

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF EMBALMING AND FUNERAL DIRECTING**

**October 25, 2005
Draft Minutes**

Present:

Ms. Kathy Cartmell-Sirrico
Mr. Edward Mazur
Ms. Judith McCarthy

Staff:

Mr. John Bresnahan
Ms. Kathe Mullalley
Ms. Helen Peveri
Ms. Kim Scully

A meeting of the Board of Registration in Embalming and Funeral Directing for the Commonwealth of Massachusetts was held on Tuesday, October 25, 2005 at 239 Causeway Street, Boston, MA. The meeting was called to order at 10:45 a.m.

Minutes:

The minutes of the October 11, 2005 meeting were circulated for review. A motion was made by Mr. Mazur, seconded by Ms. McCarthy and it was

Voted unanimously to accept the amended minutes of the October 11, 2005 meeting.

Establishment Certificate:

The Board met with Rebecca Ridley regarding the purchase of the Davis Funeral Home. After discussion, a motion was made by Mr. Mazur, seconded by Ms. McCarthy and it was

Voted unanimously to approve the establishment certificate to Ms. Ridley.

Executive Session:

Ms. Cartmell-Sirrico moves to suspend the open meeting pursuant to c. 30A, Sec. 11A1/2 (3) to discuss litigation strategy in regards to EM 04-007, EM 04-011, EM 03-183, EM 04-125, EM 05-033, EM 03-055 and EM 04-172 because such discussion if held in open session could have a detrimental effect on the Board's litigation strategy in these cases. A roll call vote was taken Ms. Cartmell-Sirrico, aye, Mr. Mazur, aye, Ms. McCarthy, aye.

The Board has concluded its executive session regarding EM 04-007, EM 04-011, EM 03-183, EM 04-125, EM 05-033, EM 03-055 and EM 04-172 and now resume its open public meeting.

Ms. Cartmell-Sirrico recused herself and left the room.

Executive Session:

Mr. Mazur moves to suspend the open meeting pursuant to c. 30A, Sec. 11A1/2 (3) to discuss litigation strategy in regards to EM 04-124, EM 04-126, EM 04-184 because such discussion if held in open session could have a detrimental effect on the Board's litigation strategy in these cases. A roll call vote was taken Mr. Mazur, aye, Ms. McCarthy, aye.

The Board has concluded its executive session regarding EM 04-124, EM 04-126, EM 04-184 and now resume its open public meeting.

Ms. Cartmell-Sirrico returned to the meeting

The Board broke for lunch at 12:00 p.m.

The Board held the official swearing in ceremony for new licensees at 1:00 p.m.

Type 3:

The Board met with Ralph Barile, Jr. After review, a motion was made by Ms. McCarthy, seconded by Mr. Mazur and it was

Voted unanimously to approve the type 3 application for Mr. Barile.

Ms. Cartmell-Sirrico recused herself and left the room.

Executive Session:

Mr. Mazur moves to suspend the open meeting pursuant to c. 30A, Sec. 11A1/2 (3) to discuss litigation strategy in regards to Suffolk Superior Court C.A. No. 05-01465 because such discussion if held in open session could have a detrimental effect on the Board's litigation strategy in these cases. A roll call vote was taken Mr. Mazur, aye, Ms. McCarthy, aye.

The Board has concluded its executive session regarding Suffolk Superior Court C.A. No. 05-01465 and now resume its open public meeting.

Ms. Cartmell-Sirrico returned to the meeting.

The Board met with Christopher Carroll of the Office of Investigations to discuss opening cases against funeral homes that have not filed preneed reports.

Executive Session:

Ms. Cartmell-Sirrico moves to suspend the open meeting pursuant to c. 30A, Sec. 11A1/2 (3) to discuss litigation strategy in regards to EM 05-029 because such discussion if held in open session could have a detrimental effect on the Board's litigation strategy in these cases. A roll call vote was taken Ms. Cartmell-Sirrico, aye, Mr. Mazur, aye, Ms. McCarthy, aye.

The Board has concluded its executive session regarding EM 05-029 and now resume it open public meeting.

Discussion:

The Board met with Leo Dube and Kevin Maloney to discuss pre need sales.

Executive Session:

Ms. Cartmell-Sirrico moves to suspend the open meeting pursuant to c. 30A, Sec. 11A1/2 (3) to discuss litigation strategy in regards to EM 05-289 and EM 05-278 because such discussion if held in open session could have a detrimental effect on the Board's litigation strategy in these cases. A roll call vote was taken Ms. Cartmell-Sirrico, aye, Mr. Mazur, aye, Ms. McCarthy, aye.

The Board has concluded its executive session regarding EM 05-289 and EM 05-278 and now resume it open public meeting.

There being no further business the meeting adjourned at 4:15 p.m.

Respectfully submitted,

Kim Scully
Recording Secretary