

**DRAFT COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING
MINUTES OF THE MAY 21, 2024, OPEN PUBLIC MEETING**

Board Members Present in person:

Paul Phaneuf, Chair (PP)

David Brezniak, Member (DB)

Board Members Remotely Attending:

Patrick Driscoll, Secretary (PD)

Janet Leombruno, Member (JL)

Richard Gormley, Member (RG)

DOL Staff Present in person at various times during the meeting:

Colleen Maloney, Deputy Commissioner of Boards and Policy

Jenna Hentoff, Board Counsel (JH)

Marjorie Campbell, Executive Director (MC)

Kathleen McNally, Executive Director (KM)

John Hill, Board Administrator (JEH)

Robert Williams, Investigator, Office of Investigations (RW)

Nick Velonis, IT Director of Operations

Matt Pariseau, Polycom Technical Consultant for Video System

DOL Staff Present remotely at various times during the meeting:

Andrew Lutynski, DOL Chief of Office of Investigations

Bryan Freitas, Supervisor, Office of Investigations

Public Attendees Present in person:

Mark Cedarfield

Mrs. Mark Cedarfield

Roland Cedarfield

Garret McDonald

Public Attendees Remotely:

Margaret (Margie) Nolan, Dalene Paul, Sandy Ward, Patricia Muldoon

Board Members and Staff attended as noted, with members of the public attending as noted in person and remotely.

1. KM made note of the Board Members, Staff, and the Public in attendance.
2. KM advised as to the recording of the public meeting.
3. The Chair called the meeting to order at 10:07 AM with advisement as to the location of Rest Rooms, Exits, and Fire alarm procedures for this location.

4. The February 20, 2024, Public Meeting Minutes were provided to the Board for approval.

After a brief discussion, a **MOTION** to approve the February 20, 2024, Public Meeting Minutes as submitted was made by DB. Seconded by PD. The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll – Yes
Richard Gormley – Yes
David Brezniak – Yes
Janet Leombruno – Yes

The Motion passed.

5. The April 16, 2024, Public mMeeting Minutes were provided to the Board for approval.

After a brief discussion, a **MOTION** to approve the April 16, 2024, Public Meeting Minutes as submitted was made by DB. Seconded by JL. The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll – Yes
Richard Gormley – Yes
David Brezniak – Yes
Janet Leombruno – Yes

The Motion passed.

6. The April 16, 2024, Executive Session Meeting Minutes were provided to the Board for approval.

After a brief discussion, a **MOTION** to approve the April 16, 2024, Executive Session Meeting Minutes as submitted was made by DB. Seconded by JL. The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll – Yes
Richard Gormley – Yes
David Brezniak – Yes
Janet Leombruno – Yes

The Motion passed.

7. Review of the Administratively Approved License Registrations Report was tabled to the June 18, 2024, Board Meeting.
8. Review of the Administratively Approved Continuing Education Units (CEU) Report was tabled to the June 18, 2024, Board Meeting.
9. Executive Director Kathleen McNally provided an update on the filing of 2023 Pre-Need Reports. KM reported that 18 Licensed Funeral Establishments were referred to Prosecutions for failure to submit a 2023 Pre-Need report. KM reminded the licensees that the annual pre-need reports need to be submitted online on the DOL website by January 31st of the following year, for the prior calendar year. KM advised the Board and licensees that there is a link on the DOL Funeral Board website where licensees can file a one-page report which is submitted to the Board.
10. DOL Deputy Commissioner of Boards and Policy, Colleen Maloney, updated the Board on the status of the transition to the new vendor, PSI, for applications and testing for the Board. Deputy Commissioner Maloney stated that the transition is moving to completion and if anyone has any issues, they can reach out to her, Colleen Maloney. Chair Phaneuf inquired about PSI and the Board's desire to allow funeral director applicants to sit for the exam upon graduation from mortuary school rather than after completion of their apprenticeship. It was noted that the topic may be discussed during the June meeting.
11. Marjorie Campbell, the newly appointed Executive Director for the Board, was introduced. Executive Director Campbell advised the Board as to her credentials. She is an attorney and a member of the Massachusetts Bar, and she is also a Registered Nurse. She previously worked with the Board of Medicine and the Department of Public Health (DPH) in Massachusetts. Executive Director Campbell stated that she is very happy to be at DOL and she looks forward to working with the members of the Board and the licensees.
12. Board Counsel Hentoff noted that she does not have anything to report this month.
13. The Board reviewed a request for license reinstatement from Mark Cedarfield, whose license was previously revoked in 2020. Board Counsel, Jenna Hentoff, advised the Board that should the Board allow his license to be reinstated, Mr. Cedarfield would be required to take the licensing exam as his license has been revoked and/or expired for longer than a one-year period. Board Counsel Hentoff also advised the Board that as Mr. Cedarfield has a complaint pending with the Board, they could table the matter until the complaint is resolved. The Board tabled further review of Mr. Cedarfield's request until the pending matter is resolved.
14. Mr. Garret McDonald appeared before the Board on behalf of the MacKinnon Funeral Home to request a conditional license in order to operate the Funeral Establishment in Whitman during necessary renovations for compliance with 239 CMR 3.06.

After discussion, a **MOTION** to approve the request for a Conditional Licensure Agreement for a one (1) year period was made by DB, seconded by RG. The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll – Yes
Richard Gormley – Yes
David Brezniak – Yes
Janet Leombruno – Yes

The Motion passed.

15. Mr. Robert Willims, DOL Office of Investigations, reported on two funeral home closings: Perez Funeral and Cremation Services, and the Kirby Rapino Funeral Home, including the status of any preneed contracts. Investigator Williams reported to the Board that preneed contracts held by the Kirby Rapino Funeral Home were transferred to the Dello Russo Funeral Home in Medford, Massachusetts. Mr. Williams reported that he is also working with the Perez Funeral Home on the transferring of any preneed contracts they may hold to another funeral establishment as well as ensuring that any cremains are properly transferred.
16. The discussion on the policy on continuing education requirements for licensed funeral home assistants and apprentice licensees was tabled to the June 18, 2024, Board meeting.
17. An email was received by the Board on May 20, 2024 which was submitted on behalf of Brian Folsom, President of the Massachusetts Funeral Director Association. It was presented to the Board as being received within 48 hours of the meeting and briefly discussed. Further discussion was tabled.
- 18... A **MOTION** to close the Open meeting and enter closed Investigative Conference pursuant to G.L. c. 112, § 65C and not return to an Open Meeting was made by DB. Seconded by PD. After a brief discussion, the Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll – Yes
Richard Gormley – Not present for the vote.
David Brezniak- Yes
Janet Leombruno – Yes

The Motion passed.

The Open Public meeting closed at approximately 11:08 A.M.

The following actions took place during the Closed Investigative Conference:

2024-000320-IT-ENF	Refer to Prosecutions
2024-000322-IT-ENF	Dismiss

20. A **MOTION** to adjourn and close the meeting was made by JL. Seconded by DB. The Chair called for a Roll Call Vote:

Paul Phaneuf - Yes

Patrick Driscoll – Not Present for the Vote.

Richard Gormley – Not Present for the Vote.

David Brezniak- Yes

Janet Leombruno – Yes

The Motion passed. The Meeting was adjourned at approximately 12:12 PM.

The above minutes were taken at the meeting held on April 16, 2024.

Respectfully submitted,


Kathleen McNally, Executive Director

Documents used in public session:

- Agenda for the May 21, 2024, Open Meeting
- February 20, 2024, Public Session Meeting Minutes
- April 16, 2024, Public Session Meeting Minutes
- April 16, 2024, Executive Session Meeting Minutes
- Mark Cedarfield license reinstatement request
- Conditional license request from Garret McDonald, MacKinnon Funeral Establishment