

**\*NEW JERSEY CEMETERY BOARD\***  
**PUBLIC SESSION MINUTES**  
**NOVEMBER 8, 2007**

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, November 8, 2007. 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 21, 2006 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 Marion Brozowski 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:

Marion Brozowski Present  
Lawrence Colasurdo Present  
Paul M. Desbiens Present  
Waheed Khalid Absent  
June Nikola Present  
William Nichols Present  
Genevieve Raganelli Present  
Michael Ticktin Absent

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 SEPTEMBER 13, 2007**

A motion was made by June Nikola and seconded by William Nichols to approve the Public Session Minutes of September 13, 2007 as corrected. A vote was taken and the motion was passed by a unanimous vote.

**II. APPROVAL OF PUBLIC SESSION MEETING MINUTES OF OCTOBER 11, 2007**

A motion was made by Paul M. Desbiens and seconded by Lawrence Colasurdo to approve the Public Session Minutes of October 11, 2007 as corrected. A vote was taken and the motion was passed by a unanimous vote.

**III. OLD BUSINESS**

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

**Deckertown Union Memorial Park Cemetery (CA #155)**

The Board has not received an Annual Report or a revised price list from Deckertown Union Memorial Park Cemetery. Another letter will be sent to Ed Vanderberg, President, Deckertown asking for the status of these two matters. Also, Mr. Vanderberg will be advised that Board Accountant George Booktor will meet with him to go through the cemetery's financial records and assist him with the completion of an Annual Report. This matter will be carried over.

**Salem-Evergreen Cemetery (CA #276)**

Re: Money is owed to the Trust Fund

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

**New Asbury Meeting House Cemetery (CA #349)**

A telephone conference will be set up for the December 13, 2007 Board meeting with Pastor Fred Schwenger to discuss the operations of New Asbury Meeting House Cemetery.

Odd Fellows Cemetery (CA #330)

DAG Ginger Provost has advised that subpoenas are going out to Charles Curry and Florence Love for their appearance at the December 13, 2007 Board meeting. This matter will be carried over.

B. Delinquent in filing Annual Reports since 1998

Re: Mount Zion Cemetery (CA #206)

This matter will be moved to Executive Session for discussion and advice of counsel.

C. Cemetery has never filed Annual Reports

Re: Barber Burying Ground Association (CA #285)

Board member Genevieve Raganelli advised the Board that she has spoken with the wife of James Hooven, Manager, Barber Burying Ground Association about the operations of the cemetery and the possibility of her completing the Annual Reports for the cemetery, advising her that with the limited number of interments annually, completion of the form would not be difficult or tedious. Mrs. Hooven advised Ms. Raganelli that she would not agree to that. Ms. Raganelli will continue her quest of trying to find someone who would be responsible for the cemetery. It was suggested that perhaps Board Accountant George Booktor could prepare an Annual Report for the cemetery and Ms. Raganelli could bring it to Mr. Hooven for his signature. This matter will be carried over.

The discussion of Barber Burying Ground filing an Annual Report brought about the suggestion from Board member Paul M. Desbiens that perhaps the Board should prepare a new, simpler Annual Report form for those cemeteries whose Trust Funds generate \$1,000.00 or less in income. The Board believes this would help out the smaller cemeteries who repeatedly have problems in completing their Annual Reports. The suggestion was also made to add the date of the individual cemetery's Annual Meeting on the report for all cemeteries. A motion was made by June Nikola and seconded by Lawrence Colasurdo that the Board prepare a new Annual Report for cemeteries whose Trust Funds generate less than \$1,000.00 in income and to add the Annual Meeting date on the new as well as the old Annual Report forms. A vote was taken and the motion was passed by a unanimous vote. Mr. Desbiens will prepare a new report form for the Board's review.

D. Cemetery has no money and no activity

Re: Wantage Cemetery (CA #161)

Executive Director Dianne L. Tamaroglio advised the Board that she has spoken with James Kruggman, Sylvia Kruggman's son. Mr. Kruggman has advised he is working on getting a deed for the property the cemetery is located on and when he does, he will forward a copy to the Board office. This matter will be carried over.

E. Old Tennent Cemetery (CA #201)

DAG Ginger Provost advised that another mediation session for Old Tennant Cemetery has been held with all interested parties. The mediator spoke with each side and agreed to propose a resolution that he hoped would be amicable to both sides and he would circulate it when finished. This matter will be carried over.

F. Hillside Cemetery (CA #398)

George Pierce, President, Hillside Cemetery and David Levine, owner of the house on the cemetery property appeared before the Board today to discuss the issue of the re-paving of the road that runs through the cemetery. Mr. Levine put pavers at the entrance to the cemetery and re-sealed the driveway rather than re-paving it. Mr. Levine maintains the road. Mr. Pierce advises that the cemetery is satisfied with the work that was done on the road and will send a letter to the Board advising of same.

Mr. Pierce provided the Board with a copy of deposit slip and check showing the \$5000.00 being deposited into the cemetery's savings account. When the CD which is in the cemetery's name becomes due, Mr. Pierce will combine the \$5000.00 with the proceeds of the CD and invest it in accordance with the Prudent Investor Act.

G. Diocese of Metuchen

Re: Establishment of crematorium

This matter will be held over pending receipt of the Diocese's application for a Certificate of Authority.

H. Reconstitution of Board

Re: Mercer Cemetery (CA #266)

This matter will be removed from future Board meeting agendas as it appears that a new Board of Trustees is being formed for Mercer Cemetery. Executive Director Tamaroglio will stay in touch with the new Trustees to be sure every thing is running smoothly.

I. Amended and Restated Certificate of Incorporation

Re: Rosedale Cemetery (CA #42)

This matter will be held over pending receipt of Rosedale Cemetery's final revision of its amended and restated Certificate of Incorporation.

J. Correspondence from Thomas E. Stover, Esquire

Re: Green's Chapel Cemetery Association/Mt. Herman Cemetery Association

Mt. Hermon United Methodist Church to Seventh Day Adventis Church March, 2005

DAG Ginger Provost has spoken with Thomas E. Stover, Esquire who advised that he will forward to the Board a proposal of what he believes to be the issues of concern in this matter.

K. Concerns with Bulk Sale application

Re: Bulk Sale of graves from the Claremore Club, Inc. (Beth El Cemetery, CA #13) to the Temple Sinai Board denied application on July 12, 2007

Executive Director Dianne L. Tamaroglio is exploring possible dates for the Committee of the Board to meet with Robert Lenrow, Esquire and representatives of Beth El Cemetery to discuss this matter.

L. Correspondence from Martin Brothers, Licensed Cemetery Broker

Re: Gravesolutions

This matter will be held over pending receipt of the Enforcement Bureau's Investigative Report.

M. Transfer of operations of cemetery

Re: Parkview Cemetery–Medford Cemetery Association, Inc. (CA #374)

George Dougherty, Attorney representing Parkview Cemetery/Medford Cemetery Association has provided the Board with a revised copy of the cemetery's Certificate of Incorporation and the Board's requested Resolution of approval for the new corporation from the Odd Fellows Lodge. Upon review, the Board made suggested changes. Mr. Dougherty will make the changes and provide a revised copy to the Board. This matter will be carried over.

N. Should this cemetery have a Certificate of Authority?

Re: First Presbyterian Church of Springfield

Robert Halsey, President, Board of Trustees, First Presbyterian Church of Springfield was to appear before the Board today to discuss whether or not this church cemetery should have a Certificate of Authority. However, Mr. Halsey asked that this be postponed until the Board's December 13, 2007 Board meeting as he was in an accident

and is not able to make today's meeting. Mr. Halsey's appearance will be re-scheduled to the December Board meeting.

O. Overpayments to the Trust Fund and a request for credit  
Re: The Cemetery at Cold Spring Presbyterian Church (CA #324)

This matter will be held over pending receipt of a response to the Board's request for additional information.

P. Withdrawal of \$5,000.00 from corpus of Trust Fund  
Re: Blawenburg Reformed Church (CA #271)

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

Q. Inquiry from Grace T. Meyer, Esquire  
Re: Compliance with State Regulations of Cemeteries

Board member Paul M. Desbiens conducted an on-site inspection of Eckerson/Old Tappan Cemetery. Mr. Desbiens reports that the cemetery is approximately 2 ½ to 3 acres in size and he estimates at least 200 interments have taken place ranging in age from what looks like old revolutionary marble stones (illegible) to current headstones. There looks to be interments from every decade, including about 20 from the 1980's, about 25 from the 1990's, and at least a dozen from 2000 to present. Mr. Desbiens expected to see several interments all with the same name or at least a few names repeated over and over again; he did not see the same name twice. Mr. Desbiens estimates there is room for about another 1000 graves. He further advises that someone is making money off performing interments, headstone sales, and foundation installations. Upon his inspection, Mr. Desbiens believes this cemetery should have a Certificate of Authority. A letter will be sent to the town of Old Tappan requesting a tax map for the property that the cemetery is located on as well as a copy of the most recently filed tax exempt form for the cemetery. This matter will be carried over.

R. Correspondence from George T. Dougherty, Esquire  
Re: Request for clarification of Cemetery Board policy

The Board received correspondence from George T. Dougherty, Esquire to Marcel R. Plaut, Esquire as well as correspondence from Marcel R. Plaut, Esquire to the Board, both seeking further clarification on deposits to the Trust Fund with regard to bulk sale transactions. Mr. Dougherty's letter was basically a rendition of the discussions regarding the same subject at the October 11, 2007 Board meeting. Mr. Plaut's letter pertained more to deposits to the Trust Fund from bulk sales approved prior to June 5, 2006. This led to a discussion about transfer of graves with a deed versus transfer without a deed and about transfers that occur without a cemetery's knowledge. This matter was moved to Executive Session for discussion and advice of counsel.

S. Application of Eglington Cemetery, (CA #98), of Gloucester Township, Gloucester County (a/k/a/ Eglington Cemetery Company) for the sale of a strip of land 10' x 250' to Michael J. Butcher, an individual approved by Board March 8, 2007

The Board has received correspondence from Peter Platten, Esquire advising that the negotiations for this pathway have ended. This matter is closed and removed from future Board meeting agendas.

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

Eglington Cemetery had previously requested that the Board re-issue its Certificate of Authority. Upon review of the issue and with the advice of DAG Ginger Provost, the Board denied the cemetery's request. Peter Platten, attorney representing the cemetery has written to the Board requesting that the Board re-consider the cemetery's request. This matter will be referred to DAG Provost for further review. This matter will be carried over.

#### **IV. NEW BUSINESS**

A. Correspondence from Jonathan S. Roth, Esquire

Re: Marlboro Memorial Cemetery's Certificate of Interest (CA #395)

Jonathan S. Roth, attorney representing Marlboro Memorial Cemetery has written to the Board requesting amending the cemetery's Certificate of Interest. The Certificate provides that "Interest not paid by April 1st in any year shall be forfeited, and shall not accumulate or become due the following year." Mr. Roth is requesting the this be amended to read:"Interest not paid by April 1st in any year shall not be forfeited but shall accrue and accumulate." Before a determination in this matter can be made, Executive Director Tamaroglio will review past Board meeting minutes to see how much was approved by the Board for the Certificates of Interest. This matter will be carried over.

B. Correspondence from St. James Episcopal Church

Re: Placement of cremains in pea gravel

St. James' Episcopal Church has advised the Board that it will be placing human cremains in 18 inches of pea gravel behind a 27 inch stone wall within the confines of the Church's Memorial Garden. Arthur Pierce Powell, Rector, St. James' Episcopal Church advises that this is a common practice in the Episcopal faith. The Board will ask Mr. Powell if the church will be accepting cremains of those outside of the Episcopalian faith. This matter will be carried over.

C. Approval of Bulk Sale

Jersey State Memorial Park, (CA #291), Millstone, NJ to the Islamic Community, Inc., Brooklyn, NY

Executive Director Dianne L. Tamaroglio approved the bulk sale of 100 interment spaces for \$60,000.00 (\$600.00 per grave). The required 15% will be deposited into the Maintenance & Preservation Trust Fund of Jersey State Memorial Park.

Laurel Grove Cemetery, (CA #30), Totowa, NJ to the Hope Presbyterian Church, Teaneck, NJ

Executive Director Dianne L. Tamaroglio approved the bulk sale of 216 interment spaces for \$237,600.00 (\$1,100.00 per grave). The required 15% will be deposited into the Maintenance & Preservation Trust Fund of Laurel Grove Cemetery. D. Union Cemetery Association (CA #50)

Re: Removal of Accountant fees from corpus of Trust Fund

This matter will be moved to Executive Session for discussion and advice of counsel.

#### **V. PUBLIC COMMENT**

No public comments were made today.

#### **VI. FOR YOUR INFORMATION**

A. Proposed Re-adoption: NJAC13:44B

This is the Division of Consumer Affairs proposed re-adoption of the Per Diem Compensation for Members of Professional and Occupational Boards.

B. Adopted Amendment: NJAC13:44J-8.4

Adopted New Rule: NJAC13:44J-14.3

This is the adoption of the New Jersey Cemetery Board's amended NJAC13:44J-8.4, Temporary storage prior to final entombment or interment within a single cemetery & NJAC13:44J-14.3, new rule, Pre-construction sales of mausoleum space. Both became effective October 15, 2007.

## C. Newspaper Articles

It's your funeral—why not make it 'green'  
The Morning Call October 7, 2007

Keeping culture alive  
The Herald News October 24, 2007

Camden County dedicates new cemetery for veterans  
Courier-Post October 26, 2007

These articles were 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 12:15M and move into Executive Session at 12:45 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. Eight (8) new matters or complaints filed with the Board which required review and recommendations in regard to investigation and/or actions; and
2. Eleven (11) 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 William Nichols and seconded by Paul M. Desbiens to adjourn the Board meeting of November 8, 2007. A vote was taken and the Board meeting was adjourned at 2:30 PM.

Respectfully Submitted,

Dianne L. Tamaroglio  
Executive Director