

# State Board of Mortuary Science of New Jersey

October 2, 2001

## Open Session Meeting Minutes

### IN ATTENDANCE

Gerald P. Scala, Esq., President, Public Member  
Donald P. Codey, Secretary  
Peter P. Horvath  
Kevin G. Quinn  
Charles D. Sidun  
John DeCicco, Esq., Public Member (left at 1:30 p.m.)  
Marius R. Lombardi, Government Member

### ABSENT

Bernadette Stoecker-Rossi

### ALSO ATTENDING

Paul C. Brush, Executive Director  
Jodi C. Krugman, Deputy Attorney General  
Sabrina Riles, Secretarial Assistant  
Africa Lee, Computer Operator Assistant

### EXECUTIVE DIRECTOR'S REPORT

- A) Mr. Brush reported that two (2) complaints were received in September.
- B) The next Board meeting will be October 30, 2001. There will not be a meeting in November.
- C) Mr. Brush advised the Board members that they will need photo identification to enter the building. Mr. Scala agreed and also proposed that licensees should be provided photo identification on their licenses. It could be done on a voluntary basis with the cost assumed by the licensee. Mr. Brush stated that this suggestion has been made in the past by this and other Boards; however, because of logistical reasons, the Division has not been able to implement such a program. Mr. Brush will inform the Division management of Mr. Scala's suggestion.

### APPROVAL OF MINUTES

September 13, 2001 - On motion made by Mr. Lombardi, seconded by Mr. DeCicco, the Board voted to approve the minutes. All voted in favor of the motion.

### INTERN REGISTRATIONS

Donald W. DeGraff, DeGraff Lakehurst Funeral Home, Lakehurst  
Rocco Cuoco, Mather-Hodge Funeral Home, Princeton

Francis X. Frayer, Jacob A. Holle Funeral Home, Maplewood  
Joseph R. Magee, Bradley Funeral Home, Mendham

## **NEW LICENSEES**

Michael J. Curley  
Edward S. Cohen  
Deborah Horne  
Ann M. Janwich  
Martin D. Kasdan  
Kenneth Kwiatkowski  
Kevin G. Moran  
Michele R. Hunt  
John D. Gentile  
Sarah Alexander  
Timothy J. Healey

## **NEW INSTALLATIONS**

Lawson Funeral Home, Inc., Neptune/Steven S. Lawson, Mgr.  
Manchester Memorial Funeral Home, LLC, Whiting/Thomas Tedesco, Mgr.  
Lankenau Funeral Home, Vincentown/Stephen Lankenau, Mgr.

## **CONTINUING EDUCATION**

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

## **CORRESPONDENCE**

- A) Death Care Business Advisor article re International Conference of Funeral Service Examining Board's comments on the expected shortage of funeral directors and embalmers. This was for the Board's information only.
- B) Death Care Business Advisor article re the passage of a bill in the New York State Assembly prohibiting the payment of commission for selling funeral insurance. This was for the Board's information only.
- C) New Jersey Cemetery Board public session minutes June 14, 2001. This was for the Board's information only.
- D) New Jersey Cemetery Board public session minutes July 12, 2001. This was for the Board's information only.
- E) New Jersey Cemetery Board public session minutes agenda September 13, 2001. This was for the Board's information only.

## **REGULATORY MATTERS**

A) The following regulations were published in the New Jersey Register August 6, 2001: proposed amendments: N.J.A.C. 13:36-1.8, 3.7, 5.1, 5.6, 5.12, 8.2, 8.10, 8.11, and 9.7; proposed repeals N.J.A.C. 13:36-5.19 and 5.20; proposed new rules N.J.A.C. 13:36-8.6, 8.12 and 8.13. The comment period ended September 5, 2001. Regulatory Analyst Jake Gertsman reviewed comments with the Board that were received from the following:

- 1) Susan Gartland, Executive Director, NJ Cemetery Board.
- 2) Maryann Carroll, Director of Government & Public Affairs, NJ State Funeral Directors Association.

On motion made by Mr. DeCicco, seconded by Mr. Lombardi, the Board voted to adopt the regulations with technical changes. It is not anticipated that the regulations will have to be re-proposed. All voted in favor of the motion.

## **DISCIPLINARY MATTERS**

A) #00-52 Higgins and Bonner Funeral Homes, Inc., Elizabeth - uniform penalty letter issued in the amount of \$1,500.00. The Board determined to hold this matter pending receipt of additional information from the consumer.

B) #01-17 Stephen J. Priola Parsippany Funeral Service, Lake Hiawatha/Stephen J. Priola, Manager - uniform penalty letter issued for advertising violation; penalty \$250.00. Mr. Priola submitted a written statement in lieu of a public hearing. The Board reviewed the matter and on motion made by Mr. DeCicco, seconded by Mr. Horvath, voted to sustain the terms of the letter. All voted in favor of the motion.

## **PUBLIC COMMENTS**

Robert Smith, Mortuary Science Program Director, Mercer County Community College expressed his concern about the shortage of new interns coming into the business. Mr. Smith stated that for about twenty-five years, the Board has had an informal agreement with MCCC not to allow students to register for the mortuary science program at MCCC unless they were a registered intern with the Board, thereby employed by a funeral home. Mr. Smith believes that this policy may inhibit interested students from registering at MCCC if they have no immediate intentions of working in a funeral home because some interested persons are not ready to commit to the profession. The Board discussed the matter and while the Board members chose not to officially vote on the matter, there was no consensus to suggest that MCCC should continue the aforementioned prohibitions.

Patricia Dempsey, NJSFDA, asked the Board about the status of various casket store investigations. Mr. Scala informed her that they are continuing and until they are resolved, the Board may not discuss them in public session.

## **EXECUTIVE SESSION**

10:45 a.m. - Motion made by Mr. Quinn, seconded by Mr. Sidun 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.

2:05 p.m. Motion to adjourn by Mr. Sidun, seconded by Mr. Horvath. All voted in favor of the motion.

Respectfully submitted,

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Donald R. Codey  
Secretary

Date



*Modified March 2002*