

DIVISION OF CEMETERIES

STATE OF NEW YORK
DEPARTMENT OF STATE
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ANDREW M. CUOMO
GOVERNOR

CEMETERY BOARD

ROSSANA ROSADO
SECRETARY OF STATE
CHAIR

BARBARA D. UNDERWOOD
ATTORNEY GENERAL

DR. HOWARD A. ZUCKER
COMMISSIONER OF HEALTH

APPROVED

Cemetery Board Minutes

**September 18, 2018
Department of State
One Commerce Plaza, Albany, NY**

BOARD MEMBERS PRESENT:

Mark Pattison, Department of State, Chair
Jill Faber, Office of Attorney General

Paul Ambrose, Department of Health

OTHER ATTENDEES:

Lewis A. Polishook, Division of Cemeteries
Antonio Milillo, Department of State, Counsel
Joshua Beams, Department of State

Alicia Young, Division of Cemeteries
Leonard Breen, Division of Cemeteries
David Jacobson, Division of Cemeteries

GUESTS:

David F. Fleming, New York State Association of Cemeteries
Bruce Geiger, Pinelawn Cemetery

18-09-A-45 Minutes of Previous Meetings

Motion was made, seconded, and unanimously adopted approving the minutes of the August 8, 2018 meeting, as amended.

18-09-B-46 Legislation and Regulation

1. Pending Legislation

The Governor has not taken action on the two bills passed by both houses concerning cemeteries

1. A5784-B/S2606-B (A. Jones/ S. Little): This bill would amend the N-PCL, the General Municipal Law and the Town Law to prohibit the construction of any mausoleum or columbarium in a cemetery where such mausoleum or columbarium is the only form of interment offered in the cemetery.
2. S7835-A/A10515 (S. Ranzenhofer/A. Paulin) This bill would require cemeteries to give the cemetery board and the municipality where they are located 180 days' notice that they are heading toward abandonment. The cemetery board would have 60 days to

report the cemetery's finances to the municipality at which time the parties would work to avoid abandonment.

2. Rules and Regulations

None.

18-09-C-47 Division's Report

Mr. Polishook reported that the Division would participate in NYSAC's Fall Conference on October 2, 2018, and that the Division's guidance in connection with the reacquisition of nonsectarian burial society graves would issue shortly.

18-09-D-48 Vandalism, Abandonment and Monument Repair or Removal Fund Report

Vandalism/Abandoned/Repair Orders – 21

Of the twenty-one applications presented, the Board unanimously approved the 20 applications listed below, with the exception of the application of the Town of Oswegatchie, regarding abandoned Foxwood Cemetery in Saint Lawrence County in the amount of \$461,777.17, pending submission of additional information required by statute. The Board also noted that it had already committed all of the funds available under the Vandalism Fund for this fiscal year and that payments on these applications would be made only once funds became available.

ID NO.	Cemetery Name	COUNTY	AMOUNT	TYPE
1. 04-017	Lisle Village CA	Broome	\$44,342.20	R
2. 06-015	Maplewood of Five Corners	Cayuga	\$10,555.00	R
3. 06-038	West Genoa CA	Cayuga	\$10,911.75	R
4. 09-019	North Pitcher CA	Chenango	\$25,646.94	R
5. 15-027	Forest Lawn CA - St Matthews	Erie	\$46,060.00	R
6. 15-027	Forest Lawn CA - Lake Side	Erie	\$53,410.00	R
7. 15-027	Forest Lawn CA – Williamsville	Erie	\$26,701.00	R
8. 15-066	Mt Calvary CA	Erie	\$44,443.73	R
9. 16-026	Westport/Hillside Cemetery	Essex	\$19,164.56	R
10. 20-016	Lexington Village CA	Greene	\$ 3,412.44	R
11. 22-023	Middleville Rural CA	Herkimer	\$10,820.00	R
12. 29-007	Fairview CA	Montgomery	\$21,343.07	R
13. 29-011	Green Hill CA	Montgomery	\$21,132.84	R
14. 33-036	New Forest Cem	Oneida	\$37,774.22	R
15. 34-014	Frumah Packard Cemetery	Onondaga	\$54,885.89	R
16. 34-055	Elbridge Rural CA	Onondaga	\$15,858.76	R
17. 38-007	Constantia Center CA	Oswego	\$ 7,901.24	R
18. 39-012	Glenwood CA	Otsego	\$32,877.10	R
19. 42-034	Oakwood Troy CA	Rensselaer	\$66,355.18	R
20. 61-027	Quaker Settlement CA	Wyoming	\$15,170.96	R

18-09-E-49 Oak Hill Cemetery (44-007 Rockland) Mausoleum Construction

Oak Hill Cemetery (the Cemetery) submitted an application dated January 16, 2018, from the Cemetery for approval of construction of an indoor mausoleum and columbarium.

The Cemetery is an approximately 67-acre cemetery located in the Village of Nyack, Town of Clarkstown (Rockland County), New York. It currently has no community mausoleum, but two local funeral homes cited the need for non-sectarian crypt and niche space in Rockland County.

The estimated total cost of construction is no more than \$3.1 million Including construction (\$2,600,000), advertising/sales expense (\$350,000) and future maintenance costs (\$150,000). The cost in terms of land to be appropriated is effectively zero, as the hillside in question is very steep and not suitable for in-ground burials. The Cemetery plans to finance the project using general funds. The balance in the General Fund as of 7/31/17 was \$7,768,499.

Motion made, seconded and unanimously adopted approving this project, subject to (1) the Cemetery's receipt of all required local permits; (2) submission of prices for crypt and niche spaces to the Division; and (3) Division approval of service charges in connection with the mausoleum/ columbarium.

18-09-F-50 Beverly Hills Cemetery (40-003 Putnam) Land Purchase

At the request of counsel for the cemetery, the Board agreed to table this application.

18-09-G-51 Wellwood Cemetery (52-059 Suffolk) Major Renovation

Mr. Polishook indicated that he will recuse himself of this matter. The Board agreed to table this application.

Other matters

The next Cemetery Board meeting is to be held on October 9, 2018 at 10:30 AM, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231.

Motions to go into, and subsequently exit, executive session were made, seconded and unanimously adopted.

After exiting executive session, the Cemetery Board had no resolutions to report.

Motion to adjourn made, seconded, and unanimously carried.