

# DIVISION OF CEMETERIES

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CEMETERY BOARD

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SECRETARY OF STATE  
CHAIR

LETITIA JAMES  
ATTORNEY GENERAL

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

**DRAFT**

## Cemetery Board Minutes July 15, 2024

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

### BOARD MEMBERS PRESENT:

Mark Pattison, Department of State, Chair

Thomas Fuller, Department of Health

### BOARD MEMBERS ABSENT:

Jill Faber, Office of the New York State Attorney General

### OTHER ATTENDEES:

Emmanuel Blugh, Division of Cemeteries  
Cindy Craig, Division of Cemeteries  
Michael Morris, Department of State  
Natesha Salmon, Division of Cemeteries  
Robert Vanderbles, Department of State

Leonard Breen, Division of Cemeteries  
Nathan McCarthy, Division of Cemeteries  
Lewis Polishook, Division of Cemeteries  
Steven Troutman, Division of Cemeteries  
Alicia Young, Division of Cemeteries

### GUESTS:

Eric Barna, Green-Wood Cem.  
Anthony Biolsi, Beth Moses Cem.  
Nicholas DiBartolo, Mt. Hope Cem.  
David Fleming Jr., FCM & NYSAC  
Jennifer Kovach, Forest Lawn  
Richard Moylan, Green-Wood Cem.  
Chris Ross, Oakwood Cem.  
Philip Tassi, Ferncliff Cem.

Brendan Boyle, Featherstonhaugh, Clyne & McCardle, LLP, & NYSAC  
Peter B. Colgrove, Esq., Locust Valley Cem.  
Mark Farrell, Oakwood Cem.  
Adam Ginsberg, Cedar Grove Cem.  
Mike Lanotte, NYS Funeral Directors Ass'n  
Nate Romagnola, White Haven Memorial Park  
Vincent Ruggiero, NYC Office of the Chief M.E.

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

### Opening Remarks

Board Chair Mark Pattison called the meeting to order at 10:32 a.m. Mr. Pattison introduced himself and Mr. Thomas Fuller. Mr. Pattison noted that Jill Faber, representing the Office of the New York State Attorney General, was absent.

### 24-07-A-36 – Minutes of Previous Meetings

A motion was made, seconded, and unanimously adopted approving the minutes of the June 11 meeting.



Department  
of State

## **24-07-B-37 – Legislation and Regulation**

### 1. Pending Legislation

Robert Vanderbles relayed that there are no updates on significant pending legislation to be brought before the Board at this time.

### 2. Regulations

Robert Vanderbles presented proposed rules and regulations regarding Natural Organic Reduction (NOR) to the Board. These regulations would be effective upon publication in the New York State Register. Mr. Vanderbles presented a resolution adopting the regulations, issuing a negative declaration as to the environmental impact of the regulations, finding no significant coastal impact from the regulations, and directing that DOS publish the regulations in the New York State Register, as is more particularly described in the resolution Mr. Vanderbles read at the meeting (a copy of which was posted as part of the meeting materials).

After discussion, a motion was made, seconded, and unanimously adopted approving the resolution.

The discussion of the proposed regulations can be found in the video recording of this meeting at 2:00 - 14:50.

Mr. Vanderbles also brought an ongoing legal issue in which the Division of Cemeteries is being named as a relevant party to the attention of the Board. The Office of the Attorney General has already brought a motion to dismiss this case.

## **24-07-C-38 – Division Report**

Director Lewis Polishook reviewed staffing at the Division. The Division currently has three active recruitments. We have completed the interviews for our open investigator positions and made a recommendation to hire for our open accountant position.

Director Polishook directed the Board to the Division's Abandonment Report.

Director Polishook also discussed a guidance document the Division has prepared concerning natural burial and natural organic reduction.

## **24-07-D-39 – Vandalism, Abandonment and Monument Repair or Removal Fund Report**

Assistant Director Alicia Young directed the Board to the Division's Vandalism Report.

There are five applications for funds from the vandalism fund to be reviewed at this meeting.

### 15-013 Concordia Cemetery (Erie), \$19,827.50

This cemetery seeks funds to repair 15 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 \$19,827.50, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 25:38-28:28.

22-012 Frankfort Center Cemetery Association (Herkimer), \$77,031.73

This cemetery seeks funds to repair 54 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 \$77,031.73, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 28:29-31:06.

34-039 Plainville Cemetery (Onondaga), \$22,951.35

This cemetery seeks funds to repair 21 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 \$22,951.35, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 31:07-32:53.

48-022 Sharon Cemetery (Schoharie), \$64,560.70

This cemetery seeks funds to repair 53 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 \$64,560.70, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 32:54-34:59.

61-012 Gainsville Cemetery (Wyoming), \$50,795.52

This cemetery seeks funds to repair 36 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 \$50,795.52, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 35:00-37:18.

**26-07-E-40 – 60-016 – Oakwood Cemetery – Land Sale**

The cemetery seeks to sell a section of the cemetery to the Town and Village of Mount Kisco. The cemetery does not have demand for the land and the Town and Village of Mount Kisco would benefit from the acquisition.

After discussion, a motion was made, seconded, and unanimously adopted approving the application for land sale to the Town and Village of Mount Kisco.

The discussion of this determination can be found in the video recording of this meeting at 37:19-45:37.

**24-07-F-41 – 30-005 – Locust Valley – Columbarium and Major Alteration**

The cemetery seeks to construct two new columbaria. Construction of these columbaria will require extensive construction, requiring a major alteration approval as well. The cemetery has demonstrated demand for these columbaria within the community.

After discussion, a motion was made, seconded, and unanimously adopted to approve the application for major alteration and columbaria construction.

The discussion of this application can be found in the video recording of this meeting at 45:38-50:38.

**Public Comment**

David Fleming, representing the NYS Association of Cemeteries, thanked the Board for the final approval of NOR rule and regulations.

The next Cemetery Board meeting is scheduled for August 1, 2024, at 10:30 a.m.

The meeting adjourned at 11:24 a.m.