



**CHRIS CHRISTIE**  
Governor

**KIM GUADAGNO**  
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# New Jersey Office of the Attorney General

Division of Consumer Affairs  
New Jersey Cemetery Board  
124 Halsey Street, 6th Floor, Newark, NJ 07102



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**\*NEW JERSEY CEMETERY BOARD\***

**PUBLIC SESSION MINUTES**

**NOVEMBER 15, 2012**

**Mailing Address:**  
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A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, November 15, 2012. 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 July 21, 2011 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 9:45 A.M.. A roll call was taken and the following attendance of Board members was recorded for these minutes:

Paul M. Desbiens	Absent
Waheed Khalid	Present
June Nikola	Present
William Nichols	Present
Jeffrey Kasko	Absent
Linda McGloin	Present
Rabbi Jay M. Kornsgold	Present
David Soulen	Present

Also in attendance were: Dianne L. Tamaroglio, Executive Director, New Jersey Cemetery Board; Deputy Attorney General John Hugelmeyer; Khaled Maden, Government Representative and Ellen Green, Board Secretary.

**I. APPROVAL OF PUBLIC SESSION MEETING MINUTES OF SEPTEMBER 13, 2012**

A motion was made by Linda McGloin and seconded by June Nikola to approve the Public Session Meeting Minutes of September 13, 2012 as corrected. A vote was taken and the motion was passed by a unanimous vote.

**II. OLD BUSINESS**

**A. Hoboken Cemetery (CA #183)**

Executive Director Dianne L. Tamaroglio has still not received a response from Jerome Katz the attorney representing Hoboken Cemetery. Ms. Tamaroglio will write to Mr. Katz again informing him that the Board may request his presence at the next Board meeting so that he may provide the Board with an explanation as to the status of the cemetery's Receivership. This matter will be held over.

**B. Odd Fellows Cemetery (CA #39)  
Correspondence from Walter A. Norris, Esquire**

Walter A. Norris, Esquire wrote to the Board to give an update as to Odd Fellows Cemetery's compliance with the New Jersey Cemetery Board statutes. The cemetery is up-to-date on their agreed upon payments to the Maintenance and Preservation Trust Fund. This matter will be carried over.

**C. Application for a Certificate of Authority  
Dover Cemetery Association a/k/a Orchard Street Cemetery**

The Board is in receipt of the revised price list from Orchard Street Cemetery. Upon review it was noted by the Board that this price list is the same as previously submitted by Dover Cemetery Association and the required changes were not done. Executive Director Dianne L. Tamaroglio will write to Brenda Deming of Orchard Street Cemetery advising that the cemetery will continue to be restricted from doing burials until the Board receives and reviews a new revised price list and issues a Certificate of Authority. This matter will be carried over.

**D. Sale of 22 graves from Crescent Burial Park Association, (CA #56)  
to Lewis Katz**

Jonathan M. Friedman, Esquire has written to the Board advising that the Grantee no longer desires (and will not install) a water line at this time, and therefore is withdrawing the application to do so. This matter is now closed and removed from future Board meeting agendas.

**E. Correspondence from Jerome Katz, Esquire  
Re: Ernst Memorial Cemetery (CA #404)**

This matter will be held over pending receipt of an application for the merger of Ernst Memorial Park and Christ Church Cemetery.

**III. NEW BUSINESS**

**A. Withdrawal of money from the corpus of M&P Trust Fund  
Re: Jersey City & Harsimus Cemetery (CA #220)**

Executive Director Dianne L. Tamaroglio wrote to Jersey City & Harsimus Cemetery regarding its 2009 & 2010 Annual Reports asking the cemetery for the bank documentation along with a plan as to how the cemetery will pay back the \$14,330.00 that was withdrawn from the corpus in 2009 and the additional \$3,150.00 that was withdrawn from the corpus in 2010 to the Trust Fund. There has been no response from the cemetery. Ms. Tamaroglio will send another letter via certified mail requesting a response. This matter will be carried over.

**B. Requesting approval for the enlargement of cemetery  
Re: Eglinton Cemetery (CA #98)**

Linda L. Lacy, President, Eglinton Cemetery has written to the Board for approval to enlarge Eglinton Cemetery as per **N.J.S.A 45:27-25(e)**. Upon review the Board has asked Executive Director Dianne L. Tamaroglio to write to Ms. Lacy to inform her of **N.J.S.A 45:27-25(a)** which states that the cemetery will need to "obtain the consent of the municipality by resolution" before the Board is able to approve the enlargement of the cemetery. This matter will be carried over.

**C. Fiscal Year 2012 Budget Report (Final)  
Appearance Darlene Kane, Budget Officer**

*Darlene Kane, Budget Officer attended today's Board meeting to review the New Jersey Cemetery Board's fiscal year 2012 final budget report. The Board's account is considered to be very tight.*

**D. Correspondence from Karen A. Confoy, Esquire  
Re: Hackensack Cremation Center**

*Karen A. Confoy, Esquire representing the New Jersey State Funeral Directors Association wrote to the Board expressing the Association's concerns that Hackensack Cremation Center is operating without a Certificate of Authority which they feel diminishes consumer protection and exposes registered mortuaries to increased liability. Executive Director Dianne L. Tamaroglio will respond to Ms. Confoy advising that the Board is investigating this situation. This matter is closed and removed from future Board meeting agendas.*

**E. Approval of Bulk Sales**

**Ewing Church Cemetery, Ewing, NJ, (CA #20) to NY United Chinese Memorial Fund, Inc., Brooklyn, NY**

*Executive Director Dianne L. Tamaroglio approved the bulk sale of 216 interment spaces for \$108,000.00 (\$500.00 per space). The required 15% will be deposited into the Maintenance & Preservation Trust Fund of Ewing Church Cemetery.*

**Frostwoods Memorial Park, East Brunswick, NJ (CA #381), to the Indochina Sino-American Senior Citizen Center, Inc., New York, NY**

*Executive Director Dianne L. Tamaroglio approved the bulk sale of 188 interment spaces for \$188,000.00 (\$1000.00 per space). The required 15% will be deposited into the Maintenance & Preservation Trust Fund of Frostwoods Memorial Park.*

**F. Correspondence from Damian P. Conforti, Esquire  
Re: Management Companies**

*Damian P. Conforti, Esq. has written to the Board requesting a letter from the Cemetery Board confirming that it is a common practice in New Jersey for non-profit cemeteries to hire or enter into contracts with others to manage the operations of the cemeteries. Executive Director Dianne L. Tamaroglio will write to Mr. Conforti advising him of **N.J.S.A 45:27-7.1** which was effective as of June 22, 2006. This matter is closed and removed from future Board meeting agendas.*

**G. Correspondence from Nan S. Horsfield, President, Layton Cemetery  
(CA #417)  
Re: Request to withdrawal money from the M&P Trust Fund**

*Nan S. Horsfield wrote to the Board requesting permission to reduce the Maintenance and Preservation Fund so as to have a working capital. Upon review the Board has asked Executive Director Dianne L. Tamaroglio to respond to Ms. Horsfield advising that the Board cannot grant permission to remove money from the principal of the Maintenance and Trust Fund but can offer the following suggestions as how to generate monies for the operating fund.*

- The cemetery is a non-profit entity and therefore can hold fund raisers.
- The cemetery can raise its service fees.
- The cemetery can accept a loan and apply to the Board to issue a Certificate of Interest to the lender as per N.J.S.A. 45:27-10(4).

The person(s) holding the Certificates would then have one vote for each \$250.00 of the fare amount of the certificate. This matter is closed and removed from future Board meeting agendas.

**H. Cemeteries that do not possess a Certificate of Authority and bury those of all faiths**

**Calvary Community Church  
Bethel United Methodist Church  
Millbrook Methodist Cemetery  
Fresh Ponds Cemetery**

It has been brought to the attention of the Board that the above four named cemeteries operate without a Certificate of Authority and burial is not restricted. Executive Director Dianne L. Tamaroglio will send letters to these entities advising they must apply for Certificate of Authority. Along with the letter an application for the Certificate of Authority as well as copies of the Board's statute and regulations will be sent.

**I. Correspondence from Earl F. Stahl, Jr.  
Re: Medford Cemetery Association (CA #374)**

Earl F. Stahl, Jr. has written to the Board advising that the 100 Certificates of Indebtedness each in the amount of \$50,000.00 that were issued to him in 2010 will now be transferred to various individuals. This was informational for the Board.

**J. Correspondence from John Molnar  
Re: Woodlawn Cemetery (CA #234) & storm damage**

John Molnar, President, Board of Trustees, Glenwood Cemetery has written to the Board requesting monies to be withdrawn from its Maintenance and Preservation Fund in order to cover the cost of cleaning up the damage caused to trees in the cemetery due to the recent storms. The Board has asked Executive Director Dianne L. Tamaroglio to advise Mr. Molnar that as the Trust Fund is an Irrevocable Fund, money cannot be withdrawn from the corpus of the fund; withdrawing funds would be a short term fix and could create long time problems. The only money that can be used is the interest generated from the Fund. This matter is closed and removed from future Board meeting agendas.

**IV. FOR YOUR INFORMATION**

**A. Notification of Civil Action**

**Albania Rosario, Plaintiff v Maple Grove Cemetery, ABC Corporation, 1-10, fictitious name, true identities unknown & John Doe 1-50 fictitious names, true identities unknown, Defendants**

**Docket No.: BER-L-5699-12**

**Desbiens Group PMD 11c v Maple Grove Park Cemetery, et al  
Docket No.: BER-C-291-12**

**In the Matter of the Trust under agreement of Chestnut Grove Cemetery  
Association, a New Jersey Corporation, Dated April 27, 1925  
Docket No.:CP-SLM-0022-2012  
Order to Show Cause for Settlement of Account**

**In the Matter of the Trust under agreement of Chestnut Grove Cemetery  
Association, a New Jersey Corporation, Dated April 27, 1925  
Docket No.:CP-SLM-0022-2012  
Judgment**

**B. Legislative Report**

**C. Articles**

**Cemetery day a reminder of communal legacy  
NJN September 20, 2012**

**NEBAS Now offers Sea Burial from Atlantic City and Lewes  
Funeral Home & Cemetery News October, 2012**

**D. Rose Hill Cemetery Company's (CA #159) October, 2012 Newsletter**

*The above matters were considered informational for the Board.*

**V. PUBLIC COMMENT**

*No public comments were made today.*

**VI. ADJOURNMENT**

*A motion was made by June Nikola and seconded by Linda McGloin to adjourn Public Session at 11:00 A.M. and move into Executive Session at 11:10 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. Seven (7) new matters or complaints filed with the Board which required review and recommendations in regard to investigation and/or actions; and*
- 2. Eight (8) 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 Waheed Khalid and seconded by David Soulen to adjourn the Board meeting of November 15, 2012. A vote was taken and the Board meeting was adjourned at 1:40 P.M.*

*Respectfully Submitted,*

*Dianne L. Tamaroglio  
Executive Director*