

APPROVED

Cemetery Board Minutes

**September 27, 2016
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
Chester Butkiewicz, Division of Cemeteries
Mark Patterson, Local Government Services

Antonio Milillo, Department of State, Counsel
Monee McAdoo, Division of Cemeteries

GUESTS:

Daniel Hallenback, Featherstonhaugh et al.-NYSAC
Beth Clyne, Featherstonhaugh, Wiley & Clyne, LLP
Dannielle Melendez, NYSFDA

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

16-09-A-70 Minutes of Previous Meetings

Motion made, seconded and unanimously adopted approving the minutes of the September 15, 2016 meeting.

16-09-B-71 Legislation and Regulation

Mr. Milillo reported that the Governor signed the New York Pet Burial Law (S2582). This bill provides the option for the interment pet cremated remains in certain cemetery corporations only in specific instances and only incidental to the burial of human remains.

Mr. Milillo reported on a former trustee Eugene McCollum of the Riverdale Cemetery Association (Niagara County). Mr. McCollum attained legal representation over the issue of his Certificated of Indebtedness. Mr. McCollum has made a motion for summary judgment but the defendants have not provided a response as of yet.

16-09-C-72 Division's Report

Mr. Polishook reported that NYSAC's Oneonta Regional Conference is on October 19, 2016. The Division's local regional accountant and investigator will attend the NYSAC conference. The CANA cremation certification course is October 20, 2016 to be held in Albany.

16-09-D-73 Marathon Cemetery (Cortland – 12-013) – PM Net Appreciation

Tabled at the request of the Division.

16-09-E-74 Green-Wood Cemetery (Kings – 24-003) – Land Purchase

The cemetery is proposing to buy-out of a contract to sell land they acquired. In 2014, the Cemetery purchased a parcel of land for \$1.5 million, and wanted to sell an unneeded portion of that land to a neighboring bakery for \$645,000. The Supreme Court, Kings County, authorized the purchase but declined to act on the request to authorize the second sale. The Cemetery plans to construct an addition, to use as the Cemetery's offices. The Cemetery's original intention was to sell a fraction of the property to an LLC controlled by the owner of Baked in Brooklyn, an adjacent commercial bakery, and the Cemetery signed a contract to that affect. The NYC Landmarks Preservation has placed a limit on the design of the building so the Cemetery may need more land to build on. As a result, Baked in Brooklyn, has offered a buyout of \$250,000 to the cemetery to so that the Cemetery can retain the entire parcel. The Board has agreed with the Cemetery to reacquire the property and to accept the buyout offer of \$250,000 from the owner of Baked in Brooklyn

Public Comments:

Mr. Moylan commented on the pet cremation bill.

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 October 13, 2016 at 1:30 PM, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231.