

Approved

Cemetery Board Minutes

**August 7, 2015
One Commerce Plaza
99 Washington Avenue, Albany, NY**

BOARD MEMBERS PRESENT:

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

Paul Ambrose, Department of Health

OTHER ATTENDEES:

Antonio Milillo, Department of State, Counsel
Chester Butkiewicz, Division of Cemeteries
Monee McAdoo, Division of Cemeteries
Joe Ambrose, Division of Cemeteries
Len Breen, Division of Cemeteries

Lewis A. Polishook, Division of Cemeteries
Brendon Stanton, Division of Cemeteries
Michael Seelman, Division of Cemeteries
Andrew Hickey, Division of Cemeteries

GUESTS:

David Fleming, Featherstonhaugh et al.-NYSAC
Michael Hernandez, New York State Assembly
Bruce Geiger, Pinelawn Cemetery

Robert Franchini, New York State Assembly
Marianne Schrom, NYSFDA
William M. Murray, Forest Lawn (Buffalo)

15-08-A-57 Minutes of Previous Meetings

The Board approved the minutes of the July 21, 2015 meeting with minor changes.
Motion made, seconded and approved to amend the minutes.

15-08-B-58 Legislation and Regulation

1. Pending Legislation

Mr. Milillo reported that we are moving forward on compliance with the amendment to 1507 regarding NYPMIFA.

2. Rules and Regulations

No changes to report.

15-08-C-59 Division's Report

Mr. Polishook reported on solar farms. A solar farm company has identified two potential sites in Orange Co, one being Wallkill Valley Cemetery. Mr. Polishook, Mr. Breen and Ms. McGovern visited the potential site. The Board may expect to see solar farm leases.

15-08-D-60 Vandalism Report

Mr. Butkiewicz gave the Vandalism Report. Mr. Polishook reported that some cemeteries are unaware of the vandalism fund even though they pay into it, especially some of the bigger cemeteries. Outreach to be done.

15-08-E-61 Forest Lawn Cemetery (Erie – 15-027) – Additional Retort

The cemetery has determined that the installation of a third crematory retort is necessary to their operations. The cemetery's last crematory had four units, three were older. Two units are currently operating at complete capacity. The total cost of this project is \$212,578 and the financing will be through M&T bank. Upon final payment, ownership will be of the cemetery's. Motion made, seconded and approved contingent upon (1) the acquisition by the cemetery to obtain all necessary regulatory approvals, and (2) review by counsel making sure that at the end of the five year lease, the cemetery will obtain ownership.

15-08-F-62 Webster Union Cemetery (Monroe – 28-039) – Columbarium

The cemetery proposes to install a second columbarium in the vicinity of their first one. The total project is estimated to cost \$29,960 and is to be paid for from the cemetery's General Fund. There are no other regulated cemeteries in the Town of Webster that have a columbarium. Motion made, seconded and unanimously approved under the conditions of there being no negative comments received by the end of the comment period which ends on September 29, 2015.

15-08-G-63 Locust Valley Cemetery (Nassau – 30-005) – Land Purchase

The Division received an application from this cemetery for the purchase of a 2.247 acre parcel of adjoining land. The cemetery currently has two-acre adjoining parcels of land, each with a house on it. There is rental income on the property now. To the satisfaction of DEC, any problematic conditions on the property need to be remediated. DEC performed three trenches, no toxicity has been found. Motion made to recommend approval, seconded and unanimously carried.

15-08-H-64 Flushing Cemetery (Queens – 41-002) – Mausoleum/Columbarium

The Division received a proposal from this cemetery for construction of a community mausoleum/columbarium. The cemetery has had lower sales in the last few years. They are selling out of glass front niches. The current annual sales of niches are \$92,000 in the first five months of 2015. The Board had concerns about the cost of construction and the length of the payback period. There is also a payback of a \$4 million dollar investment. The Board has tabled this application until next meeting.

Public Comments: Mr. Fleming commented on a presentation that was done to Adirondack Cemeteries and Associations.

Next meeting to be held on September 10, 2015 at 10:30 AM, One Commerce Plaza, 99 Washington Ave, Albany, NY 12231

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.