

CEMETERY BOARD MINUTES

January 19, 2012

99 Washington Ave., Albany, NY

ATTENDEES

Daniel Shapiro, Department of State, Chairman	Robert Welch, Department of Health
Terryl Brown, Office of the Attorney General (via video conference)	
Richard Fishman, Division of Cemeteries, Director	Antonio Milillo, Department of State, Counsel
Chester Butkiewicz, Division of Cemeteries	Michael Seelman, Division of Cemeteries
Joseph Ambrose, Division of Cemeteries	Howard Carr, Division of Cemeteries
Leonard Breen, Division of Cemeteries	
Lisa Smith, Division of Cemeteries	

GUESTS

David Flemming, Featherstonhaugh, Wiley & Clyne, LLP, NYS Association of Cemeteries (NYSAC)
Bruce Geiger, Pinelawn Cemetery
Marianne Reid, NYS Funeral Directors Association
Melanie Grossman
Ray Planell, Kensico Cemetery
Chet Day, Kensico Cemetery

12-01-A-01 Minutes of Previous Meeting

Motion made, seconded and unanimously carried to approve the December 15, 2011.

12-01-B-02 Legislation and Regulation

Pet Cemeteries: Mr. Milillo stated the proposed pet cemetery regulations were circulated to interested parties. Thus far he has been advised that NYSAC and the International Association of Pet Cemeteries will be submitting comments, while the Funeral Consumers Alliance has raised no objections.

Legislation: There were no actions on any pending legislation.

12-01-C-03 Division's Report

Mr. Fishman reported the following:

Legislation: New Jersey has proposed legislation that will require that crematories must be located within an existing cemetery. The genesis of this legislation was reportedly an effort to streamline and expedite the approval process for proposed crematories. Funeral directors in Wisconsin are seeking to repeal their state's anti-combination law, which Mr. Fishman categorized as somewhat less restrictive than NYS's statute.

White Chapel Cemetery (15-068) Wetlands: Officials from DEC stated that they are considering methods to mitigate the financial impact on the cemetery from the loss of burial space resulting from the wetland reclassification.

Workers Compensation: There has been an extension of the MOU governing payments by cemeteries resulting from the insolvency of the NYS Cemeteries Trust.

12-01-D-04 Vandalism Payment Report

Mr. Butkiewicz summarized the December, 2011 vandalism reports.

12-01-E-05 Vandalism/Dangerous Monument Repair /Abandoned Cemetery Orders

Grand View Cemetery (09-012): Motion made, seconded and unanimously approved for a grant totaling \$11,908.15 for costs associated with the repair of dangerous monuments. Counsel was directed to provide clarification regarding what constituted sufficient notice with respect to the owners of damaged/vandalized lots.

Mr. Shapiro opened the meeting for comments from attendees.

There were no comments from the floor.

Motion to adjourn made, seconded and unanimously carried.