COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING

OPEN SESSION MINUTES - JANUARY 17, 2023

Board Members Present:

Paul Phaneuf, Chair (PP)
Patrick Driscoll, Secretary (PD)
Richard Gormley, Member (RG)
Janet Leombruno, Member (JL)
David Brezniak, Member (DB)

DPL Staff Present at various times during the meeting:

Brian Oconnell, Deputy Commissioner of Boards Kristina Gasson, Chief Legal Counsel Jenna Hentoff, Board Counsel Kathleen McNally, Executive Director Robert Williams, Investigations John Hill, Board Staff

Public attendee:

Sandy Ward Margie Nolan

All Board members, staff, and guests, attended by phone or videoconference.

1. Meeting was called to order @ 10:06 AM. by the Chair. **A MOTION** to open and begin the public meeting was made by DB. Seconded by PD. The Chair called for a roll call vote:

Paul Phaneuf - Aye Patrick Driscoll - Aye Richard Gormley - Aye David Brezniak - Aye

The Motion passed.

- 2. Discuss Housekeeping: The Chair acknowledged that the typical housekeeping of building access is not applicable to this e-meeting and moved to board business.
- 3. The Chair led the discussion regarding the review of the executive session minutes from November 15, 2022. **A MOTION** to accept the minutes as written was made by PD. Seconded by DB. The Chair called for a roll call vote:

Paul Phaneuf - Aye Patrick Driscoll - Aye Richard Gormley - Aye Janet Leombruno - ABS David Brezniak - Aye

The Motion passed.

4. The Chair led the discussion regarding the review of the open session minutes from December 20, 2022. **A MOTION** to accept the minutes as written was made by DB. Seconded by PD. The Chair called for a roll call vote:

Paul Phaneuf - Aye Patrick Driscoll - Aye Richard Gormley - Aye Janet Leombruno - ABS David Brezniak - Aye

The Motion passed.

5. The Chair led the discussion regarding the review of the executive session minutes from December 20, 2022. **A MOTION** to accept the minutes as written was made by PD. Seconded by DB. The Chair called for a roll call vote:

Paul Phaneuf - Aye Patrick Driscoll - Aye Richard Gormley - Aye Janet Leombruno - ABS David Brezniak - Aye

The Motion passed.

6. The Executive Report regarding the administratively approved license registrations, current to January 11, 2023, was reviewed.

Vertuccio, Smith & Vazza Funeral Home, Revere, 1076-FE-FE, 12/23/2022 Stone-Ladeau Funeral Home, Winchendon, 1077-FE-FE, 12/27/2022 Jessica Hatch, Badger Funeral Home, 6505-EM-A, 12/28/2022 Carmen Villalobos, Gillooly Funeral Home, 987-EM-FA, 12/28/2022 Gene L'Etoile, Doan, Beal, Ames, Inc., Hyannis, 988-EM-FA, 12/28/2022 Robert O'Neil, A J Spadafora Funeral Home, Malden, 989-EM-FA, 12/28/2022 Ivanna Torres-Farrah, Farrah Funeral Home, 6506-EM-A, 12/29/2022

Adam Apple, FPG Beers Story, 990-EM-FA, 12/30/2022

Boucher Funeral Home, Gardner, 1079-FE-FE, 1/3/2023

Daniel Flynn, Flynn Dagnoli Montagna Funeral Home, North Adams, 51390-em-6, 1/4/2023

Daniel S. Zielinski, Dery Funeral Home, Pittsfield, 991-EM-FA, 1/5/2023

Daniel P. McConologue, Nichols Funeral Home, Wilmington, 992-EM-FA, 1/5/2023

Christopher J. Cook, MacKinnon Funeral Home, Whitman, 6507-EM-A, 1/6/2023

Sarah L. Jeffrey, Boston Cremation, Malden, 6508-EM-A, 1/6/2023

Danielle Campbell, Chapman Funerals and Cremations, Falmouth, 51391-EM-6, 1/6/2023

The Chair led a brief discussion. A **MOTION** to accept the Executive Report on the approved license registrations was made by PD. Seconded by DB. The Chair called for a Roll Call Vote:

Paul Phaneuf - Aye Patrick Driscoll - Aye Richard Gormley - Aye Janet Leombruno - Abs David Brezniak - Aye

The Motion passed.

• VA Triangle

7. The Executive Report regarding the administratively approved continuing education courses current to January 15, 2023, was reviewed.

National Funeral Directors Association • NFDA Cremation Certification Program **7.00 Hours 8.00 Hours** • NFDA Arranger Training Program • The transformative power of hospitality in funeral service 1.00 Hour • NFDA Online Cremation Certification Progam 6.00 Hours MKJ Marketing 4.00 Hours Future Proofing Your Business with Integration and Automation • Retaining Brand Value During Economic Downturn **2.00 Hours** • Making Arrangements that get you Five-Star Reviews 4.00 Hours • Trends in online planning & how to incorporate it into your business **2.00 Hours** Massachusetts Funeral Directors Association • 2023 OSHA Training for Funeral Professionals 1.00 Hour New Jersey Funeral Services Education Corporation • Ethical Dilemmas in Funeral Service 1.00 Hour • OSHA Paperwork Obligations 1.00 Hour • Preventing Back Injuries in Funeral Service 1.00 Hour Selected Educational Trust • Being a Successful Professional **8.00 Hours** • Financing Fundamentals: Building Growth and Acquisition **8.00 Hours** • Guiding Families Toward Meaning and Healing **8.00 Hours** Wilbert Funeral Services, Inc. • Embalming Unknowns 1.00 Hour

The Chair led a brief discussion on the course list. A **MOTION** to accept the Executive Report on the approved continuing education courses was made by DB. Seconded by RG. The Chair called for a Roll Call Vote:

1.00 Hour

Paul Phaneuf - Aye Patrick Driscoll - Aye Richard Gormley - Aye Janet Leombruno - Abs David Brezniak - Aye

The Motion passed.

- 8. The Chief Legal Counsel made a report on the staff reorganization and introduced the new counsel for the Board. JH advised Board of the timeline that was to be in place for her to start in February and apologized for the absence of the current legal counsel who had another matter to attend. A brief discussion in welcoming JH by the Board, with no further action taken at this meeting.
- 9. The Chair called on the request made for special circumstance review of a license application by Rafael Feliciano. Mr. Feliciano was not present at this time and the Board agreed to move this item to the end of the meeting. No further action was taken at this time.
- 10. A discussion was held regarding the Board meeting "in person" versus continuing with virtual meetings for a future timeframe. BO advised that a hybrid meeting is not available at this time, so the Board would need to meet by one or the other, means currently available. JH advised that the virtual advisement will end March 31 at this time but may be extended further. JL advised to being subject to multiple board meetings to attend and in a worse case scenario, will miss one. The Board agreed to the next meeting being scheduled "IN-PERSON" in the Boston office on February 21, 2023, to begin at 10:00AM.
- 11. BO gave advisement to the new Executive Director for the Board, Mrs. Kathleen McNally (KM), she is starting today and would be available for the next Board meeting. No further action taken at this meeting.
- 12. Board Staff reported on the operations of the online Pre-Need reporting being up and running. Appearing to be working well as 87 submittals were received at the time of this meeting. The Chair requested a discussion item to change submittal requirements be placed onto the next Board meeting in February. Margie Nolan offered her thanks, for the effort of those involved in the creation of the online submittal process of the pre-need reports.
- 13. DB led a discussion point of looking into updating the Board regulations to a specific item of why a funeral home cannot be involved in a monument business as well. The Chair advised it has been this way since Board creation and changes must go through statutes amendment processes.

14. A revisit to the request of Rafael Feliciano's license application for review of special circumstances was made. Mr. Feliciano did not arrive at this meeting and a **MOTION** to table this application and make a formal request for Mr. Feliciano to appear at the next Board meeting to be held on February 21, 2023, in person at 1000 Washington St., Boston, MA 02118 was made by DB. Seconded by RG. The Chair called for a Roll Call Vote:

Phil Phaneuf - Aye Patrick Driscoll - Aye Richard Gormley - Aye Janet Leombruno - Aye David Brezniak - Aye

The Motion passed

15. A **MOTION:** with notation of the next scheduled meeting on February 21, 2023, to be held inperson at 1000 Washington St. beginning at 10:00am, to exit the open session and to enter the closed session for the purpose of conducting Investigative Conferences pursuant to M.G. L. c. 112, § 65C was made by JL. Seconded by PD. The Chair called for a Roll Call Vote.

Phil Phaneuf - Aye Patrick Driscoll - Aye Richard Gormley - Aye Janet Leombruno - Aye David Brezniak - Aye

The Motion passed with the open session ending at approximately 10:56 AM.

During closed session, the Board took the following actions:

> 2022-000563-IT-ENF

Forward to Prosecutions

A **Motion** to exit the closed session and enter open session thereupon to adjourn the meeting was made by RG, seconded by DB. PD called for a Roll Call Vote:

Paul Phaneuf - Abs Patrick Driscoll - Aye Richard Gormley - Aye Janet Leombruno - Aye David Brezniak - Aye

The Motion passed and the meeting adjourned approximately 11:34 AM.

The above minutes were taken at the open meeting held on January 17, 2023.

Respectfully submitted,

Brian O'Connell, Deputy Commissioner of Boards

Documents used in public session:

- > Agenda for the January 17, 2023 Open Meeting
- ➤ Draft Minutes of the November 15, 2022 Executive Session
- > Draft Minutes of the December 20, 2022 Open Meeting
- ➤ Draft Minutes of the December 20, 2022 Executive Session
- > Report on Administratively approved license registrations
- Report on Administratively approved continuing education course providers
- > Application documents for Rafael Feliciano