

>

# **New Jersey State Board of Cosmetology and Hairstyling**

**Regular Monthly Meeting  
124 Halsey Street - 6th Floor  
Newark, New Jersey 07102  
Minutes of May 14, 2002**

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

## **ROLL CALL:**

Ms. Patricia Graffin, Mrs. Frances Gray, Ms. Sylvia M. Kaplan, Mr. Peter Macri, Mrs. Rose Policastro, Mr. Joseph Stead, Mr. Richard G. Griswold, Executive Director, Mr. Jay A Malanga, Assistant Executive Director, Mrs. Barbara Ambrose, Program Development Assistant and Mrs. Marie Maiorano, Office Supervisor were present. Ms. Lisa Camooso, Mr. Dennis Gullo, Mr. Carlo Melini, Ms. Lynne Rasiewicz and Mr. Joseph Santagata were absent.

Mrs. Rose Policastro announced that the time, date and location of the meeting was listed in the Annual Notice Schedule. The Annual Notice Schedule was mailed to Mr. Deforest B. Soaries, Secretary of State, the Newark Star-Ledger and Trentonian Newspapers on December 12, 2001 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 12, 2001.

## **ACCEPTANCE OF MINUTES:**

Upon motion made by Mrs. Frances Gray and seconded by Ms. Sylvia Kaplan, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held April 9, 2002 are accepted as read. The motion passed unanimously.

## **INFORMAL HEARINGS**

**10:15 A.M.** Mr. Sahag Okoorian, t/a Farino's Hairstyling, 35 Center Street, Merchantville, New Jersey 08108 was scheduled to appear in connection with the alleged violations resulting out of inspections of his shop on July 5, 2001 and August 6, 2001.. He was observed operating in an unsanitary manner on both occasions and penalties of \$250.00 and \$500.00 respectively were assessed.

Mr. Richard G. Griswold informed the Board that Mr. Okoorian has made a settlement offer of \$500.00 with a payment of \$250.00 immediately and \$250.00 in 30 days.

Upon motion made by Mrs. Frances Gray and seconded by Ms. Patricia Graffin, the Board accepts the settlement offer of \$500.00 with 2 payments of \$250.00 each. The motion passed unanimously.

**10:30 A.M.** Ms. Regina Pinkrah, t/a Unique Hair Unisex Salon, 1090 Clinton Avenue, Irvington, New Jersey 07111 was scheduled to appear in connection with the alleged violations resulting out of an inspection of her shop on February 19, 1998. She was observed operating without an experienced practicing licensee present and with Nicky D. Scott practicing cosmetology & hairstyling without a valid license and penalties of \$250.00 and \$300.00 respectively were assessed.

Mr. Richard G. Griswold informed the Board that Ms. Pinkrah is willing to settle for \$500.00, that she visited the

office yesterday and paid \$100.00 and will pay \$150.00 by May 20th and the \$250.00 balance by June 20th..

Upon motion made by Mrs. Frances Gray and seconded by Mr. Peter Macri, the Board accepts the \$500.00 settlement as explained by Mr. Richard G. Griswold. The motion passed unanimously.

**10:45 A.M.** Ms. Joanna D. Brick, Esquire and her client, Mr. Oscar James were scheduled to appear in connection with the alleged violations resulting out of an inspection of Braids "R" Us, Inc., 301 Irvington Avenue, South Orange, New Jersey 07103 on June 13, 2001. The shop was found operating without a shop license, without an experienced practicing licensee present and with Marion D. Davies practicing cosmetology & hairstyling without a valid license and penalties of \$250.00, \$250.00 and \$300.00 respectively were assessed.

Mr. Richard G. Griswold informed the Board that Ms. Brick requested an adjournment.

The Board directed that the matter be rescheduled.

**11:00 A.M.** Ms. Joanna D. Brick, Esquire and her client, Ms. Marion D. Davies were scheduled to appear in connection with the penalty assessed against Ms. Davies in the amount of \$300.00 for her alleged practice of cosmetology & hairstyling at Braids "R" Us Inc., 301 Irvington Avenue, South Orange, New Jersey 07079 on June 13, 2001 without a valid license.

Mr. Richard G. Griswold informed the Board that Ms. Brick requested an adjournment.

The Board directed that the matter be rescheduled.

**11:15 A.M.** Mr. Henry Tiru, 344 Summer Avenue, Newark, New Jersey 07104 was scheduled to appear for an investigative inquiry hearing in connection with his conviction of Possession of CDS and his desire to complete a term of training at Natural Motion Institute of Hair Design, Inc. and eventually become licensed.

Mrs. Rose Policastro stated that it is now 11:45 a.m., that Mr. Tiru is not present and that he did not request an adjournment.

Mr. Richard G. Griswold suggested that a letter should be sent to Mr. Tiru informing him that the Board is troubled by his failure to appear or to request an adjournment, that the matter will not be scheduled until he provides a written explanation and that he cannot obtain a permit or license until the Board renders a determination on his conviction.

Upon motion made by Mr. Joseph Stead and seconded by Mrs. Frances Gray, Mr. Griswold is to inform Mr. Tiru that he must explain his absence in writing and that the matter will not be rescheduled until he does so. The motion passed unanimously.

**11:30 A.M.** Mr. Todd Israel, 509 Cooper Street, Camden, New Jersey 08102 was scheduled to appear for an investigative inquiry hearing in connection with his conviction and incarceration for Aggravated Assault (2 counts) and his desire to complete a term of training at Empire Beauty School, Cherry Hill and eventually become licensed.

Mrs. Rose Policastro informed that Board that Mr. Israel's attorney left a message on Deputy Attorney General Rhonda Pope Stephens voice mail indicating that there was a mix up at Mr. Israel's halfway house, that he was supposed to be assigned an escort to come to the hearing today but that someone else got the escort by mistake. She also advised that the attorney was half way to Newark when he learned of the mix-up and apologizes for any inconvenience to the Board.

Upon motion made by Mrs. Frances Gray and seconded by Mr. Peter Macri, the matter is adjourned and is to be rescheduled. The motion passed unanimously.

## **BUSINESS AGENDA**

1. A request received from James Ottley, Hencar Holding Company, LP on behalf of Mr. Diogenes Ortiz in connection

with his application for initial (change of ownership) shop licensure of D Barber Shop, 506 57th Street, West New York, New Jersey was presented to the Board for consideration. The shop contains 330 square feet of floor space, 20 square feet short of the minimum required by N.J.A.C. 13:28-2.5; but he indicated that a shop has been operated at this location for over 80 years, that it is impossible for him to enlarge and that there should not be a problem with allowing Mr. Ortiz to continue to operate.

Upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Stead, Mr. Ortiz's application is approved with the condition that he never has more than two (2) practitioners offering services at any time. The motion passed unanimously.

2. Correspondence received from Ms. Debra Norton, Conference Coordinator in connection with the 47th annual conference of the National-Interstate Council of State Boards of Cosmetology to be held in Hilton Head Island, South Carolina on October 5, 6 and 7, 2002 was presented to the Board for consideration. The Board was asked to determine whether it would like to participate in this function and if so, which member will represent the Board.

Upon motion made by Mr. Peter Macri and seconded by Mrs. Frances Gray, Mrs. Rose Policastro is authorized to represent the Board at this function. The motion passed unanimously.

3. Correspondence received from Mr. Samuel H. Bullock, Esquire on behalf of William Esterlund, 515 Mullica Hill, A215, Glassboro, New Jersey in connection with his conviction of Attempted Theft By Deception and the settlement he entered into with the Office of Insurance Fraud Prosecutor was presented to the Board for consideration. Mr. Esterlund is the holder of cosmetologist-hairstylist license #WG11991 and was scheduled to appear for an instigative inquiry hearing on January 8, 2002 and February 11, 2002 but was granted adjournments for medical reasons; and Mr. Bullock indicated that Mr. Esterlund is indefinitely disabled and unable to appear but is willing to surrender his license pending a hearing in this matter.

Upon motion made by Mr. Peter Macri and seconded by Mrs. Frances Gray, Deputy Attorney General Rhonda Pope Stephens is to prepare a Consent Order that will facilitate the surrender of Mr. Esterlund's license until such time as he is able to appear for hearing. The motion passed unanimously.

4. Information received from Mr. Charles A. Janousek, Liaison to the Professional Boards, Office of Insurance Fraud Prosecutor in connection with Charlene Muhammad, beautician license #WA018119 was presented to the Board for consideration. Ms. Muhammad entered into a Consent Agreement with the Office of Insurance Fraud Prosecutor admitting to knowingly failing to disclose convictions to her insurance carrier and agreeing to pay a civil penalty in the amount of \$1500.00; and Mr. Janousek asked that the Board review the matter to determine whether it desires to initiate administrative disciplinary action.

Ms. Sylvia Kaplan noted that the Office of Insurance Fraud Prosecutor reduced her fine from \$5000.00 to \$1500.00 and questioned whether that penalty is not enough.

Mr. Peter Macri suggested that a strong letter from the board would be enough.

Mr. Richard G. Griswold recommended that the Board might want to schedule Ms. Muhammad for an investigative inquiry hearing to obtain more specific information and emphasize the fact that behavior such as this can impact upon her ability to continue working in this field.

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

5. A memorandum received from Deputy Attorney General Paul R. Kenny, Section Chief, Division of Law Prosecution Section in connection with My T. Pham was presented to the Board for consideration. The Board previously reviewed this matter at the request of Deputy Attorney General Kenny at the October 9, 2001 meeting and directed that he be informed that the Board would like him to proceed with prosecution; but he now advises that upon further review, he does not believe there is sufficient evidence to prosecute and asks that his concerns be relayed to the Board.

Upon motion made by Mr. Peter Macri and seconded by Mrs. Frances Gray, the Board went into Executive Session to discuss a pending disciplinary matter. The motion passed unanimously.

Upon motion made by Mrs. Frances Gray and seconded by Mr. Peter Macri, the Board returned to Open Session to announce its decision. The motion passed unanimously.

Upon motion made by Mr. Peter Macri and seconded by Mrs. Frances Gray, the Board accepts Deputy Attorney General Paul Kenny's advice; and he is to be informed that the Board is closing its file on this matter with no further action. The motion passed unanimously.

6. Correspondence received from Mr. Carlos A. Ferreira, Esquire on behalf of Ms. Nueva De Mendez, t/a Mi Salon and the settlement she made with the Board in connection with the alleged violations resulting out of inspections/investigations conducted on January 24, 2002, April 6, 2001 and February 10, 2000 was presented to the Board for consideration. The settlement called for payment of penalties in the amount of \$4,400.00 and revocation of her shop license; and although Ms. De Mendez remitted payment of the penalties, Mr. Ferreira advises that there is inconsistent language in the settlement letter, that his client is not willing to surrender her shop license and that they request a hearing on the matter.

Upon motion made by Mrs. Frances Gray and seconded by Mr. Peter Macri, the Board went into Executive Session to discuss a pending disciplinary matter. The motion passed unanimously.

Upon motion made by Mrs. Frances Gray and seconded by Ms. Patricia Graffin, the Board returned to Open Session to announce its decision. The motion passed unanimously.

Upon motion made by Mrs. Frances Gray and seconded by Ms. Patricia Graffin, the Offer of Settlement is rescinded; and Deputy Attorney General Rhonda Pope Stephens is to prepare a Consent Order which provides for a penalty of \$4,400.00 and a 1 year suspension of her shop license with 90 days active and the rest inactive. The motion passed unanimously.

7. Correspondence received from Ms. Lisa Lawlor, 617 Preston Street, Bricktown, New Jersey 08723 in connection with the penalty assessed against her in the amount of \$2,500.00 for her alleged violation of N.J.S.A. 45:5B-8 on August 10, 2001 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 and financial background information for the Board to consider before rendering its final decision.

Mr. Joseph Stead advised that the penalty should be reduced to \$500.00 and that from his reading of her letter, he does not believe she will ever do this again.

Mr. Peter Macri stated that he does not feel so sorry for her because she was working out of her home and that is no small thing.

Mr. Joseph Stead indicated that the Board can inform her that if she ever does this again, it will not be lenient.

Upon motion made by Mr. Joseph Stead and seconded by Mrs. Frances Gray, the penalty is reduced to \$500.00, based upon financial hardship and a strong warning letter is to be sent to her. The motion passed unanimously.

8. Correspondence received from Ms. Linda Karas, Associate Director, GBR, Inc., t/a Reignbow Hair Fashion Institute, 121 Watchung Avenue, N. Plainfield, New Jersey 07060 in connection with the penalties assessed against her in the amount of \$1050.00 for the alleged violations resulting out of an inspection of Reignbow Hair Fashion Institute on December 10, 2001 was presented to the Board for consideration. She remitted payment of the penalties assessed for operating in an unsanitary or unsafe manner (\$250.00) and for failing to maintain accurate daily sign-in sheets (\$300.00) and indicated that she would like to waive her right to a hearing on the charge of operating in violation of N.J.A.C. 13:28-6.20(b) 7, 9, 13, 14, 15, 16, 18, 21, 23, 24 and 25 but furnished a written explanation for the Board to consider before rendering its final decision.

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

9. Correspondence received from Ms. Huong Thi Vu, 1915 E. Cumberland Street, Philadelphia, PA 19125 in connection with the penalty assessed against her in the amount of \$300.00 for her alleged violation of N.J.S.A. 45:5B-7 at Classy Nails, Lindenwold, New Jersey on December 22, 1999 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 Mrs. Frances Gray and seconded by Ms. Patricia Graffin, the fine stands. The motion passed unanimously.

10. Correspondence received from Ms. Anna Nerlinger, 19 Sparta Avenue, Sparta, New Jersey 07871 in connection with the penalty assessed against her in the amount of \$300.00 for her alleged violation of N.J.S.A. 45:5B-7 at Barber & Style Shop, Sparta, New Jersey on December 4, 2001 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 Mrs. Frances Gray and seconded by Ms. Patricia Graffin, the fine stands. The motion passed unanimously.

11. Correspondence received from Ms. Linda A. White-Tortu, 101 Tansboro Road, Berlin, New Jersey 08009 in connection with the penalty assessed against her in the amount of \$300.00 for her alleged violation of N.J.S.A. 45:5B-7 at Madelyn's Salon, Cherry Hill, New Jersey on January 21, 2001 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 Mrs. Frances Gray and seconded by Ms. Patricia Graffin, the fine stands. The motion passed unanimously.

12. Correspondence received from Ms. Maria Kim, 213 Knox Avenue, 3rd Floor, Cliffside Park, New Jersey 07010 in connection with the penalty assessed against her in the amount of \$300.00 for her alleged violation of N.J.S.A. 45:5B-7 and Hana's Nail, Cliffside Park, New Jersey on January 15, 2002 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 Mrs. Frances Gray and seconded by Ms. Patricia Graffin, the fine stands. The motion passed unanimously.

13. Correspondence received from Ms. Mary Ann Tursi, t/a Studio 7 Hair & Nails, 1875 Hooper Avenue, Toms River, New Jersey 08753 in connection with the penalty assessed against her in the amount of \$250.00 for her alleged operation on October 5, 1999 in violation of N.J.S.A. 45:5B-13(e) and N.J.A.C. 13:28-3.1(d), (f) 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 Mr. Joseph Stead and seconded by Ms. Patricia Graffin, the fine stands. The motion passed unanimously.

14. Correspondence received from Ms. Maureen L. Mawby, 157 Oakwood Road East, Watchung, New Jersey 07069 in connection with the penalty assessed against her in the amount of \$250.00 for her alleged violation of N.J.S.A. 45:5B-7 and 35 at Club Beaute, Bedminster, New Jersey on February 9, 1999 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 Mr. Peter Macri and seconded by Mrs. Frances Gray, the fine stands. The motion passed

unanimously.

15. Correspondence received from Ms. Heather J. Doyle, P.O. Box 325, Blairstown, New Jersey 07825 in connection with her conviction and incarceration for Possession of Heroin and Violation of Probation and her desire to reinstate cosmetologist-hairstylist license #WG023365 was presented to the Board for consideration. The matter was presented in order that the Board might render a determination with respect to her eligibility to reinstate her license.

Upon motion made by Mrs. Frances Gray and seconded by Ms. Sylvia Kaplan, the Board withholds decision on this matter pending Ms. Doyle's appearance for an investigative inquiry hearing. The motion passed unanimously

## **AGENDA SUPPLEMENT**

1. Mr. Richard G. Griswold informed the Board that he is in receipt of a letter from Mr. Carmen De Pasquale, Director of Artistic Academy of Hair Design stating that he would like to move his school to a new location, that an application for initial license is required but in the past the Board has always waived a lot of paperwork required for new schools; and he suggested that he check the last application the Board processed on a relocation and inform Mr. DePasquale accordingly. He indicated that this will save the School Committee and the Board a lot of time by not checking items already approved such as lesson plans; and the Board concurred with Mr. Griswold's recommendation.

2. Mr. Richard G. Griswold stated that in the past the Board has canceled either the July or August meeting because of vacation conflicts; and he asked whether the Board wants to do so again this summer.

Upon motion made by Mr. Peter Macri and seconded by Mrs. Frances Gray, the July meeting is canceled. The motion passed unanimously.

## **COMMITTEE REPORTS**

### **Examination & Sites:**

Mrs. Barbara Ambrose informed the Board that the Annual Special Tests will be conducted on Monday and Tuesday of next week, that approximately 1,000 students will be tested over the 2 day period and that she is looking forward to having as many Board Members as possible help out.

Mr. Peter Macri and Mr. Joseph Stead stated that they will be there Tuesday. Ms. Sylvia Kaplan indicated that she plans to attend both days. Mrs. Frances Gray and Mrs. Rose Policastro stated that they will be there both days; and Mr. Malanga advised he will attend on Tuesday and Mr. Griswold on Monday.

Mr. Jay Malanga indicated that the examiners are all set, that Barbara took care of the assignments..

Mrs. Barbara Ambrose stated that all examiners have been notified.

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

Mrs. Rose Policastro reported that all committee work is up to date.

### **Violation:**

No report was given.

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

Mrs. Rose Policastro reported that she gave the Onyx school application paperwork to Mr. Griswold, that the paperwork is finally in order, that she is pretty sure they do not presently satisfy the minimum square footage requirements but that the insurance agency is supposed to be moving out on May 25th and then they will have plenty of space.

Mr. Richard G. Griswold indicated that he requested a preliminary initial school inspection quite some time ago but has not received a report and that he would suggest that the owner and supervising teacher be scheduled to appear for interview at the next meeting.

The Board concurred with Mr. Griswold's recommendation.

Mrs. Rose Policastro also reported that she has completed her review of the Empire Beauty School curriculum and that it is okay but that they want to start new classes every six weeks, contrary to the first Monday of the month as required by regulation; and she suggested that the full Board consider this matter at an upcoming meeting.

Mr. Richard G. Griswold indicated that within the last few weeks, Jay Malanga has received complaints on Eldysi from most of their students. They claim that there is no hot water, no electricity, no heat, no supplies, inadequate teaching and that they are required to routinely clean the bathrooms as well as the rest of the school.

Mr. Jay Malanga stated that the Enforcement Bureau was supposed to have sent an investigator to the school last Friday but that he has not yet received a report.

Mr. Richard G. Griswold suggested that the Board consider scheduling Ms. Elisa Vlahos to appear for an investigative inquiry hearing at the next meeting.

The Board concurred with Mr. Griswold's suggestion but asked that he wait until he receives the investigation report before scheduling her.

#### **Legislation:**

Mr. Peter Macri indicated that he attended an honorarium dinner and had the opportunity to speak to people about the apprenticeship proposal recently made by Hair Cuttery and of the obvious void he sees in barbering/hair cutting skills in applicants appearing at the licensing exams, that his comments were well received and that he has spoken to Deputy Attorney General Rhonda Pope Stephens about having Maryann Sheehan come to an upcoming meeting.

#### **Public Relations:**

Ms. Patricia Graffin reminded the Board that the party/luncheon for Annie Anderson and Earl Brancolino is still pending.

Mr. Richard G. Griswold indicated that he ordered a plaque for Annie but that it's not in yet.

Mrs. Rose Policastro congratulated Mr. Jay Malanga on the letter he received from the Attorney General rescinding the termination notice issued to him.

Mr. Malanga thanked Mrs. Policastro and indicated that he was very relieved and appreciative of everything Mr. Griswold did.

Mr. Richard G. Griswold stated that Mr. Malanga should have never been put in this position.

Mrs. Rose Policastro extended the Board's heart felt sympathy to Mrs. Frances Gray on the passing of her father and told her that if she needs anything, to please let us know.

Mrs. Frances Gray thanked the Board.

Upon motion made by Mr. Peter Macri and seconded by Mrs. Frances, the meeting was adjourned at 3:05 p.m.. The motion passed unanimously.

ROSE POLICASTRO, Vice Chairperson

Countersigned:

RICHARD G. GRISWOLD, Executive Director



[New Jersey State Board of Cosmetology & Hairstyling](#)

[Professional and Occupational Licensing Boards](#)

[Feedback Survey](#)

-

[Consumer Affairs Home Page](#)

[NJ Dept. of Law and Public Safety Home Page](#)

[State of NJ Home Page](#)

*Posted September 2002*