

APPROVED

Cemetery Board Minutes

**September 10, 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:

Lewis A. Polishook, Division of Cemeteries (via phone) Antonio Milillo, Department of State, Counsel
Chester Butkiewicz, Division of Cemeteries Michael Seelman, Division of Cemeteries
Monee McAdoo, Division of Cemeteries Joe Ambrose, Division of Cemeteries

GUESTS:

David Fleming, Featherstonhaugh et al.-NYSAC
Daniel Hallenbeck, Featherstonhaugh et al.-NYSAC

Bruce Geiger, Pinelawn Cemetery
Richard Moylan, Green-Wood Cemetery

15-09-A-65 Minutes of Previous Meetings

The Board approved the minutes of the August 7, 2015 meeting with a minor change. Motion made, seconded and approved to amend the minutes.

15-09-B-66 Legislation and Regulation

1. Pending Legislation

Mr. Milillo reported that we are still making progress on the interpretation and application of net appreciation.

2. Rules and Regulations

No changes to report.

15-09-C-67 Division's Report

Mr. Butkiewicz reported that the Division participated in a lean program that focused on the preliminary review of certain applications that go before the Board excluding vandalism applications. The Board sees 16-20 applications annually. The applications vary in detail and may require both investigatory and accounting review. The Division will look to be sure applications are complete prior to Board review.

15-09-D-68 Vandalism Report

Mr. Butkiewicz gave the Vandalism Report.

The Board approved the following applications for restoration of dangerous monuments: Hawleyton Cemetery (04-012) in Broome County in the amount of \$5,321.56, Oakwood Cemetery (15-052) in Erie County in the amount of \$23,150.68, and the North Volney Cemetery (38-023) in Oswego County in the amount of \$9,264.56. The Board approved a Vandalism Application for Plainville Rural Cemetery (34-039) in Onondaga County in the amount of \$492.93.

15-09-E-69 Mount Pleasant Cemetery (Suffolk – 52-033) – Amended C-of-I

The cemetery has submitted a proposed Certificate of Amendment of the Certificate of Incorporation (the “Proposed Amendment”). The cemetery was incorporated in 1879 and filed with Suffolk County. The Certificate has not been amended since the original filing. The Corporation seeks to amend the Certificate of Incorporation to modernize the provisions to comply with provisions of the Not-for-profit Corporation Law. Motion to approve its filing was made, seconded and unanimously approved by the Cemetery Board.

15-09-F-70 Mokom Sholom Cemetery (Queens – 41-017) – Cell Tower

Tabled until next meeting.

15-09-G-71 Oak Hill Cemetery (Rockland – 44-007) – Cell Tower

Tabled until next meeting.

15-09-H-72 Flushing Cemetery (Queens – 41-002) – Mausoleum/Columbarium

The Board tabled the application from the Flushing Cemetery at the August 7, 2015 meeting due to (1) the Board was concerned that the Division had not adequately demonstrated the return on the 4 million dollar investment from the project, and (2) the Board was concerned that the project was excessively expensive. Mr. Polishook met with Cemetery representatives in August and they provided a supplemental submission. Additional calculations and research was done. Motion made, seconded and unanimously carried approving the project.

Public Comments: Mr. Moylan explained he sent an email regarding the Landmarks Preservation Commission. The Commission is considering making the Green-Wood cemetery a New York City landmark. Mr. Moylan requested a letter from the Cemetery Board to show how the Board regulates cemeteries. Mr. Milillo requested a copy of the cemetery’s response to the NYC Landmarks Commission. Comments are needed by October 1st. Mr. Moylan also wanted insight on a funeral home writing a check that was dishonored. Mr. Moylan was advised by the Board to contact the NYS Department of Health.

Next meeting to be held on October 14, 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.