

**REGULAR MONTHLY MEETING  
BOARD OF COSMETOLOGY AND HAIRSTYLING  
124 HALSEY STREET - 6TH FLOOR  
NEWARK, NEW JERSEY 07102  
MARCH 8, 2005**

The regular monthly meeting of the Board of Cosmetology and Hairstyling was called to order at 9:30 a.m.

**ROLL CALL:**

Ms. Kathleen M. Alexander, Mr. Ronald Brown, Ms. Patricia Graffin, Mr. Peter Macri, Mr. Carlo Melini, Ms. Frances Tomeo, Mr. Richard G. Griswold, Executive Director, Mr. Jay A. Malanga, Assistant Executive Director and Mrs. Barbara Ambrose, Program Development Assistant were present. Ms. Elaine C. Haroldson, Ms. Rose Policastro, Ms. Lynne Rasiewicz Mr. Joseph Santagata and Ms. Marie Maiorano, Office Supervisor were absent.

Mr. Carlo Melini announced that the time, date and location of the meeting was listed in the Annual Notice Schedule. The Annual Notice Schedule was mailed to Ms. Regina L. Thomas, Secretary of State and the Newark Star-Ledger and Trentonian Newspapers on December 15, 2004 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 15, 2004.

Upon motion made by Mr. Peter Macri and seconded by Ms. Frances Gray, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held February 8, 2005 are accepted as read. The motion passed unanimously.

**INFORMAL HEARINGS**

10:15 A.M. Ms. Jeannine Marie Santoro, 1511 Ratzler Road, Wayne, New Jersey 07470 was scheduled to appear for an investigative inquiry hearing in connection with her arrest for Possession of CDS (Cocaine) and her desire to be admitted to the cosmetologist-hairstylist examination upon completion of training at Artistic Academy.

Mr. Richard G. Griswold informed the Board that it is 11:45 a.m. and Ms. Santoro is not present, nor did she request an adjournment.

Upon motion made by Mrs. Frances Gray and seconded by Ms. Patricia Graffin, Mr. Griswold is to reschedule Ms. Jeannine Santoro peremptorily to appear at the April meeting. The motion passed unanimously.

10:30 A.M. Mr. William C. Saracino, Esquire and his client, Giovanni Carfi were scheduled to appear for an investigative inquiry hearing in connection with Mr. Carfi's conviction of Aggravated Sexual Contact (3rd Degree) and his applications to renew cosmetologist-hairstylist license #WG32848 and shop license #WD22357.

Mr. Richard G. Griswold informed the Board that Mr. Saracino requested an adjournment and that the matter will be rescheduled for hearing on April 12, 2005.

10:45 A.M. Ms. Melissa Winkler, 561 Mayfair Street, Vineland, New Jersey 08360 was scheduled to appear for an investigative inquiry hearing in connection with the Consent Order she entered into with the Office of Insurance Fraud Prosecutor regarding her failure to disclose material information to New Jersey Manufacturers Insurance Company in order that the Board might determine whether licensing action should be initiated against her.

Mr. Richard G. Griswold indicated that Ms. Walker has retained counsel, that the attorney just had surgery and requested an adjournment and advised that he will be able to appear on April 12th.

The Board directed Mr. Griswold to reschedule the matter for hearing on April 12th.

11:00 A.M. Ms. Linda Rostron Kaiser, 915 Curtis Avenue, Pt. Pleasant, New Jersey 08742 was scheduled to appear for an investigative inquiry hearing in connection with the Consent Order she entered into with the Office of Insurance Fraud Prosecutor regarding the material misrepresentations she made to the Performance Insurance Company in order that the Board might determine whether licensing action should be initiated against her.

Mr. Richard G. Griswold stated that Ms. Kaiser called the Board office a week ago and spoke to Gracinda. She indicated that she is now living in Florida and that she is not able to come for a hearing, that she is not using her license but would like to keep it up and that all criminal charges against her have been dismissed. He advised that she was not scheduled to appear on the criminal charges but rather the consent order and suggested that the Board further consider the matter when she submits whatever information she submits on the criminal charges.

11:30 A.M. Mr. Anthony J. Pope, Esquire and his client, Cosmo Cerrigone were scheduled to appear for a mitigation hearing in the matter of the suspension or revocation of Mr. Cerrigone's Barber license #WI005276 and shop license #WS015326. The Board previously considered this matter at the regular monthly meeting held February 8, 2005 and authorized Deputy Attorney General Ledra H. Horowitz to settle the matter; but the terms of settlement apparently were not acceptable to Mr. Cerrigone and Mr. Pope requested a hearing in order that mitigating testimony might be given.

Mr. Richard G. Griswold indicated that Mr. Pope called to advise that he is in the midst of a criminal trial and to request an adjournment but that he submitted a letter setting forth additional mitigating factors which was accompanied by several character reference letters.

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Kathleen Alexander, the Board went into Executive Session to discuss pending disciplinary action in the matter of Cosmo Cerrigone. The motion passed unanimously.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Peter Macri, the Board returned to Open Session. The motion passed unanimously.

## **BUSINESS AGENDA**

1. Information received from Ms. Debra Norton, Administrative Services Coordinator, National-Interstate Council of State Boards of Cosmetology in connection with two infection outbreaks in California resulting out of improper cleansing and sanitation practices for pedicure foot baths was presented to the Board for their information.

Mr. Richard G. Griswold indicated that he and Jay Malanga have recently been working very closely with Mr. Anthony Monoco of the State Department of Health to conduct joint inspections because a lot of the local Departments of Health have the ability to close shops on the spot, that Mr. Monoco is the gentleman that drafted the Board's existing regulations on safety and sanitation, that he has just recently received an e-mail from him on this topic and that he will see whether he recommends amendments to the regulations such as cleaning and sanitizing foot baths after each use.

Ms. Frances Tomeo stated that the practitioners should be able to recognize patrons with medical conditions which should preclude them from receiving services.

Ms. Patricia Graffin advised that she has a neighbor who has fungus and that she goes all over the place for pedicures and never gets refused.

Mr. Richard G. Griswold indicated that if the practitioner utilizes appropriate sanitation methods, there

shouldn't be a problem.

Mr. Carlo Melini stated that next time we do the regulations, we can include amendments on this so that people can read them.

Mr. Ronald Brown suggested that possibly the inspectors can hand out information on this topic, amended regulations, etc. when they do inspections.

Mr. Richard G. Griswold indicated that they do distribute regulations and other information when there are changes.

Mr. Peter Macri stated that we should be just as concerned about practitioners with HIV and Hepatitis as we are with this.

Mr. Richard G. Griswold advised that when a license is issued to a person with HIV or Hepatitis, it is issued with conditions and that the license holder has to sign a letter agreeing to any special conditions prescribed by the Board.

2. Correspondence received from Ms. A. Romano, Supervisor, Natural Motion Institute of Hair Design, Inc. on behalf of Rodney M. Neal in connection with his conviction of Conspiracy and Criminal Contempt and his desire to be admitted to examination upon completion of training was presented to the Board for consideration. This matter was presented in order that the Board might render a determination with respect to Mr. Neal's eventual eligibility for licensure.

Upon motion made by Mrs. Frances Tomeo and seconded by Mr. Peter Macri, the Board withholds decision pending Mr. Rodney M. Neal's appearance for an investigative inquiry hearing. The motion passed unanimously.

3. A copy of the correspondence Deputy Attorney General Adriana E. Baudry sent to Mr. Song B. Rim, Esquire on December 29, 2004 in connection with Kyung Ja Kong was presented to the Board for consideration. She indicated that although Ms. Kong remitted payment of the penalty in the amount of \$1500.00, she never signed and returned the Consent Order and that she would be asking the Board to schedule the case for entry of a Final Order of Discipline; and since Mr. Rim has never responded, the Board was asked to authorize entry of a Final Order.

Upon motion made by Mr. Peter Macri and seconded by Ms. Patricia Graffin, the Board authorizes the filing of a Final Order. The motion passed unanimously.

4. Information received from Mr. John J. Zarych, Esquire on behalf of Darryl Scott in connection with his convictions of Simple Assault and Criminal Trespass and his application to renew cosmetologist-hairstylist license #WG20681 was presented to the Board for consideration. This matter was presented in order that the Board might make a determination with respect to Mr. Scott's eligibility to renew his license.

Upon motion made by Ms. Patricia Graffin and seconded by Ms. Kathleen Alexander, the Board withholds decision on this matter pending Mr. Daryl Scott's appearance for an investigative inquiry hearing. The motion passed unanimously.

5. Correspondence received from Horace Cooper, 1160 Mechanic Street, Camden, New Jersey 08104 in connection with his convictions of Manufacturing/Dispensing a Controlled Dangerous Substance, Possession of Schedule I & II Narcotics, Hindering Prosecution and Conspiracy and his desire to be admitted to the cosmetologist-hairstylist examination was presented to the Board for consideration. This matter was presented in order that the Board might render a determination with respect to his eligibility for admission to examination.

Note: Mr. Cooper appeared before the Board on October 14, 2003 for an investigative inquiry hearing; and

the Board withheld decision with respect to his eventual eligibility for licensure.

Ms. Patricia Graffin suggested withholding decision pending Mr. Cooper's appearance.

Mr. Richard G. Griswold stated that he already appeared and that the Board withheld decision pending his submission of his Parole Agreement and his compliance with the terms and conditions of his parole.

Ms. Frances Tomeo indicated that he has done that and is in compliance.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, Mr. Cooper is to be allowed to sit for examination and become licensed provided he has no further contact with the criminal justice system. The motion passed unanimously.

6. Correspondence received from Ms. Grace Altamura, 3 Fourth Street, Woodbridge, New Jersey 07075 in connection with the outstanding penalty assessed against her in the amount of \$2800.00 for her alleged violation of N.J.S.A. 45:5B-7, 8 & 9 and N.J.A.C. 13:28-2.7(c) on December 7, 2004 was presented to the Board for consideration. She indicated that she would like to waive her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

Upon motion made by Mr. Peter Macri and seconded by Ms. Frances Tomeo, the fine stands based upon the information in the report of investigation and the fact that she did not submit any evidence to disprove the charges. The motion passed unanimously.

7. Correspondence received from Ms. Wen Song, 11 Park Place, Bloomfield, New Jersey 07003 in connection with the outstanding penalty assessed against her in the amount of \$300.00 for her alleged violation of N.J.S.A. 45:5B-7 at Annie's Nail Salon, West Orange, New Jersey on November 12, 2004 was presented to the Board for consideration. She indicated that she would like to waive her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

Upon motion made by Ms. Kathleen Alexander and seconded by Ms. Patricia Graffin, the fine stands. The motion passed unanimously.

8. Correspondence received from Ms. Katie Caroline Connell, 68 Flemington Drive, Parsippany, New Jersey 07054 in connection with the outstanding penalty assessed against her in the amount of \$2500.00 for her alleged violation of N.J.S.A. 45:5B-8 on November 17, 2004 was presented to the Board for consideration. She indicated that she would like to waive her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

Upon motion made by Ms. Frances Gray and seconded by Mr. Peter Macri, the fine stands. The motion passed unanimously.

Mr. Peter Macri stated that he would like to note that the inspection report on this case is excellent.

9. A referral received from Ms. Regina Garb, Citizen's Services Section, Office of the Attorney General of correspondence received from Shawn LiverNoche and Leonardo Zayas in connection with the penalties in the amount of \$1000.00 they were required to pay in order to obtain an initial shop license for The Fellas Hair Studio, 1150 Brunswick Avenue, Trenton, New Jersey 08638 was presented to the Board for consideration. She indicated that when they applied for their shop license, there were outstanding penalties assessed against two (2) previous owners in the amount of \$1000.00 and that despite the fact that they did not purchase the business from either owner, they were required to satisfy the penalties; and she asked that the Board reimburse them for the payment they should not have been required to make.

Mr. Richard G. Griswold indicated that when shops change hands, the Board makes every effort to make sure that all outstanding penalties are paid by either the former owner or new owner but that in this case, there was no change of ownership of the business and the new business owners should not have been made

to pay the penalties of people they had no relationship with.

Upon motion made by Mrs. Frances Tomeo and seconded by Mr. Peter Macri, a refund in the amount of \$1,000.00 is to be made to Mr. LiverNoche and Mr. Zayas. The motion passed unanimously.

## **AGENDA SUPPLEMENT**

1. Mr. Richard G. Griswold distributed copies of a fax transmittal he received from Darlene Fox, Administrative Assistant, Artistic Academy, Fair Lawn in connection with a fire in their school last week. He indicated that there was a considerable amount of damage to their senior class and 3 classrooms and water and smoke damage throughout the rest of the school and that they are requesting permission to operate at a location just down the street for a period of 60 days while repairs are made to the school. He advised that he has spoken to Ms. Fox and that she assured him that the temporary location is larger than the school and that they will have all required minimum equipment.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Ronald Brown, Artistic Academy is authorized to operate at a temporary location for a period of 60 days. The motion passed unanimously.

## **COMMITTEE REPORTS**

### **Examination & Sites:**

Ms. Frances Tomeo reported that the Examiners Training Session is next Monday at Burr D. Coe Vocational Technical School. She indicated that the program will begin at 5:30 p.m., that she is going to do a power point presentation and that Janice Alvarez and some of the other members of the Advisory Committee will be doing demonstrations on various parts of the test; and she encouraged all of the Board Members to attend.

Ms. Barbara Ambroise advised that everyone has been notified.

Ms. Kathleen Alexander questioned whether there is going to be coffee.

Ms. Barbara Ambroise stated that she will take care of that.

### **Education & New Studies:**

Ms. Kathleen Alexander reported that all Committee work is up to date.

### **Violation:**

Mr. Jay Malanga reported that all Committee work is up to date.

### **School & Department of Education Liaison:**

Mr. Richard G. Griswold indicated that the application for initial licensure of Total Image Beauty Academy is a mess and that he suggested that Marta Fonte come in today to meet with the Committee at the conclusion of the boardmeeting but that he has not heard from her.

Ms. Frances Tomeo stated that she will try to set up a meeting during the last week in March. She advised that the square footage does not appear to be in compliance with the regulations and that there are other discrepancies but the square footage issue must be resolved first.

Ms. Frances Tomeo stated that that the Regis Corp. applications can be approved.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Ronald Brown, the Board approves the applications for change of ownership Regis Corporation submitted for Concorde School of Hair Design,

Bloomfield, Concorde School of Hair Design, Ocean Township, European Academy of Cosmetology and Natural Motion Institute of Hair Design. The motion passed unanimously.

Legislation:

Mr. Peter Macri reported that all Committee work is up to date.

Public Relations:

Ms. Patricia Graffin reported that all Committee work is up to date.

Upon motion made by Mr. Ronald Brown and seconded by Ms. Patricia Graffin, the meeting was adjourned at 2:10 p.m.. The motion passed unanimously.

CARLO MELINI, Chairperson

Countersigned:

RICHARD G. GRISWOLD, Executive Director