

**New Jersey Cemetery Board
Public Session Minutes
March 31, 2004**

A regular meeting of the New Jersey Cemetery Board was held at the Atlantic City Hilton Hotel, Atlantic City, New Jersey, on Wednesday, March 31, 2004. 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 2:15 P.M. A roll call was taken and the following attendance of Board members was recorded for these minutes:

Marion Brozowski	Present
Frank J. DeGeeter, Jr.	Present
Paul M. Desbiens	Present
Stephen F. Hehl	Absent
June Nikola	Present
William Nichols	Present
Marianne Panico	Absent
Karen Walsh Pappas	Present

Also in attendance were: Dianne L Tamaroglio, Executive Director for the New Jersey Cemetery Board and Lola Lesslie, Board office staff.

I. WELCOME

Board Chairman Frank J. DeGeeter, Jr. thanked the New Jersey Cemetery Association for inviting the Board to be a part of the Association's 72nd Annual Conference and expressed that there is an even greater importance of the Board's participation at this year's Conference because of the new Cemetery law which goes into effect on April 14, 2004. Chairman DeGeeter introduced each Board member to the Association and in turn each advised of his or her position on the Board and the length of time each has been on the Board. Mr. DeGeeter explained the staff changes that have recently occurred at the Board office; Susan H. Gartland, former Executive Director has been promoted to a Managing Executive Director position within the Division of Consumer Affairs and as such has had to relinquish her position as Executive Director of the Board and in her absence, Dianne L. Tamaroglio was appointed Executive Director of the Board. Mr. DeGeeter wished both women success in their new positions. Mr. DeGeeter advised the Association of the resignation of Board Vice Chairman David Mallach. As a result of Mr. Mallach's resignation the Board elected Marion Brozowski as the new Board Vice-Chairman for 2004. Mr. DeGeeter also advised the Association that Deputy Attorney General John Hugelmeyer would not be in attendance today due to illness, and therefore the necessity to slightly alter today's meeting. In Mr. Hugelmeyer's place, the Board members would carry out discussions with the members of the Cemetery Association regarding the New Jersey Cemetery Act, 2003. The Board members would not however offer any legal interpretation of the law.

II. PUBLIC COMMENT

There were no public comments made today.

III. BOARD ACTIVITIES FOR 2003

Executive Director Dianne L. Tamaroglio thanked the New Jersey Cemetery Association for once again inviting the Board to be apart of the Association's Annual Conference. Ms. Tamaroglio gave a brief summary regarding the Board's activities for 2003. She advised that the Board received 77 consumer complaints for the year 2003. The types of complaints received were care of individual graves; physical conditions of cemeteries; services provided by cemeteries as well as the fees charged for the services; billing disputes; damages to monuments and markers; improper burials; and rules and regulations of cemeteries. With regard to disciplinary matters for 2003; five (5) Final Orders were issued to cemeteries for delinquency in the filing of Annual Reports with fines ranging from \$100.00 to \$45,000.00; one (1) Final Order was issued to a cemetery for having an unlicensed Cemetery Salesperson with a fine of \$250.00; one (1) Final Order was issued to an individual for working as a Cemetery Salesperson without a valid license issued by the Board with a fine of \$250.00; two (2) Uniform Penalty Letters were issued to cemeteries for non-filing of Annual Reports with fines of \$250.00 each; and one (1) Uniform Penalty Letter was filed for not making payments to the M&P Trust fund on a monthly basis with a fine of \$500.00. The Board issued two new Certificates of Authority to two existing cemeteries, CA #403, Mount Hope Cemetery Association and CA #404, Ernst Memorial Cemetery Corporation. Executive Director Tamaroglio advised the members of the Association, that if there is any thing that any of the cemeteries have concerns or questions with, too call the Board office at any time for assistance no matter how big or small the problem may be.

IV. APPROVAL OF PUBLIC SESSION MINUTES OF MARCH 11, 2004

A motion was made by Marion Brozowski and seconded by June Nikola to approve the Public Session Minutes of March 11, 2004 as amended. A vote was taken and the motion was passed by a unanimous vote.

V. NEW JERSEY CEMETERY ACT, 2003 QUESTIONS AND ANSWERS

The new Annual Report form was passed out to members of the Association and Board Vice Chairman Marion Brozowski gave a brief discussion regarding how the new form should be completed according to the provisions of the New Jersey Cemetery Act, 2003. Board Chairman Frank J. DeGeeter, Jr. then opened the floor to questions regarding the new law. The points that were brought up for discussion and clarifying were many including the definition of "cemetery company"; embellishments; adornments; and vaults. Also brought up for discussion was the change from banking institution to financial institution with regard to Trust Funds; separate mausoleum Trust Funds; custody fees and managements fees being removed from the corpus of the Trust. A suggestion was made for the Board to promulgate a regulation for the co-mingling of Mausoleum Trust Funds within a cemetery and also a suggestion was made to look outside of the Cemetery Industry to see how other Trust Funds function. The discussion of the new law appeared to be quite helpful to those from the Association who were in attendance as well as to the Board members.

VI. ADJOURNMENT

A motion was made by William Nichols and seconded by Marion Brozowski to adjourn Public Session. A vote was taken and the Public Session of March 31, 2004 was adjourned at 3:45 PM.

Respectfully Submitted,

Dianne L. Tamaroglio
Executive Director