

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
APRIL 12, 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, Ms. Elaine C. Haroldson, Mr. Peter Macri, Mr. Carlo Melini, Ms. Rose Policastro, Ms. Frances Tomeo, Mr. Joseph Santagata, Mr. Richard G. Griswold, Executive Director, Mr. Jay A. Malanga, Assistant Executive Director, Mrs. Barbara Ambroise, Program Development Assistant and Ms. Marie Maiorano, Office Supervisor were present. Mr. Ronald Brown, Ms. Patricia Graffin and Ms. Lynne Rasiewicz 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 Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held March 8, 2005 are accepted as read. The motion passed unanimously.

Mr. Carlo Melini welcomed Rose Policastro back; and she thanked everyone for their cards, telephone calls and gifts.

INFORMAL HEARINGS

10:15 A.M. Ms. Jeannine Marie Santoro, 1511 Ratzler Road, Wayne, New Jersey 07470 appeared 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. Carlo Melini greeted Ms. Jeannine Marie Santoro, explained why she had been scheduled to appear and asked that she be sworn-in.

Ms. Jeannine Marie Santoro offered her testimony and answered questions of Deputy Attorney General Swang Oo and the Board.

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Elaine Haroldson, the Board went into Executive Session for the purpose of deliberation. The motion passed unanimously.

See Court Reporter Transcripts for exact testimony.

Upon motion made by Ms. Kathleen Alexander and seconded by Mrs. Rose Policastro, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Ms. Elaine Haroldson and seconded by Mr. Peter Macri, this conviction will not bar Ms. Santoro from admission to examination provided she satisfies all of the terms and conditions of her probation, has no further contact with the criminal justice system and provides the Board with a copy of her release certificate when she is released from supervision. The motion passed unanimously.

10:30 A.M. Mr. William C. Saracino, Esquire and his client, Giovanni Carfi appeared 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. Carlo Melini greeted Mr. William Saracino, Esquire and his client, Giovanni Carfi and asked that Mr. Carfi be sworn-in.

Mr. William Saracino gave an opening statement on behalf of his client.

Deputy Attorney General Swang Oo gave an opening statement.

Mr. Giovanni Carfi offered his testimony and answered questions of Deputy Attorney General Swang Oo and the Board.

Upon motion made by Ms. Frances Tomeo and seconded by Mrs. Rose Policastro, the Board went into Executive Session for the purpose of deliberation. The motion passed unanimously.

See Court Reporter Transcripts for exact testimony.

Upon motion made by Ms. Frances Tomeo and seconded by Mrs. Rose Policastro, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Elaine Haroldson, Mr. Carfi is to be allowed to renew his cosmetologist-hairstylist and shop licenses, provided he submits verification that he has been released from probation, a complete copy of the psychiatric evaluation done on him at Menlo Park Diagnostic Center and he pays a penalty of \$1,000.00 for making false statements on his initial application for license and the renewal applications he submitted in 2000 and 2002. The motion passed unanimously.

10:45 A.M. Ms. Melissa Winkler, 561 Mayfair Street, Vineland, New Jersey appeared 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 and whether licensing action should be initiated against her.

Mr. Carlo Melini greeted Ms. Melissa Winkler, explained why she had been scheduled to appear and asked that she be sworn-in.

Ms. Melissa Winkler offered her testimony and answered questions of Deputy Attorney General Swang Oo and the Board.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board went into Executive Session for the purpose of deliberation. The motion passed unanimously.

See Court Reporter Transcripts for exact testimony.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, there is insufficient cause for action against Ms. Winkler at this time. The motion passed unanimously.

11:00 A.M. Mr. Rodney M. Neal, 99 Orient Avenue, Jersey City, New Jersey 07305 appeared for an investigative inquiry hearing in connection with his conviction of Conspiracy and Criminal Contempt and his desire to become licensed upon completion of training at Natural Motion Institute of Hair Design, Inc.

Mr. Carlo Melini greeted Mr. Rodney Neal, explained why he had been scheduled to appear and asked that he be sworn-in.

Mr. Rodney Neal offered his testimony and answered questions of Deputy Attorney General Swang Oo and the Board.

Upon motion made by Mr. Peter Macri and seconded by Ms. Frances Tomeo, the Board went into Executive Session for the purpose of deliberation. The motion passed unanimously.

See Court Report Transcripts for exact testimony.

Upon motion made by Mr. Peter Macri and seconded by Ms. Frances Tomeo the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Mr. Joseph Santagata and seconded by Mrs. Rose Policastro, this conviction will not bar Mr. Rodney Neal from sitting for examination upon completion of his training, provided he complies with all of the terms and conditions of his parole, submits quarterly reports from his parole office until such time as he is released from supervision and he has no further contact with the criminal justice system. The motion passed unanimously.

BUSINESS AGENDA

1. Correspondence received from Ms. Marie C. Miller in connection with the outstanding penalty assessed against her in the amount of \$2,500.00 for her alleged violation of N.J.S.A. 45:5B-8 & 9 and N.J.A.C. 13:28-2.7C on December 2, 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 it's final decision.

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

2. Correspondence received from Ms. Vashauna Lewis, 336 Evergreen Avenue, Oakland, New Jersey 08107 in connection with her conviction of Receiving Stolen Property and her desire to reinstate cosmetologist-hairstylist license #WG36428 was presented to the Board for consideration. This matter was presented to the Board in order that a determination might be made as to whether Ms. Lewis should be allowed to restore her license.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board withholds decision on this matter pending Ms. Vashauna Lewis' appearance for an investigative inquiry hearing. The motion passed unanimously

3. A request for hearing received from Mr. Angelo J. Genova, Esquire on behalf of Mr. Paul Gaglioti, President, Dieci Lifestyles Spa, 90 West Mt. Pleasant Avenue, Livingston, New Jersey in connection with the outstanding penalty assessed against him in the amount \$2,500.00 for his alleged violation of N.J.S.A. 45:5B-3(j) and N.J.S.A. 45:5B-37 on February 26, 2004 was presented to the Board for consideration. The Board was asked to determine whether it would like to proceed with the scheduling of a hearing in light of the fact that there might be a problem with the "proofs" in this matter.

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Kathleen Alexander, the Board went into Executive Session for the purpose of discussing a pending disciplinary matter.. The motion passed unanimously.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the charge (N.J.S.A. 45:5B-3(j)) against Dieci Lifestyles Spa is withdrawn, a copy of the report is to be forwarded to the Dental Board and the Enforcement Bureau is to be asked to do a follow-up investigation. The motion passed

unanimously.

4. Correspondence received from Mr. Kevin Perneta, Director of Accreditation and Compliance, Empire Beauty Schools Inc. in connection with their desire to relocate Empire Beauty School, 1719 Brunswick Avenue, Lawrenceville, New Jersey to 610 Route 206, Bordentown, New Jersey was presented to the Board for consideration. This matter was presented in order that a determination might be made with respect to the documentation Mr. Perneta will be required to submit with their application for relocation.

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Kathleen Alexander, Empire Beauty School needs to submit an application for initial licensure, their lease, their school bond, a floor plan and copies of all literature and materials bearing the new address and they must successfully complete an initial school inspection. The motion passed unanimously.

5. A report of investigation received from Mr. Edward Tumminello, Chief, Division of Consumer Affairs Enforcement Bureau in connection with a Medical Esthetician Program being offered by Kimberly D. Citro at Hunterdon County Polytech Institute of Advanced Studies in Flemington, New Jersey was presented to the Board for consideration. Mr. Tumminello forwarded this information to the Board of Medical Examiners and the Board of Cosmetology and Hairstyling to provide some insight into the types of procedures medical estheticians are being trained to perform.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board went into Executive Session to discuss a pending investigation. The motion passed unanimously.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Ms. Kathleen Alexander and seconded by Ms. Frances Tomeo, Ms. Alexander will draft a letter to Hunterdon County Polytech asking them to furnish the information discussed in closed session.. The motion passed unanimously.

6. Correspondence received from Dr. Sherry A. Blair, Dr. R.K. Parangi, Mr. Ben J. Teichberg and Mr. William Reilley in connection with Rosa E. Narvaez, 85 Route 5, Edgewater, New Jersey 07020, her conviction of Endangering the Welfare of a Child and her desire to be admitted to the manicuring examination upon completion of training at Onyx Beauty Academy, Inc. was presented to the Board for consideration. Ms. Narvaez appeared before the Board on December 14, 2004 for an investigative inquiry hearing; and the Board withheld decision pending her submission of a full report from Dr. Blair, reports from any psychiatrists or psychologists she has seen since discontinuing treatment with Dr. Blair, a character reference from William Reilley and one other person and copies of her transcripts and attendance records from Onyx Beauty Academy, Inc.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, Ms. Rosa E. Narvaez is to be allowed to sit for examination, provided she satisfies all of the terms and conditions of her parole, submits quarterly reports from her parole officer until such time as she is release from supervision and has no further contact with the criminal justice system. The motion passed unanimously.

AGENDA SUPPLEMENT

1. Mr. Richard G. Griswold distributed copies of the correspondence he recently received from Mr. Anthony J. Pope, Esquire with the Consent Order his client, Cosmo Cerrigon has agreed to and signed. He advised that the Board authorized DAG Ledra Horowitz to settle this matter, that she has done so with the terms authorized by the Board and that he would like the Board to briefly review the Order and then approve the settlement. He explained that it provides for revocation of Mr. Cerrigone's shop license, suspension of his barber license for a period of 5 years, 18 months active, payment of a penalty of \$7,500.00 and payment of costs in the amount of \$882.00. He advised that Mr. Cerrigone submitted payment of \$1,000.00 of the penalty and the costs of \$882.00 with the Order and that he will file a

Certificate of Debt on the \$6,500.00 penalty balance.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board approves the Consent Agreement in the matter of Cosmo Cerrigone. The motion passed unanimously.

COMMITTEE REPORTS

Examination & Sites:

Ms. Frances Tomeo reported that the committee met on March 29th, that last month, we decided to go with computer based testing and this month, we decided to go with Thompson Prometric and that she believes the Board will be in a position to sign a contract with them in the near future.

Mr. Peter Macri stated that he thinks it is important for the Board to act on this now.

Ms. Frances Tomeo stated that a meeting is scheduled for April 20th to discuss a contract.

Upon motion made by Mr. Peter Macri and seconded by Ms. Elaine Haroldson, the Board accepts the committee's findings and recommendations with respect to entering into contract negotiations with Thompson Prometric. The motion passed unanimously.

Ms. Kathleen Alexander stated that the committee is looking forward to moving forward and wants to start looking at full exams for out of state/out of country applicants.

Ms. Frances Tomeo advised that it will take legislation to do away with the cross over exams.

Mr. Jay Malanga indicated that it will start here and that we need to meet with the Division to discuss the legislative changes.

Mr. Richard G. Griswold stated that we need to try to do away with the partial examinations for crossovers.

Mrs. Barbara Ambrose indicated that they are going to bring a couple of the newly trained examiners to each test site next month.

Ms. Kathleen Alexander stated that she will be recommending to her boss that all public school teachers should go for training sessions in barbering.

Education & New Studies:

Ms. Rose Policastro reported that all Committee work is up to date.

Ms. Kathleen Alexander stated that they are planning the special May examinations.

Violation:

Mr. Joseph Santagata reported that all Committee work is up to date.

School & Department of Education Liaison:

Ms. Frances Tomeo stated that the only thing pending is Total Image, that they received more material on it today and that they will be reviewing it.

Legislation:

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

Public Relations:

Ms. Elaine Haroldson reported that all Committee work is up to date.

Upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Santagata, the meeting was adjourned at 3:12 p.m.. The motion passed unanimously.

CARLO MELINI, Chairperson

Countersigned:

RICHARD G. GRISWOLD, Executive Director