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CEMETERY BOARD
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CHAIR
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ATTORNEY GENERAL
JAMES V. MCDONALD, M.D., M.P.H.
COMMISSIONER OF HEALTH

DRAFT

Cemetery Board Minutes
May 20, 2025

Crowne Plaza Albany
660 Albany Shaker Road
Albany, NY 12211.

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:

Cindi Craig, Division of Cemeteries
Lisa Dooley, Division of Cemeteries
David Gonzalez, Department of State
Sarah Levin, Division of Cemeteries
Kerry McGovern, Division of Cemeteries
Michael Morris, Department of State
Jessica E. Rosario, Division of Cemeteries
Alicia Young, 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
Lewis Polishook, Division of Cemeteries
Natesha Salmon, Division of Cemeteries

GUESTS:

Andy Devorsetz, Frumah Packard Cemetery
John Loser, Riga Cemetery
Anthony Biolsi, Montefiore Cemetery

Some "guests" attended solely via Webex phone call-in; their names may not be listed above. Guests who attended the NYSAC conference also attended this board meeting. A list of attendees of the NYSAC conference can be found on our website at https://dos.ny.gov/event/cemetery-board-meeting-may-2025.

Opening Remarks

Chairman Mark Pattison called the meeting to order at 10:16 a.m. Mr. Pattison introduced himself and had the other Board members introduce themselves.

25-05-A-37 – Minutes of Previous Meetings

A motion was made, seconded, and unanimously adopted approving the minutes of the April 8, 2025, meeting as submitted to the Board.

25-05-B-38 – Legislation and Regulation

1. Pending Legislation

Deputy General Counsel Gonzalez referred the board to the legislative report.

2. Regulations

Deputy General Counsel Gonzalez had no updates on regulations.

25-05-C-39 – Division Report

Division Director Lewis Polishook updated the Board on recruitment within the Division. We are currently hiring for three Senior Accountant positions.

Director Polishook highlighted community outreach programs planned for 2025. Clean Up Your Cemetery Day was successful downstate but ran into issues with the weather that affected many potential participants. We have Cemetery 101's scheduled for Juneand after and are working on scheduling more for the Summer.

25-05-D-40 – Vandalism, Abandonment and Monument Repair or Removal Fund Report

Director Polishook referred the Board to the published vandalism report. He also explained the Division of initial and final payments for work performed using money from the fund and explained that, although a significant portion of this year's appropriation is already committed, we do not anticipate running out of funds.

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

<u>15-027 Forest Lawn (Oakwood) (Erie), $31,575.95</u>

This cemetery seeks funds to repair 24 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 $31,575.95, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 7:49-12:49.

<u>15-075 Jewish Federation (Erie), $20,162.32</u>

This cemetery seeks funds to repair 23 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 $20,162.32, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 12:50-17:56.

<u>28-033 Riga (Monroe), $18,145.21</u>

This cemetery seeks funds to repair 11 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 $18,145.21, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 17:57-22:00.

33-010 Carr (Oneida), $55,159.62

This cemetery seeks funds to repair 28 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 $55,159.62, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 22:01-24:57.

34-018 Jackson Rural (Onondaga), $28,128.54

This cemetery seeks funds to repair 24 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 $28,128.54, subject to availability of funds.

The discussion of this application can be found in the video recording of this meeting at 24:58-27:20.

25-05-E-41 – 34-014 Frumah Packard Cemetery (Onondaga) – Major Alteration-Nunc Pro Tunc and Resolving Past Non-Compliance

The cemetery has performed a renovation of one of its cemetery buildings, to create an apartment within a former chapel. The cemetery requests nunc pro tunc approval of this major alteration. The cemetery raised the majority of the funding for this project via donation, with only about $17,000 coming directly from cemetery funds. The cemetery states that it believed it needed major alteration approval only if the project cost $25,000 of its own funds. The Division proposed and the cemetery agreed to restrict $1,000 of its general fund as permanent maintenance funds in lieu of a penalty payable to the State.

After discussion, a motion was made, seconded, and unanimously adopted approving the major alteration application nunc pro tunc, and recognizing that the commitment of $1,000 resolves the issue of past non-compliance.

The discussion of this application can be found in the video recording of this meeting at 27:21-35:38.

25-05-F-42 – 36-801 Washingtonville Cemetery (Orange) – Incorporation of Church-Owned Cemetery

The cemetery seeks to incorporate separately from the religious organization that originally founded it as a public not-for-profit cemetery. The cemetery has received a letter of support from the town and demonstrated its ability to fund its operations .

After discussion of the issue of SEQRA, a motion was made, seconded, and unanimously adopted:

1. Finding that the application before the Cemetery Board is an unlisted action for purposes of SEQRA;
2. Finding that the proposed action will not result in any significant adverse environmental impact;
3. Issuing a negative declaration under SEQRA;
4. Approving the draft Short EAF Parts 2 and 3 accompanying this memorandum; and
5. Authorizing Cemetery Board Chairman Mark Pattison to sign the draft Part 3 accompanying this memorandum.

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Having adopted a resolution under SEQRA, after further discussion, a motion was made, seconded, and unanimously adopted approving the incorporation of this Cemetery, subject to receipt of the Hudson Valley Presbytery's consent to the transfer of this property before filing the certificate of incorporation with the New York State Department of State, Division of Corporations, and subsequent conveyance of title by Church to the

newly-formed cemetery corporation, and authorizing Chairman Pattison to sign the document approving the Certificate of Incorporation.

The discussion of this application can be found in the video recording of this meeting at 35:39-41:36.

25-05-G-43 – 60-006 Ferncliff Cemetery (Westchester) – Resolving Past Non-Compliance

Director Polishook referred the board to his detailed write-up distributed at the April Division meeting concerning past non-compliance, and explained that the Division seeks Board approval of the form of a consent order counsel drafted, which counsel previously shared with the Board.

After discussion, a motion was made, seconded, and unanimously adopted approving the consent order and authorizing Chairman Pattison to sign on behalf of the Board.

The discussion of this issue can be found in the video recording of this meeting at 41:37-44:15.

Public Comment

William Keller, representing East Nassau Rural Cemetery thanked the board for their organized board meeting. Mr. Keller requested a potential list of contractors who have worked with cemeteries on hazardous monument projects previously. Mr. Polishook reiterated that the Board does not contract with anyone but that the Division could provide Mr. Keller with a list of bidders on hazardous monument applications. Mr. Keller asked for an explanation of the process by which a cemetery is approved for incorporation. Mr. Polishook explained that the Board has to review and approve certificates of incorporation and amendments to them, and that, with this approval, the cemetery can submit its documents to the Department of State, Division of Corporations, for review and filing.

David Fleming, representing NYSAC thanked the Board for holding its monthly meeting at the NYSAC conference and maintaining transparency in its operations.

The next Cemetery Board meeting is scheduled for June 10, 2025, at 1:00 p.m.

The meeting adjourned at 11:06 a.m.