

**THE NEW JERSEY STATE BOARD OF MORTUARY SCIENCE
124 HALSEY STREET, NEWARK NJ, 07101
HUDSON ROOM, 6TH FLOOR
9:30 A.M., TUESDAY, OCTOBER 2, 2007
<http://www.state.nj.us/lps/ca/nonmed.htm#mort7>**

OPEN SESSION MEETING MINUTES

ATTENDANCE

Louis J. Stellato Jr, Ph.D, President
Richard J. Galante, Secretary (arrived 9:40 A.M.)
Thomas C. Brown
Martin Goldstein, Esq.
Bernard Horwitz, Esq., (Public Member)
Marius R. Lombardi (Government Member)
Curtis S. Macysyn (Public Member) (arrived 10:30 A.M.)
Philip Scheps (Public Member)
Frederick R. Whiteley III (arrived 9:55 A.M.)

ABSENT

Edith C. Churchman, Ph.D., CFSP
Fanny Jaramillo (Public Member)

ALSO ATTENDING

William Mandeville, Executive Director
Jodi Krugman, Deputy Attorney General
Sabrina Tabron, Administrative Assistant
Cynthia Khalil, Principal Clerk Transcriber
Jonathan Eisenmenger, Assistant to the Executive Director

APPROVAL OF MINUTES

New Jersey State Board of Mortuary Science Open Session Minutes for August 7, 2007.
New Jersey State Board of Mortuary Science Open Session Minutes for August 28, 2007.

On motion made by Mr. Lombardi, seconded by Mr. Scheps, the Board voted to approve the minutes as read. All voted in favor of the motion.

EXECUTIVE DIRECTOR'S REPORT

Mr. Mandeville reported that the total number of complaints received in September are 12 and the total for the year is 102.

Mr. Mandeville reported that the next regular Board meeting has been scheduled for Tuesday, October 30, 2007, in the Hudson Conference Room, 6th floor.

Mr. Mandeville provided the Board with a list of meeting dates for 2008:

January 8, 2008
February 5, 2008
March 4, 2008

April 1, 2008
May 6, 2008
June 3, 2008
July 1, 2008
August 5, 2008
August 26, 2008
October 7, 2008
October 28, 2008
December 2, 2008

Mr. Mandeville reported that the registered mortuaries are due to renew their registrations and the e-license letter will be mailed on October 3, 2007. The last date to renew will be 12/31/07.

Maryann Sheehan, Regulation Analyst, will arrive at 10:00 a.m. to address the proposed regulation N.J. A.C. 13:36 -5.19. The Board considered public comments to the proposed changes to N.J. A.C. 13:36 -5.19. #1 & #2 are fine. #3 the Board feels that this comment is already covered by N.J. A.C. 13:36-8.13 and really does not need to be addressed here. On motion made by Mr. Goldstein,, seconded by Mr. Brown, the Board voted to adopt the proposed regulation without changes. All voted in favor of the motion.

INTERN REGISTRATIONS

James Abdullah, Mikal's Funeral Parlor
Maria Eleni Brenna, Brenna Cellini Funeral Home
Kristen M. Catalano, Oliverie Funeral Home
Albert Correnti III, M.J. Murphy Funeral Home
Krystle A. Henwood, Timothy E. Ryan Home for Funerals
Michael J. Iuliucci, Marinella Funeral Home
Timothy E Moore, Cushine-Houston Funeral Home
Kevin C. O'Brien, O'Brien Funeral Home

This was for the Board's information only.

NEW LICENSEES

Thomas F Boland Licensed by Credentials
Peter Dankiewicz Licensed by Application
Peter Jastrzembki III Licensed by Application
Shaun P J Martin Licensed by Application

This was for the Board's information only.

NEW INSTALLATIONS

Berschler and Shenberg Funeral Chapels Inc- Medford NJ
D' Errico Whitehorse Mercerville Chapels, LLC - Hamilton, NJ
Shore Point Funeral Home and Cremation Services Inc - Hazlet, NJ

This was for the Board's information only.

CONTINUING EDUCATION

A) Jewish Funeral Directors of America: Florence Pressman

1) "Magical Moments Can Happen Anywhere" -10/24/07 2hrs.

B) Jewish Funeral Directors of America: Florence Pressman

- 1) An Interactive Approach to Employee Issues -10/22/07 2hrs.

C) Bradley & Son Funeral Home: Scott Bradley

- 1) Policies and Profits -9/21-22/08 & 10/26-27/08 5hrs.

D) Jewish Funeral Directors of America: Florence Pressman

- 1)Workplace Hazards in the Funeral Home: An OSHA Perspective -10/25/07 2hrs.

E) National Funeral Directors Association: Kathleen Walczak

- 1) The Inner Secrets of Outrageous Marketing-11/6/07 2hrs.

F) Thanos Institute: Mary Rizzo

- 1) Improving Service We Provide- 9/22/07 2hrs.
- 2) Embalming- 9/22/07 2hrs.
- 3) Ethics in Funeral service -9/22/07 1hr.
- 4) Unexpected, Traumatic Death and the Funeral Director -9/22/07 1hr.

G) Selected Independent Funeral Home: Dr. James Fruehling

- 1) 2007 Annual Meeting-10/15-17/07 13hrs.

H) NJ Sharing Network: George Forleo

- 1) Clinical applications of full thickness skin and the challenges of preparing the skin donor for viewing -11/07 1hr.
- 2) Observation of Musculoskeletal Tissue Procurement -11/07 2hrs.

I) Funeral CE: Bonnie Williams (Web Based)

Note: Courses 1-6 were previously denied- Add'l information was provided.

- 1) Goal -Setting in the Funeral Industry 1hr.
- 2) HIV/AIDS 1hr.
- 3) OSHA in the Workplace 1hr.
- 4) Telephone Techniques in the Funeral Industry 1hr.
- 5) Time Management in the Funeral Industry 1hr.
- 6) Working with Difficult People in the Funeral Industry 1hr.
- 7) Personalization 1hr.
- 8) Funeral Customs with Military Honors 1hr.

The committee reported that section H) NJ Sharing Network: George Forleo, is held for more information they need to provide the Board with the date and location for both seminars. On motion made by Mr. Lombardi, seconded by Mr. Galante, the Board determined to accept the committee report as read. All voted in favor of the motion.

CORRESPONDENCE

NJ Cemetery Board Public Session Agenda for September 13, 2007. This was for the Board's information only.

Adam Guziejewski, of the New Jersey State Funeral Directors Association, informs the Board that the Division of Family Development has increased their reimbursement rate for public assistance and that all the necessary parties

have been notified of this change. This was for the Board's information only.

News article titled " Suit over corpses posed in morgue settles". This was for the Board's information only.

News article titled " Profiting from loss." This was for the Board's information only.

News article titled " Natural burial take dead gently to a green good night." This was for the Board's information only.

Dennis Mulheren submitted a letter to the Board requesting to extend his internship. On motion made by Mr. Goldstein, seconded by Mr. Scheps, the Board voted to deny his request. When Mr. Mulberen takes and passes the jurisprudence examination he can come back to the Board to take the practical examination. All voted in favor of the motion.

OPEN DISCIPLINARY MATTERS

#06-112 & 06-116 Scillieri Funeral Home, Hawthorne & Paterson, Mgr., Stephen Scillieri, paid \$250.00 for violation of N.J.A.C. 13:36-1.8 on August 30, 2007. This was for the Board's information only.

#07-62 Cremation Service, Pennsauken, Mgr., Dennis Eichel, paid \$350.00 for violation of N.J.A.C. 13:36-9.7(d)(4) and 9.11(b) on August 21, 2007. This was for the Board information only.

#07-63 May Funeral Home, Willingboro, Mgr., Thomas E. May, paid \$800.00 for violation of 16 C.F.R. § 453.3 (c)(2), N.J.A.C. 13:36-9.7(d)(4) and 9.11(b), N.J.S.A. 45:7-61.(b) and N.J.A.C.13:36-5.6(b) on September 18, 2007. This was for the Board information only.

#07-64 Paul Ippolito Berkeley Memorial, Berkeley Heights, Mgr., Paul Ippolito III, paid \$250.00 for violation of N.J.A.C. 13:36-5.21 (a) and (b) on August 21, 2007. This was for the Board information only.

#07-65 Paul Ippolito Summit Memorial Funeral Home, Summit, Mgr., Paul Ippolito III, paid \$250.00 for violation of N.J.A.C. 13:36-5.21 (a) and (b) on August 8, 2007. This was for the Board information only.

#07-70 Eichel Funeral Home, Pennsauken, Mgr., Dennis Eichel, paid \$350.00 for violation of N.J.A.C. 13:36-9.7(d)(4) and 9.11(b) on August 21, 2007. This was for the Board information only.

#07-71 Paul Ippolito Memorial, Orange, Mgr., Paul Ippolito IV, paid \$250.00 for violation of N.J.A.C. 13:36-5.21 (a) and (b) on August 27, 2007. This was for the Board information only.

#07-75 Adams Funeral Home, Penns Grove, Mgr., Marc Adams, made partial payment and submitted a letter for the Board's consideration for violation of N.J.A.C. 13:36-5.1 (a), N.J.S.A. 45:7-65.3, N.J.A.C. 13:36-1.9, N.J.A.C. 13:36-5.21(a) and (b), N.J.A.C. 13:36-9.5 (b) N.J.A.C. 13:36-9.5(b)(2) and N.J.A.C. 13:36-5.5(a)(3) on September 12, 2007. On motion made by Mr. Brown, seconded by Mr. Whiteley, the Board determined to uphold the uniform penalty letter. All voted in favor of the motion.

#07-76 Adams Funeral Home, Elmer, Mgr., Marc Adams, submitted a letter for the Board's consideration for violation N.J.A.C. 13:36-1.9, N.J.A.C. 13:36-5.21(a) and (b) and N.J.A.C. 13:36-9.5 (b) on September 12, 2007. On motion made by Mr. Brown, seconded by Mr. Whiteley, the Board determined to uphold the uniform penalty letter. All voted in favor of the motion.

#07-77 Adams Funeral Home, Elmer, Mgr., Marc Adams, submitted a letter for the Board's consideration for violation N.J.A.C. 13:36-1.9, N.J.A.C. 13:36-5.21(a) and (b) and N.J.A.C. 13:36-9.5 (b) on September 12, 2007. On motion made by Mr. Brown, seconded by Mr. Whiteley, the Board determined to uphold the uniform penalty letter. All voted in favor of the motion.

#07-78 Cotton Funeral Service, Inc., Orange, Mgr., Macon Cotton Jr., paid \$250.00 for violation of N.J.A.C.

13:36-5.21(a) and (b) and N.J.A.C. 13:36-9.6(b)(2) on August 21, 2007. This was for the Board information only.

#07-79 Cotton Funeral Service, Inc., Newark, Mgr., Macon Cotton Jr., paid \$250.00 for violation of N.J.A.C. 13:36-5.21(a) and (b) and N.J.A.C. 13:36-9.6(b)(2) on August 21, 2007. This was for the Board information only.

#07-80 Licensee Joseph Shook, Jr., paid \$2,500.00 for violation of N.J.A.C. 13:36-10.3 (a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on August 29, 2007. This was for the Board information only.

#07-81 Licensee Joseph Montalbano, paid \$1,500.00 for violation of N.J.A.C. 13:36-10.3 (a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on September 13, 2007. This was for the Board information only.

#07-82 Licensee Betty Hill, paid \$2,000 for violation of N.J.A.C. 13:36-10.3 (a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on August 27, 2007. This was for the Board information only.

#07-83 Licensee Marilyn Meloni, submitted a letter for the Board's consideration for violation of N.J.A.C.13:36-10.3 (a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on August 22, 2007. On motion made by Mr. Macysyn, seconded by Mr. Brown, the Board determined to uphold the uniform penalty letter. All voted in favor of the motion.

#07-84 Licensee Carmen Bastante, submitted a letter for the Board's consideration for violation of N.J.A.C.13:36-10.3 (a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on September 12, 2007. On motion made by Mr. Goldstein, seconded by Mr. Whiteley, the Board determined to lower the penalty to \$1,500.00 and remind him that the ceu's can not be used for the 2009 renewal. All voted in favor of the motion.

#07-85 Licensee Timothy Gall, paid \$1,000.00 for violation of N.J.A.C.13:36-10.3 (a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on August 23, 2007. This was for the Board information only.

#07-87 Licensee James Cusick, paid \$2,500 for violation of N.J.A.C.13:36-10.3(a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on August 29, 2007. On motion made by Mr. Macysyn, seconded by Mr. Goldstein, the Board determined to lower the penalty to \$1,000.00 and remind him that the ceu's can not be used for the 2009 renewal. All voted in favor of the motion.

#07-89 Licensee W. William Saul, submitted a letter for the Board's consideration for violation of N.J.A.C.13:36-10.3 (a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on September 7, 2007. On motion made by Mr. Lombardi, seconded by Mr. Whiteley, the Board determined to rescind the uniform penalty letter. All voted in favor of the motion.

#07-93 Finegan Funeral Home, Alpha, Mgr., John Finegan, paid \$1,250.00 for violation of N.J.A.C. 13:36-5.21 (a) and (b) and N.J.A.C. 13:36-1.9 on September 9, 2007. This was for the Board information only.

#07-94 Finegan Funeral Home, Phillipsburg, Mgr., John Finegan, paid \$1,250.00 for violation of N.J.A.C. 13:36-5.21 (a) and (b) and N.J.A.C. 13:36-1.9 on September 9, 2007. This was for the Board information only.

#07-97 Licensee Rudolph Kindel, paid \$500.00 for violation of N.J.A.C.13:36-10.3 (a), N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-21(b) on September 10, 2007. This was for the Board information only.

ITEMS FOR DISCUSSION

Walter Calhoun III. - Debra Levin, DAG , Section Chief came up and spoke to the Board. DAG Krugman backed away from the table. On motion made by Mr. Macysyn, seconded by Mr. Goldstein, the Board determined to issue a Final Order, suspending his license for eighteen (18) months and offering a payment schedule, \$10,000 due immediately and 36 monthly payments of \$1,800.00. All voted in favor of the motion.

11:45 A.M. On motion made by Mr. Macysyn, seconded by Mr. Goldstein, the Board determined 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.

On motion made by Mr. Lombardi, seconded by Mr. Macysyn, the Board determined to go back into Open Session to discuss the Mercer County Community College Contract for July 2007 - June 2008. On motion made by Mr. Macysyn, seconded by Mr. Whiteley, the Board determined to accept the contract. All voted in favor of the motion.

EXECUTIVE SESSION - 12:45 P.M. On motion made by Mr. Whiteley, seconded by Mr. Horwitz. The Board determined to go back 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,

Richard J. Galante, Jr. Date
Secretary