

Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
DATE: October 19, 2021
TIME: 10:00 a.m.

A regularly scheduled open public meeting of the Massachusetts Board of Registration of Embalmers and Funeral Directors (“the Board”) was held via Videoconference and Conference Call.

Board Members Present:

Paul Phaneuf
Patrick Driscoll
David Brezniak
Richard Gormley
Janet Leombruno

Staff Members Present:

Thomas F. Burke, Executive Director
Peter M. Kelley, Board Counsel

Members of the Public Present:

Patti Muldoon
Sandy Ward
Frank Singelton

Call to Order:

Mr. Phaneuf called the meeting to order at 10:12 a.m. Evacuation procedures were tabled.

Review of Minutes:

The Board reviewed staff prepared public session minutes of the meeting held on September 21, 2021.

Mr. Driscoll moved to accept staff prepared public session minutes of the meeting held on September 21, 2021. Ms. Leombruno seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes.”, Mr. Driscoll: “Yes.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Not Present.”, Ms. Leombruno: “Yes”.

Report from Executive Director, Thomas Burke:

Mr. Burke reported that Board staff is complying with Governor Charlie Baker’s executive order requiring all Executive Department employees to provide proof of COVID-19 vaccination on or before October 17, 2021. He requested that the Board review the request from Darren Newcombe for an extension of his management of Westfield Funeral Home as negotiations continue.

Mr. Burke reported that the following applicants and continuing education course offerings have been administratively approved:

EM Board Licensed Registrants

Desiree Graca (51325-EM-6) at Gillooly Funeral Home in Norwood - September 21, 2021.
Emily Capelo (51324-EM-6) at Casper Funeral Home in Boston on September 21, 2021.
John Joyce (51326-EM-6) at Joyce Funeral Home in Waltham on September 27, 2021.
Denisa Robles (51328-EM-6) at Tighe Hamilton Funeral Home in Hudson - October 5, 2021
Tom James (51327-EM-6) at MacKinnon Funeral Home in Whitman on October 5, 2021
Melissa Cyfers (51329-EM-6), Professor at Fine Mortuary in Norwood on October 7, 2021

Continuing Education Courses

The Wilbert Funeral Services (offered via webinar/electronic means)

- | | |
|--|---------------|
| • The Importance of the Graveside Services | 1.00 CE Hours |
| • Ethics and Law for the Funeral Director | 1.00 CE Hours |
| • Self-Connect to Reconnect | 1.00 CE Hours |

After discussion, Ms. Leombruno moved to accept the Executive Director's Report. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Driscoll: "Yes.", Mr. Brezniak: "Yes.", Mr. Gormley: "Not Present.", Ms. Leombruno: "Yes".

Report from Board Counsel, Peter Kelley:

No report.

Richard Gormley arrived at 10:19 a.m.

Board Elections:

Mr. Gormley moved to nominate Mr. Phaneuf to Board chair and Ms. Leombruno seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Abstaining", Mr. Driscoll: "Yes.", Mr. Brezniak: "Yes.", Mr. Gormley: "Yes.", Ms. Leombruno: "Yes".

Mr. Brezniak moved to nominate Mr. Driscoll to Board secretary and Ms. Leombruno seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Driscoll: "Yes.", Mr. Brezniak: "Yes.", Mr. Gormley: "Yes.", Ms. Leombruno: "Yes".

Apprentice Extension Request:

- A. Figueroa

Mr. Driscoll moved to grant a one-year license extension for Ms. Figueroa. Ms. Leombruno seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Yes.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.

- V. Buonfiglio

Mr. Driscoll moved to grant a one-year license extension for Mr. Buonfiglio on the condition that he submit a letter of enrollment by January 15, 2022. Mr. Driscoll seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Yes.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.

Discussion:

- Board Calendar Dates 2022

Mr. Brezniak moved to approve the Board meeting dates for the 2022 calendar. Ms. Leombruno seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Abstain.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.

- Consumer Fact Sheet – Update

The Board met with Patricia Muldoon and Sandy Ward of the Massachusetts Funeral Consumers Alliance regarding updates to the Board’s Consumer Fact Sheet. After brief discussion, the Board tabled and requested additional updates at a subsequent meeting.

Mr. Brezniak moved to delegate public member Janet Leombruno to gather information on updates to the Consumer Fact Sheet and report to the Board. Mr. Gormley seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Yes.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.

Reinstatement Request:

- T. Morris 50905-EM-6

The Board reviewed Mr. Thomas Morris’s request for the reinstatement of his Type 6 funeral registration surrendered by discipline in 2014. After discussion, the Board agreed that Mr. Morris must provide a full and complete accounting of missing funds related to his disciplinary case and evidence of restitution by further documentation presented to the Board.

Mr. Brezniak moved to deny the request for reinstatement and Mr. Driscoll seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Yes.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Abstained.”, Ms. Leombruno: “Yes”.

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

Ms. Leombruno moved to grant an extension to Mr. Darren Newcomb to continue as the Type 3 funeral director at Westfield Funeral Home and to keep the Board apprised of purchase/sale agreement. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Yes.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.

Closed Session: Investigatory Conferences, pursuant to G.L. c. 112, §65C.

At 11:15 a.m., Ms. Leombruno moved to exit open session and into closed session to conduct investigatory conferences, pursuant to G.L. c. 112, §65C and adjudicatory conferences pursuant to G. L. c. 30A, § 18, ¶ 5(d). Mr. Brezniak seconded the motion. **Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Yes.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.**

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

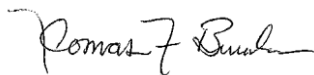
- 2021-000917-IT-ENF – Referred to Prosecutions.

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

List of Documents used at the meeting:

1. Agenda
2. Public Session Minutes from September 21, 2021 meeting.
3. ED Report of administratively approved registrants and CE provider courses.
4. Board Calendar Dates 2022
5. Apprentice Extension Request files.
6. Reinstatement Request

Respectfully submitted,



Thomas F. Burke
Executive Director