

NEW JERSEY CEMETERY BOARD
PUBLIC SESSION MINUTES
JULY 10, 2008

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, July 10, 2008. 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 17, 2007 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 AM. A roll call was taken and the following attendance of Board members was recorded for these minutes:

Lawrence Colasurdo Absent
Paul M. Desbiens Absent
Waheed Khalid Present left at 12:30 PM
June Nikola Present
William Nichols Present
Genevieve Raganelli Present
Michael Ticktin Present

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

I. APPROVAL OF PUBLIC SESSION MEETING MINUTES OF JUNE 12, 2008

A motion was made by Michael Ticktin and seconded by June Nikola to approve the Public Session Minutes of June 12, 2008 as presented. A vote was taken and the motion was passed by a unanimous vote.

II. APPEARANCE REGULATORY ANALYST CHUCK MANNING

Re: Crematories

This discussion was canceled and will be held at a later time.

III. OLD BUSINESS

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

Deckertown Union Memorial Park Cemetery (CA #155)

The revised price list for Deckertown Union Cemetery has been received in the Board office but no Annual Reports have been received. A letter will be sent to Ed Vanderberg, President, advising that if the reports are not received in the Board office within 90 days, he will be requested to appear at the November 13, 2008 Board meeting. This matter will be carried over.

New Asbury Meeting House Cemetery (CA #349)

This matter will be held over pending receipt of a sworn statement from Rod Gilman stating that from here forward burial at the cemetery will be restricted to those of the Methodist faith and their families.

Odd Fellows Cemetery (CA #330)

DAG Ginger Provost advised the Board that she has received correspondence from Roland Hardy, attorney

representing Odd Fellows Cemetery which contained no new information for the Board. Danny Moore has not yet responded to the Demand for Statement in Writing Under Oath. Mr. Hardy will be advised that as Mr. Moore works for the cemetery, the cemetery should exercise control over him and have him respond to the Demand for Statement as well as appear before the Board when requested. Also, a letter will be sent to Mr. Hardy outlining the matters that were discussed at the Board's June 12, 2008 meeting when Ms. Lewis and Mr. Lee appeared before the Board. The Board will move this matter to Executive Session for advice of counsel.

Salem-Evergreen Cemetery (CA #276)

Geraldine Patillo, President, Salem-Evergreen Cemetery has provided the Board with the requested proof of deposits to the Trust Fund. This matter is closed and removed from future Board meetings.

B. Old Tennent Cemetery (CA #201)

DAG Ginger Provost attended a Settlement Conference on June 24, 2008 with regard to Old Tennent Cemetery and Church. It appears that most of the property belongs to the Church and not the cemetery. It is up to the cemetery to provide proof that would show otherwise. In the event that the cemetery cannot provide such proof, it appears that the property that will be the cemetery's will be more than adequate for future burials. The Board will continue to monitor this matter.

C. Old Tappan Cemetery

Re: Compliance with State Regulations of Cemeteries

This matter will be held over pending receipt of a completed application for a Certificate of Authority.

D. Review of E-Z Maintenance & Preservation Trust Fund Annual Report Form

The Board reviewed two new Annual Report forms prepared by Board members June Nikola and Paul Desbiens to be used by those cemeteries having very little activity and therefore generating very little income. Many changes and suggestions were made. Ms. Nikola will incorporate these suggestions and bring the revised form to the September 11, 2008 Board meeting for Board review.

E. Reconstitution of Board

Re: Mercer Cemetery (CA #266)

This matter will be held over.

F. No one to care for the cemetery

Re: Jersey City/Harsimus Cemetery (CA #220)

On June 12, 2008 a Special Lot Owners meeting was held at the Hudson County Improvement Authority in Jersey City for the purpose of electing a new Board of Trustees as well as officers for Jersey City & Harsimus Cemetery. The meeting drew about 36 interested persons from which a 7 member Board of Trustees was chosen. From the new Board of Trustees the following officers were elected: President, Vice-president, Secretary, & Treasurer. The new Board is very eager to get to work and turn the cemetery around. This matter is closed and removed from future Board meeting agendas.

G. Delinquent in filing Annual Reports from 2002 through 2007

Re: Newell Cemetery (CA #375)

This matter will be held over pending a response from Paul Brembt, Newell Cemetery regarding how the cemetery will deposit to its Trust Fund \$4,787.00 that is owed to the Fund for the years 2002-2007.

H. Cemetery not providing back up documentation with filing of Annual Reports

Re: The Atlantic City Cemetery (CA #95)

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

I. Correspondence from Nathan Van Embden, Esquire
Re: Haleyville Methodist Cemetery

This matter will be held over pending further communication from Attorney Nathan Van Embden.

J. Request for Reissue of Certificate of Authority Eglington Cemetery (CA #98)
Re: Correspondence from Peter Platten, Esquire

Peter Platten, attorney representing Eglington Cemetery has written to the Board advising that the cemetery has made the decision to not pursue filing an appeal with the Superior Court, Appellate Division and will yield to the Board's final decision in this matter. This matter is closed and removed from future Board meeting agendas.

K. Pleasant Hill Cemetery Association, Plaintiff v Jerry F. Smith & Christina M. Smith, Defendants Docket No. MRS-L-883-08

This matter will be held over pending receipt of the cemetery's revised Annual Reports for the years 1999 through the present along with certified statements.

IV. NEW BUSINESS

A. Montague Reformed Church Cemetery (CA #246)
Re: Last Annual Report filed was Fiscal Year 2002

This matter was moved to Executive Session for discussion and advice of Counsel.

B. Requesting extension for filing Annual Report
Re: Denville Cemetery Association

Ann Lowell, Treasurer, Denville Cemetery Association has written to the Board requesting an extension for the filing of the cemetery's 2007 Annual Report. The extension is necessary due to the unexpected passing of the cemetery's accountant. A motion was made by June Nikola and seconded by Michael Ticktin to grant an extension to September 30, 2008. 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. Adjournment of the August 14, 2008 New Jersey Cemetery Board meeting

Executive Director Dianne L. Tamaroglio requested an adjournment of the August 14, 2008 Board meeting due to a lack of quorum. A motion was made by June Nikola and seconded by Waheed Khalid to adjourn the August 14, 2008 Board meeting. A vote was taken and the motion was passed by a unanimous vote. The next scheduled Board meeting will be September 11, 2008.

V. PUBLIC COMMENT

Leonard Auerbach, General Manager, Floral Park Cemetery, Oaklawn Cemetery & Washington Cemetery Management Company complimented the Board on its handling of the Jersey City & Harsimus Cemetery problems and on getting a new Board of Trustees put in place.

VI. FOR YOUR INFORMATION

A. Correspondence from William C. Passodelis
Re: Restland Memorial Park (CA #117)

B. State Board of Mortuary Science

Open Session Meeting Minutes May 6, 2008

C. Newspaper Articles

New board for formerly abandoned cemetery
Jersey Journal June 14, 2008

Bordentown Cemetery opens new section
Burlington County News June 13, 2008

Cemetery owner facing charges
SouthBendTribune.com January 18, 2008

Bronze vases taken; cemetery also vandalized

VA announces 2nd headstone policy for private cemeteries Death Care Business Advisor June, 2008

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

VII. ADJOURNMENT

A motion was made by Michael Ticktin and seconded by Waheed Khalid to adjourn Public Session at 11:25 PM and move into Executive Session at 11:45 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. One (1) new matter or complaint 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 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. A motion was made by Michael Ticktin and seconded by June Nikola to adjourn the Board meeting of July 10, 2008. A vote was taken and the Board meeting was adjourned at 1:15 PM.

Respectfully Submitted,

Dianne L. Tamaroglio
Executive Director