

DIVISION OF CEMETERIES

STATE OF NEW YORK
DEPARTMENT OF STATE
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KATHY HOCHUL
GOVERNOR

CEMETERY BOARD
ROBERT J. RODRIGUEZ
SECRETARY OF STATE
CHAIR

LETITIA JAMES
ATTORNEY GENERAL

JAMES V. McDONALD, M.D., M.P.H.
COMMISSIONER OF HEALTH

Cemetery Board Minutes December 12, 2023

Department of State
One Commerce Plaza, 99 Washington Avenue 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
Thomas Fuller, Department of Health

Jill Faber, Office of the New York Attorney General

OTHER ATTENDEES:

Joseph Ambrose, Division of Cemeteries
Leonard Breen, Division of Cemeteries
Kathleen Chittenden, Division of Cemeteries
Charles Crane, Division of Cemeteries
Brendan Dunn, Division of Cemeteries
Kerry Forezzi, Division of Cemeteries
Nathan McCarthy, Division of Cemeteries
Michael Morris, Department of State
Natesha Salmon, Division of Cemeteries
Brendon Stanton, Division of Cemeteries
Robert Vanderbles, Department of State

Emmanuel Blugh, Division of Cemeteries
Michael Catena, Division of Cemeteries
Cynthia Craig, Division of Cemeteries
Lisa Dooley, Division of Cemeteries
John Fatato, Department of State
Sarah Levin, Division of Cemeteries
Kerry McGovern, Division of Cemeteries
Lewis Polishook, Division of Cemeteries
Michael Seelman, Division of Cemeteries
Steven Troutman, Division of Cemeteries
Alicia Young, Division of Cemeteries

GUESTS:

Mary Bettinger, Ellisburg Cemetery
Peter Colgrove, Humes & Wagner, Locust Valley Cemetery
Lola Dominguez
Nicholas DiBartolo, Mount Hope Cemetery
David Fleming, Featherstonhaugh, Wiley & Clyne, for NYS Ass'n of Cemeteries
Adam Ginsberg, Cedar Grove Cemetery Ass'n
Brian Groblewski, Pinelawn Cemetery
Chris Converse, Forest Lawn - Buffalo
Matthew Ivler, Mount Lebanon Cemetery
Linda M Jones
Jennifer Kovach, Forest Lawn - Buffalo
Justin Locke, Pinelawn Memorial Park
Jamie Lotz, Forest Lawn - Buffalo
Rich Moylan, Green-Wood Cemetery
Nate Romagnola, White Haven Memorial Park
Julie R. Snyder, Forest Lawn - Buffalo



Department
of State

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

Opening Remarks

Mr. Pattison called the meeting to order at 10:30 a.m. Mr. Pattison introduced himself and had the other Board members introduce themselves.

23-12-A-73- Minutes of Previous Meetings

A motion was made, seconded, and unanimously adopted approving the minutes of the November meeting.

23-12-B-74-Legislation and Regulation

1. Pending Legislation

Robert Vanderbles referred the Board to the legislative update he prepared.

2. Regulations

Mr. Vanderbles reported that Counsel and the Division are drafting a response to public comments received regarding the proposed regulations for natural organic reduction facilities. There were no new developments since last the meeting.

23-12-C-75-Division Report

Director Lewis Polishook welcomed two new staff members, Lisa Dooley and Brendan Dunn, to the Division. The Division is now fully staffed.

Mr. Polishook noted that the Division of Cemeteries’ annual report mailing will be coming out in January 2024.

Mr. Polishook reviewed the Division’s hiring efforts throughout the year, including successfully filling four accountant and one administrative assistant roles to fully staff the Division.

Mr. Polishook discussed past and upcoming Cemetery 101 sessions across the state. In 2023, we were able to schedule sessions in every REDC region except the Mid-Hudson and Southern Tier. We have one upcoming session scheduled for March 7 at St. Agnes Cemetery in Menands.

Mr. Polishook highlighted the efforts taken by the Division to try to prevent cemetery abandonments. We will present a full report on cemeteries we have stepped in to help at the Board’s January meeting. Michael Catena and Michael Seelman highlighted specific efforts taken to prevent two abandonments.

Assistant Director Alicia Young provided the annual report statistics for 2023. 42% of annual reports were filed online.

23-12-D-76 – Vandalism, Abandonment and Monument Repair or Removal Fund Report

Assistant Director Alicia Young referred to the vandalism report posted online. A previous issue with a payment backlog has been resolved since the last month’s meeting.

There is one application for funds from the vandalism fund to be reviewed at this meeting.

22-018 Ilion Cemetery (Herkimer), \$92,985.55

This cemetery seeks funds to repair 45 dangerous monuments. After discussion, a motion was made, seconded, and unanimously adopted approving the application by this cemetery for funds to repair these dangerous monuments for a total cost of \$92,985.55, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 14:07-10:00.

23-12-E-77 – 23-009 – Ellisburg Cemetery – Columbarium

Ellisburg Cemetery in Jefferson County seeks approval to install one 48-niche columbarium, with an estimated cost of \$51,514.00. At this time, Michael Seelman and Kerry Forezzi recommended this application not be approved because the cemetery would use 75 percent of its general fund to complete the project and its proposed price point was not competitive.

Ellisburg representatives Mary Bettinger and Craig Veley offered perspective on the justification for the size, cost, and pricing related to the proposed columbarium.

After discussion, a motion was made, seconded, and unanimously adopted to table this application pending further discussions between the cemetery's representatives and the Division.

The discussion of this application can be found in the video recording of this meeting at 18:39-48:31.

23-12-F-78 – 36-017 – Hillside Cemetery – Land Swap

This cemetery seeks approval to swap land with a neighbor as part of a lot line adjustment. After discussion, a motion was made, seconded, and unanimously adopted to table this application.

The discussion of this application can be found in the video recording of this meeting at 17:43-18:28

23-12-F-79 – 30-005 – Locust Valley – Land Purchase

Locust Valley Cemetery, in Nassau County, seeks approval of the purchase of a neighboring residential property for \$1.8 million. The cemetery intends to convert this property to additional burial grounds but must first get local approval for this project. In the future, the cemetery will likely submit a major renovation application but only approval of the purchase is before the Board this month.

After discussion, a motion was made, seconded, and unanimously adopted classifying the application as an unlisted action, adopting a negative declaration pursuant to SEQRA, and approving this application.

The discussion of this application can be found in the video recording of this meeting at 48:40-59:27.

Public Comment

Peter Colgrove from Locust Valley thanked the board for their rapid and considerate approval of their land purchase application.

Raphael Kalikstein discussed a complaint he had submitted against New Montefiore Cemetery. Director Polishook informed Mr. Kalikstein that he would reach directly out to Mr. Kalikstein to complete the discussion.

The next Cemetery Board meeting is scheduled for January 9, 2024, at 10:30 a.m.

The meeting adjourned at 11:40 a.m.