

**THE NEW JERSEY STATE BOARD OF MORTUARY SCIENCE
124 HALSEY STREET, NEWARK, NJ 07102
HUDSON ROOM , 6TH FLOOR
9:30 A.M., TUESDAY, JULY 1, 2003**

<http://www.njconsumeraffairs.com/nonmedical/mortuary.htm>

OPEN SESSION MEETING MINUTES

IN ATTENDANCE

Gerald Scala, Esq., President (left 12:30 P.M.)
Marius R. Lombardi, Secretary
Charles D. Sidun (left 3:30 P.M.)
Richard J. Galante, Jr.,
Richard Bradley
Thomas C. Brown
Frederick R. Whiteley, III
Edith Churchman

ABSENT

Donald R. Codey
Anthony P. Vainieri, Jr.

ALSO ATTENDING

William Mandeville, Executive Director
Jodi C. Krugman, Deputy Attorney General
Sabrina Riles, Secretarial Assistant
Cynthia Khalil, Senior Clerk Transcriber
Shradda Patel

MINUTES

May 6, 2003 - Held until next monthly meeting.

EXECUTIVE DIRECTOR'S REPORT

Mr. Mandeville reported that the number of complaints received in June: 14 total for the year 73. This was for the Board's information only.

Mr. Mandeville reported that the next regular Board meeting has been scheduled for August 5, 2003, Hudson Room, 6th floor.

Mr. Mandeville reported that the next Regulation Committee meeting has been scheduled for July, 9, 2003, Hudson Room, 6th floor.

Mr. Mandeville reported that the Jurisprudence examination was held on June 16, 2003, at the Mercer County Community College and there were forty (40) candidates.

INTERN REGISTRATION

Peter Dankiewiz, Moritz Funeral Home, Closter
Kathryn Radice, Worden-Hoidal Funeral Home, Red Bank

NEW LICENSEES

Michael Pavone

NEW INSTALLATIONS

Kain-Murphy Funeral Services, Haddonfield, Eugene H. Kain, Mgr.
Mett-Popiolek Funeral Home, Barrington, Kirk A. Popiolek, Mgr.
Trust Family Funeral Homes, Kenilworth, Albert P. Opacity, Jr., Mgr.

CONTINUING EDUCATION

A) Credentials Committee Report. On motion made by Mr. Sidun, seconded by Mr. Bradley, the Board voted to accept the attached report. All voted in favor of the motion.

CORRESPONDENCE

An article from New Jersey State Funeral Directors Association "Who Owns What". This was for the Board's information only.

An article "Decomposing Bodies Found in Funeral Home". This was for the Board's information only.

New Jersey Cemetery Board June 12, 2003 public session agenda. This was for the Board's information only.

New Jersey Cemetery Board April 10, 2003 public session minutes. This was for the Board's information only.

OPEN DISCIPLINARY MATTERS

A Provisional Order of Discipline was issued to Reginald Mann no response received from the licensee. Entry of the Final Order of Discipline was requested.

#03-42 A. Scatuorchio & Son, Inc., Jersey City, uniform penalty letter for violation of N.J.A.C. 13:36-1.9(c) wrote a written statement for the Board's consideration.

#00-57 & #00-58 Community Funeral, Passaic, uniform penalty letter for violation of N.J.A.C. 13:36-5.12(g)1, 13:36-5.12(g)5 and 13:36-5.12 requested a hearing on this matter before the Board. Matter will be referred to Division of Law for prosecution.

#02-68 Anderson & Campbell Funeral Home, Whiting uniform penalty letter for violation of N.J.A.C. 13:36-5.12(c), \$250.00 paid June 4, 2003. This was for the Board's information only.

#03-20 Bernauer Funeral Home, Newark, uniform penalty letter for violation of N.J.A.C. 13:36-5.6(a), \$300.00 paid June 4, 2003. This was for the Board's information only.

#03-30 Saul Funeral Home, Trenton, uniform penalty letter for violation of N.J.A.C. 13:36-5.12(c), \$500.00 paid June 12, 2003. This was for the Board's information only.

#03-45 Armitage Funeral Home, Wall, uniform penalty letter for violation of N.J.A.C. 13:36-1.9(c), \$1,000.00

paid May 19, 2003. This was for the Board's information only.

#03-48 Carnesale Funeral Home, Wall, uniform penalty letter for violation of N.J.A.C. 13:36-5.5(a)1, 13:36-5.6(a)8, 13:36-5.5(a)4, and 13:36-1.9(c) \$1,300.00 paid May 20, 2003. This was for the Board's information only.

#02-36 Nesbitt Funeral Home, Elizabeth, uniform penalty letter for violation of N.J.A.C. 13:36-1.9(c) \$1,000.00 paid May 1, 2003. This was for the Board's information only.

LICENSING MATTERS

Douglas DiPaolo submitted an application to become an intern, has admitted to federal theft conviction. On motion made by Mr. Lombardi, seconded by Mr. Whiteley, the Board voted to deny the intern registration application. DAG Krugman will do a Provision Order of Denial. All voted in favor of the motion.

REGULATORY MATTERS

New Jersey Cemetery Board Proposed Amendments: N.J.A.C. 13:44J-5.2, 5.6 and 15.1. Proposed a new rule N.J.A.C. 13:44J-5.9 Cemetery Price List; Annual Report; Future Services; Removal of Unauthorized Monumentation. On motion made by Mr. Sidun, seconded by Mr. Galante, the Board determined to draft a comment to the Cemetery Board that all consumers are to be protected at all costs. The monies should be trusted so that if a situation arises it can then be refunded. All voted in favor of the motion.

PUBLIC COMMENTS

Maryann Carroll, NJSFDA - stated that her office has been receiving many inquiries regarding the Jewell Funeral Home matter and would like the Board to write comments to the sentencing judge and prosecutors office for them to impose the stiffest sentencing allowed by law. Mr. Scala stated that he believes that it would not be appropriate for the Board to write such comments, but it would be appropriate for the NJSFDA to do so.

EXECUTIVE SESSION - 10:40 A.M. - Motion made by Mr. Sidun, seconded by Mr. Galante to go into executive session to discuss consumer complaints and/or conduct investigative inquiries. All voted in favor of the motion. The results of these deliberations will be made known when and if the Board determines to initiate disciplinary or other law enforcement action. If the Board determines to issue uniform penalty letters, that action will be taken in public session immediately after the executive session.

Respectfully submitted,

Marius R. Lombardi Date
Secretary
