

DIVISION OF CEMETERIES

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
TELEPHONE: (518) 474-6226
FAX: (518) 473-0876
WWW.DOS.NY.GOV

KATHY HOCHUL
GOVERNOR

CEMETERY BOARD

WALTER T. MOSLEY
SECRETARY OF STATE
CHAIR

LETITIA JAMES
ATTORNEY GENERAL

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

DRAFT

Cemetery Board Minutes January 14, 2025

Department of State
One Commerce Plaza, 99 Washington Avenue, 11th Floor, Room 1112
Albany, New York 12231

BOARD MEMBERS PRESENT:

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

Thomas Fuller, Department of Health

OTHER ATTENDEES:

Emmanuel Blugh, Division of Cemeteries
Michael Catena, Division of Cemeteries
Charles Crane, Division of Cemeteries
Brendan Dunn, Division of Cemeteries
Jeff Hardwick, Division of Cemeteries
Nathan McCarthy, Division of Cemeteries
Corey Moore, Division of Cemeteries
Natesha Salmon, Division of Cemeteries
Robert Vanderbles, Department of State

Leonard Breen, Division of Cemeteries
Cynthia Craig, Division of Cemeteries
Lisa Dooley, Division of Cemeteries
Kerry Forezzi, Division of Cemeteries
Sarah Levin, Division of Cemeteries
Kerry McGovern, Division of Cemeteries
Lewis Polishook, Division of Cemeteries
Michael Seelman, Division of Cemeteries

GUESTS:

Eric Barna, Green-Wood Cem.
David Fleming, Jr., Featherstonhaugh, Wiley & Clyne, LLP, & NYSAC
Chris Jeannopoulos, Woodlawn Cem.
Hye Kyung Lee
Rich Moylan, Green-Wood Cem.
Colin Schmitt, Town of Clarkstown

Brendan Boyle, FCM, LLP, & NYSAC
Adam Ginsberg
Jennifer Kovach, Forest Lawn Cem.
Justin Locke, Pinelawn Cem.
Nate Romagnola, White Haven Memorial
Philip Tassi, Ferncliff Cemetery

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

Opening Remarks

Chairman Mark Pattison called the meeting to order at 10:31 a.m. Mr. Pattison introduced himself and had the other Board members introduce themselves.

25-01-A-01 – Minutes of Previous Meetings

A motion was made, seconded, and unanimously adopted approving the minutes of the December 10, 2024, meeting as submitted to the Board.

25-01-B-02 – Legislation and Regulation



Department
of State

1. Pending Legislation

Robert Vanderbles detailed one new piece of legislation signed into law, A3686/S6285.

2. Regulations

Robert Vanderbles indicated that there is no regulation update this month.

25-01-C-03 – Division Report

Director Lewis Polishook referred the Board to the Division's previously-circulated and published abandonment report.

Director Polishook updated the Board on recruitment within the Division. We have open recruitments for an Investigator in Binghamton and Associate Accountant in Albany. Assistant Director Kerry Forezzi will be stepping down from her position on January 15, 2025; we have posted this position.

Director Polishook highlighted community outreach programs planned for 2025. The Division has plans for a second annual 'Clean Up Your Cemetery Day' and several new trainings for 2025.

Director Polishook announced the rollout of the Division's new database, a replacement for several existing systems within the Division. This system was developed in-house by the Department of State.

25-01-D-04 – Vandalism, Abandonment and Monument Repair or Removal Fund Report

Assistant Director Forezzi indicated that the Board has committed more than our Fiscal Year 2024 \$2 Million appropriation for the vandalism fund through today.

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

28-023 North Rush Cemetery (Monroe), \$53,639.85

This cemetery seeks funds to repair 40 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 \$53,639.85, subject to availability of funds.

46-015 Greenridge Cemetery (Saratoga), \$43,906.54

This cemetery seeks funds to repair 47 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 \$43,906.54, subject to availability of funds.

44-005 Nanuet Cemetery (Rockland), \$145,016.55

The Town of Clarkstown seeks funds to perform one-time maintenance on Nanuet Cemetery. After discussion, a motion was made, seconded, and unanimously adopted approving the application by the town for funds to repair this cemetery for a total cost of \$145,016.55, subject to availability of funds.

Chairman Pattison asked if any representatives of Nanuet Cemetery or the Town of Clarkstown had additional input and received none.

It was noted that in the draft board order that the total dollar amount was incorrect. The Division

circulated a corrected draft order, which the Board approved and signed, in the correct value of \$145,016.55.

25-01-E-05 – 15-027 Forest Lawn Cemetery (Attica) – Major Alteration

Forest Lawn Cemetery seeks approval of a major alteration project to stabilize and restore the chapel in Attica Cemetery a/k/a Forest Hill Cemetery, at no cost to the Cemetery.

The Division noted that the proposed contract between the cemetery and the builder made the cemetery responsible for environmental issues not caused by the builder's negligence, and, while it still recommended approval, asked the cemetery to consider this issue before finalizing its agreements. Chairman Pattison asked if any representatives of Forest Lawn Group had additional input, and David Fleming, speaking for the cemetery, indicated the cemetery was aware of the issue.

After discussion, a motion was made, seconded, and unanimously adopted approving the Application for Major Alteration subject to receipt of all required local approvals.

25-01-F-06 – 40-007 Kelley Cemetery (Putnam) – Determination of Abandonment

The Division has prepared and issued a determination that this cemetery is abandoned because it no longer has a board or sufficient funds to maintain the cemetery. A special lot owner's meeting was held and no lot owner or board member attended. The existing board resigned as of December 31, 2024.

Chairman Pattison asked if any representatives of Kelley Cemetery or the Town of Carmel had additional input, and none was received.

After discussion, a motion was made, seconded, and unanimously adopted confirming the Division's determination that the cemetery is abandoned.

25-01-G-07 – 28-038 Webster Rural Cemetery (Monroe) – Restated Certificate of Incorporation

Mr. Vanderbles explained that the resolution approved by the Cemetery Board regarding Webster Rural Cemetery during the December 2024 meeting included language that was not in the Division's recommendation of approval, concerning Attorney General or Court approval. Mr. Vanderbles explained that these approvals are not always required, so the resolution should not have contained this reference, even though such approval might turn out to be needed. Mr. Vanderbles presented a new resolution to the board; a copy can be found in the publicly-posted materials for this meeting.

After discussion, a motion was made, seconded, and unanimously approved adopting the revised resolution.

25-01-H-08 – 24-005 Machpelah Cemetery (Kings & Queens) – Non-Compliance: Failure to File

This item has been grouped with the below item due to the cemeteries sharing overlapping boards and identical management. Mr. Polishook reported that the Division had issued notices concerning these cemeteries' non-compliance with the Division's filing requirements. Yesterday afternoon, the cemeteries provided some documents they contend they previously submitted, some additional documents they had not previously submitted, and asked for extensions on filing their 2023 annual financial reports. The Division is still reviewing these submissions, and asked that the Board table these two matters until February.

After discussion, a motion was made, seconded, and unanimously approved tabling both of these matters.

24-01-I-09 – 41-017 Mokom Sholom (Queens) – Non-Compliance: Failure to File

See the immediately previous item.

A motion was made to move to exempt session to discuss pending litigation Brooklyn Lodge Benevolent Assoc. vs. Washington Cemetery.

A motion was made to return from exempt session.

The board took no action during exempt session. A motion was made, seconded, and unanimously approved board resolved to direct counsel to refer the motion received to the Office of the New York Attorney General for appropriate action.

Public Comment

David Fleming, representing NYSAC, thanked Assistant Director Kerry Forezzi for her years of dedicated work within the Division of Cemeteries.

The next Cemetery Board meeting is scheduled for February 11, 2025, at 10:30 a.m.

The meeting adjourned at 11:18 a.m.