

**New Jersey Cemetery Board
Public Session Minutes
June 12, 2003**

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, N.J., on the sixth floor, on Thursday, June 12, 2003. 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
Frank J. DeGeeter, Jr.	Present
Paul M. Desbiens	Present
Stephen F. Hehl	Present
David Mallach	Present
June Nikola	Present
William Nichols	Present
Marianne Panico	Present

Also in attendance were: Susan H. Gartland, Executive Director for the New Jersey Cemetery Board; DAG John Hugelmeyer; and Dianne L. Tamaroglio, Assistant to the Director.

II. PUBLIC COMMENT

No public comments were made today.

III. APPROVAL OF PUBLIC SESSION MEETING MINUTES OF MAY 8, 2003

A motion was made by Marion Brozowski and seconded by Paul M. Desbiens to approve the Public Session Minutes of May 8, 2003 as amended. A vote was taken and the motion was passed by a unanimous vote.

IV. OLD BUSINESS

A. Advisement that the County of Ocean is taking a portion of cemetery property Re: Greenwood Cemetery (CA #370)

The Board has received notification of a hearing that will take place on September 30, 2003 for the purpose of determining the amount of compensation to be paid to Greenwood Cemetery for the land, premises, property, rights and easements to be purchased by the County of Ocean. This matter will be carried over.

B Request to become a Cemetery Company
Re: The Bloomingdale Cemetery Association

Having heard nothing further from David Henry in this matter, it will be removed from future Board meeting agendas.

C. Concern regarding a retaining wall
Re: Beth David Cemetery (CA #308)

Sanford B. Epstein will be contacted regarding this matter. This matter will be carried over.

D. Passage of an Ordinance Regulating Burials, Interments and Disinterments within the Borough of Totowa
Re: Laurel Grove Cemetery (CA #30), CMS Mid-Atlantic, Inc.

Paul M. Desbiens was recused from this matter and moved away from the table.

Bernard E. Stoecklein, Jr., Chairman & CEO for CMS Mid-Atlantic, Inc. has provided the Board with copies of pest control studies prepared by the American Cemetery Association years ago . This was informational for the Board as there was nothing regarding the issue of sealed caskets being placed in a mausoleum and any consequences of this sealing. This matter will be removed from future Board meeting agendas until such time we should receive information pertaining to this issue.

E. Proposed amendment N.J.A.C. 13:44J-7.1
Re: Committee report

A Committee of the Board met on May 19, 2003 to revisit and reconsider proposed amendment to N.J.A.C. 13:44J-7.1. The Committee made a recommendation to the Board that language be added to N.J.A.C. 13:44J-7.2. A motion was made by William Nichols and seconded by Paul M. Desbiens to accept the Committee's recommendation. A vote was taken and the motion was passed by a unanimous vote. The recommended language changes will be sent to Charles Manning, Regulatory Analyst, of the Division of Consumer Affairs for preparation of the prefatory language for publication in the New Jersey Register.

F. Correspondence from Bernard E, Stoecklein, Jr.
Re: Cedar Grove Cemetery Association (CA #217)

Bernard E. Stoecklein, Jr., Chairman, CMS Mid-Atlantic, Inc. has provided the Board with an update regarding the assistance being given to Cedar Grove Cemetery by the Friends of Rural Cemeteries. The Friends of Rural Cemeteries is purchasing for the cemetery a Veteran's memorial to be dedicated later this year at the cemetery. Included with Mr. Stoecklein's update was a copy of a letter from PNC Bank to Emery Bittman, President of the cemetery outlining the prudent investment plan going forward for the cemetery and the management fees for the account being paid by Friends of Rural Cemeteries. The Board had some concerns with the plan which it will address with PNC. This matter is closed and removed from future Board meeting agendas.

V. NEW BUSINESS

A. Application for a Certificate of Authority
Re: Ernst Memorial Cemetery Corporation

Marion Brozowski and Paul M. Desbiens were recused from this matter and moved away from the table.

The Board received on May 8, 2003 an application for a Certificate of Authority for Ernst Memorial Cemetery Corporation. Upon review of the cemetery's rules and regulations, the Board made some suggestions for changes which will be forwarded to James M. Burke, attorney for the cemetery. The changes should be made in the regulations to provisions 1.17 & 3.12, where in both cases it states that the cemetery is not liable for..... The wording should be changed to mimic the language of provision 5.7, "beyond reasonable control" or words to that affect. Also, Mr. Burke will be advised that a complete price list for all of the cemetery's services must be filed with the Board. The application is in the 60 day review period by the public as per N.J.S.A.8A:3-10 since the date of receipt. If the Board receives the cemetery's revised Rules and Regulations and its complete price list by July 10, 2003 it will consider the application at that Board meeting. This matter will be carried over.

**B. Cemetery delinquent in filing of Annual report
Re: The Fair Mount Cemetery (CA #176)**

The Fair Mount Cemetery was issued a Uniform Penalty Letter for violation of N.J.S.A. 8A:4-12 & N.J.A.C. 13:44J-5.6 with a Civil Penalty of \$250.00. The cemetery has paid the penalty and signed the certification. This matter is closed and removed from future Board meeting agendas.

**C. Requesting Board approval for the alteration of cemetery roads
Re: Evergreen Cemetery and Crematory (CA #92)**

Joseph A. Manfredi, Executive Director for Evergreen Cemetery and Crematory has written to the Board requesting Board approval for the alteration of certain roads within the cemetery to provide more interment spaces. The Board reviewed the map of the new proposed layout provided by the cemetery. Before a decision can be made in this matter, an on- site inspection of the property in question will be conducted by Board members William Nichols, & Paul M. Desbiens and D.A.G. John D. Hugelmeyer. This matter will be carried over.

**D. Transferring ownership and management of a cemetery
Re: Manahawkin Methodist Cemetery Association**

George M. Cafarelli, Esquire has written to the Board asking for direction in transferring the ownership and management of the Manahawkin Methodist Cemetery Association (not a CA cemetery) to the Stafford Township Historical Society. Mr. Cafarelli did not provide the Board with any details regarding the cemetery such as: is the cemetery active; how many burials does the cemetery perform per year; does the Historical Society intend to do burials. D.A.G. John Hugelmeyer will contact Mr. Cafarelli to obtain answers to these questions and any other information Mr. Cafarelli can provide. This matter will be carried over.

VI. FOR YOUR INFORMATION

**A. Notice of Proposal
Re: N.J.A.C. 13:44J-5.3 & 5.4**

This was notification for the Board that its proposed amendments to N.J.A.C. 13:44J-5.3 & 5.4 have been published in the New Jersey Register on May 5, 2003 and are in the 60 day period for review and comments. The comment period will end July 5, 2003.

**B. Order to Show Cause; Verified Complaint; Memorandum of Law and an Affidavit of Services
Re: Ocean County Memorial Park v James J. Thompson
Docket No. OCN C 117-03**

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

C. Newspaper Articles

73 headstones toppled in Jackson

Vandals compound families' grief

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

D. New Jersey State Board of Mortuary Science

Open Session Meeting Agenda-June 3, 2003

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

E. Notice of Proposed New Rule

Re: N.J.A.C. 15:3

This proposed new rule by the Division of Archives and Management regards records management.

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

F. Correspondence from Bernard E. Stoecklein, Chairman, CMS Mid-Atlantic, Inc. to Assemblyman Anthony Impreveduto

The purpose of this correspondence was to impart to Assemblymen Anthony Impreveduto information regarding the cost of cemetery services with emphasis on at need pricing versus pre-need pricing. This was considered informational for the Board deeming no discussion or decision making.

VII. ADJOURNMENT

A motion was made by William Nichols and seconded by Paul M. Desbiens to adjourn Public Session at 11:10 AM and move into Executive Session at 11:30 AM. 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, violations, and/or the Board's regulations:

1. Five (5) new matters or complaints filed with the Board which require review and recommendations in regard to investigation and/or actions.
2. Eighteen (18) 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 as official action is taken on these matters, if permitted by law.

Respectfully Submitted,

Susan H. Gartland
Executive Director