

# DIVISION OF CEMETERIES

STATE OF NEW YORK  
DEPARTMENT OF STATE  
ONE COMMERCE PLAZA  
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KATHY HOCHUL  
GOVERNOR

CEMETERY BOARD  
ROBERT J. RODRIGUEZ  
SECRETARY OF STATE  
CHAIR

LETITIA JAMES  
ATTORNEY GENERAL

MARY T. BASSETT, M.D., M.P.H.  
COMMISSIONER OF HEALTH

## DRAFT

### Cemetery Board Minutes September 28, 2022

State of New York, Department of State  
One Commerce Plaza  
99 Washington Avenue, Room 505  
Albany, New York 12231

Office of the New York Attorney General  
44 South Broadway  
White Plains, New York 10601

#### BOARD MEMBERS PRESENT:

Mark Pattison, Department of State, Chair (at One Commerce Plaza)  
Thomas Fuller, Department of Health (at One Commerce Plaza)  
Jill Faber, Office of the Attorney General (at 44 South Broadway)

#### OTHER ATTENDEES:

Michael Catena, NYS Department of State, Division of Cemeteries  
Cindi Craig, NYS Department of State, Division of Cemeteries  
Charles Crane, NYS Department of State, Division of Cemeteries  
Kerry Forezzi, NYS Department of State, Division of Cemeteries  
Vincent Gimondo, NYS Department of State, Division of Cemeteries  
Sarah Levin, NYS Department of State, Division of Cemeteries  
Lewis Polishook, NYS Department of State, Division of Cemeteries  
Michael Seelman, NYS Department of State, Division of Cemeteries  
Brendon Stanton, NYS Department of State, Division of Cemeteries  
Steven Troutman, NYS Department of State, Division of Cemeteries  
Robert Vanderbles, NYS Department of State  
Alicia Young, NYS Department of State, Division of Cemeteries

#### GUESTS:

David F. Fleming, Featherstonhaugh, Wiley & Clyne, LLP, for New York State Ass'n of Cemeteries  
Annah Geiger, Bruce W. Geiger & Assocs., Inc.  
Bruce Geiger, Bruce W. Geiger & Assocs., Inc.  
Adam Ginsberg, Cedar Grove/Mount Hebron Cemetery  
Jay Ivler, Mount Lebanon Cemetery  
Matthew Ivler, Mount Lebanon Cemetery  
Justin Locke, Pinelawn Memorial Park  
Richard Moylan, Greenwood Cemetery  
Nate Romagnola, White Haven Memorial Park



Department  
of State

Philip Tassi, Ferncliff Cemetery

Some “other attendees” and “guests” attended solely via WebEx phone call-in; their names may not be listed above.

### **Opening Remarks**

Mr. Pattison opened the meeting at 10:30 a.m. He noted that the meeting was being recorded. Mr. Pattison stated that the Governor’s executive order had not been continued. Jill Faber is participating from one of the offices of the Office of the New York Attorney General. We are still streaming meetings. Please mute your phone and identify yourself when you speak.

### **22-09-A-71 Minutes of Previous Meetings**

Motion was made, seconded, and unanimously adopted approving the minutes of the Board’s August 25, 2022 meeting.

### **22-09-B-72 Legislation and Regulations**

#### 1. Legislation

There is no activity to report.

#### 2. Regulations

There is no regulatory activity to report.

### **22-09-C-73 Division Report**

Division Director Lewis Polishook reported as follows:

1. We will report on the status of abandonments next month.
2. We will be asking the board to delegate to the Division retort replacement applications to the Division.
3. A new accountant, Steven Troutman, started in our Binghamton office this month; we continue interviews to fill Albany vacancies.
4. We will be requiring cemeteries to report on the status of certificates in their annual reports starting next year; we also asked cemeteries for information about their certificates for this year; responses are due September 22.
5. At the New York State Association of Cemeteries’ fall conference in Cooperstown, several investment advisors offered to give guidance to smaller cemeteries; we cannot recommend investment advisors but suggest that smaller cemeteries contact NYSAC for help concerning investment strategies.

Assistant Director Alicia Young reported that we have received approximately 40% of annual reports online.

### **22-09-D-74 Vandalism, Abandonment and Monument Repair or Removal Fund Report**

Assistant Director Alicia Young provided the vandalism report and referred the Board to it.

There are two applications for the Board today, totaling \$75,405.86, both of which involve dangerous monuments.

19-010, Evergreen Hill Cemetery (Madison County), \$41,187.74

This cemetery seeks funds to repair hazardous monuments. After discussion, a motion was made, seconded, and unanimously adopted approving the application by this cemetery for funds to repair 31 hazardous monuments in the amount of \$41,187.74, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 10:31-14:00.

34-014, Frumah Packard Cemetery (Onondaga County), \$34,218.12

This cemetery seeks funds to repair hazardous monuments. After discussion, a motion was made, seconded, and unanimously adopted approving the application by this cemetery for funds to repair 45 hazardous monuments in the amount of \$34,218.12 subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 14:00-18:41.

**Public Comment**

David Fleming, for the New York State of Cemeteries, thanked Mr. Polishook for attending and answering questions at the NYSAC conference.

Mr. Pattison noted that after adjournment the Board would move into a meeting exempt from the open meetings law for privileged communications with counsel.

**Adjournment**

Motion was made, seconded, and unanimously adopted adjourning the meeting.

The meeting adjourned at 10:52 a.m.

The next Board meeting has been scheduled for October 13, 2022; the date was subsequently changed to October 12.

Public Comment  
Executive Session

DEPARTMENT OF STATE  
DIVISION OF CEMETERIES  
July 29, 2022

To: Mark P. Pattison, Chairman, for Robert Rodriguez, Secretary of State  
Thomas Fuller, for Hon. Dr. Mary T Bassett, Commissioner of Health  
Jill F. Faber, Esq. for Hon. Letitia James, Attorney General

FROM: Lewis A. Polishook, Director  
Alicia Young, Assistant Director

RE: Proposed Dangerous –6 Abandoned – 0 Vandalism – 0

VANDALISM FUND APPLICATIONS

Dangerous ID No.	Name	County	Amount
		<b>Total</b>	<b>\$353,331.31</b>