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

DRAFT

Cemetery Board Minutes
September 10, 2026

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

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

BOARD MEMBERS PRESENT:
Michael Morris, Department of State, Chair
Stephanie Gilman, Department of Health
Jill F. Faber, Office of the New York State Attorney General

OTHER ATTENDEES:
Zakir Ahmed, Division of Cemeteries
Rachel Eisenberg, Department of State
Jeff Hardwick, Division of Cemeteries
Nathan McCarthy, Division of Cemeteries
Scott Nickerson, Division of Cemeteries
Jessica Rosario, Division of Cemeteries
Michael Seelman, Division of Cemeteries
Robert Vanderbles, Department of State
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
Natesha Salmon, Division of Cemeteries
Jonathan Toews, Division of Cemeteries
Alicia Young, Division of Cemeteries

GUESTS:
Adam Ginsberg, Mount Ararat Cmty.
Anthony Biolsi, Montefiore Cmtys.
Chris Black
Delores Denzel, White Chapel Mem. Park
Justin Locke, Pinelawn Cmty.
Kevin Persico, Wellwood Beth Moses Cmty.
Richard Betheil, Cedar Grove Cmty.
Philip Tassi, Ferncliff Cmty.
Andy Muhlstock, Wellwood Beth Moses Cmty.
Brian Groblewski, Pinelawn Cmty.
David F. Fleming, Featherstonhaugh & McCardle, NYSAC
John E. Donegan
Kendrick Lau
Love K. Foy
Richard Moylan

Opening Remarks

Chairman Michael Morris called the meeting to order at 10:31 a.m. Chairman Morris introduced himself and the other board members.

26-09-A-52 – Minutes of Previous Meetings

A motion was made, seconded, and unanimously adopted approving the minutes of the Board's August 11, 2026, meeting, as submitted to the Board.

26-09-B-53 – Legislation and Regulation

1. Pending Legislation

Division Counsel Robert Vanderbles referred the Board to the published Legislative Report.

2. Regulations

Mr. Vanderbles reported that draft rule revisions continue to be in process.

Mr. Vanderbles reviewed an issue with Riverhurst Cemetery's petition for Supreme Court approval of its PM Loan application, which the Board recommended approval of at a previous meeting. Riverhurst named the Cemetery Board as a party to the petition even though the draft petition did not name the Cemetery Board as a party. To avoid a default we have asked the Attorney General to represent to the Supreme Court that the Cemetery Board has no objection to the loan. The Attorney General did so and the Supreme Court granted the relief sought.

26-09-C-54 – Division Report

Director Polishook welcomed Scott Nickerson, our new Auditor, to the Division of Cemeteries team.

Director Polishook reviewed the newly drafted Guidance for Land Purchases and Sales, including the suggestion that routine applications not involving related parties have one appraisal by a licensed appraiser to establish fair market value.

After discussion, a motion was made, seconded, and unanimously adopted approving the guidance document drafted by Director Polishook.

26-09-D-55 – Vandalism, Abandonment and Monument Repair or Removal Fund Report

Assistant Director Alicia Young referred the Board to the previously circulated Vandalism Report and reviewed outstanding vandalism and hazardous monument payments.

There are no applications for funds from the vandalism fund before the Board at this meeting.

26-09-E-56 – White Chapel Cemetery, No. 15-068: Columbarium and Major Alteration-Cremation Section

The Cemetery intends to construct cremation garden walkways and install two columbarium units. The project also includes curb cuts and additional planting of trees and lawn restoration. This work is part of a larger project; the Cemetery understands that it will need further approval of the Cemetery Board for future phases. The total estimated cost to complete this stage is $244,502.50.

After discussion, a motion was made, seconded, and unanimously adopted:

1. Finding that this columbarium and major alteration project is an unlisted action under SEQRA;
2. Finding that the project will have no or minimal environmental impact;
3. Issuing a negative declaration;
4. Authorizing Board Chairman Michael Morris to sign the draft Short EAF Part 3 accompanying this memo.

After approving that motion, a motion was made, seconded, and unanimously adopted approving the installation of the columbaria and major alteration described in the Cemetery's application, at a cost not to exceed $244,502.50, subject to receipt of all other required approvals.

The discussion of this application can be found in the video recording of this meeting at 8:18-14:40.

26-09-F-57 – Webster Union Cemetery, No. 28-039: Major Alteration-New Section

The Cemetery has applied for Cemetery Board approval of a major alteration. The Cemetery plans to develop a new section to create 1,740 in-ground burial spaces for both traditional (1,044 spaces) and cremation interments (696 spaces). The project will include establishing a new entrance and installing paved roadways to access the new graves.

David Fleming, representing Webster Union Cemetery, thanked the Division for their consideration of this project.

After discussion, a motion was made, seconded, and unanimously adopted:

1. Finding that this major alteration is an unlisted action under SEQRA;
2. Finding that the major alteration will have no or minimal environmental impact;
3. Issuing a negative declaration;
4. Authorizing Board Chairman Michael Morris to sign the draft Short EAF Part 3 accompanying this memo.

After approving that motion, a motion was made, seconded, and unanimously adopted approving the major alteration described in the Cemetery's application at a cost not to exceed $107,975.

The discussion of this application can be found in the video recording of this meeting at 14:41-20:16.

26-09-G-58 – Wellwood Beth Moses Cemetery, No. 52-005: Certificates of Indebtedness

The Cemetery has contacted the Division concerning a plan to pay off de minimis certificates of indebtedness. The Cemetery has asked for guidance as to whether previous orders of the New York State Cemetery Board preclude such payments and, to the extent they do, seeks relief from those orders.

After discussion, a motion was made, seconded, and unanimously adopted vacating all previous orders to the extent, and only to the extent that they prohibited payments on currently outstanding certificates, subject to any limits N-PCL section 1511 or applicable decisions of the New York State Courts place on such payments, in the form presented to the Cemetery Board as part of the Division's recommendation on this application.

The discussion of this application can be found in the video recording of this meeting at 20:17-27:26.

26-09-H-59 – Sciota Rural Cemetery, No. 58-018: Determination of Abandonment

The Division has determined that the Cemetery no longer has a board or funds to continue operation and is therefore abandoned.

After discussion, a motion was made, seconded, and unanimously adopted confirming the determination of abandonment by the Division regarding the Sciota Rural Cemetery.

The discussion of this application can be found in the video recording of this meeting at 27:27-29:37.

26-09-I-60 – Ferncliff Cemetery, No. 60-006: Major Alteration-Relocation of Crematory and Offices and Repairs to Chapel

The Cemetery seeks approval of a major alteration consisting of the relocation of the Cemetery's crematory from an area adjacent to its chapel to the portion of the building that currently houses its offices. This relocation will provide a larger, more user-friendly crematory space, free up the chapel for use in services, and ultimately allow the Cemetery to develop newer office space.

After discussion, a motion was made, seconded, and unanimously adopted approving the major alteration, as described in the Cemetery's June 14, 2026, application, at a cost not to exceed $18 million, subject to receipt of all other necessary approvals.

The discussion of this application can be found in the video recording of this meeting at 29:38-32:44.

Public Comment

Chairman Morris asked for comments from the public.

David Fleming, representing NYSAC, thanked the Division for its new guidance regarding land sale and purchase procedures.

Chris Black, representing the Concerned Taxpayers of Wheatley Heights Civic Association, inquired regarding Pinelawn's potential lease project. The Division confirmed that it still has not received an application regarding this project from Pinelawn Memorial Park. Mr. Black requested the Division pay special consideration to concerns about burials in this area.

Love Foy, representing the Historical Conservation Society of Wheatley Heights and Wyandanch, also spoke in opposition to Pinelawn's potential lease project.

Kendrik Lau addressed the board concerning issues with the Commack Cemetery Board of Trustees.

John Donegan seconded Kendrick Lau's concerns and thanked the Division for their assistance in understanding this matter.

The next regular Board meeting is scheduled for October 14, 2026, at 10:30 am at One Commerce Plaza, in Albany and the Office of the Attorney General, in White Plains.

The meeting adjourned at 11:15 a.m.