

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
APRIL 11, 2006**

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

ROLL CALL:

Ms. Janice Alvarez, Mr. Ronald Brown, Mr. Jack A. Fornaro, Mr. Christian R. Jones, Ms. Ann Marie Manahan, Mr. Carlo Melini, Ms. Denise Pereau, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay Malanga, Assistant Executive Director, Mrs. Barbara Ambroise, Program Development Assistant and Ms. Marie Maiorano, Office Supervisor were present. Ms. Elaine C. Haroldson and Mr. Anthony T. Monaco 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, 2005 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 15, 2005.

Mr. Carlo Melini called the meeting to order and asked that everyone turn off their cell phones unless they have a pending emergency and may need to be reached.

Mr. Carlo Melini opened the public participation portion of the meeting and there being no public members present asked for a motion to close the public portion of the meeting.

Upon motion made by Mr. Joseph Santagata and seconded by Ms. Janice Alvarez, the public participation portion of the meeting is closed. The motion passed unanimously.

Mr. Jay Malanga stated that on behalf of the staff and himself he would like to revisit Richard Griswold's life. Mr. Griswold had been affiliated with the Board since 1972 and it is difficult to annunciate all his attributes and accomplishments. Richard Griswold had a unique personality. In all the years I have been in State employment, Richard is one of the finest administrators I have been in contact with and by far stood heads and shoulders above all of those I worked with. His secret ambition was to be an attorney and because of his dedication to his family and providing for his family, he put his own desires on hold and later decided to stay with the Board. He completed his college education in the evenings receiving his bachelor's degree at Seton Hall University. He was Secretary for the Board of Beauty Culture Control and then became Executive Director when the Board merged with the Board of Barbers. His total effort on behalf of the Board and on behalf of those who sit here was a hundred percent. Nothing was half way with him. Everything he did he did with all his heart and soul.

His administrator skills are only are a shadow of the man. The man that I know and wish I could be half of was devoted to his family and was a tremendous family man. In order of importance his family came first, this Board came second and baseball was third. Those were the loves of his life. He would pick up and run at a drop of a hat if his family was in trouble. His wife, Kathy was very important. The only time he missed a Board meeting was for his wife's surgery. He had the same devotion to his children.

That tough exterior that we all saw and learned to love was overshadowed by a heart that was as big and kind as could be. Richard would give you the shirt off his back. I saw in him tenderness, compassion, kindness and understanding not always seen by others. There are things that he did to help others that he never revealed. He did them totally anonymous because he wanted to do it in his way. We had people within our staff that have been extremely ill and he donated his sick time to those people that were in need.

He handled his illness with a great deal of courage. He attempted to work in his last 5 to 6 weeks and the year prior to that he did not miss a day. In his last 5 weeks he revisited his life because he talked about people that he dealt with, he never had a bad word to say about anyone. Those of us, including myself, who have had disagreements with him found once the disagreement was settled it was over and forgotten. He and I had gone to battle several times in the 12 years I worked directly for him. Once it was over, it was over with the understanding that business is business and friendship is friendship. He would put it behind him and you would never hear about the issue again. I have a great deal of respect for Richard and I must tell you in closing that if I were allowed to have a hero he would be my hero. I have some great, great memories of him and I will miss him. I miss his counsel and I think that this Board is much richer for having had him here for many years. I would hope that all of you would appreciate what he has done for the Board and industry and understand his persona, he was a good man. Thank you for listening to me and I appreciate it and I hope he is listening because I probably never told him how much I appreciated him.

Mr. Carlo Melini stated that he had a thought and would like to run it by the Board. As a way for this Board to recognize, memorialize and thank Mr. Griswold and show their appreciation, maybe the Board could get a nice photograph of Mr. Griswold and below it could have something in memory and appreciation for his 34 years of dedication and service to the Board of Cosmetology & Hairstyling and also have each one of the Board Members names printed on it. The portrait would be hung at the Board office in his memory.

Mr. Jay Malanga stated that he will be contacting Mrs. Griswold to ask if she has a favorite photo that can be reproduced and hand painted.

Upon motion made Mr. Jerry Speziale and seconded by Mr. Jack Fornaro, a portrait is to be made of Mr. Richard G. Griswold and put in the Board Office. The motion passed unanimously.

Mr. Jack Fornaro stated that he certainly was going to miss Richard and asked for a moment of silence in remembrance of Mr. Griswold.

Mr. Ronald Brown stated that he remembered as a new board member, Mr. Griswold coming over to him and talking to him about his responsibilities. He stated that they had met on numerous occasions when he came down to the Board Office when opening salons. The one thing that always seemed to get me no matter what I was doing was his voice. It was a very, very unique voice that overshadowed everyone else's voice. I will miss that voice. But I feel I will always hear his voice here in this room and I know I will probably hear it through Jay or through Carlo and others.

Ms. Janice Alvarez stated that she was really hoping to have spent more time with him. I feel cheated, he was such a walking encyclopedia of information and knew the industry well and I will miss him.

Mr. Carlo Melini stated that he would like to echo everyone else's thoughts. You could not have found a more dedicated person to this industry right to the end, he was there taking care of business. I knew that he had a military career, but Richard was a modest person who didn't advertise the things that he did in his life. When I went to his service I saw a picture of him in his military uniform. Richard's military occupational specialty was a machine gunner on helicopters. Those of you familiar with that era, machine gunners on helicopters had the shortest life expectancy of anybody in the Vietnam War. It is ironic that he survived all of that and now came to a point in his life, very close to retirement, that was shortened of years to enjoy and it is really unfortunate. God bless him and his family.

Mr. Jay Malanga informed the Board that NIC had informed him that they were going to do an article on Mr. Griswold in their next quarterly newsletter.

Mr. Jay Malanga handed out a newspaper article from The Beacon on Jerry Speziale being honored on April 2nd receiving the McNulty Award for his good work with the public, sick and blind, and commended him for his outstanding services and charitable work.

ACCEPTANCE OF MINUTES:

A discussion was held concerning the minutes

Upon motion made by Ms. Denise Perea and seconded by Mr. Ronald Brown, the minutes are tabled for Deputy Attorney General review. The motion passed unanimously.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jack Fornaro, the Board went into Closed Session to seek legal advice. The motion passed unanimously.

HEARINGS:

10:15 A.M. Mr. Steven Nguyen, Esquire and his client, Mr. Son T. Huynh, t/a Top Nails, 722 Route 72 West, K-Mart Village Shopping Center, Manahawkin, New Jersey 08050 were scheduled peremptorily to appear for hearing in connection with the outstanding penalties assessed against Mr. Huynh for the alleged violations resulting out of inspection of his shop on May 25, 2005. He was observed operating with Linh Phuong Thi Nguyen, Thanh T. Nguyen, Van Tran and Lyz P. Nguyen engaging in the practice of cosmetology and hairstyling without valid licenses, with an unidentified, unlicensed female engaging in the practice of cosmetology and hairstyling, without proper ventilation, without all required minimum equipment and in an unsanitary manner; and penalties in the amount of \$33,650.00 were assessed, to include previous penalties.

Mr Jay Malanga informed the Board that Deputy Attorney General Ledra Horowitz had negotiated a settlement offer with Mr. Nguyen to pay a penalty in the amount of \$17,000.00.

The Board reviewed the Consent Order with the terms and conditions of the settlement.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jack Fornaro, the Board accepts the settlement offer and approves the Consent Order. The motion passed unanimously.

INVESTIGATIVE INQUIRIES:

10:45 A.M. Mr. Hakeem Holmes, 111 South Harrison Street, East Orange, New Jersey 07018 appeared for an investigative inquiry in connection with his application for initial shop licensure of Definition of Hair and his conviction of Unlawful Possession of a Weapon-Handgun.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jerry Speziale, the Board went into Executive Session for the purpose of conducting an investigative inquiry. The motion passed unanimously.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jerry Speziale, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Ms. Denise Perea and seconded by Ms. Janice Alvarez, Mr. Holmes is to be allowed to make application for initial shop licensure of Definition of Hair. The motion passed unanimously.

11:15 A.M. Ms. Natalie J. Spilotras, PO Box 222, Glen Gardner, New Jersey 08826 was scheduled to appear for an investigative inquiry in connection with her convictions of Theft By Deception and Forgery and her failure to divulge this information when she renewed her cosmetologist-hairstylist license #WG38784 on August 20, 2004.

Mr. Jay Malanga stated that Ms. Natalie Spilotras requested an adjournment. He advised the Board that it would be her third time being scheduled and asked for a motion to schedule her peremptorily.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jerry Speziale, Ms. Natalie Spilotras is to

be scheduled peremptorily for the next meeting date. The motion passed unanimously.

BUSINESS AGENDA

1. Correspondence received from Mr. Charles Kirkpatrick, Executive Officer, in connection with the 80th Annual Conference of the National Association of Barber Board of America to be held at the Holiday Inn Select in Denver, Colorado on September 23-28, 2006. There is presently a freeze on all out-of-state travel but this information is being distributed in the event that any member would like to participate at their own expense was presented to the Board for information.

The Board acknowledged the information.

2. Correspondence received from Ms. Sylvia Calloway in connection with the International Hair & Beauty Show to be held at the Meadowlands Exposition Center, 355 Plaza Drive, Secaucus, New Jersey on May 21-22, 2006 was presented to the Board for information.

The Board acknowledged the information.

3. Correspondence received from Ms. Carrol Stevens, Educational Supervisor, Christine Valmy International School Esthetics & Cosmetology, 285 Change Bridge Road, Pine Brook, New Jersey 07058 in connection with their desire to start new students in September 2006 on September 11th rather than September 5th and in January 2007 on January 8th rather than January 2nd as required by N.J.A.C. 13:28-6.10 was presented to the Board for consideration.

Upon motion made by Ms. Janice Alvarez and seconded by Ms. Denise Perea, Ms. Stevens's request is approved. The motion passed unanimously.

4. Correspondence received from Ms. Alana Barneman, 503 Azelea Drive, Brick, New Jersey 08724 in connection with the outstanding penalty assessed against her in the amount of \$100.00 for the alleged violation resulting out of an inspection of Salon No Vel & The Wellness Spa at Point Pleasant, 2425 Bridge Avenue, Point Pleasant, New Jersey on February 10, 2006 was presented to the Board for consideration. She has indicated that she would like to waive her right to a hearing but has furnished a written explanation for the Board to consider before rendering its final decision.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jerry Speziale, the fine stands. The motion passed unanimously.

5. Correspondence received from Mr. Antonio L. Cruz, Esquire on behalf of his client, Judith Aquino, t/a Judy's Super Shear, 181 Smith Street, Perth Amboy, New Jersey in connection with the penalties assessed against her in the amount of \$2100.00 for the alleged violations resulting out of an inspection of her shop on May 11, 2005 was presented to the Board for consideration. He has submitted a check in the amount of \$1500.00 with a written explanation and has asked that the Board accept it as a settlement offer.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jack Fornaro, the Board accepts the settlement offer of \$1500.00. The motion passed unanimously.

6. Correspondence recently received from Mr. Victor Garcia, 35 DeHart Place, Basement Apt., Elizabeth, New Jersey in connection with his convictions of various criminal offenses and his desire to complete a term of training at European Academy of Cosmetology and eventually become licensed was presented to the Board for consideration. Mr. Garcia appeared for an investigative inquiry hearing at the regular monthly meeting held on September 13, 2005 but the Board withheld decision pending his submission of a letter from his probation officer, his church, the Director of European Academy of Cosmetology and his GED course instructor.

Mr. Jay Malanga indicated that Mr. Garcia has sent in all the requested additional information.

Upon motion made by Mr. Christian Jones and seconded by Mr. Jack Fornaro, the Board grants permission for Mr. Victor Garcia to sit for examination upon his completion of training. The motion passed unanimously.

7. Correspondence received from Ms. In Sook Han, 540 Lawn Avenue, Palisades Park, New Jersey in connection with the Provisional Order of Discipline issued to her on January 12, 2006 and her request for modification or dismissal was presented to the Board for consideration. Ms. Han has submitted supporting evidence that she graduated from Chung Hwa Beauty College and asked that the Board dismiss the Provisional Order of Discipline issued to her.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jack Fornaro, the Provisional Order of Discipline issued to Ms. In Sook Han is dismissed. The motion passed unanimously.

8. Correspondence received from Ms. Catherine Galindo, Investigator, Division of Consumer Affairs Enforcement Bureau with accompanying criminal background information on Mr. Charles Nisivoccia, 118 Country Lane, Clifton, New Jersey 07013. Mr. Nisivoccia is the holder of license #WA40638 and this matter is presented in order that the Board might determine whether it desires to initiate licensing action against him.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, Mr. Charles Nisivoccia is to be scheduled for an Investigative Inquiry. The motion passed unanimously.

AGENDA SUPPLEMENT

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Joseph Santagata, the following two supplements are allowed to be added to the agenda. The motion passed unanimously.

1. Correspondence received from Mr. Joseph P. La Sala, Esquire on behalf of Cosmo Cerrigone in connection with the suspension of his barber license #WI005276 and correspondence received from Deputy Attorney General Ledra H. Horowitz in response to same was presented to the Board for consideration.

Upon motion made by Ms. Janice Alvarez and seconded by Ms. Denise Perea, the Board went into Executive Session for advice of counsel. The motion passed unanimously.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Jerry Speziale, the Board returned to Open Session to announce its decision. The motion passed unanimously.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Christian Jones, it was moved to deny Mr. Cerrigone's request to reduce his 18 month active suspension to time already served. The motion passed unanimously.

2. Correspondence recently received from Ms. Marilyn Kessous on behalf of her client, Tatyana Yermiova, t/a Maxim Hair Design, 340 Route 9 North, Manalapan, New Jersey 07726 in connection with the outstanding penalties against her in the amount of \$700.00 for the alleged violations resulting out of an inspection of her shop on December 12, 2005.

Mr. Jay Malanga asked for a motion to allow the Board's counsel to negotiate a settlement.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Jerry Speziale, it was moved to authorize the Board's counsel to negotiate a settlement offer of a minimum of 50% of the penalty. The motion passed unanimously.

COMMITTEE REPORTS

Ms. Denise Perea handed out a rough draft of a letter to Governor Jon D. Corzine from the Board

Members expressing their concerns over about the current hiring freeze in the State of New Jersey and to provide a practical solution to a fiscal problem affecting the State and the administration of the Board's ongoing needs.

Mr. Jay Malanga suggested that Ms. Denise Pereau meet with the Director or Deputy Director before a letter like this is sent out.

Mr. Ronald Brown stated that he did not think the letter had any place, that it was a wish list and that the State has budget problems.

Mr. Carlo Melini stated that he though the letter was very well drafted and we understand that there are budget problems but also recognized that this Board is self-sustaining. He stated that he would like to be included in that meeting and that maybe a meeting could be set up on the next board meeting date.

Mr. Jay Malanga indicated that he would attempt to set up a meeting.

The Board's counsel stated that the Board has to follow the right protocol on this matter and must communicate with the Director or a member of her staff before the letter is sent.

Ms. Janice Alvarez suggested that the Board get more information out to its licensees so that they do can avoid violators. She indicated that an educational component should be put in to every license renewal and that Florida already does that. She stated that the newsletter would be another tool for getting information out.

The Board's counsel stated that with regard to aestheticians practicing in health care facilities, Mr. Griswold had corresponded with the Board of Medical Examiners. The meeting with the Board of Medical Examiners is tentatively being held on Thursday, May 25, 2006.

Ms. Janice Alvarez, Ms. Denise Pereau and Mr. Carlo Melini expressed a willingness to attend the meeting.

Mr. Jay Malanga stated that he had several cases already on this issue.

PUBLIC RELATIONS:

Ms. Denise Pereau stated that last month a list of proposals were handed out on what the Committe would like to accomplish. She stated that one of them was to do a newsletter and that Mr. Malanga had given her copies of old newsletters and that they will be very helpful and were pretty interesting. She asked that the Board Members submit ideas for the newsletter.

Mr. Jay Malanga stated that while the Committee is trying to get the newsletter in place, they may consider putting information on the Board's website. We would have to discuss this with administrative personnel to see whether this could be done.

Ms. Denise Pereau stated that she liked that idea and suggested that some of the board members who have writing skills come up with articles to post on the web site. She asked that they bring them in for our next meeting.

Ms. Denise Pereau stated that the Committe was also trying to establish a consumer hot line for the public.

Mr. Jay Malanga stated that the Division already has a Consumer Service Center that receives hot line complaints.

Ms. Denise Pereau suggested utilizing the number to the Consumer Service Center. She submitted a Client's Right to Know and went over them with the Board. She also handed out a letter that the Committee would like to see sent out to a new board members in the future so that they could be aware of

what to expect with regard to their duties.

The Board's counsel stated that an orientation session for the new Board Members should be scheduled for next month if possible.

Ms. Denise Pereau stated that the Committee was also looking into continuing education for the Board's licensees and she has a call into the Board of Florida and she thinks the Educational Component during renewals would be a good thing.

Mr. John Eisenmenger stated that the Board has time to remit the proposal but it would need a legislative change.

Ms. Denise Pereau stated that the first step dialogue should be to look how other state boards are handling this and then come back with suggestions and give it to the Legislative Committee.

LEGISLATION:

Ms. Mary Ann Sheehan informed the Board that the Board's amendments to the Stanley Bill #A871 have been given to the Attorney General's Office and that is all the information she had right now on this issue.

VIOLATION:

Mr. Jerry Speziale reported that all Committee work is up to date.

EDUCATION:

See Public Relations Committee.

EXAMINATION AND SITES:

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Joseph Santagata, the Board went into Executive Session for the purpose of advice of counsel. The motion passed unanimously.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Christian Jones, the Board returned to Open Session.

Ms. Barbara Ambroise stated that as Jay Malanga had mentioned before, the special testing is being conducted on Tuesday, May 23rd and Wednesday, May 24th at the Sovereign Bank Arena in Trenton. She stated that she thought it was important to have Board Members attend.

Mr. Christian Jones stated that at the February meeting of this year the Board gave authority to Jay, Barbara and Mr. Griswold to choose a vendor for CBT testing and he wanted an update.

Mr. Jay Malanga stated that he had spoken to Laser Grade two weeks ago and was told they have more sites for the Board to visit. He indicated that with the Board's permission, he would schedule days for the Board to visit those sites.

Mr. Christian Jones asked that Mr. Jay Malanga respond to the motion delegating authority to the Executive Director to choose a vendor.

SCHOOL

Ms. Janice Alvarez reported that all Committee work is up to date and that they are reviewing a 500 hour teacher training course for one school and a change of schedule for another school and will report back once their review has been completed.

REGULATORY

No report was given.

Upon motion made by Mr. Christian Jones and seconded by Mr. Jerry Speziale, the meeting was adjourned at 3:10 P.M.. The motion passed unanimously.

CARLO MELINI, Chairperson
Countersigned:

JAY A. MALANGA, Assistant Executive Director