

**Massachusetts Board of Registration in Embalming and Funeral Directing  
Minutes**

**Meeting of 5/19/15**

Held at

1000 Washington Street, Boston, MA, 02118

At 10:00 a.m.

Room 1D

**Board Members Present:**

Dahria Williams-Fernandes

Peter Stefan

Thomas O'Donnell

Paul Phaneuf

Carolyn Lindsay

**Staff Members Present:**

Michael Hawley, Executive Director

Colleen Cavanaugh, Associate Executive Director

Rachael Pauze, Board Counsel

Robert Williams, Investigator

Robert Fortes, Deputy Director

**Others Present:**

Stephen Neill

Joseph Curran

Robert Sullivan

Ashley Sullivan

John Pereira

Erica De Rinno

Robert Leahy

Kenneth Casper

Ralph A. Barile Jr.

Francis Sweeney

Richard Sweeney Jr

Michael Bolea

Glenn Campbell

Tom Cole

Michael Campbell

Robert Haley

Richard Liberatore

Chad Cordio

John Earley

John Masciarelli

Ronald Harrell

Michael O'Brien

Thomas Comeau

Peter Zaksheski

Frank Forastiere

Joann Forastiere Skiba

Suzanne Kennan

Roger Grondin

Michael Usher

John W Bresnahan

William Allen

Nicholas Aruda

Thomas Grasso

Thomas Marchand

James Hickey

Brian Hafey

## **Call to Order**

Ms. Williams-Fernandes called the meeting to order at 10:15 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

## **Minutes**

**Mr. O'Donnell moved to accept the minutes from the March 24, 2015 and April 21, 2015 meetings. Mr. Phaneuf seconded.**

**Motion passed unanimously.**

## **Report from Executive Director Michael Hawley**

Mr. Hawley reported to the board that the Stakeholder Outreach session will take place at the June 16, 2015 board meeting. The information has been posted on the website, but he will also try to reach out to professional organizations as well.

## **Report from Legal Counsel, Rachael Pauze**

Ms. Pauze discussed delegating Board authority regarding default decisions to Board staff.

**Ms. Lindsay moved to delegate Board authority to Board staff to execute final decisions and orders in default cases. Mr. O'Donnell seconded.**

**Motion passed unanimously.**

## **Introduction of Deputy Director, Robert Fortes**

Mr. Fortes was introduced as the new Deputy Director for Policy and Boards. He is looking forward to working with the board.

## **Application review, vote, and swearing-ins:**

### **Type 3 Applicants - Review and vote on applications**

The Board met with Francis M. Sweeney of Sweeney Brothers Home for Funerals.

**Mr. O'Donnell moved to accept the above referenced applicant. Ms. Lindsay seconded.**

**Motion passed unanimously.**

**Type 6s - Review and vote on applications, swearing-ins:**

The Board met with Ashley C. Sullivan of Sullivan Funeral Homes and John Pereira of Waring Sullivan Home of Memorial Tribute.

**Mr. O'Donnell moved to accept the above referenced applicants. Ms. Lindsay seconded.**

**Motion passed unanimously.**

The applicants were sworn in by the Board.

**Apprentices - Review and vote on applications**

The board met with Thomas Cole of Campbell Funeral Home, Michael Campbell of Campbell Funeral Home, and Stephen Neill of Curran Jones Funeral Home

**Mr. O'Donnell moved to accept the above referenced applicants. Mr. Phaneuf seconded.**

**Motion passed unanimously.**

**Funeral Assistants - Review and vote on applications**

The Board met with Richard Liberatore of Smith Mallahy Masciarelli Funeral Home, Chad Cordio of Smith Mallahy Masciarelli Funeral Home and John Early of Smith Mallahy Masciarelli Funeral Home.

**Ms. Lindsay moved to accept the above referenced applicants. Mr. O'Donnell seconded.**

**Motion passed unanimously.**

The Board met with Robert Kaiden of Bolea Funeral Home, Robert Leahy of Casper Funeral Home, and Dennis Curran of Barile Family Funeral Home.

**Mr. O'Donnell moved to accept the above referenced applicants. Mr. Phaneuf seconded.**

**Motion passed unanimously.**

The Board met with Robert Haley of Smith Mallahy Masciarelli Funeral Home

**Mr. O'Donnell moved to accept this applicant conditioned on his application process being complete. Ms. Lindsay seconded.**

**Motion passed unanimously.**

**Reinstatement Applicant – review and vote on application**

Mr. Phaneuf recused himself and left the room.

The Board met with Ronald Harrell of Harrell Funeral Home. Mr. Harrell wants to reinstate his license as a Type 6 for O'Brien Funeral Home. Mr. O'Brien is currently the covering Type 3 at Harrell Funeral Home. Mr. Harrell may be granted a Type 3 license once all the proper documentation is submitted to the Board.

**Mr. O'Donnell moved to accept the above referenced applicant. Mr. Stefan seconded.**

**Motion passed unanimously.**

Mr. Phaneuf reentered the room.

**Funeral Establishments:**

Philbin-Comeau Funeral Home

Board Counsel briefed the Board on the establishment certificate application.

**Mr. O'Donnell moved to accept this funeral establishment application. Mr. Stefan seconded.**

**Motion passed unanimously.**

Forastiere Family Funeral Services Inc

- Forastiere Family Funeral & Cremation
- Colonial Forastiere Funeral & Cremation
- Hafey Funeral Service & Cremation
- Southwick Forastiere Funeral & Cremation
- Forastiere Smith Funeral & Cremation
- Byron Keenan Funeral and Cremation Tribute Center

Mr. Forastiere and Mr. Bresnahan appeared before the board. At the April meeting the Board granted a conditional license to the funeral establishments so long as the establishments complied with the Board's accessibility requirements by specified dates requested by the applicants. The applicants requested additional time to comply, requesting to have until October 31, 2015 in the conditional licensure agreement. Since the April meeting, Byron, Forastiere Smith, Colonial, and Southwick have met the Board's accessibility standards.

**Mr. O'Donnell moved to accept the applications without condition for Byron Keenan Funeral Home & Cremation Tribute Center, Southwick Forastiere Funeral & Cremation, Colonial Forastiere Funeral & Cremation, and Forastiere Smith. Ms. Lindsay seconded.**

**Motion passed unanimously.**

**Mr. O'Donnell moved to grant conditional licensure with an accessibility completion date of November 30, 2015 for Forastiere Family Funeral & Cremation and Hafey Funeral Service & Cremation. The conditional licensure agreement will require the funeral establishments to provide the Board in writing an update on the status of their compliance by August 31, 2015. Ms. Lindsay seconded.**

**Motion passed unanimously.**

CSI Funeral Services of Massachusetts, Inc.

- Tylunas Funeral Home
- Brunelle Funeral Home
- Devanny-Condron funeral Home
- Messier Funeral Home
- Ratell Funeral Home

Mr. Forastiere and Mr. Bresnahan appeared before the board. At the April meeting the Board granted a conditional license to the funeral establishments so long as the establishments complied with the Board's accessibility requirements by specified dates requested by the establishments. The applicants requested additional time to comply, requesting to have until December 31, 2015 in the conditional licensure agreement.

**Mr. O'Donnell moved to grant conditional licensure with an accessibility completion date of December 31, 2015. The conditional licensure agreement will require the funeral establishments to provide the Board in**

**writing an update on the status of their compliance by September 30, 2015.  
Ms. Lindsay seconded.**

**Mr. Phaneuf abstained, Motion passed.**

Tighe Hamilton Funeral Establishment

Mr. Stefan recused himself and left the room.

Thomas Grasso, James Hickey and Thomas Marchand of the Tighe Hamilton funeral establishment met with the Board due to the recent death of the Type 3 owner of the establishment. Mr. Marchand is a type 3 licensee who has been acting as interim funeral director. A new funeral establishment Certificate will need to be issued once a new application has been filed and the requirements have been met.

**Pursuant to Board Policy #08-002, Mr. Phaneuf moved to grant until July 20, 2015 for an Establishment Application to be submitted and for Mr. Grasso to submit his Type 3 application to PCS. Mr. O'Donnell seconded.**

**Motion passed unanimously.**

Mr. Stefan reentered the room.

**Wall certificates were signed for:**

- Davis Funeral Home & Cremation, Inc FE 851
- Davis Funeral Home & Cremation, Inc FE 853
- Forastiere Smith Funeral Home & Cremation FE 855
- Byron Keenan Funeral Home & Cremation Tribute Center Fe 856

**Closed – Executive Session pursuant to M.G.L. c. 30A, § 21(a)(1)**

A motion was made by Mr. O'Donnell, seconded by Ms. Lindsay, to go into executive session pursuant M.G.L. c. 30A, § 21(a)(1) for the purpose of discussing an applicant's character versus professional competence. A roll call vote was taken:

Members in favor: Mr. Stefan, aye, Mr. Phaneuf, aye, Mr. O'Donnell, aye, Ms. Lindsay, aye, Ms. Williams-Fernandes, aye.

Members opposed: none

The chair announced that the Board would enter in executive session for the purpose of discussing character rather than competence of an applicant and that she expected the open meeting to resume in 20 minutes.

The Board resumed open session.

### **CEU Provider Applications:**

#### NFDA

- Reach More Families with NFDA Consumer Survey Results
- Communication Skills for Connecting with Cremation Families
- Breakout By Office
- Surpassing Leadership: Leaders Who Excel Beyond Measure
- The Customer Rules
- Board Roles and Goals

#### MFDA

- So What Do You Really Know About Formaldehyde? Fact vs. Fiction
- Planning for Difficult Events: Let's Start the Conversation
- Electronic Death Registration: A Discussion with Registrar Antonio Sousa, the VIP Team and Super Users!
- Our Changing Commonwealth: Meeting the Needs of Massachusetts' Diverse Communities
- This is Not Another Boring OSHA Program!! (2015 Annual OSHA Training)

#### International Order of the Golden Rule

- Regional Workshop: "Blowing the Roof Off Your Aftercare Program: Solutions for Making it Pay Off"

#### NJSFDA

- SHE Commerce: How Women Shop and What Motivate them to Buy
- The 6.5 Strange and contradictory Things Funeral Homes are Doing to Survive and Win
- The Final Touch
- Online Engagement: Tech Terms and Tools Made Easy
- A Funeral Service Trifecta: Ethics, Morals and Values
- Getting to the Heart of Customer Satisfaction
- Changing the Way Caregivers Interact Following School-Aged Suicide
- When Death Sabotages a Holiday
- Massive Trauma with Airbrush Demonstration

**Ms. Lindsay moved to accept the above continuing education courses. Mr. Phaneuf seconded.**

**Motion passed unanimously.**

**Investigative Session Case, Investigative Conferences, Settlement Offers: Closed session pursuant to M.G.L. c. 112, § 65C**

A motion was made by Mr. Phaneuf, seconded by Mr. O'Donnell and it was so

Voted: To enter Investigative Conference: Closed session pursuant to M.G.L. c. 112, § 65C.

Public Session resumed

During the Investigative Conference the Board took the following actions:

EM-15-018 – forward to prosecutions

EM-15-020 – forward to prosecutions

EM-15-014 – tabled

EM-15-011 - dismiss

**Open session for topics not reasonably anticipated 48 hours in advance of meeting:**

Board staff received a call from a Type 6 licensee who wanted to know if his/her name could be placed on the sign outside the funeral home. Board Counsel will follow up and staff will respond.

The board discussed whether an apprentice working for someone may take the remains to the cemetery if there is no procession following the individual? Yes. This is something that may be done by an apprentice.

The topic of communication with the Medical Examiner's office was brought up. A board member will to send some documentation to assist the board staff with determining administratively how and if we can help with certain processes.

**4.00 p.m. Adjournment**

**Mr. O'Donnell moved to adjourn the meeting. Ms. Lindsay seconded.**

**Motion passed unanimously**

Respectfully submitted,



Colleen Cavanaugh  
Associate Executive Director

List of Documents used at the meeting:

Agenda for the May 19, 2015 meeting

**Applications**

**Type 3's**

Francis M. Sweeney  
Dane C Scherling

**Type 6s**

Ashley C. Sullivan  
John R. Pereira

**Apprentices**

Thomas S. Cole  
Michael G. Campbell  
Stephen C Neill

**Funeral Assistants**

Robert Kaiden  
Richard Liberatore  
Chad C. Cordio  
John F. Earley  
Dennis C Curran  
Robert M Leahy  
Robert J Haley

**Reinstatement**

Ronald Harrell

## **Funeral Establishments**

- Forastiere Family Funeral Service Inc
  - Forastiere Family Funeral & Cremation
  - Colonial Forastiere Funeral & Cremation
  - Hafey Funeral Service & Cremation
  - Southwick Forastiere Funeral & Cremation
- CSI Funeral Services of Massachusetts, Inc
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  - Messier Funeral Home
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