



## *New Jersey Office of the Attorney General*

### **NEW JERSEY CEMETERY BOARD**

### **PUBLIC SESSION MINUTES**

**MAY 12, 2016**

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, May 12, 2016. 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 September 16, 2014 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 10:00 A.M. A roll call was taken and the following attendance of Board members was recorded for these minutes:

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

Also in attendance were: Quin Archer, Executive Director, New Jersey Cemetery Board; Deputy Attorney General Nancy Miller, and Lisa Carpenter.

#### **I. APPROVAL OF PUBLIC SESSION MEETING MINUTES OF MARCH 10, 2016**

A motion was made by June Nikola and seconded by Linda McGloin to approve the Public Session Meeting Minutes of March 10, 2016 as corrected. A vote was taken and the motion was passed by a unanimous vote.

#### **II. OLD BUSINESS**

##### **A. Fair Lawn Memorial Cemetery (CA#108)**

This matter will be carried over pending response from Fair Lawn Memorial Cemetery.

##### **B. Tranquility Cemetery (CA # 68)**

This matter will be carried over pending additional information from Tranquility Cemetery.

**C. The Maintenance of Crooked Pond Cemetery**

DAG Miller has been trying to reach the Historical Society regarding this issue. Upon request from the Board this matter can be removed from the agenda.

**III. NEW BUSINESS**

**A. Approval of Bulk Sales**

**Forest Green Park Cemetery (CA# 187) to the Muslim Foundation Inc.**

Executive Director Quin Archer approved the bulk sale of 200 interment spaces for \$170,000.00. The required 15% will be deposited in the Maintenance and Preservation Trust Fund of Forest Green Park Cemetery.

**Greenwood Cemetery Association (CA# 28) to the New York Duan Fen Association Inc.**

Executive Director Quin Archer approved the bulk sale of 600 interment spaces for \$348,000.00. The required 15% will be deposited in the Maintenance and Preservation Trust Fund of Greenwood Cemetery Association.

**East Ridgelawn Cemetery (CA# 18) to the Macedonia Orthodox Church St. Kitl and Metodij.**

Executive Director Quin Archer approved the bulk sale of 50 interment spaces for \$90,000.00. The required 15% will be deposited in the Maintenance and Preservation Trust Fund of East Ridgelawn Cemetery.

**B. Jersey State Memorial Park (CA# 291)**

The Board received a letter from Waheed Khalid asking to waive the annual filing fees from the Maintenance and Preservation Reports of 2014 and 2015 due to financial hardship. Upon review, the Board asked Executive Director Quin Archer to write a letter advising Mr. Khalid there was not compelling information that supports Mr. Khalid's claim of financial hardship. This matter is closed.

**C. Machpelah Cemetery (CA# 200)**

The Board received a package pending approval from the NJ Department of Community Affairs from Louis Cicalese, requesting approval for the construction of a crematory. Upon review, the Board asked Executive Director Quin Archer to write a letter asking Mr. Cicalese for the map of Machpelah Cemetery showing the footprint of the crematory. Ms. Archer will also verify the 2013 lot owners meeting minutes, to ensure lot owners were aware of the future construction of the crematory. In addition, the Board Chair, William Nichols, formed a committee that will go over the required information to create a crematory application. This matter will be carried over pending response from Mr. Cicalese.

**D. Mount Freedom Cemetery**

The Board received a letter from PNC Bank asking the Board what it should do with the Maintenance and Preservation Trust Fund account. Helen Perry was the contact person but has since passed away. Upon review, the Board asked Executive Director Quin Archer to contact the church that assumed responsibility of the cemetery in 1992, at time Certificate of Authority was surrendered. Once information is received PNC bank and the Board will be informed. This matter is closed.

**E. Regulatory Committee Report**  
**N.J.A.C. 13:44J-5.3, N.J.A.C. 13:44J5-6, & N.J.A.C. 13:44-14.1**

Regulatory Analyst Charles Manning met with the Board to review the regulations above regarding Maintenance and Preservation Trust Funds and Bulk sales. Upon review, DAG Nancy Miller suggested to change a few words based on Board's discussion. A motion was made by June Nikola and seconded by Paul Desbiens. A vote was taken and the motion was passed by a unanimous vote. This matter will be carried.

**F. Bound Brook Cemetery (CA# 8)**

The Board received a letter from Presbyterian Church of Bound Brook asking if the net rental income from an apartment, on cemetery grounds, may be used in the general operating budget of the church or used for other missions. The Board was also in receipt of a letter from the cemetery finance officer, Wayne Miller, asking similar questions regarding the cemetery and church funds. Upon review, a motion was made by Linda McGloin and seconded by Jeff Kasko, that 15% of the rental income from the house must be deposited into the Maintenance and Preservation Trust Fund account. The remaining income should be deposited into the cemetery's general operating account. Executive Director Quin Archer will write a letter informing both the church and cemetery. A vote was taken and the motion was passed by a unanimous vote. This matter is closed.

**G. Crosswicks Cemetery (CA# 17)**

The Board received a letter from David W. Horsnall asking what can be done to prepare for the future operation of the cemetery. There are five board members left but only two that are actively engaged in operations and they are both in their seventies. Upon review, the Board asked Executive Director Quin Archer to write a letter informing Mr. Horsnall to contact their local historical center and/or the New Jersey Cemetery Association and keep the Board posted. This matter is closed.

**H. Cedar Hill Cemetery Association (CA# 84)**

The Board received a letter from the Cedar Hill Cemetery's Board of Trustees asking approval to move their Maintenance and Preservation Trust Fund from Wells Fargo Bank to Ameriprise National Trust Bank in Minneapolis, Minnesota. Upon review, a motion by Linda McGloin and seconded by Jay Kornsgold, determined that according to statute 45:27-12(d) the funds are to be held in a New Jersey financial institution. A vote was taken and the motion was passed by a unanimous vote. This matter is closed.

**V. FOR YOUR INFORMATION**

**A. News article titled "Political dustup over death's dollars"**

The above matter was considered informational for the Board, deeming no discussion or decision making.

**B. Lake Nelson Memorial Park (CA# 99)**

A copy of documents regarding a motion to enforce litigants' rights in the matter of Cary Edwards v. Lake Nelson Memorial Park was forwarded to the Board as information only.

**VI. PUBLIC COMMENT**

No public comments were made at today's meeting.

**VII. ADJOURNMENT**

A motion was made by Linda McGloin and seconded by Jay Kornsgold to adjourn Public Session at 11:00 A.M. and move into Executive Session at 11:05 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. Eight (8) new matters filed with the Board which required review and recommendations in regard to investigation and/or actions; and
2. Six (6) 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 William Nichols and seconded by June Nikola to adjourn the Board meeting of May 12, 2016. A vote was taken and the Board meeting was adjourned at 4:10 P.M.

Respectfully Submitted,

Quin Archer  
Executive Director