

THE NEW JERSEY STATE BOARD OF MORTUARY SCIENCE  
124 HALSEY STREET, NEWARK NJ 07101  
HUDSON ROOM , 6TH FLOOR  
9:30 A.M., TUESDAY, AUGUST 3, 2004  
<http://www.nj.gov/lps/ca/nonmedical/mortuary.htm>

OPEN SESSION MEETING MINUTES

**IN ATTENDANCE**

Marius R. Lombardi President (Government Member)  
Richard J. Galante, Secretary  
Richard R. Bradley  
Thomas C. Brown  
Edith C. Churchman, Ph.D., CFSP  
Martin Goldstein, Bernard Horwitz, Esq., (Public Member)  
Fanny Jaramillo (Public Member)  
Gerald P. Scala, Esq., (Public Member) (left at 2:00 P.M.)  
Anthony P. Vainieri Jr. (left at 12:00 P.M.)  
Frederick R. Whiteley III (arrived at 12:50 P.M.)

**ABSENT**

William McCriskin

**ALSO ATTENDING**

William Mandeville, Executive Director  
Jodi C. Krugman, Deputy Attorney General  
Sabrina Tabron, Secretarial Assistant  
Brianna Richardson

**APPROVAL OF MINUTES**

June 1, 2004.  
October 28, 2003.

On motion made by Mr. Vainieri, seconded by Mr. Brown, the Board voted to approve the minutes. All voted in favor of the motion.

**EXECUTIVE DIRECTOR'S REPORT**

A) Mr. Mandeville reported that the number of complaints received in July are 16: total for the year 106.

B) Mr. Mandeville reported that the next regular Board meeting has been scheduled for Tuesday, September 7, 2004, Hudson Room, 6th floor.

C) DAG, Carol Jacobson will appear before the board at 10.00a.m., remarks in executive session. On motion made by Mr. Scala, seconded by Mr. Galante, the Board voted to go into executive session to discuss Case # 04-74 Timothy E. Ryan Home For Funerals, Jackson, Timothy Ryan, Senior Director. DAG Krugman and Mr. Lombardi recused themselves and moved away from the table. On motion made by Mr. Goldstein, seconded by Mr. Vainieri, the Board determined to uphold the uniform penalty letter. All voted in favor of the motion. Mr. Galante opposed.

On motion made by Mr. Scala, seconded by Mr. Galante, the Board voted to return to open session. All voted in favor of the motion.

D) Mr. Mandeville reported that the 2005 meeting dates are scheduled as follows:

January 11, 2005  
February 1, 2005  
March 1, 2005  
April 5, 2005  
May 3, 2005  
June 7, 2005  
July 12, 2005  
August 2, 2005  
September 13, 2005  
October 11, 2005  
October 25, 2005  
December 6, 2005

E) Mr. Mandeville reported that the Investigative Inquiry dates for 2005 are scheduled as follows:

January 18, 2005  
March 15, 2005  
May 17, 2005  
July 19, 2005  
September 20, 2005  
November 1, 2005

The Board determined to hold it's monthly meeting on November 1, 2005 and the investigative inquiries on October 25, 2005.

## **INTERN REGISTRATIONS**

Colleen Buckman  
Justin N. Wild  
Gary Thomas Robertson  
Jonathan Bender  
Reese Rai Lieb  
Dennis Andrew Mulheren

## **NEW LICENSEES**

John Gaither Conrad  
John G. Casey, III  
Salvatore J. Pernice, Jr.  
Bruce Kapp  
Edward A. Oliveira

## **NEW INSTALLATIONS**

Reilly Funeral Home, James J. Bonner, Manager

## **CONTINUING EDUCATION**

A) Lasan Plastics: Joshua Dame

1) Embalmer Patch™ Containment Patch 1Hr

B) Practicum Strategies: Richard A. Santore

1) Business Morals & Ethics and the Funeral Director 4Hrs

2) Motivation and Coaching for the Successful Funeral Director 4Hrs

3) Stress and the Funeral Home Environment 4Hrs

4) The Vanguard of Competition and the Funeral Profession 6Hrs

5) Hazardous Chemicals / Toxic Substances 4Hrs

6) Pre-Planning for the Funeral Home Business Interruptions 10Hrs

7) The Grieving Process 4Hrs

8) The Funeral Profession and Consumer Behavior 4Hrs

9) Coping With Stress as a Funeral Director 4Hrs

10) Complying With the Funeral Rule 10Hrs

11) Sacred / Sensitive... and Sane! 4Hrs

12) Funeral Values the Year 2000 and Beyond 6Hrs

13) Professional Ethics in a Changing Environment 4Hrs

14) Moral Dilemmas Facing the Funeral Professional 4Hrs

15) Dealing With Communicable Diseases and AIDS 4Hrs

16) Investment Management for Funeral Directors 4Hrs

17) OSHA: A Practical Guide for Funeral Service Professionals 4Hrs

18) How Do We Tell the Children? Helping Kids! Helping Parents! 4Hrs

19) Computers, A to Z for the Funeral Home 6Hrs

20) Preneed Planning - A Basic Course for the Funeral Profession 6Hrs

21) Introduction to Accounting for the Funeral Director 6Hrs

C) National Funeral Directors Association: Sandra Jeske

1) New Overtime Rules, Federal Wage & Hour Laws 2Hrs

D) International Cemetery and Funeral Association: Lisa D'Angelo

1) ICFA Fall Management Conference 9Hrs

E) New Jersey State Funeral Directors Association, Inc.: Cynthia E. Viant

1) The Greatest Eulogies of Our Time 2Hrs

- 2) Knowledge-Based Funeral Service 1Hr
  - 3) Lessons From Japan 2Hrs
  - 4) The Changing Face of Death 2Hrs
  - 5) NJ State Board of Mortuary Science Meeting 2Hrs
  - 6) World Class Customer Service 2Hrs
  - 7) The Chameleon Approach 2Hrs
  - 8) Infectious Disease Protocols 2Hrs
  - 9) Beyond Personalization 2Hrs
- F) Yorkstown Caskets, Inc.: Jamie M. Maack
- 1) New Rules, New Players, What is Your Game Plan! 7Hrs
- G) Bradley & Son Funeral Homes, LLC: Alice E. Bemand
- 1) Spring 2004 Professional Retreat June 5th 8Hrs
  - 2) Spring 2004 Professional Retreat June 12th 8hrs

On motion made by Mr. Bradley, seconded by Ms. Churchman, the Board voted to accept the Credential Committee report as read with the hours of Yorkstown Caskets, Inc., reduced to six (6) hours. All voted in favor of the motion.

## **CORRESPONDENCE**

- A) NJ Cemetery Board Public Session Corrected Minutes March 15, 2004. This was for the Board's information only.
- B) NJ Cemetery Board Public Session Minutes May 13, 2004. This was for the Board's information only.
- C) NJ Cemetery Board Public Session Agenda July 8, 2004. This was for the Board's information only.
- D) Article from CNN.com concerning new style of caskets. This was for the Board's information only.
- E) Earl I. Jones Funeral Home, Inc. submitted a copy of its corrected Outer Burial Container Price List. This was for the Board's information only.
- F) Green card verifying Parker Funeral Home's acceptance correspondence regarding File# 04-56. This was for the Board's information only.
- G) E-mail from Maryann Carroll requesting clarification of regulations. On motion made by Mr. Bradley, seconded by Mr. Scala, the Board determined that clarification of the regulation will be discussed at the Convention. All voted in favor of the motion.
- H) Letter from Andrea Alston-Brundage, inactive intern, who wishes to take her practical exam. On motion made by Mr. Bradley, seconded by Mr. Galante, the board determined that you complete a temporary internship of at least six (6) months and no longer than one (1) year, and be required to perform twenty five (25) funerals and twenty-five (25) embalmings. The Board also request you provide an affidavit certifying your duties at the May

Funeral Home. All voted in favor of the motion.

I) J.C. Fila submitted picture of repaired ceiling. This was for the Board's information only.

J) Notification of Cemetery Board August 12, 2004 Regular Board meeting adjournment. This was for the Board's information only.

K) Letter from Kelley Funeral Home announcing purchase of Haines Funeral Home. This was for the Board's information only.

L) Letters from Sung Cha, intern, requesting extension of internship. On motion made by Mr. Bradley, seconded by Ms. Churchman, the board determined that upon taking and passing the National Board Examination and the Jurisprudence Examination by December 31, 2004 the Board will extend the internship to take the practical examination. All voted in favor of the motion.

M) Letter from Mario Teixeira, Jr. regarding prep rooms. This was for the Board's information only.

### **OPEN DISCIPLINARY MATTERS**

A) #04-54 Jackson Funeral Residence, Jersey City, uniform penalty letter for violation of N.J.A.C. 13:36-5.5(a), 13:36-5.1(a), and 13:36-9.9(b)2ii submitted photos June 25, 2004. This was for the Board's information only.

B) #04-79 Wainwright-Bernhardt Funeral Home, Vineland, uniform penalty letter for violation of N.J.A.C.. 13:36-9.6(a), N.J.A.C.13:36-9.5, N.J.A.C.13:36-9.7(a), N.J.A.C.13:36-9.(b)2ii \$700.00 paid and requested information submitted July 7, 2004. This was for the Board's information only.

C) #04-56 Parker Funeral Home, Jersey City, uniform penalty letter for violation of N.J.A.C.13:36-5.6(a)8, N.J.A.C.13:36-9.9(b)2ii \$100.00 paid requested information submitted July 7, 2004. This was for the Board's information only.

D) #04-69 Doyle Funeral Home, Inc., Morristown, uniform penalty letter for violation of N.J.A.C. 13:36-5.6(a), \$100.00 paid July 7, 2004. This was for the Board's information only.

E) #04- 45 Funeraria Las Americas, Inc., Newark, uniform penalty letter for violation of N.J.S.A. 45:1-7(c) \$5000.00 paid June 29, 2004. This was for the Board's information only.

F) #04-67 Brian L. Maxwell, Little Egg Harbor, uniform penalty letter for violation of N.J.A.C. 13:36-2.5, N.J.A.C. 13:36-2.14 \$500.00 paid July 1, 2004. This was for the Board's information only.

G) #03-137 Ansonia McKee-Stevens, Ewing Township, final order of discipline for violation of N.J.A.C.13:36-10.3, N.J.S.A. 45:7-72.1 license surrendered May 25, 2004. This was for the Board's information only.

H) #04-20 Barclay Funeral Home, LLC, Clayton, uniform penalty letter for violation of N.J.A.C.13:36-5.6(a)8, \$100.00 paid June 24, 2004. This was for the Board's information only.

I) #04- 37 Edward T. Reid Home for Funerals, Kearny, uniform penalty letter for violation of N.J.A.C. 13:45C-1.3(a) written statement submitted for board consideration. On motion made by Mr. Galante, seconded by Ms. Churchman, the Board determined to rescind the uniform penalty letter for violation of N.J.A.C. 13:45C-1.3(a) and reissue a uniform penalty for violation of N.J.S.A. 45:1-7(c), with a penalty of \$100.00. All voted in favor of the motion.

J) #04-65 Watson Memorial Service, Jersey City, uniform penalty letter for violation of N.J.A.C. 13:36-5.5(a)5, 13:36-5.5(a)4, 13:36-5.6(b), 13:36-9.7(a)5 13:36-9.9(b)2ii, 13:36-9.7(b)1, 2, 3 & 4, 13:36-9.7(c)1, 2, &3, and N.J.A.C. 13:45C-1.4 \$6,600.00 paid and requested information submitted June 24, 2004. This was for the Board's information only.

K) #04-55 Mikal's Funeral Parlor, Inc., Atlantic City, uniform penalty letter for violation of N.J.A.C. 13:36-9.6(b)2, 13:36-9.11(b), 13:36-9.7(a), \$600.00 paid and requested information submitted June 29, 2004. This was for the Board's information only.

L) #04-68 Bloomfield-Cooper Jewish Chapels, Inc., Manalapan, uniform penalty letter for violation of N.J.A.C. 13:36-5.5(a)1, and 13:36-9.9(b)2ii \$100.00 paid and requested information submitted. This was for the Board's information only. The Board determined to move this matter into executive session for discussion. Mr. Galante recused himself.

M) #04-72 Madonna Multinational Home for Funerals, Passaic, uniform penalty letter for violation of N.J.A.C.13:36-5.6(a)8, 13:36-9.9(b)2ii, written statement submitted for board consideration. The Board determined to move this matter into executive session for discussion. The Board determined that she needs a separate sink and to uphold the uniform penalty letter. Ms. Churchman recused herself.

N) #04-71 Gutterman-Wien of Marlboro, Manalapan, uniform penalty letter for violation of N.J.A.C. 13:36-5.5(a)1, 13:36-9.9(b)2ii \$100.00 paid and requested information submitted June 30, 2004. The Board determined to move this matter into executive session for discussion. Mr. Galante recused himself.

O) #04-58 Riverside Memorial Chapels, Ewing Township, uniform penalty letter for violation of N.J.A.C.. 13:36-5.12(c) \$100.00 paid July 14, 2004. This was for the Board's information only.

P) #98-45 Lester P. Bragg, Jr., East Strousburg, PA, provisional order of discipline for violation of N.J.S.A. 45:1.21(e) and N.J.A.C. 13:45C-1.4 \$500.00 paid July 14, 2004. This was for the Board's information only. On motion made by Ms. Churchman, seconded by Mr. Brown, the Board determined to issue a Final Order dismissing the case. All voted in favor of the motion.

Q) #04-74 - #04-78, Timothy E. Ryan Home for Funerals, five uniform penalty letters for violations of N.J.A.C. 13:36-5.1(a) and 13:36-5.21(a)(b) written statement submitted for board consideration.

R) #99-86 Timothy E. Ryan Home for Funerals, Final Decision and Order after UPL Hearing letter for violations 13:36-5.12(f) and 13:36-5.12(g)6 fine \$110.85 court costs and \$1000.00 paid July 27, 2004. This was for the Board's information only.

S) #04-97 Ivins & Taylor, Inc., Trenton, uniform penalty letter for violation of N.J.A.C. 13:36-5.12(c), 13:36-9.9(b)2ii, 13:36-1.9(a)1, 13:36-11.16(c)1 \$350.00 paid and requested information submitted July 27, 2004.

## **PROPOSED LEGISLATION**

Legislation concerning criminal history background checks. Mr. Bradley and Mr. Scala opposed the motion. Mr. Vainieri recused himself.

## **PUBLIC COMMENTS**

None.

**EXECUTIVE SESSION** - 11:50 A.M. - Motion made by Mr. Scala, seconded by Mr. Bradley to go into executive session to discuss consumer complaints and/or conduct investigative inquiries. 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,

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Richard J. Galante, Jr. Date

Secretary

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