

**\*NEW JERSEY CEMETERY BOARD\***  
**PUBLIC SESSION MINUTES**  
**JULY 12, 2007**

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, July 12, 2007. The meeting was convened in accordance with the schedule filed with the Secretary of State and was conducted in accordance with the provisions of the Open Public Meeting Act, Chapter 321, P.L. Notice of the meeting was prepared in the office of the Board and mailed on September 21, 2006 to the Secretary of State, the Attorney General, the Star Ledger, the Record, the Press of Atlantic City, the Asbury Park Press and the Trenton Times. Board Chair Marion Brozowski called the meeting to order at 9:30 AM. A roll call was taken and the following attendance of Board members was recorded for these minutes:

Marion Brozowski Present  
Lawrence Colasurdo Present  
Frank J. DeGeeter, Jr. Present  
Paul M. Desbiens Absent  
Waheed Khalid Present  
June Nikola Present  
William Nichols Present  
Genevieve Raganelli Present

Also in attendance were: Dianne L. Tamaroglio, Executive Director, New Jersey Cemetery Board; Deputy Attorney General Ginger R. Provost; Jonathon Eisenmenger, Assistant to William Mandeville, Managing Executive Director, Division of Consumer Affairs and Tara Touloumis, Intern, Division of Law.

**II. APPROVAL OF PUBLIC SESSION MINUTES OF JUNE 14, 2007**

A motion was made by June Nikola and seconded by William Nichols to approve the Public Session Meeting Minutes of June 14, 2007 as amended. A vote was taken and the motion was passed by a unanimous vote.

**III. APPEARANCE CHUCK MANNING, REGULATORY ANALYST**

Re: NJAC 13:44J-2.1 & 13.7, Definitions & Application for for-profit management certificate of authority The Board reviewed with Regulatory Analyst Chuck Manning, changes made by the Board to the proposed new rule, NJAC13:44J-2.1 & 13.7, Definitions & Application for for-profit management certificate of authority. Upon review a motion was made by William Nichols and seconded by Waheed Khalid to adopt the regulations with changes. A vote was taken and the motion was approved by a unanimous vote. Mr. Manning will work on the prefatory language for publication in a future New Jersey Register. This matter is closed and removed from future Board meeting agendas.

**IV. OLD BUSINESS**

**A. Provisional Orders issued June, 1999 for non-filing of Annual Reports**

**Deckertown Union Memorial Park Cemetery (CA #155)**

This matter will be held over pending receipt of the cemetery's delinquent Annual Reports and the revised price list. Executive Director Dianne I. Tamaroglio will contact Ed Vanderberg regarding these matters. Board member Frank J. DeGeeter, Jr. has advised the Board that he has passed the cemetery and there is great improvement in the physical appearance of the cemetery.

**Perrineville Cemetery (CA #41)**

Ruth Briggs, Treasurer, Perrineville Cemetery has filed the cemetery's 2005 M&P Annual Report and has paid the \$75.00 filing fee. In 1999, a Provisional Order was issued to Perrineville Cemetery for failure to file its Annual Reports for the period 1992 through 1997. The Order carried a Civil Penalty in the amount of \$500.00. With all delinquent Annual Reports now being filed and with the \$500.00 Civil Penalty being paid a motion was made by June Nikola and seconded by William Nichols to finalize the Provisional Order with a Final Order. A vote was taken and the motion was passed by a unanimous vote.

#### Salem-Evergreen Cemetery (CA #276)

Russell Ahlquist, CPA has filed the delinquent Annual Reports for Salem-Evergreen Cemetery. Upon review of the Annual Reports, Board Accountant George Booktor advises that there are discrepancies in the reports that must be addressed and neither the filing fees nor the interment fees were submitted with any of the reports. Mr. Ahlquist will be advised of the discrepancies as well as the missing fees. This matter will be carried over.

#### New Asbury Meeting House Cemetery (CA #349)

A meeting will be set up with Fred Schwenger, Pastor of the United Methodist Church and a Committee of the Board (Marion Brozowski, June Nikola, and Frank J. DeGeeter, Jr.) along with Executive Director Dianne L. Tamaroglio to allow Mr. Schwenger the opportunity to understand what issues the Board has with the cemetery and to bring the cemetery into compliance with the Board's statute and regulations. This matter will be held over.

#### Odd Fellows Cemetery (CA #330)

Previously, Deputy Attorney General Ginger Provost issued a Demand for Statement in Writing Under Oath to Odd Fellows Cemetery regarding the operations of the cemetery. To date there has been no response. DAG Provost will send a letter with a copy of the Demand to Daniel Moore, the individual who digs the graves for the burials, and to Frances Love, the individual who takes care of the administrative work of the cemetery. Also, we will contact the Township of Deptford to ask for a copy of the cemetery's tax exempt form to see who has signed on behalf of the cemetery. This matter will be carried over.

Louis Cicalese, President, Professional Cemetery Management Services provided the Board with pictures of cemetery showing the conditions of the cemetery.

#### B. Delinquent in filing Annual Reports since 1998 Re: Mount Zion Cemetery (CA #206)

Board member Paul M. Desbiens will conduct an on-site inspection of the cemetery and make contact with Dennis Clowney, the volunteer who takes care of the cemetery to speak with him directly regarding the operations of the cemetery. This matter will be held over.

#### C. Cemetery has never filed Annual Reports Re: Barber Burying Ground Association (CA #285)

Board Accountant George Booktor met with James Hooven, Manager, Barber Burying Ground on May 15, 2007 to show him how to complete the cemetery's Annual Report. To date, the Board has not yet received any Annual Reports from Mr. Hooven nor has there been any contact from Mr. Hooven. Executive Director Dianne L. Tamaroglio will reach out to Mr. Hooven. This matter will be carried over.

#### D. Cemetery has no money and no activity Re: Wantage Cemetery (CA #161)

From the further statement and property tax record provided by Marcia Snyder, Tax Collector, Township of Wantage, it appears that Wantage Cemetery is paying taxes on its property while having tax-exempt status. The Board asked Ms. Snyder to provide an explanation of this. Melissa Rockwell, CTA, Tax-Assessment Department, Township of Wantage has responded to the Board's inquiry. It appears that Wantage Cemetery has always paid

taxes on 2 of the 3 lots it owns. Lot 14 is exempt and no taxes have been billed on this lot. The other two lots, lot 11.01 and 13 do not qualify for exempt status as these lots have in the past qualified for farmland assessment up until the 2007 tax year. The Township did not receive the farmland application for these lots for the 2007 tax year. Since no application was received the assessment on these lots changed from farm status to vacant land status. At this time no rollback has been imposed. The Board will ask Ms. Rockwell who signed the farmland application. Executive Director Dianne L. Tamaroglio advised the Board that she has received a phone call from James Kruggman, son of Sylvia Kruggman, the last known contact person for the cemetery. Mr. Kruggman advises that his mother is up there in years and probably just disregarded all letters sent to her. Mr. Kruggman said he will follow up with information regarding the cemetery. This matter will be carried over.

E. Old Tennent Cemetery (CA #201)

The Board continues to receive correspondence from all interested parties in this matter. This matter will be carried over.

F. Hillside Cemetery (CA #398)

This matter will be carried over pending receipt of a letter from George Pierce, President, Hillside Cemetery regarding the \$5,000.00 to be used for providing water as per the Right of Way Easement Agreement made on September 16, 2005.

G. Diocese of Metuchen

Re: Establishment of crematorium

This matter will be carried over pending receipt of an application for a Certificate of Authority for the establishment of a columbarium, open to members of all faiths, on the grounds of a Catholic cemetery.

H. Reconstitution of Board

Re: Mercer Cemetery (CA #266)

Board member Genevieve Raganelli has been doing research into the history of Mercer Cemetery while at the same time trying to make contacts to reconstitute the cemetery's Board of Trustees. Ms. Raganelli has made contact with the Trenton Historical Society explaining the situation at Mercer Cemetery and asking if the Society could assist in finding Board members for the cemetery. Ms. Raganelli will pursue this matter. This matter will be held over.

I. Amended and Restated Certificate of Incorporation Re: Rosedale Cemetery (CA #42)

This matter will be held over pending DAG Ginger Provost's follow up with Beth Yingling the attorney representing Rosedale Cemetery.

J. Application for sale of a portion of cemetery property Re: Pleasant Hill Cemetery Association (CA #225)

The Board has not yet received confirmation of the deposit to Pleasant Hill Cemetery's Trust fund from the proceeds of the recent land sale. A follow up letter will be forwarded to the cemetery advising that the cemetery could face possible disciplinary action by the Board for failure to follow the directive of the Board. This matter will be carried over.

K. Correspondence from Thomas E. Stover, Esquire Re: Green's Chapel Cemetery Association/Mt. Herman Cemetery Association Mt. Hermon United Methodist Church to Seventh Day Adventis Church March, 2005

This matter will be held over pending DAG Ginger Provost's follow up with Thomas E. Stover, Esquire.

L. Correspondence from Jesse R. Pebley, President, Eglington Cemetery (CA #98)

Re: Request for Reissue of Certificate of Authority

The Board discussed Eglington Cemetery's request to have its Certificate of Authority reissued by the Board with DAG Provost. Upon discussion, a motion was made by Frank J. DeGeeter, Jr. and seconded by William Nichols to deny the cemetery's request. A vote was taken and the motion was passed by a unanimous vote. This matter is closed and removed from future Board meeting agendas.

M. Application for the approval of lease of non-dedicated cemetery property Re: Mount Hebron Cemetery Association d/b/a Liberty Grove Memorial Gardens (CA #312)

Board Chair Marion Brozowski conducted an on-site inspection of the area of Mount Hebron Cemetery where the cell tower would be erected. Ms. Brozowski advised that the land in question is completely in the woods and is a distance from the graves and it appears to be accurately depicted on the lease exhibit site plan provided to the Board. This matter will be held over pending receipt of the requested documentation from the cemetery.

N. Application for cemetery merger

Re: Harleigh Cemetery Association(CA #61) to the Cemetery Association of the Polish National Catholic Parish of Resurrection of Christ

This matter will be held over pending on-site inspections of both cemeteries by Board member Paul M. Desbiens.

## **V. NEW BUSINESS**

A. Inquiry from William D. Peek, Esquire

Re: Private Mausoleum

Attorney William D. Peek represents Jacqueline Shaldjian who had a private mausoleum erected on the grounds of Fairview Cemetery. Ms. Shaldjian's initial deposit of \$6000.00 into a Cemetery Trust Fund has now grown to more than \$26,000.00. Ms. Shaldjian would like to withdraw \$18,000.00 from the Fund leaving \$8,000.00 in the Fund; \$2000.00 over the initial deposit. Adequate information was not given for the Board to make an appropriate decision to this request. The Board will ask the following from the cemetery:

1. Where is this money being held?;
2. How long has this building been in existence and what was the cost for construction?;
3. What is the current value of the Trust?;
4. Are there any other owners of the mausoleum?;
5. What does the Trust Agreement say?; and
6. How does the cemetery feel about this request?

This matter will be held over pending receipt of the cemetery's response.

B. Approval of Bulk Sale

Greenwood Cemetery ( CA #28), Hamilton, NJ to County of Mercer, Trenton, NJ

Executive Director Dianne L. Tamaroglio approved the bulk sale of 680 interment spaces for \$476,000.00 (\$700.00 per grave). The required amount will be deposited into the Maintenance & Preservation Trust Fund of Greenwood Cemetery Association.

Notification of this bulk sale approval brought about a discussion regarding mandatory deposits to the Trust Fund when graves and/or crypts which were purchased through a bulk sale are assigned or transferred.

C. Request for extension in filing of 2006 Annual Report

Re: Woodlawn Cemetery (CA #234)

The Board received a request from Robert Elliott, CPA for an extension of time until July 31, 2007 for filing Woodlawn Cemetery's 2006 Annual Report. A motion was made by Lawrence Colasurdo and seconded by

Waheed Khalid to grant the requested waiver and to advise Mr. Elliott that in the future all reports shall be filed in a timely manner and that this will be the last extension granted. A vote was taken and the motion was passed by a unanimous vote. This matter is closed and removed from future Board meeting agendas.

#### D. Concerns with Bulk Sale application

Re: Bulk Sale of graves from the Claremore Club, Inc. (Beth El Cemetery, CA #13) to the Temple Sinai

Attorney Robert J. Lenrow has submitted to the Board office a bulk sale application for the sale of 951 graves from the Claremore Club, Inc., Beth El Cemetery to the Temple Sinai for the monetary consideration of \$175,935.00. The application was brought to the Board for review as Executive Director Tamaroglio had questions and concerns with it especially with regard to the contribution to the cemetery's Trust Fund. Upon review and discussion, a motion was made by William Nichols and seconded by Frank J. DeGeeter, Jr. to deny the application. A vote was taken and the motion was passed by a unanimous vote. Beth El Cemetery will be asked if they are in agreement with all aspects of this bulk sale agreement.

#### E. Adjournment of August 9, 2007 New Jersey Cemetery Board meeting

Executive Director Dianne L. Tamaroglio requested an adjournment of the August 9, 2007 Board meeting due to a lack of quorum. A motion was made by Frank J. DeGeeter, Jr. and seconded by William Nichols to adjourn the August 9, 2007 Board meeting. A vote was taken and the motion was passed by a unanimous vote. The next regularly scheduled Board meeting will be Thursday, September 13, 2007.

### VI. PUBLIC COMMENT

An inquiry came from the Public as to why Eglinton Cemetery was requesting that the Board issue to the cemetery a new Certificate of Authority. An explanation was provided.

### VII. FOR YOUR INFORMATION

A. Letter from Krislee Hall, President, Maplewood Cemetery (CA #86)

B. State Board of Mortuary Science

Open Session Meeting Minutes–March 6, 2007

Open Session Meeting Minutes–April 10, 2007

Open Session Meeting Minutes–May 8, 2007

C. Magazine Article

The Forum  
July, 2007

All of these matters were considered informational for the Board deeming no discussion or decision making.

### VIII. ADJOURNMENT

A motion was made by Frank J. DeGeeter, Jr. and seconded by William Nichols to adjourn Public Session at 12:15 PM and move into Executive Session at 12:45 PM. A vote was taken and the motion was passed by a unanimous vote. The Board moved into Executive Session to discuss the following matters involving investigations and/or violations of the Board's regulations:

1. Two (2) new matters or complaints filed with the Board which required review and recommendations in regard to investigation and/or actions.

2. Seven (7) matters where additional information has been submitted to the Board pending investigations.

The substance of these investigations shall remain confidential until disclosure is permitted by law. Board action arising from such discussions will be made public at such time official action is taken on these matters, if permitted by law. A motion was made by William Nichols and seconded by Genevieve Raganelli to adjourn the Board meeting of July 12, 2007. A vote was taken and the Board meeting was adjourned at 2:45 PM.

Respectfully Submitted,

Dianne L. Tamaroglio  
Executive Director