



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

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



Jeffrey S. Chiesa
Acting Attorney General

THOMAS R. CALCAGNI
Director

NEW JERSEY CEMETERY BOARD

PUBLIC SESSION MINUTES

FEBRUARY 9, 2012

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

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, February 9, 2012. 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 on July 21, 2011 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 Chair William Nichols 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:

Paul M. Desbiens	Present
Waheed Khalid	Present
June Nikola	Present
William Nichols	Present
Jeffrey Kasko	Present
Linda McGloin	Present
Rabbi Jay M. Kornsgold	Absent

Also in attendance were: Dianne L. Tamaroglio, Executive Director, New Jersey Cemetery Board; Deputy Attorney General John Hugelmeyer; and Ellen Green, Board Secretary.

I. ELECTION OF NEW JERSEY CEMETERY BOARD OFFICERS FOR 2012

Executive Director Dianne L. Tamaroglio opened nominations for Chair of the New Jersey Cemetery Board for 2012. June Nikola nominated William Nichols for Chair of the Board. The nomination was seconded by Paul Desbiens. With no further nominations being made, Jeffrey Kasko made a motion to close nominations; Linda McGloin seconded the motion. A vote was taken and William Nichols was voted Chair of the Board for 2012 by acclamation.

Board Chair William Nichols opened nominations for Vice-Chair of the New Jersey Cemetery Board for 2012. Waheed Khalid nominated Paul Desbiens for Vice-Chair; the nomination was seconded by June Nikola. With no further nominations being made, Jeffrey Kasko made a motion to close nominations; Linda McGloin seconded the motion. A vote was taken and Paul Desbiens was voted Vice-Chair of the Board for 2012 by acclamation.

II. APPROVAL OF PUBLIC SESSION MEETING MINUTES OF DECEMBER 8, 2011

A motion was made by June Nikola and seconded by Paul Desbiens to approve the Public Session Meeting Minutes of December 8, 2011 as corrected. A vote was taken and the motion was passed by a unanimous vote.

**III. APPEARANCE DARLENE KANE, FISCAL OFFICER
Re: **2011 Board Budget****

The Board at its December 8, 2011 Board meeting reviewed its Fiscal Year 2011 Final Budget. Upon review, the Board had some concerns and questions. Darlene Kane, Fiscal Officer Division of Consumer Affairs attended today's meeting and addressed the Board's concerns.

IV. OLD BUSINESS

A. Hoboken Cemetery (CA #183)

This matter will be held over.

**B. Withdrawal from the Maintenance & Preservation Trust Fund
Re: **Greenville Cemetery Association (CA #282)****

The Board is in receipt of correspondence from Ronald Vogel, Treasurer and Trustee, Green Cemetery Association, Inc. advising the Board that the cemetery has redeposited \$1,000.00 to the Greenville Cemetery Association Maintenance and Preservation Trust Fund as a result of a donation made by a member of the Board of Trustees. Mr. Vogel further advised the Board that the cemetery will deposit all proceeds received from the sale of grave plots and fees collected from burials. This matter is closed and removed from future Board meeting agendas.

C. Correspondence from Debbie L. McClelland, Secretary, Trustee, Odd Fellows Cemetery (CA #39)

Walter A. Norris, Esquire, Attorney representing Odd Fellows Cemetery responded to the Board advising that the trustees deposit 15% of all sales into the Maintenance and Preservation Fund and that the mausoleum was constructed in 1987. Mr. Norris also reiterated to the Board that it is the intention of Odd Fellows Cemetery to cooperate fully with any errors or misunderstandings that have inadvertently been made with regard to its Maintenance and Preservation Trust Fund. Upon review of this response the Board will ask George Booktor Board Accountant to review Odd Fellows Cemetery accounts. This matter will be carried over.

D. Crematory Discussion

The Board reviewed the documentation forwarded by the State of New Jersey, 214th Legislature regarding the passage of Senate, No. 3125 on December 1, 2011. This Bill makes revisions to the statutes concerning the construction and operation of crematories. The Bill is intended to clarify that a crematory is only to be located on dedicated cemetery property. A crematorium operated in conjunction with a funeral home prior to December 1, 1971 is exempt from this

requirement. In addition, the Bill repeals certain outdated provisions concerning cremation to bring the construction and operation of crematories more clearly under the regulation of the New Jersey Cemetery Board and provides the Board with the authority to adopt regulations. A Committee of the Board, June Nikola and Linda McGloin will review Cana's guidelines for cremation. The Committee will work on putting together the regulatory needs and bring the findings back to the Board. This matter will be carried over.

**E. Application for a Certificate of Authority
Dover Cemetery Association a/k/a Orchard Street Cemetery**

Brenda Deming, Secretary/Treasurer, Dover Cemetery Association a/k/a Orchard Street Cemetery forwarded to the Board another revised price list. Dover Cemetery was instructed by the Board of the changes needed on their price list. Changes were made to the price list but still missing was the fee for the pouring of foundations. Following review a motion was made by Paul Desbiens and seconded by June Nikola to approve the Certificate of Authority for Dover Cemetery Association subject to the receipt of the revised price list which should include a foundation fee. A vote was taken and the motion was passed by a unanimous vote. This matter will be carried over.

**F. Application for a Certificate of Authority
Re: Elwood Cemetery**

List of Cemetery Trustees & Price List

Francis Paulsgraf, a volunteer for Elwood Rural Cemetery, has submitted to the Board an application for a Certificate of Authority for the cemetery. Mr. Paulsgraf was advised by the Board that he will need to get at least five lot owners to review and extend the cemetery's corporate existence in New Jersey as per **N.J.S.A. 45:27-11**. The cemetery will also need to establish a Board of Trustees and create a price list for services. Mr. Paulsgraf forwarded to the Board a fee schedule and a list of the Board of Trustees. Upon review a motion was made by June Nikola and seconded by Jeffrey Kasko to approve the Certificate of Authority for Elwood Cemetery subject to the receipt of the proof of extension of the cemetery's corporate existence and a revision of the cemetery's by-laws and price list. A vote was taken and the motion was passed by a unanimous vote. In attendance at today's meeting was two neighbors of Elwood Cemetery who expressed to the Board that they feel it is important to have one of the neighbors of the cemetery hold a position on the Elwood Cemetery Board of Trustees. The Board advised that they would have to contact the current Trustees in regard to that matter. This matter will be carried over.

G. Correspondence from Colleen Hancock, Manager/Administrator, Bordentown Cemetery Association (CA#162)

Receipt of requested documentation and Mr. Booktor is working with them

Executive Director Tamaroglio advised the Board that the cemetery has been working with Board Accountant George Booktor and has supplied to him all of the requested documentation. This matter is closed and removed from future Board meeting agendas.

V. NEW BUSINESS

A. Approval of Bulk Sales

**Princeton Memorial Park, Robbinsville, NJ (CA #134) to
Taishan Friendship Association, New York, NY**

Executive Director Dianne L. Tamaroglio approved the bulk sale of 216 (203) interment spaces for \$172,800.00 (\$800.00 per space) less a credit of \$10,400.00 for a final price of \$162,400.00. The required 15% will be deposited into the Maintenance and Preservation Trust Fund of Princeton Memorial Park.

**Forest Lawn Memorial Gardens, Clover Leaf Memorial Park, Iselin, NJ
(CA #14) to the Brooklyn Garments Workers (ASIA) Units, Brooklyn, NY**

Executive Director Dianne L. Tamaroglio approved the bulk sale of 70 interment spaces for \$78,750.00 (\$1125.00 per space) The required 15% will be deposited into the Maintenance and Preservation Trust Fund of Forest Lawn Memorial Gardens.

**Forest Lawn Memorial Gardens, Clover Leaf Memorial Park, Iselin, NJ
(CA #14) to Brooklyn Garments Workers (ASIA) Units, Brooklyn, NY**

Executive Director Dianne L. Tamaroglio approved the bulk sale of 140 interment spaces for \$157,500.00 (\$1125.00 per space) The required 15% will be deposited into the Maintenance and Preservation Trust Fund of Forest Lawn Memorial Gardens.

B. Request for one year extension for completion of the Sanctuary of Israel Mausoleum, Beth Israel Cemetery

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

Frank Milles, Vice President Administration, StoneMor Partners L.P. wrote to the Board asking for a one year extension of the four-year deadline for completion of the construction of the Sanctuary of Israel Mausoleum at Beth Israel Cemetery. Upon review a motion was made by Paul Desbiens and seconded by Waheed Khalid to approve the one-year extension. A vote was taken and the motion was passed by a unanimous vote. This matter is closed and removed from future Board meeting agendas.

C. Application for lease of a portion of cemetery property

Re: Washington Monumental Cemetery Association (CA #173) to T-Mobile

The Board has received an application from Washington Monumental Cemetery Association for the lease of a portion of its property to T-Mobile for the establishment of a cell tower. As a requirement for Board approval, an on-site inspection of the area of the lease must be conducted by a Board member. Board member June Nikola will conduct the inspection. This matter will be carried over.

D. Purchase of land from State of New Jersey

Re: Hollywood Memorial Park (CA #101)

William C. Passodelis Hollywood Memorial Park and Cemetery forwarded to the Board documentation advising the Board that Hollywood Memorial Park Company has purchased from the State of New Jersey Department of Transportation property located at Route I-78, Section 5-D, Parcels VX153B through VX159B. Following discussion the Board will ask Executive Director Dianne L. Tamaroglio to write to Mr. Passodelis asking if the cemetery is going to use this property for burials and if so they would need to have the property dedicated for cemetery property. The Board will ask Mr. Passodelis for a clearer explanation of this transaction; was this property purchased for an expansion of the cemetery? This matter will be carried over.

E. Should these cemeteries have a Certificate of Authority?

1. Holy Name Cemetery is selling mausoleum crypts to the Parish of St. George & St. Shenouda Coptic Orthodox

A copy of a Retail Installment Contract for Crypt Purchase between Holy Name Cemetery and the Parish of Saint George and Saint Shenouda Coptic Orthodox was sent to the Board anonymously. Holy Name Cemetery is a Roman Catholic Cemetery and is not regulated by the New Jersey Cemetery Board. Upon review it was determined by the Board that there was insufficient evidence that Holy Name Cemetery was servicing the public outside of their religion and therefore is not required to obtain a Certificate of Authority. This matter is closed and removed from future Board meeting agendas.

2. The Millbrook United Methodist Church/ Millbrook Methodist Cemetery—burial open to those of all faiths

The Board office received an anonymous call advising that The Millbrook United Methodist Church/ Millbrook Methodist Cemetery offers burials that are open to the general public and therefore should be required to obtain a Certificate of Authority. The Board will ask Executive Director Dianne L. Tamaroglio to write to The Millbrook United Methodist Church/ Millbrook Methodist Cemetery asking if they are in fact open to anyone for burial and if that is the case they will be required to apply for a Certificate of Authority. This matter will be carried over.

F. Request for comments

Re: Assembly, No. 690

The State of New Jersey, 215th Legislature, Assembly No. 690 which exempt's individuals with certain types of military service from certain professional and occupational fee and continuing education requirements was forwarded to the Board for review. Following review the Board had no comments to Assembly No. 690.

G. Application for a Cemetery Salesperson's License

Re: Angela Spalliero

Hollywood Memorial Park (CA #101)

Angela Spalliero's application for a Cemetery Salesperson's License was reviewed and discussed in Executive Session and brought to Public Session for a vote as to whether or not a Cemetery Salesperson's License should be issued to her. A motion was made by June Nikola and seconded by Paul Desbiens to issue a Cemetery Salesperson's License to Ms. Spalliero for Hollywood Memorial Park. A vote was taken and the motion was passed by a unanimous vote.

VI. DISCIPLINARY ACTION

Settlement Letter issued to Brian Maxwell, New Gretna Cemetery (CA#290) for violation of **NJSA 45:27-16 © (4)**. Mr. Maxwell has signed the acknowledgment of wrong doing and has resigned his position of President of the Newton Cemetery Association.

Settlement Letter issued to Joseph Uras, owner and operator of Joseph Uras Monuments Corporation, for violation of **N.J.S.A. 45:27-16 (c)(4)**. Mr. Uras has signed the acknowledgment of wrong doing and has resigned as the contact person for Rose Hill Cemetery.

Settlement Letter issued to Robert McCracken, licensed Funeral Director for violation of **N.J.S.A. 45:27-16 (c)(4)**. Mr. McCracken has signed acknowledgment of wrong doing and has resigned his position as President of New Gretna Old Home Society.

IV. FOR YOUR INFORMATION

- A. Welcome Letter to Rabbi Jay M. Kornsgold, a newly appointed Public Member for the New Jersey Cemetery Board**
- B. Bills that expired without Gubernatorial Action**
- C. Chapter Laws (2010-2011)**
- D. ARTICLES**

Sharp scrap dealer from Cinnaminson honored for helping police in grave marker theft probe
phillyburbs.com January 9, 2012

No action on Catholic cemetery proposal
phillyburbs.com December 27, 2011

Donald Trump looks to spend eternity in N.J. as real estate mogul seeks private cemetery
nj.com January 30, 2012

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

V. PUBLIC COMMENT

No public comments were made today.

I. ADJOURNMENT

A motion was made by Jeffrey Kasko and seconded by June Nikola to adjourn Public Session at 11:30 A.M. and move into Executive Session at 11:45 A..M. 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. Five (5) new matters or complaints filed with the Board which required review and recommendations in regard to investigation and/or actions; and*
- 2. Ten(10) matters where additional information has been submitted to the Board pending investigations.*

The substance of these investigations will 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. A motion was made by Paul Desbiens and seconded by Jeffrey Kasko to adjourn the Board meeting of February 9, 2012. A vote was taken and the Board meeting was adjourned at 1:10 P.M.

Respectfully Submitted,

*Dianne L. Tamaroglio
Executive Director*