

DIVISION OF CEMETERIES

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
TELEPHONE: (518) 474-6226
FAX: (518) 473-0876
WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR

CEMETERY BOARD

ROSSANA ROSADO
SECRETARY OF STATE
CHAIR

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DR. HOWARD A. ZUCKER
COMMISSIONER OF HEALTH

APPROVED 8/15/17

Cemetery Board Minutes
July 28, 2017
Department of State
One Commerce Plaza, Albany, NY

BOARD MEMBERS PRESENT:

Daniel Shapiro, Department of State, Chair
Christopher Wiles, Office of Attorney General

Paul Ambrose, Department of Health

Mark Pattison, Department of State
Antonio Milillo, Department of State, Counsel
Michael Seelman, Division of Cemeteries

Lewis A. Polishook, Division of Cemeteries
Chester Butkiewicz, Division of Cemeteries
Joseph Ambrose, Division of Cemeteries

GUESTS:

David F. Fleming, New York State Association of Cemeteries
Calum d’Oelsnitz, New York State Association of Cemeteries
Philip Tassi, Ferncliff Cemetery
Bruce Geiger, Pinelawn Cemetery

17-07-A-42 Minutes of Previous Meetings

Motion made, seconded and unanimously adopted approving the minutes of the June 26, 2017 meeting as amended.

17-07-B-43 Legislation and Regulation

1. Pending Legislation

Mr. Milillo reported on pending legislation. Nothing new to report on either of two bills affecting cemeteries, Green-Wood Cemetery bill or the reclamation bill.

2. Rules and Regulations

None.

17-07-C-44 Division's Report

Mr. Polishook reported on several matters:

1. Division is engaged in an internal process, related to the Department's Lean initiative, reviewing its annual report to simplify the form and improve cemeteries' compliance.
2. Division has developed a "strategic operating plan" as part of a Department initiative, and is working on a plan of implementation of goals. Two primary things doing more outreach and quantifying budget deficits of struggling cemeteries before reaching out to towns for assistance. This could help avoid abandonment of a cemetery to the towns.
3. The Office of the State Comptroller has issued its report on its audit of Division's oversight of not-for-profit cemeteries. The report contained the following recommendations:
 - a. Update various procedure manuals, an effort that had begun prior to the start of the audit.
 - b. Have a central repository of Division data, currently in legacy and various software applications. Solution is currently being worked on with agency resources and support.
 - c. Try to provide support for struggling cemeteries.

17-07-D-45 Vandalism Report

Mr. Butkiewicz presented the vandalism report: In this fiscal year, the Division has collected \$113,720 in vandalism fund fees. The Board has granted \$242,594 from the vandalism fund. Excluding Whispering Maples Memorial Gardens, there are \$847,926 in applications pending.

Vandalism/Abandoned/Repair Orders – 5

The Board approved the following applications for funds for restoration of dangerous monuments:

- o Maplewood Cemetery (D) \$ 7,495.75
- o Green Hill Cemetery (D) \$21,239.06
- o Jacksonville Cemetery (D) \$22,499.36
- o Oakwood Cemetery (D) \$48,333.91
- o Baptiste Cemetery (D) \$46,707.44

17-07-E-46 Willowbrook Cemetery (07-061 Chautauqua) – Columbarium

By application dated April 7, 2017, Willowbrook Park Cemetery Association sought approval of construction of a columbarium. The proposal to purchase and install a columbarium unit will include 120 niche spaces in total. The estimated cost of the new columbarium is \$38,500, including precast foundation and installation. The total cost of the major renovation is to be financed by borrowing against the cemetery's Permanent Maintenance (PM) Fund. The PM loan in the amount of \$38,500 will be repaid in equal monthly deposits of \$320.83 (\$3,850 annually) into its PM Fund. Repayment will commence after construction is complete with final payment in ten years.

Motion was made, seconded and unanimously adopted by the New York State Cemetery Board approving the construction of a columbarium and recommending Supreme Court approval of the PM loan, subject to approval by Supreme Court, Chautauqua County, of the request for a PM loan.

17-07-F-47 Holland Patent Cemetery (33-027 Oneida) – Incorporation

This application was tabled for the next meeting pending additional information

17-07-G-48 Ferncliff Cemetery (60-006 Westchester) – Major Renovation

By application dated June 14, 2017, Ferncliff Cemetery Association sought approval of a proposed lawn crypt plan. The cemetery proposes to develop a new section of lawn crypts, the Hillcrest Family Estate, consisting of 31 multi-grave landscaped family plots containing a total of 73 double-depth lawn crypts (and eight “cremation estates”). The estimated total cost of the project is \$347,675. The total cost of the new lawn crypt section is to be financed using the cemetery’s general fund.

Motion was made, seconded and unanimously adopted by the New York State Cemetery Board approving application for proposed development of a lawn crypt section.

Public Comments:

None.

Motion to go into executive session made, seconded and unanimously carried.

Motion to exit executive session made, seconded and unanimously carried.

Motion to adjourn made, seconded and unanimously carried.

The next Cemetery Board meeting is to be held on August 15, 2017 at 10:30 AM, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231.