matter will be held over.

I. Should this cemetery have a Certificate of Authority?

Re: Musconetcong Cemetery

Board Vice-Chairman William Nichols will visit Musconetcong Cemetery to see if he can find out any information about the cemetery. This matter will be held over.

J. Cemetery has no money and no activity

Re: Wantage Cemetery (CA #161)

Executive Director Dianne L. Tamaroglio has advised that recent correspondence sent to the last known contact person for Wantage Cemetery has been returned to the Board office as undeliverable. Board member Frank J. DeGeeter, Jr. will make a visit to the cemetery to see if he can find out anything about the cemetery. This matter will be held over.

K. Old Tennent Cemetery (CA #201)

DAG Ginger Provost has written to David Coates, the attorney representing the Old Tennent Presbyterian Church and to Michael T. Warshaw, the attorney representing the lot owners of Old Tennent Cemetery advising that the Board does not wish to intervene in the litigation between the two; however, the Board recognizes its obligation of general supervision, regulation, jurisdiction and control over all cemetery companies. A copy of the letter was also sent to Judge Grasso the presiding Judge in this matter. DAG Provost advised that the current sitting Board of Trustees should conduct an Annual Lot Owners Meeting as soon as possible at which time the Trustees would report on their activities and management and condition of the property and affairs of the cemetery company. DAG Provost furthered advised that the issue is how many votes the Church would have at such a meeting, given that no appraisal has been done, which must be resolved immediately so that the votes may be properly counted. Executive Director Dianne L. Tamaroglio advised the Board that the lot owners conducted a Lot Owners meeting electing a slate of Officers and Trustees for the cemetery and the Church also conducted a meeting, forming a

cemetery committee. The Board will request copies of the minutes from both of these meetings. The Board will also ask that it be kept apprized of what is going on with regard to the litigation and the dispute. The Board's main concern is preserving the integrity of the cemetery's Maintenance & Preservation Trust Fund advising that the income generated from the Fund can only be used for the maintenance and preservation of the cemetery and for nothing else. The same holds true for other cemetery funds, such as Specific Endowment Funds which have been set up for the maintenance of specific graves. Also, we will advise that as per NJSA45:27-34(3), no cemetery land can be transferred without first having approval from this Board. This matter will be carried over.

L. Correspondence from Margit M. Jackson, President, West Creek Cemetery Association (CA #71) October 12, 2006 agenda

Previously, Margit M. Jackson, President, West Creek Cemetery wrote to the Board seeking guidance with regard to the fact that the individuals have been burying cremains in the cemetery without notifying the cemetery. The Board advised Ms. Jackson that the cemetery should put signs up around the cemetery advising that the cemetery must be advised when cremains are going to be buried and to do so without notification to the cemetery is against cemetery law. Ms. Jackson has advised that the cemetery has put up such signs and hopes that people will read them and abide by them. Ms. Jackson has also provided to the Board the names of two churches that previously had control of the cemetery. The Board will contact these churches to see if perhaps they have past burial records that they could provided to Ms. Jackson.

M. Correspondence from Glen Pierce
Re: Hillside Cemetery (CA #398)

On January 12, 2006, the New Jersey Cemetery Board was provided with a revised signed Amendment to the Right of Way Easement Agreement between Hillside Cemetery and the Estate of Susie Romano. As per the Agreement, the paving was to occur within 60 days of the execution of the Agreement. However, George Pierce, cemetery lot owner has advised the Board that the paving has not yet taken place. The Board will question D.F. Moore Craig, attorney representing the cemetery as to why the paving has not yet occurred. Also, as per the Agreement, within 60 days of the execution of same, or on the date Grantee transfers title to Tract I whichever occurs first, Grantee shall pay to Grantor the sum of \$5,000.00 to be used for the purpose of providing water to Tract II. The Board will ask Mr. Craig if the cemetery has received the money. This matter will be carried over.

V. NEW BUSINESS

A. Approval of Bulk Sales

1. Washington Cemetery Management Corporation, (CA #172), Monmouth Junction, NJ to Kedishas Aharon D'Hadas, Brooklyn, NY

Executive Director Dianne L. Tamaroglio approved the bulk sale of 120 adult graves for \$72,000.00 (\$600.00 per grave). The required amount will be deposited into the Maintenance & Preservation Trust Fund of Washington Cemetery Management Corporation.

2. Princeton Memorial Park, (CA #134), Robbinsville, NJ to Tai Pun Residents Association, Inc., New York, NY

Executive Director Dianne L. Tamaroglio approved the bulk sale of 230 graves for \$230,000.00 (\$1000.00 per grave). The required amount will be deposited into the Maintenance & Preservation Trust Fund of Princeton Memorial Park.

B. Correspondence from Roy H. Hand

Consumer Roy Hand has written to the Board for information regarding burials in New Jersey. Mr. Hand would like to designate an acre of his farmland for family burials and advises that the early owners of the farm are buried in un-marked graves on the farm. The Board will advise Mr. Hand to be buried on his farmland the land would have to be dedicated for cemetery purposes and he would have to apply to the Board for a Certificate of

Authority to become a "cemetery company". An application for a CA will be sent to Mr. Hand along with copies of the Board's statute and regulations. This matter will be removed from future Board meeting agendas; should we receive an application from him it will be brought to the Board for review and consideration.

C. Request for extension for filing of Annual Report
Re: Laurel Memorial Park (CA #360)

Nicholas A. Droboniku, CPA has written to the Board requesting an extension until January 31, 2007 to file Laurel Memorial Park's 2006 Annual Report . A motion was made by William Nichols and seconded by Frank J. DeGeeter, Jr. to grant the requested extension. A vote was taken and the motion was approved by a unanimous vote. This matter is closed and removed from future Board meeting agendas.

D. Approval to change of date for April Public Board Meeting

Executive Director Dianne L. Tamaroglio asked the Board's approval to change the April 12, 2007 Public Board meeting to April 25, 2007. The meeting would be held in conjunction with the New Jersey Cemetery Association's Annual Convention in Atlantic City, NJ. A motion was made by William Nichols and seconded by Lawrence Colasurdo to approve the change of the meeting date. A vote was taken and the motion was approved by a unanimous vote.

VI. PUBLIC COMMENT

Leonard Auerbach wished outgoing Board Chairman Frank J. DeGeeter, Jr. much luck and happiness in his retirement. Mr. Auerbach thanked Mr. DeGeeter for his hard work and dedication to the Cemetery Industry and his dedication to the Cemetery Board.

VII. FOR YOUR INFORMATION

A. State Board of Mortuary Science

2007 Monthly Meeting Dates

Open Session Meeting Minutes October 3, 2006

These matters were considered informational for the Board deeming no discussion or decision making.

B. Answer to Verified Complaint

Chevra Kadisha of Bobov vs Washington Cemetery Management Corporation
Docket # 06-5473(FSH)

This matter was considered informational for the Board deeming no discussion or decision making.

C. Letter Memorandum

Old Tennent Cemetery vs. Old Tennent Presbyterian Church
Docket No. OCN-C-184-06

D. Notice of Motion to Intervene

Re: Old Tennent Cemetery Association, ET AL , Plaintiffs, v Old Tennent Presbyterian Church, ET AL,
Defendants
Docket Non: OCN-C-184-06

The subject of these matters were discussed earlier in today's meeting.

VII. ADJOURNMENT

A motion was made by William Nichols and seconded by Frank J. DeGeeter, Jr. to adjourn Public Session at

11:00 PM and move into Executive Session at 11:30 PM. A vote was taken and the motion was passed by a unanimous vote. The Board moved into Executive Session to discuss the following matters involving investigations and/or violations of the Board's regulations:

1. Two (2) new matters or complaints filed with the Board which required review and recommendations in regard to investigation and/or actions.
2. Twelve (12) matters where additional information has been submitted to the Board pending investigations.

The substance of these investigations shall remain confidential until disclosure is permitted by law. Board action arising from such discussions will be made public at such time official action is taken on these matters, if permitted by law.

Respectfully Submitted,

Dianne L. Tamaroglio
Executive Director