

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

Meeting of 10/20/15

Held at

1000 Washington Street, Boston, MA, 02118

At 10:00 a.m.

Room 1D

Board Members Present:

Dahria Williams-Fernandes

Peter Stefan

Paul Phaneuf

Carolyn Lindsay

Staff Members Present:

Michael Hawley, Executive Director

Colleen Cavanaugh, Associate Executive Director

Charles Kilb, Board Counsel

Robert Williams, Investigator

Christopher Carroll, Chief Investigator

Others Present:

Edward Anger Jr

Donna Carew

Paul Cassella

Norman Roy

William Cormier

Paul Crump

Ronald De Fronozo

Robert Dombrowski

Francis Johansen

Roland Maille

David McConville

Jeremy McGarry

Eric Nathan

James Pothier

Norman Roy

Nicholas Sassi

Edward Sheehan

Paul Smith

Steven Tynan

Stephen Wade

Chad Wrisley

Joel Farrington

Thomas Keaney

Ronald Belden

Laura Wrisley

M D Clarke

Brian Clougher

James Dolan

Andrew Frates

Arthur Dery

Craig Hughes Sr

Robert Mahoney

Ronald Marlborough

Mark McConville

Scott McKiel

Dennis Pina

Cheryl Roy

Christine Roy

David Sheehan

Leon Small

Bruce Taggart

Dennis Sweeney

Kevin Wade

Lawrence Wrisley

Anthony Spadafora

Nicole Faggas

Benoit Brodeaur
Stuart Mulhane
Leon Avey
Thomas Caruso
Alyssa Croteau
James McKennan
Douglas Tersoni
David Barry
Korey Mulherin
Thomas Grasso
Matthew Crow
Frank Forastiere
Charles Bull
Gregory Byron
Raymond Felice
Allan Goodhue III
Kerry Johnson
France Lefebvre
Patricia Manning
Richard Martino
Mary O'Brien
Richard Papineau
Dennis Pina
James Pothier
Patrick Sheridan
Richard Surozenski
Louis Vazza
Jamie Civitarese
John O'Malley

William Fay
Chris Laurin
David Badger
Ronald D'Amato
John Keohane
Paul Fioretti
Richard Graham
Ronald D'Amato
John Anderson
James McKenna
Amanda Leonhardt
Timothy Bean
Elizabeth Buma
Robert Claffin Jr
Thomas Gershacher
Dana Johnson
William Kane
Michael Mackeil
Debra Johnson Bolaski
Mark Mountain
Lincoln Palmer
Harry Potter
David Pineo
Andrew Rice
Leo Spanio Jr
Scott Tripp
John Walalis
Kristina Sargeant
Matthew Crowley

Call to Order

Ms. Williams-Fernandes called the meeting to order at 10:09 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

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

A motion was made by Ms. Lindsay, seconded by Mr. Phaneuf 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-15-007 – accepted counter offer

EM-15-012 – continue with original sanctions

EM-15-002/FE-15-001- guided prosecutions

For discussion of FE-14-002/EM-015/017/018 Peter Stefan recused himself and left the room.

FE-14-002/EM-015/017/018 – continue with original sanctions

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

The Board members noted that several applicants which had issues requiring review in Executive Session. The Board would enter Executive Session as necessary. However, it was acknowledged that, due to these issues just being discovered, the Board could only go into Executive Session if the applicants waived notice. A waiver was provided where applicable.

A motion was made by Ms. Lindsay, seconded by Mr. Phaneuf, 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, 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.

Type 3 – Review and vote on application

The Board met with Nicole Faggas of Faggas Funeral Home.

Ms. Lindsay moved to accept the above applicant. Mr. Stepan seconded.

Motion passed unanimously.

Type 6 – Review and vote on application

The Board met Amanda Leonhardt of Forastiere Funeral Homes.

Ms. Lindsay moved to accept the above applicant. Mr. Phaneuf seconded.

Motion passed unanimously.

The Board met with Thomas Keaney (who is not currently affiliated with a funeral home).

Mr. Phaneuf moved to accept the above applicant. Ms. Lindsay seconded.

Motion passed unanimously.

Apprentices – Review and vote on applications

The Board met with Kristina Sargent of James H Delaney and Son Funeral Home, Jamie Civitarese of Boston Harborside Home of JS Waterman, Joel Farrington of AJ Spadafora Funeral Home, Alyssa Croteau of Keohane Funeral Home, and Korey Mulherin of Graham Putnam Mahoney Funeral Home.

Ms. Lindsay moved to accept the above applicants. Mr. Phaneuf seconded.

Motion passed unanimously.

Funeral Assistants - Review and vote on applications

The Board met with Leon Avey of Badger Funeral Homes Inc, Charles Bull of Firtion Adams Funeral Services, David Pineo of Miles Funeral Home, Chad Wrisley of Wrisley Funeral Home, Donna Carew of Wrisley Funeral Home, Roland Maille of McKenna-Oullette Funeral Home, Arthur Dery of McKenna-Oullette Funeral Home, Paul Smith of Roberts & Sons Funeral Home, John Walalis of Shaw-Majercik Funeral Home, Scott McKiel of McKenna-Oullette Funeral Home, Steven Tynan of Dennis Sweeney Funeral & Cremation Services, Eric Nathan of Gillooly Funeral Home, William Kane of Mulhane Home for Funerals Inc, Louis Vazza of Vazza's Beechwood Funeral Home, Richard Papineau of Wareham Village Funeral Home, Paul Smith of Roberts & Sons Funeral Home, Paul Cassella of McKenna-Oullette Funeral Home, Robert Claffin Jr of Nordgren Memorial Chapel, Paul Crump of J.J. Shepard & Sons Inc, Robert Dombrowski of Conway, Cahill-Brodeur Funeral Home LLC, Raymond Felice of Mackey Funeral Home, Dennis Pina of Fairlawn Home of Memorial Tribute, James Pothier of Croswell Funeral Service, Patrick Sheridan of Nordgren Memorial Chapel, Leo Spano Jr of Gately Funeral Service Inc, Robert Mahoney of J.J. Shepard & Sons Inc, Kerry Johnson of The Johnson Funeral Home, Thomas Gershacher of Frank H Miles Co Inc, Edward Anger Jr of Cherry Place Home of Memorial Tribute, Paul Fioretti of Norton Funeral Home Inc, Timothy Bean of James C Greely Funeral Service Inc, Ronald Belden of Forastiere Funeral Home, Frances Johansen of Conway, Cahill-Brodeur Funeral Home LLC, Elizabeth Buma of Buma Sargeant Funeral Home Inc, Brian Clougher of Gillooly Funeral Home, William Cormier of Dolan Funeral Home Inc, Ronald DeFronzo of Cincotti Funeral Home, Allan Goodhue of James C. Greely Funeral Service Inc, Richard Graham of Roberts-Mitchell Memorial Chapel Inc, Craig Hughes Sr of JB Johnson Funeral Home, Dana Johnson of The Johnson Funeral Home, France Lefebvre of Birches Roy Funeral Home, Patricia Manning of Walker Funeral Home, Ronald Marlborough of Mulhane Home for Funerals Inc, Richard Martino of Gately Funeral Service Inc, David McConville of Callahan Brothers Inc, Thomas Caruso of Roberts-Mitchell Memorial Chapel Inc, Mark McConville of Callahan Brothers Inc, Jeremy McGarry of T.P Sampson Company- Chapel of Acres, of Mary O'Brien of Boucher O'Brien Funeral Home, Lincoln Palmer of Potter Funeral Home, Andrew Rice of Cartwright Funeral Homes, Cheryl Roy of Wright Roy Funeral Home Inc, Christine Roy of Birches Roy Funeral Home, Nicholas Sassi of T.P. Sampson Company- Chapel of Acres, David Sheehan of Sheehan Funeral Home, Leon Small of Goodrich Funeral Home, Richard Surozenski of Scanlon Funeral Service Inc, Bruce Taggart of

Birches Roy Funeral Home, Scott Tripp of Potter Funeral Home, Raymond Felice of Mackey Funeral Home LLC.

Ms. Lindsay moved to accept the above referenced applicants once all documentation has been submitted. Mr. Phaneuf seconded.

Motion passed unanimously.

Apprentice Renewal Petition – Review and Vote

The Board met with Matthew Crowley of Dolan Funeral Home and Ronald Lashway Jr of Douglas Funeral Service.

Ms. Lindsay moved to accept the above applicants to keep their apprentice license. Mr. Phaneuf seconded.

Motion passed unanimously.

Establishment Updates:

Christopher Carroll, Chief Investigator, talked about the legal issues regarding the trust operating the J.B. Johnson funeral home. Mr. Carroll noted that there is litigation regarding the trust operating the funeral home where the agency and the Board are not parties. He will update the Board as the probate case progresses.

Establishment Certificate Applications:

Cataudella Funeral Home, Inc

Board Counsel briefed the Board on the establishment certificate application.

Ms. Lindsay moved to accept this funeral establishment application. Mr. Phaneuf seconded.

Motion passed unanimously.

Russell & Pica Funeral Home

Tabled

Tighe Hamilton Funeral Home Inc

Tabled

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

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Members in favor: Mr. Stefan, aye, Mr. Phaneuf, 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.

Report from Executive Director Michael Hawley

Mr. Hawley reported to the board the new Cori process with PCS. He also gave an update on Elicensing

Report from Legal Counsel, Charles Kilb

Mr. Kilb had nothing to report.

Election of Board Officers

Ms. Lindsay moved to nominate Thomas O'Donnell as Chair. Mr. Stephan seconded. A roll call vote was taken:

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

Mr. Stephan moved to nominate Paul Phaneuf as Vice Chair. Ms. Williams Fernandez seconded. A roll call vote was taken:

Members in favor: Mr. Stephan, aye, Ms. Lindsay, aye, Mr. O'Donnell, aye, Ms. Williams Fernandez, aye.

Mr. Stephan moved to nominate Carolyn Lindsay as Secretary. Mr. Phaneuf seconded. A roll call vote was taken:

Members in favor: Mr. Stephan, aye, Ms. Williams Fernandez, aye, Mr. Phaneuf, aye, Ms. Lindsay, aye.

Thereafter, the Board members discussed how they had originally intended to complete their regulation amendments prior to electing new officers. The members then indicated that, to be consistent with this view, they should postpone the election and rescind the votes until the next full meeting, at which time the regulation drafting should be complete.

Mr. Phaneuf moved to rescind all the votes and to hold the election at the next board meeting. Mr. Stephan seconded. A roll call vote was taken:

Members in favor: Mr. Stephan, aye, Ms. Williams Fernandez, aye, Mr. Phaneuf, aye, Ms. Lindsay, aye.

Regulations

The Board revisited some areas of 3.00 that they wanted to change. Specifically, they wanted to change the number of years of ownership needed for a funeral director to be considered an original owner. The current draft stated 20 years.

Mr. Phaneuf moved to change the regulation back to 10 years. Ms. Daria Williams Fernandez seconded.

Motion passed unanimously.

In 4.00 Pre Need Regulations, the Board discussed requiring funeral director's to itemize goods for Medicare or other government services. They also discussed prohibiting a Type 6 Funeral Director from advertising as a preneed specialist. Additionally, they wanted it clear that all signed preneed contracts need to be reviewed by the Type 3 Funeral Director. Finally, the Board wanted to address certain additional issues regarding the Medical Examiner's office. At this point in the meeting however, legal counsel was absent, so the Board members decided to take no formal action, the matters will be addressed in the next meeting.

4.10 p.m. Adjournment

Mr. Phaneuf moved to adjourn the meeting. Ms. Williams Fernandez seconded.

Motion passed unanimously

Respectfully submitted,



Colleen Cavanaugh
Associate Executive Director

List of Documents used at the meeting:

Agenda for the October 20, 2015 meeting

Applications

Type 3's

Nicole Faggas

Type 6s

Thomas Keaney

Amanda Leonhardt

Thomas Grasso

Apprentices

Kristian Sargent

William Dodenhoff

Jamie Civitarese
Nicole Terceira
Joel Farrington
Alyssa Croteau
Korey Mulherin

Funeral Assistants

Leon Avey
Richard Kelly
Charles Bull
Richard Mansfield III
David Pineo
Chad Wrisley
Donna Carew
Roland Maille
Arthur Dery
Paul Smith
John Walalis
Scott McKiel
Steven Tynan
Eric Nathan
William Kane
Louis Vazza
Richard Papineau
Sheldon Judge
Paul Cassella
Robert Claflin Jr
Paul Crump
Dennis Dalbec
Robert Dombrowski
Raymond Felice
Mark Gerardi
Christopher Moutinho
Dennis Pina
James Pothier
Patrick Sheridan
Leo Spanio Jr
Robert S Mahoney
Kerry Johnson
Francis Ricahrd
Kathleen Jackman
Thomas Gershacher
Edward Anger Jr
Deborah Dwyer

Paul Fioretti
Kenneth Pandolfi
Timothy Bean
Ronald Belden
John Bryant Jr
Elizabeth Buma
Gregory Byron
M. Clark
Brian Clougher
Richard Cooney
William Cromier
Ronald DeFronzo
Brenda Fahy
Allan Goodhue
Richard Graham
James Harris
Craig Hughes Sr
Dana Johnson
Carol Kapinos
Geoffrey Leard
Albert LeBoeuf
France Lefebvre
Michael Levy
Patricia Manning
Ronald Marlborough
Richard Martino
David McConville
Mark McConville
Jeremy McGarry
Kristopher Mercadante
Mark Moutain
Leonard Norton
Jonathan Nozzolillo
Mary O'Brien
James O'Connor
Lincoln Palmer
Andrew Rice
Cheryl Roy
Christine Roy
Nicholas Sassi
Douglas Sears
David Sheehan
Leon Small
Richard Surozenski
Bruce Taggart
Scott Tripp

Stephen Wade

Apprentice Reinstatement

Matthew Crowley

Ronald Lashway Jr

Funeral Establishments

- Cataudella Funeral Home Inc
- Russell & Pica Funeral Home
- Tighe Hamilton Funeral Home, Inc