

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

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DR. HOWARD A. ZUCKER
COMMISSIONER OF HEALTH

Cemetery Board Minutes

**October 23, 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

OTHER ATTENDEES:

Lewis A. Polishook, Division of Cemeteries
Michael Seelman, Division of Cemeteries
Jaclyn Frechette, Division of Cemeteries

Antonio Milillo, Department of State, Counsel
Leonard Breen, Division of Cemeteries
Alicia Young, Division of Cemeteries

GUESTS:

David F. Fleming, New York State Association of Cemeteries
Calum d’Oelsnitz, New York State Association of Cemeteries
Bruce Geiger, Pinelawn Memorial Park
Mitch Rose, Woodlawn Cemetery

17-10-A-62 Minutes of Previous Meetings

Motion made, seconded and unanimously adopted approving the minutes of the September 20, 2017 meeting as amended.

17-10-B-63 Legislation and Regulation

1. Pending Legislation

Mr. Milillo reported on pending legislation. Nothing new to report.

2. Rules and Regulations

None.

17-10-C-64 Division’s Report

Mr. Polishook reported that the Attorney General's office has filed & is moving forward with approval of two reports with the Supreme Court permitting Frederick Douglass Memorial Park, Inc. to allocate certain amounts from its Permanent Maintenance (PM) Fund for various operating expenses, and to transfer Receivership from Dominick Tarentino to Lynn Rogers of Friends of Abandoned Cemeteries in Staten Island.

Mr. Polishook reported on the Division's presentation to the Cemetery Association of North America on cremation operation certification conventions and New York State law regulating crematory operations and operators.

Mr. Polishook reported on the Division's participation in NYSAC's Oneonta Regional meeting October 18th, 2017.

Mr. Polishook reported that the Division will be splitting payments for Vandalism applications & vouchers. The Division had been executing lump sum payments/vouchers in compliance with DOS Fiscal Management procedures and fiscal year end deadlines.

17-10-D-65 Vandalism Report

Mr. Polishook presented the vandalism report: In this fiscal year, the Division has collected \$128,789 in vandalism fund fees. As of September 2017, the Board had granted \$773,041 from the vandalism fund. There are \$868,300 in applications pending.

Vandalism/Abandoned/Repair Orders – 5

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

- Rushford Cemetery (D) \$ 34,909.70
- Maple Grove Cemetery (D) \$ 17,288.64
- Butternut Cemetery (D) \$ 20,150.71
- Warren Cemetery (D) \$ 18,219.90
- LaGrange Cemetery (D) \$ 17,325.32

17-10-E-66 New Rural Cemetery (42-025 – Rensselaer) – Land Sale

Motion made, seconded and unanimously adopted approving the land sale of 11.01 acres to Regeneron Pharmaceuticals, Inc., totaling \$660,000.00, subject to the following: the New Rural Cemetery Board must reflect the purchase price within their meeting minutes; the language with respect to transferring permits and certificates must be clarified to the satisfaction of Counsel to the NYS Cemetery Board; easement be clarified to the satisfaction of Counsel to the NYS Cemetery Board; the land to be sold or disposed of is not to be used for burial purposes; the sale or disposition will benefit the cemetery corporation and the owners of plots and graves in the cemetery; the sale or disposition is not to a funeral entity; and sufficient notice of this application must be given to any person who is interested or who may be interested in this matter.

17-10-F-67 Vale Cemetery (47-011 – Schenectady) – Major Renovation

Tabled – Special Meeting scheduled 11/2/17 to discuss.

17-10-G-68 Nassau Knolls (30-006 – Nassau) - Columbarium

The cemetery proposed to purchase and install a preassembled octagonal columbarium unit. It would be a finished structure with no potential future additions. The unit would contain 96 niches, 48 of which would be of larger size and 48 of which would be of regular size, as well as 4 benches. The unit will not interfere with or obstruct and existing graves.

Motion was made, seconded, and unanimously adopted approving the cemetery's application for approval of the construction and installation of the new columbarium.

17-10-H-69 Pearl River Cemetery (44-000 – Rockland) – Certificate of Incorporation

Motion was made, seconded and unanimously adopted approving the certificate of incorporation of Pearl River Cemetery.

Public Comments:

Mr. Fleming, thanked the Division for its participation in the cremation operation certification conventions and NYSAC's Oneonta Regional Meeting, October 18th.

Mr. Fleming, explained solar projects, and that they are state administered programs through NYSERDA, which is why there are calendar deadlines for such projects. He noted that it is a dedication of land by the individual/organization for placement of solar panels owned by the solar companies. There are different types of payment/funding offered for such projects.

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 November 2, 2017 at 10:30 AM, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231.