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NEW JERSEY CEMETERY BOARD

PUBLIC SESSION MINUTES

NOVEMBER 13, 2014

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, November 13, 2014. 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, 2013 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 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
David Soulen	Present

Also in attendance were: Khaled Madin, Acting Executive Director, New Jersey Cemetery Board; Deputy Attorney General John Hugelmeyer and Ellen Green, Board Secretary.

I. APPROVAL OF PUBLIC SESSION MEETING MINUTES OF NOVEMBER 13, 2014

A motion was made by June Nikola and seconded by David Soulen to approve the Public Session Meeting Minutes of November 13, 2014 as amended. A vote was taken and the motion was passed by a unanimous vote.

II. OLD BUSINESS

A. Application for a Certificate of Authority Millbrook Methodist Cemetery

This matter will be carried over pending a response from Nanette Shoenfelt, President, Millbrook Cemetery Association in regard to Dean G. Tuttle's occupation as a Funeral Director.

B. The Princeton Abbey and Cemetery (CA #421)

This matter will be carried over pending receipt of the cemetery's revised price list.

C. Jersey State Memorial Park (CA#291)

June Nikola was recused and moved away from the table

James E. Mackevich, attorney representing Waheed Khalid was in attendance at today's meeting. Mr. Mackevich addressed the Board urging the Board to take more affirmative action regarding the scheduling of Jersey State Memorial Park's Board meeting. Upon review the Board has asked Executive Director Khaled Madin to write to Jersey State Memorial Park demanding that they schedule a Board meeting by December 31, 2014. This matter will be carried over.

D. St. Bernard's Church Cemetery (CA #291)

This matter will be carried over.

E. Approval of Certificates of Authority Applications

TFT, Inc.

Upon review of the application for a Certificate of Authority a motion was made by Jeffrey Kasko and seconded by Linda McGloin to grant TFT, Inc. the Certificate of Authority to operate as a "Cemetery Company." A vote was taken and the motion was passed by a unanimous vote. This matter is closed and removed from future Board meeting agendas.

Piedilato Cemetery

M. Murphy Durkin of Durkin & Durkin, LLP, Attorneys at Law, have forwarded to the Board an application for a Certificate of Authority on behalf of Piedilato Cemetery. As per N.J.S.A. 45:27-7(2)(d) "The Board shall not act on an application for 60 days after receipt of an application, and shall only act after public notice of the application has been provided. If the Board receives a written objection to the application, it shall hold a hearing on notice to the objector and the applicant before it acts on the application." Therefore, this matter will be held until the Cemetery Board meeting of February 12, 2015.

III. NEW BUSINESS

A. Approval of Bulk Sales

Ewing Church Cemetery (CA#20) to Wong Family Benevolent Association, Inc.

Acting Executive Director Khaled Madin approved the bulk sale of 306 interment spaces for \$109,395.00. The required 15% will be deposited in the Maintenance & Preservation Trust Fund of Ewing Church Cemetery.

Floral Park Cemetery (CA#170) to Congregation Shem M' Shmuel.

Acting Executive Director Khaled Madin approved the bulk sale of 25 interment spaces for \$25,000.00. The required 15% will be deposited in the Maintenance & Preservation Trust Fund of Floral Park Cemetery.

Forest Lawn Memorial Gardens (CA#14) to New York Haiyan Townsmen, Inc.

Acting Executive Director Khaled Madin approved the bulk sale of 120 interment spaces for \$144,295.00. The required 15% will be deposited in the Maintenance & Preservation Trust Fund of Forest Lawn Memorial Gardens.

Laurel Grove Cemetery (CA#30) to North Bronx Islamic Center, Inc.

Acting Executive Director Khaled Madin approved the bulk sale of 150 interment spaces for \$157,500.00. The required 15% will be deposited in the Maintenance & Preservation Trust Fund of Laurel Grove Cemetery.

Laurel Grove Cemetery (CA#30) to Brooklyn On Fun Association USA, Inc.

Acting Executive Director Khaled Madin approved the bulk sale of 343 interment spaces for \$411,600.00. The required 15% will be deposited in the Maintenance & Preservation Trust Fund of Laurel Grove Cemetery.

B. Fairmount Cemetery (CA # 21)

James R. Swick, Treasurer, Fairmount Cemetery Company wrote to the Board seeking the process by which the cemetery can use the principal of the Maintenance and Preservation Trust Fund for the maintenance of the cemetery. Mr. Swick referred to a letter that was sent to the cemetery by former Executive Director Dianne Tamaroglio containing a typographical error which caused some confusion. Upon review the Board has asked Acting Executive Director Khaled Madin to send a letter of correction to Mr. Swick stating the Board does not have the authority to allow any cemetery to withdraw monies from its the Maintenance and Preservation Trust Fund. This matter is closed and removed from future Board meeting agendas.

C. Tranquility Cemetery (CA #68)

Paul Henry, President, Tranquility Cemetery Association wrote to the Board advising that the cemetery had mistakenly not recouped the interest from the Maintenance and Preservation Trust Fund over the years. In 2012 the cemetery was granted permission by the Board to withdraw a portion of this interest. At this time the cemetery is seeking permission from the Board to withdraw any and all of the remaining interest that is available in their Maintenance and Preservation Trust Fund. Upon review the Board has asked Acting Executive Director Khaled Madin to write to Mr. Henry asking that he provide to the Board the amount of money they want to withdraw and provide accounting and documentation showing proof of the interest that was not withdrawn previously. This matter will be carried over.

D. Questions regarding acquisition of Cemetery Property

David Reading forwarded the following questions to the Board for a response:

1. In the case that a cemetery that was formed before December 1, 1971 and is no longer active (i.e. no burials) and has determined that all plots have not been used in more than 30 years, does the cemetery require a certificate of authority by the New Jersey Cemetery Board?

The Board is not required to answer the above question.

2. If we purchase a property that contains an inactive church property and choose to preserve it do we need a certificate of authority?

The Board is not required to answer the above question.

3. If we purchase the inactive cemetery and the disbanded church property and choose not to preserve the cemetery does the Board have any authority to force preservation?

The Board's response to the above question is no.

IV. FOR YOUR INFORMATION

- A. Assembly No. 3804**
- B. Senate No. 2485**
- C. Assembly No. 2619**

The above matters were considered informational for the Board.

V. PUBLIC COMMENT

Judith Welshons Executive Director New Jersey Cemetery Association advised that the Association opposes Senate No. 2485.

VI. ADJOURNMENT

A motion was made by Paul Desbiens and seconded by Jay Kornsgold to adjourn Public Session at 10:45 A.M. and move into Executive Session at 11:00 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. Four (4) new matters 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 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 Paul Desbiens and seconded by Jay Kornsgold to adjourn the Board meeting of November 13, 2014. A vote was taken and the Board meeting was adjourned at 12:00 P.M.

Respectfully Submitted,

Khaled Madin
Acting Executive Director