

**Massachusetts Board of Registration in Embalming and Funeral Directing  
Public Session Minutes  
Meeting of 3/19/19**

Held at  
1000 Washington Street, Boston, MA, 02118  
At 10:00 a.m.  
Room 1D

**Board Members Present:**

Patrick Driscoll  
Paul Phaneuf  
Janet Leombruno  
Richard Gormley  
David Brezniak

**Staff Members Present:**

Michael Hawley, Executive Director  
Thomas F. Burke, Assoc. Executive Director  
Bruce Hopper, Chief Board Counsel  
Robert Williams, Investigator

**Members of the Public Present:**

Kathy Cartmell-Sirrico  
Mary Aveni  
March Varnum  
Kristie Allen  
Richard J. Snyder  
Austin Skinner  
Francis P. Burns  
John Breen

Thomas Murphy  
Anne Roan  
Jane Lukasiewicz  
Richard S. Mansfield  
Bruce M. Wahle  
George Lopes  
Manuel R Peres  
Enehida Ayuso

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**Call to Order**

Mr. Phaneuf called the meeting to order at 10:12 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

**Review of Minutes**

The Board reviewed staff prepared public session minutes of the meeting held on February 19, 2019.

**Mr. Gormley moved to accept staff prepared public session minutes of the meeting held on February 19, 2019. Mr. Brezniak seconded the motion. Motion passed unanimously by those members present.**

**Report from Executive Director Michael Hawley**

Mr. Hawley reported that although some of the received preneed reports are duplicate copies, most were received on time and with the correct funeral establishment number. He stated that Board staff will send a follow-up letter to the remaining funeral establishments that have not submitted their preneed reports. In a response to Mr. Phaneuf's inquiry, Mr.

Hawley noted he hopes to have an interactive PDF report available on the Board's website in the near future. Mr. Hawley also reported that Robert Fortes left the position of deputy director for the agency and Ronald Cogliano has been assigned as the Chief Operating Officer.

### **Report from Chief Legal Counsel, Bruce Hopper**

Mr. Hopper notified the Board that Commissioner Borstel has departed the agency to serve as Deputy Undersecretary at the Office of Consumer Affairs.

### **Application Review:**

#### **Type 6 – Review and vote on applications**

- Austin Skinner
- Kristie Allen
- Bruce Wahle
- John Breen

**Mr. Brezniak moved to approve the above candidates for licensure. Mr. Gormley seconded. The motion passed unanimously by those members present.**

The above candidates were sworn in.

At 10:35 a.m. Mr. Patrick Driscoll arrived to the meeting.

At 10:50 a.m. Ms. Janet Leombruno arrived to the meeting.

#### **Type 6 (Transition) – Review and vote on application**

- Mary Aveni (Transition to Type 6)

**Mr. Driscoll moved to approve the above candidate for licensure. Mr. Brezniak seconded. The motion passed unanimously.**

#### **Type 3 – Review and Vote on applications**

- Frank Ferrara
- Jane W. Lukasiewicz
- Howard Lawson

#### **Funeral Establishments and Type 3 – Review and vote on applications:**

- Sowiecki-Snyder Home for Funerals and Cremation Services
- Richard Snyder

**The Board reviewed the Sowiecki-Snyder Funeral Establishment Certificate application in conjunction with Mr. Snyder's Type 3 Funeral Director application. Mr. Williams noted that the funeral establishment expects to be in compliance later this year. In discussion with the Board, Mr. Snyder stated that the closing of the sale would occur on March 26, 2019 and presented the Board a revised purchase and sale agreement as well as tax identification number. The Board approved Mr. Snyder's Type 3 application. The Board also approved a conditional licensure agreement for the Sowiecki-Snyder Establishment with full approval contingent upon completion of the compliance plan by June 1, 2019. Ms. Leombruno moved to approve both the Type 3 and Establishment Certificate applications and Mr. Gormley seconded. The motion passed unanimously.**

- George Lopes Funeral Home

**The Board reviewed the George Lopes Funeral Home Establishment Certificate application. After some discussion, the Board approved the application contingent on Mr. Williams's inspection. The required documents of the establishment application were in order. Ms. Leombruno moved to approve the Establishment Certificate application and Mr. Brezniak seconded. The motion passed unanimously.**

#### **Discussion:**

- Hearses

After a recent visit to the Registrar of Motor Vehicles (RMV), Mr. Williams reported that Massachusetts drivers who possess a valid license may apply for and acquire a Hearse license plate. He noted that there is no requirement to demonstrate hearse ownership or a valid Type 3 Funeral Director registration. Mr. Williams stated that he requested from the RMV a current list of all drivers who have purchased a hearse plate and will report back to the Board upon receipt. The Board discussed ways to ensure that hearse plates be given only to Type 3 Funeral Directors, and Mr. Phaneuf instructed Board Counsel to compose a letter to the Registrar of Motor Vehicles to request a policy change regarding the distribution of hearse plates. Board counsel will report back to the Board at a future meeting.

- Request for Reinstatement – Dennis Daly

After brief discussion, the Board instructed staff that Mr. Daly should proceed with the reinstatement of his funeral registration per the signed consent agreement by Mr. Daly in 2013. The Board encouraged staff to explain to Mr. Daly the need to complete the conditions of his reinstatement so that he may proceed.

**Executive Session: to discuss the reputation and character, rather than the professional competence of an individual, pursuant to G. L. c. 30A, § 21(a)(1)**

**At 11:45 a.m., Mr. Driscoll moved to go into executive session to comply with the provisions of the public record law, G. L. c. 30A, §21(a)(7); G. L. c. 66, § 10, to review reputation or character rather than professional competence of applicants, pursuant to G. L. c. 30A, § 21(a)(1). Ms. Leombruno seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Mr. Gormley: “Yes”, Mr. Driscoll: “Yes”, and Ms. Leombruno: “Yes”.**

**At 12:05 p.m., Mr. Brezniak moved to exit executive session and enter open session. Mr. Phaneuf seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Mr. Gormley: “Yes”, Mr. Driscoll: “Yes”, and Ms. Leombruno: “Yes”.**

**See Separate minutes for Executive Session actions.**

### **Continuing Education Provider Applications:**

#### **NFDA**

- NFDA Embalming and Restorative Art Seminar
- Mortuary Mission: Dover’s Silent History
- Is it Sexual Harassment?
- A Place to Go: Why Ceremonies Matter
- Alleviating Disenfranchised Grief
- Techniques for Edema and Long Bone Donation
- How End-of-Life Doulas are Changing the Face of Dying
- Success Signals: Body Language in Business

#### **Kates-Boylston Publications**

- Cremation Strategies Conference

#### **American Academy McAllister Institute**

- OSHA Annual Compliance Guidance for Funeral Homes
- Ethical Choices – The Family’s Point of View
- Ethical Decisions in Difficult Situations
- The 10-Step Formula for Building the Website your Families Want
- What 100+ Funeral Homes Teach Us About Successful Social Media
- Capturing the Cremation Shopper
- How Knowledge of Death and Dying Will Help Us Become Better Funeral Directors
- If You’re Called to Testify
- Restorative Justice
- Trauma-Informed Emotional Support

## **Selected Independent Funeral Homes**

- 2019 Spring Management Summit

**Mr. Brezniak moved to approve and accept all of the above continuing education courses. The motion was seconded by Mr. Driscoll. The motion passed unanimously.**

## **Closed session, Investigative Conferences, Settlement Offers [Closed pursuant to M.G.L. c. 112, § 65C]**

At 12:44 p.m., Ms. Leombruno moved to suspend the open meeting and enter into closed session to conduct investigative conferences to discuss disciplinary cases pursuant to M.G.L. c. 112, § 65C. The motion was seconded by Mr. Brezniak. **The motion passed unanimously.**

During the closed session, the Board took the following actions:

### Investigative Conferences, Settlement Offers

- 2018-000593-IT-ENF – Provided guidance to the Prosecutor
- 2019-000051-IT-ENF – Forwarded to Prosecutions
- 2018-001361-IT-ENF – Dismissed
- 2018-001205-IT-ENF – Forwarded to Prosecutions
- 2018-001237-IT-ENF – Dismissed

## **Adjournment**

**At 2:23 p.m. Ms. Leombruno moved to adjourn the meeting. Mr. Phaneuf seconded the motion. Motion passed unanimously.**

## **List of Documents used at the meeting:**

1. Agenda
2. Minutes from previous meeting(s) where applicable
3. Applications for personal registration
4. Establishment Licensure Applications
5. Continuing education provider applications

Respectfully submitted,



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Michael Hawley  
Executive Director