

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
OCTOBER 11, 2005**

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. Jack A. Fornaro, Mr. Christian R. Jones, Mr. Carlo Melini, Ms. Denise Pereau, Mr. Joseph Santagata, Mr. Jerry Speziale, Jay A. Malanga, Assistant Executive Director, Mrs. Barbara Ambroise, Program Development Assistant and Ms. Marie Maiorano, Office Supervisor were present. Mr. Ronald Brown, Ms. Elaine C. Haroldson and Ms. Lynne Rasiewicz and Mr. Richard G. Griswold, Executive Director 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.

Mr. Carlo Melini called the meeting the 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 Ms. Janice Alvarez and seconded by Mr. Jerry Speziale, the public participation portion of the meeting is closed. The motion passed unanimously.

ACCEPTANCE OF MINUTES:

Upon motion made by Mr. Christian R. Jones and seconded by Ms. Denise Pereau, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held September 13, 2005 are accepted as read. The motion passed unanimously.

Mr. Jay Malanga informed the Board that Mr. Griswold had to go for medical treatment this morning and that he indicated that he will make every effort to make it in but in the meantime, he will fill in for him.

INFORMAL HEARINGS

10:30 A.M. Mr. Ogbonna R. Khalfani, 132 Prince Street, Apt. 2B, Newark, New Jersey 07203 appeared for an investigative inquiry hearing in connection with his convictions of Attempted Murder (2nd Degree), Robbery (1st Degree), Aggravated Assault (2nd Degree), Possession of a Weapon for Unlawful Purpose and Aggravated Assault and his desire to complete a term of training at Joy's School of Hair Design and eventually become licensed.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Jack Fornaro, the Board went into Closed Session for the purpose of conducting an investigative inquiry hearing. The motion passed unanimously.

Upon motion made by Ms. Janice Alvarez 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. Janice Alvarez and seconded by Mr. Jerry Speziale, these convictions will not bar Mr. Ogbonna R. Khalfani from admission to examination at such time as he satisfies all eligibility

requirements, provided he furnishes verification that he has been released from parole and he has no further contact with the criminal justice system. The motion passed unanimously.

11:00 A.M. Ms. Gladys Rivera, t/a Gladys' Unisex Hair Salon, 333 Hamilton Avenue, Trenton, New Jersey 08609 was scheduled to appear in connection with the alleged violations resulting out of an inspection of her shop on November 16, 2004. She was observed operating with Ginette Brisita engaging in the practice of cosmetology and hairstyling without a valid license and without an experienced practicing licensee present and penalties of \$1400.00 and \$1000.00 respectively were assessed.

Mr. Jay Malanga informed the Board that Ms. Rivera has offered to sign a Consent Order admitting to all charges, promising to cease and desist and promising to pay \$1,200.00 up front and \$100.00 per month until the penalty is satisfied in full.

Upon motion made by Mr. Christian Jones and seconded by Mr. Joseph Santagata, the Board accepts Ms. Rivera's settlement offer. The motion passed unanimously.

11:30 A.M. Mr. Samuel Velazquez, 6040 Park Avenue, West New York, New Jersey 07093 was scheduled to appear for an investigative inquiry hearing in connection with his conviction of Armed Robbery and his desire to be admitted to the licensing examination upon completion of training at Natural Motion Institute of Hair Design.

Deputy Attorney General Swang Oo stated that it is now 1:00 P.M, that Mr. Samuel Velazquez is not present and that he is in default.

The Board directed that Mr. Griswold is to inform Mr. Velazquez that it is troubled by his failure to appear or to request an adjournment, that he is to submit a written explanation as to why he did not do so and that this could impact upon his ability to eventually become licensed.

BUSINESS AGENDA

1. Correspondence received from Mr. Anthony Miragliotta, Deputy Director, Division of Consumer Affairs with accompanying memorandum from Attorney General Peter C. Harvey regarding the readoption of N.J.A.C. 13:45C: Duty to Cooperate Regulation was presented to the Board for consideration. He indicated that the Board should review this proposal and comment if it wishes to do so.

Mr. Jay Malanga stated that this has to be re-adopted under the Sunset Act and that if the Board does not have any comments, there is really nothing to do on it.

Deputy Attorney General Swang Oo indicated that the Board usually uses the Duty to Cooperate Regulation with our defendants coming in, that is a very useful tool that we have when licensees come in here and that the Attorney General will do the proposal, open it for comment, re-adopt it and make everything uniform for each Board.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jerry Special, the supports this proposal. The motion passed unanimously.

2. Correspondence received from Ms. Blanca Cabrera in connection with her application for initial (change of ownership) licensure of Blankee's Beauty Salon, 950 Westside Avenue, Jersey City, New Jersey 07306 was presented to the Board for consideration. The shop only contains 322 square feet of floor space, 28 square feet short of the minimum required by N.J.A.C. 13:28-2.5; but Ms. Cabrera indicated that she has spent over \$10,000.00 to upgrade the property and that it is impossible for her to enlarge; and she asked that the Board waive it's minimum square footage requirement and issue the desired license.

Mr. Jay Malanga advised that it was a barber shop for approximately 30 years, that there is a regulation authorizing waivers for pre-existing shops and that the Board normally approves them.

Upon motion made by Ms. Denise Perea and seconded by Mr. Jerry Speziale, Ms. Blanca Cabrera's request for a waiver is approved. The motion passed unanimously.

3. All correspondence received from Ms. Linda Rostron Kaiser, 1049 Ridgewood Lane, St. Augustine, Florida 32056 in connection with the criminal charges which were lodged against her for the material misrepresentations she made to the Proformance Insurance Company was presented to the Board for consideration. Ms. Kaiser also entered into a Consent Order with the Office of Insurance Fraud Prosecutor and agreed to pay a \$5000.00 civil penalty for Disability Fraud. The Board previously considered this matter at the regular monthly meetings held February 8, 2005 and March 8, 2005. At the February 8, 2005 meeting, the Board withheld decision pending Ms. Kaiser's appearance for an investigative inquiry hearing; but Ms. Kaiser advised that she is now living in Florida and asked that the Board drop the matter in light of the fact that all criminal charges against her have been dismissed. At the March 8, 2005 meeting, the Board determined that the Consent Order she entered into with the Office Insurance Fraud Prosecutor could constitute basis for suspension or revocation, that the matter must be heard and that she would have to either voluntarily surrender her license or furnish written confirmation that she will appear for hearing but she has not responded.

Deputy Attorney General Swang Oo stated that she wrote and advised that she is now in Florida, that these are issues relating to her fraud and not her practice of cosmetology and hairstyling but to renew her license, she should come in to talk to the Board about her criminal activity. She indicated that this is where duty to cooperate comes in and that her recommendation is that if she has no desire to practice here and does not think her license is as important as what she is doing in Florida, she should give up her license.

Mr. Christian Jones questioned whether she is working in the field of cosmetology in Florida.

Mr. Jay Malanga stated that we do not know, that she has not responded to any of our questions but that on the next renewal, she will have to admit to these charges and these proceedings will start all over again.

Upon motion made by Mr. Jack Fornaro and seconded by Ms. Janice Alvarez, Ms. Kaiser's license is to be suspended pending her appearance before the Board. The motion passed unanimously.

4. Correspondence recently received from Mr. Robert J. Hawkes, Assistant Prosecutor, Somerset County Prosecutor's Office with accompanying indictment and judgment of conviction against Natalie J. Spilotras, PO Box 222, Glen Gardner, New Jersey 08826 was presented to the Board for consideration. Ms. Spilotras is the holder of cosmetologist-hairstylist license #WG38784 and this matter was presented in order that the Board might determine whether it desired to initiate licensing action against her.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Jack Fornaro, Ms. Natalie J. Spilotras is to be scheduled to appear for an investigative inquiry hearing. The motion passed unanimously.

5. Correspondence received from Mr. John J. Sand, President, Supercuts, 2240 West Marlton Pike, Cherry Hill, New Jersey 08002 in connection with the penalties assessed against him in the amount of \$300.00 for the alleged violations resulting out of an inspection of his shop on June 24, 2005 was presented to the Board for consideration. He remitted payment of the penalty (\$100.00) assessed against him for allowing Barbara Tuttle to practice without a valid license posted and indicated that he would like to waive his right to a hearing on the charge of operating without hot water in the lavatory but furnished a written explanation for the Board to consider before rendering it's final decision.

Ms. Janice Alvarez questioned whether the lavatory is in the shop.

Mr. Jay Malanga stated that it is not within his square footage, that it's in a mall setting. He advised that the regulation requires a lavatory with hand washing facilities but does not specifically state hot and cold running water and that you could probably make an argument both ways but questioned how you cleanse your hands with cold water.

Deputy Attorney General Swang Oo suggested that the Board may want to consider whether this is something that was within his control.

Mr. Jay Malanga indicated that he is sort of torn because as a shop owner, he would be concerned for his customers using these facilities.

Upon motion made by Mr. Christian Jones and seconded by Mr. Jack Fornaro, the penalty assessed for not having hot water in the lavatory is rescinded.. The motion passed unanimously.

6. All available information in connection with Ms. Myrna Sanchez, 14 Mobile Lane, Toms River, New Jersey 08755, her conviction of Theft By Deception, Wandering, Fraudulent Use of a Credit Card, Violation of Probation, her infection with Hepatitis C and HIV and her desire to retain credit of the 1200 hours of training she completed at Capri Institute, Brick in 1998 and to be admitted to examination upon completion of a 250 hour brush up course was presented to the Board for consideration. Ms. Sanchez appeared before the Board on February 8, 2005 for an investigative inquiry hearing but the Board withheld decision pending her submission of all medical and hospital records as they pertain to her HIV infection, a copy of her parole agreement and a copy of her marriage certificate. The Board further considered the matter at the regular monthly meetings held May 10, 2005 and June 14, 2005 and withheld decision pending receipt of medical advice from Dr. Christina Tan, State Epidemiologist; and her advice was included with the agenda materials for this item.

Mr. Jay Malanga indicated that the Board has had a few similar cases in the past and that it cannot deny licensure but can have them sign letter agreements requiring annual physicals, use of universal sanitation precautions and other reasonable safeguards to insure the health and safety of the public.

Ms. Denise Pereau questioned whether an employer has to notify the state if they employ someone with HIV.

Mr. Jay Malanga indicated that they do not but when people become initially licensed or restore their licenses, they are required to submit a physician's certification and that is when cases such as this come to light.

Mr. Jack Fornaro questioned why the Board does not make them go to the doctor every so often.

Mr. Jay Malanga stated that we just don't and that he doesn't know of any Board that does.

Deputy Attorney General Swang Oo advised that the American's With Disabilities Act protects them from having to inform their employer and that it is a very strict law protecting people with disabilities. She indicated that we have to decide what precautions she has to take to insure that she does not contaminate the public; and that she would suggest that possibly she should be required to take some kind of course.

Ms. Denise Pereau stated that she had an employee with HIV and had no problem whatsoever, and that she was a model employee.

Mr. Jay Malanga indicated that we could have her take the course Dr. Tan recommended and that we do have a standard letter that goes out in this kind of situation.

Ms. Denise Pereau suggested that possibly we can make a standard recommendation to all people coming in with communicable diseases to go for this kind of course.

Mr. Christian Jones and Mr. Jack Fornaro stated that they would like a copy of the letter that goes out to these people.

Upon motion by Mr. Jerry Speziale and seconded by Mr. Janice Alvarez, Ms. Myrna Sanchez is to be allowed to complete a 250 hour brush-up course and be admitted to examination subject to signing an

agreement to complete the course regarding prevention of transmission of HIV and Herpes Simplex recommended by Dr. Tan, to submit to periodic monitoring of her medical condition and to comply with all of the terms and conditions of her Parole Agreement. The motion passed unanimously.

7. The Provisional Order of Discipline issued to Ms. Sang Ok Hong, 12-71 12th Street, Fair Lawn, New Jersey 07410 on May 3, 2005 was presented to the Board for consideration. Ms. Hong remitted payment of a \$1500.00 penalty as required by the Order but has not surrendered her cosmetologist-hairstylist license #WG23623; and the Board was asked to determine whether it desires to issue a Final Order of Discipline.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Jerry Speziale, a Final Order of Discipline is to be issued to Ms. Sang Ok Hong. The motion passed unanimously.

8. The Provisional Order of Discipline issued to Ms. Sun Kyong Won, 808 Inwood Terrace, Fort Lee, New Jersey 07024 on May 25, 2004 was presented to the Board for consideration. Ms. Won has not requested modification or dismissal or submitted any written evidence supporting a request for reconsideration and the Board was asked to determine whether it desires to issue a Final Order of Discipline.

Upon motion made by Mr. Jack Fornaro and seconded by Ms. Janice Alvarez, a Final Order of Discipline is to be issued to Ms. Sun Kyong Won. The motion passed unanimously.

9. The Provisional Order of Discipline issued to Ms. Kyung Hee Park, 1094 Hamburg Turnpike, Wayne, New Jersey 07470 on May 25, 2004 was presented to the Board for consideration. Ms. Park has not requested modification or dismissal or submitted any written evidence supporting a request for reconsideration; and the Board was asked to determine whether it desires to issue a Final Order of Discipline.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jack Fornaro, a Final Order of Discipline is to be issued to Ms. Kyung Hee Park. The motion passed unanimously.

10. The Provisional Order of Discipline issued to Mr. Kyung Teak Oh, 111 Chestnut Street, Apt. C-6, Rutherford, New Jersey 07070 on May 20, 2004 was presented to the Board for consideration. Mr. Oh has not requested modification or dismissal or submitted any written evidence supporting a request for reconsideration; and the Board was asked to determine whether it desires to issue a Final Order of Discipline.

Upon motion made by Mr. Jack Fornaro and seconded by Ms. Janice Alvarez, a Final Order of Discipline is to be issued to Mr. Kyung Teak Oh. The motion passed unanimously.

11. Correspondence received from Ms. Deborah J. Kaminski, 1605 89th Street, North Bergen, New Jersey 07047 with accompanying copy of her thesis in Trichology was presented to the Board for consideration. This matter has a rather extended history and Ms. Kaminski believes that there should be an independent certification for Trichology and asked that the Board review her thesis and apprise her of it's findings.

Mr. Jay Malanga stated that she has been around since the late 1980's and that he does not see any basis for this.

Mr. Christian Jones indicated that he gives her an A for effort, that she is really dedicated, but that this is basically a compilation of previously known facts that do not, in my opinion, put forth a need for a separate license in Trichology.

Ms. Denise Pereau stated that it is fascinating, that she worked with Trichology for a little while but not extensively and that they are using it for forensics more than anything else.

Mr. Janice Alvaraz advised that a lot of the information in this is not accurate.

Upon motion made by Mr. Jack Fornaro and seconded by Ms. Janice Alvarez, the Board will send her a letter thanking her for her interest. The motion passed unanimously.

12. Correspondence received from Ms. Shiang-Ling Chiu, t/a Beauty and the East Salon and Day Spa, 24 Main Street, Robbinsville, New Jersey 08691 with accompanying information in connection with the Youth Light 2010 Intense Pulse Light System she proposes for use in connection with the facial treatments she offers at her salon was presented to the Board for consideration. During the initial shop inspection, we became aware of this equipment and Ms. Chiu agreed to remove it until such time as a determination is made as to whether it can be legally used.

Mr. Jay Malanga explained that the inspector observed this equipment in the shop during the course of an initial inspection, was not familiar with it and asked for guidance as to whether it can be used since it seems to be geared more to medical than skin care.

Ms. Janice Alvarez stated that she read the report and would like to know exactly what this machine does.

Mr. Jay Malanga suggested that the Board can ask her to submit more information.

Mr. Christian Jones stated that the manufacturer does give warnings against using this equipment on individuals that display connective tissue disease, autoimmune disorders, pregnancy, individuals on cortisone injections, cysts-herpetic lesions, bacterial lesions and epileptics which would require the operator to be a doctor.

Ms. Denise Pereau indicated that the liability is too great.

Deputy Attorney General Swang Oo advised that the owner should have to show that she has adequate training because of all of the warnings.

Upon motion made by Mr. Jack Fornaro and seconded Ms. Denise Pereau, the Board prohibits the use of this machine in her salon pending her submission of additional information. The motion passed unanimously.

Ms. Denise Pereau stated that she really finds it interesting working in a salon environment where there are 110 people on staff. It's a huge spa and occasionally doctors come in to do services and that she doesn't know how it is in other areas of the state but in her area, the doctor's are starting to jump all over the spa concept, are doing all the dermabrasion in their own offices and are taking a lot of business out of the spas.

Mr. Jay Malanga advised that they are also taking our licensees out of salons and using them in their offices under the auspices of medical assistants.

AGENDA SUPPLEMENT

1. All correspondence pertaining to Mr. John Hung Le's conviction of Criminal Sexual Contact (2 counts) and the outstanding penalties assessed against him for the alleged violations resulting out of inspections of Flemington Nail, 268 Highway 202/31N, #3, Flemington, New Jersey 08822 on January 11, 2003 and March 31, 2004 was presented to the Board for consideration.

Mr. Jay Malanga advised that the Board previously considered this matter at the regular monthly meeting held September 13, 2005 and determined that a Provisional Order of Discipline is to be issued to Mr. John Le revoking his licenses and citing him for the two (2) UPL's for which he is in default but that there was no penalty assessed for the criminal convictions or costs on any of the open actions and he asked if the Board would like to consider those issues.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Christian Jones, Mr. Le is to pay a penalty of \$1,100.00 plus costs of \$94.21 on the Uniform Penalty Letter issued to him on September 23, 2004 and a

penalty of \$3,150.00 plus costs of \$447.50 on the Uniform Penalty Letter issued to him on April 13, 2004. The motion passed unanimously.

Upon motion made by Mr. Joseph Santagata and seconded by Ms. Denise Pereau, Mr. Le's manicure shop license and manicurist license are revoked and he is to pay a penalty of \$10,000.00 plus costs of \$141.32 for his convictions of 2 counts of Criminal Sexual Contact. The motion passed unanimously.

2. Mr. Jay A. Malanga distributed copies of correspondence Mr. Richard G. Griswold sent to Mr. Claus Lang, Professional Credential Services Inc. and an e-mail response received from Mr. Mark Setash, Chief Operating Officer, LaserGrade in response to same.

Deputy Attorney General Swang Oo suggested that the Board go into Executive Session for discussion and advice on this item in the interest of the integrity of the process.

Upon motion made by Mr. Jerry Speziale and seconded by Ms. Janice Alvarez, the Board went into Executive Session. The motion passed unanimously.

Upon motion Mr. Jerry Speziale and seconded by Ms. Janice Alvarez, the Board returned to Open Session. The motion passed unanimously.

COMMITTEE REPORTS

Mr. Christian Jones indicated that before getting into the committee reports, he would just like to distribute copies of the report he prepared on bringing back the barber license.

Mr. Carlo Melini stated that we will not put a lot of time in to this today, that Richard will put it on the agenda for the next meeting but that he would like to say that he thinks it is a wonderful report. It is very detailed. It addresses some key issues which I have talked about in years passed and am glad to see them in this report.

Mr. Jay Malanga advised that the report would be put on the agenda for next month.

Mr. Christian Jones asked whether everyone got to read the report, whether there are any red flags by anybody or whether anybody can add reasons as to why we should move forward on this issue. He advised that this is just basic information and that there is a lot more discussion to come but that the project is going to take a lot of work and that if there isn't agreement up front, it may not be worthwhile.

Mr. Carlo Melini stated that he believes everyone thinks it is very worthwhile and that he wants to help as much as he can.

Mr. Jay Malanga stated that he thinks this is long overdue, that he will do everything he can to assist in this, that he believes it can be done, that the time is right and that it is just a matter of being patient and getting the right people to support it.

Mr. Christian Jones questioned whether he can ask for an outline from the Executive Director, an outline of the steps involved.

Mr. Jay Malanga indicated that we can do it a couple of ways, but first and foremost have to determine what we need, how we need it and when we need it. Also, we cannot lobby legislators but having said that, we know of a few who are interested.

Mr. Christian Jones asked if he would be correct in thinking that the first thing that needs to be done is legislation to say there will be a barber license once again and then go from there.

Mr. Jay Malanga advised that you would have to put together the legislation in totality, get a sponsor and

then it will go to OLS. OLS will check it out for constitutionality, proper wording, any conflicts, any civil rights problems, etc..

Mr Jack Fornaro asked whether the Legislative Committee can act on this.

Mr. Jay Malanga stated that the committee will do the work on this but that the committee and board members cannot lobby. He advised that business people can lobby as business people but board members cannot lobby in the name of the Board.

Mr. Christian Jones questioned if this Board, through the Executive Office, is made privy to pending legislation and why it hasn't moved.

Mr. Jay Malanga indicated that he and Richard go on line once or twice a week to see what is new and what is there, that this is how we picked up on this Stanley Bill and that we sometimes receive word as to why legislation has or has not moved.

Mr. Christian Jones asked Mr. Malanga to bring this Board up to speed briefly about why we do not like the Stanley Bill.

Mr. Malanga advised that there were two things and first and foremost, there is no training facility that will do 400 hours and the other issue is that the apprentice program. The apprentice program is what sunk the barbering trade in 1985. He stated that he thinks if the Board comes up with a good curriculum, it would be a great advantage to us as a Board. He indicated that he believes the people he has talked to in the schools will put a curriculum together for barbering that will satisfy our needs but that we all have to do our homework first.

Mr. Carlo Melini stated that he thinks the Board can use the current hours and break down it has and determine what is not needed as far as the barbering curriculum.

Mr. Christian Jones concurred that the Board can use the current one as a template.

Mr. Jay Malanga indicated that there are no barbering schools in the State right now.

Mr. Carlo Melini advised that he would hope that by doing this, people coming to New Jersey from out of state who want to work in cosmetology do not have to do shaving.

Mr. Jay Malanga stated that this is what will happen.

Mr. Carlo Melini indicated that it is a big stumbling block right now.

Mr. Jay Malanga stated that the Board addressed this last February or so when it voted to oppose the Stanley Bill.

Mr. Carlo Melini asked what will be the next step from here.

Mr. Jay Malanga stated that Chris's report will be put on the Agenda for the next meeting and then referred to Committee and then we can get going. In the meantime, we can start accumulating some material. He stated that when this gets passed, we could go back to the original make up of the Board with two barbers, two beauticians, a government representative, three public representatives and so on.

Mr. Jack Fornaro indicated that he would like to state that he thinks we ought to create another seat because we need a Department of Education member on the Board and if it needs to go through the legislature, so be it.

Deputy Attorney General Swang Oo advised that the statute states that the full board is 11.

Mr. Jay Malanga stated that the statute does not specify what Department the government member should come from and until the late 70's or early 80's, the Barber and Beauty Board representatives were always from the Department of Health. He indicated that with the advent of all of the cases we have seen with applicants with HIV, Herpes, etc. and all the concerns with infection, it may now make more sense to have the representative come from the Department of Health.

Deputy Attorney General Swang Oo stated that N.J.S.A. 45:5B-4 does not specify from which department and for years we had been using the Department of Health for assistance because of the infectious disease issues we have, that there is a lot of consideration that goes into the make up of the Board and that there are a lot of issues that are considered in determining the composition of the Board.

Mr. Jack Fornaro questioned why you can't afford a member from the Department of Education a public member position.

Mr. Carlo Melini advised that he agrees that we should have representation from the Department of Education.

Mr. Jack Fornaro indicated that we should have a member provided.

Mr. Carlo Melini stated that this is something we cannot do as a Board, that it would have to be done away from the Board because we cannot lobby.

Mr. Carlo Melini stated that there are a few things he wanted to go over, that in December we will have a reorganization meeting at which time we elect a chairperson and a co-chairperson and that he would like to serve another year if it would be the pleasure of the Board. He advised that he thinks we are making progress, that he has been on the Board for 6 years, that this is the first time he has served in this capacity and that he would like to continue. He also advised that Joseph Santagata has been on the Board almost as long as he and that he has never served in either capacity.

Mr. Jay Malanga pointed out that since they drive in together, if one cannot make it, probably both will not be here.

Mr. Carlo Melini indicated that it would not be a problem and that either one would come in by themselves.

Mr. Malanga stated that it is a closed ballot vote upon nomination.

Mr. Carlo Melini advised that he did ask Richard about not having a vice chair and whether we should nominate an interim vice chair at this meeting and that he advised that we could do so but that he really didn't think it is necessary and that anybody can fill in.

Mr. Jay Malanga stated that this is true and that in the past, it has never been a problem for someone else to take the vice chair if the chairperson is not present.

Mr. Carlo Melini indicated that he just wanted to get everyone's attention, that he did not know how long he would be on the Board, that he is a holdover right now and would probably be on for another year or so but after that, does not believe someone should always serve in the same capacity, that change is good and at that point, if he is still a member, he would like to see others have the same opportunity. He advised that Jack, being a new member did some research and asked him to distribute copies of the section of our statutes (45:5B-6) which define the duties of the Board and specifically authorize us to appoint and determine the duties of the Executive Director and the Assistant Executive Director. He stated that next we have to go over committee assignments, that he has made copies which he is going to hand out but that we are going to have to make changes because Kathy Alexander is no longer a member.

Mr. Jay Malanga indicated that we do have a new member pending Senate approval.

Mr. Joseph Santagata questioned whether Kathy resigned and what her status is now.

Mr. Carlo Melini stated that she is off the Board.

Mr. Joseph Santagata questioned whether she resigned and if she can be present until the other person gets put on.

Mr. Jay Malanga advised that she has been replaced, that she cannot sit on the Board and that her replacement is Mr. Anthony Monico from the Department of Health.

Mr. Carlo Melini questioned whether there is anyone else who would like to serve on the committees and he asked Denise Pereaú whether she would like to chair the Education Committee.

Ms. Denise Pereaú stated that she appreciates the offer but feels that as a new Board Member, she may not be well versed enough to handle the position.

Mr. Carlo Melini noted that the Board has a lot of new members and that he does not think she would be any worse off than someone else.

Ms. Denise Pereaú stated that she will give it a shot.

Mr. Carlo Melini asked if anyone else would like to serve on the Education Committee.

Mr. Jack Fornaro advised that he would like to serve on that committee

Ms. Janice Alvarez stated that she just wanted to suggest that you might want to switch me from chairperson of the School Committee to Education if Denise is not comfortable with Education.

Ms. Denise Pereaú indicated that as long as she gets help, she will be okay but if she can't do it, it can be all yours.

Ms. Janice Alvarez indicated that she was just evaluating it.

Mr. Carlo Melini stated that he wants everyone's input, that is why we are all here and that the other committee Kathy was on was the School Committee; and he asked Denise if she wants to be on the School Committee too.

Ms. Denise Pereaú stated that she does not, that she wants to concentrate on the two committees she is already on and that she wants to do a good job with whatever she does.

Mr. Jack Fornaro asked how much experience you need to be on the School Committee and whether you can be a public member.

Deputy Attorney General Swang Oo questioned how many committees he is already on and suggested that other members should get a chance too.

Mr. Carlo Melini stated that Jack is on four committees

Deputy Attorney General Swang Oo indicated that if you want to be effective in a committee, it is important that you can fully participate and do a good job and that some other people should get involved too.

Mr. Carlo Melini asked if anyone else would like to be on the School Committee.

Mr. Jay Malanga suggested that possibly we can wait until December to make the new committee assignments.

Mr. Jack Fornaro was in agreement but indicated that Carlo could put him down as a temp.

Mr. Jack Fornaro stated that he would like to make another motion, for Board Members who do not show up for meetings.

Mr. Carlo Melini indicated that there is nothing we can do.

Mr. Jack Fornaro advised that he was going to say that if they do not show up for six straight months.

Mr. Carlo Melini stated that he believes only the Governor can replace Board members.

Mr. Jay Malanga indicated that they do read the minutes in the Director's Office, so they are aware of absent members.

PUBLIC RELATIONS:

Ms. Denise Pereau indicated that she has a few questions regarding the Public Relations Committee and whether there is any past record of public relations projects or any anything that the Board has done to relate to the public or connect to the public that she can go into.

Mr. Jay Malanga stated that that ball game has changed a little, that there is a public relations person upstairs and that his name is Jeff Lamm.

Ms. Denise Pereau asked whether she can contact him.

Mr. Jay Malanga advised that they do not allow us to put anything out there without going through them first.

Ms. Denise Pereau questioned what we do if there are projects or ideas that we come up with that will help our industry.

Mr. Jay Malanga stated that you would present it to the Board as Committee Chairperson and then pursue it if the Board concurs.

LEGISLATION:

Mr. Jack Fornaro reported that all Committee work is up to date.

VIOLATION:

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

EDUCATION:

Ms. Janice Alvarez reported that all Committee work is up to date.

EXAMINATION AND SITES:

Ms. Barbara Ambrose stated that Thompson has provided her with the new test specifications to be implemented in January 2006 and that they have to be reviewed by the Examination and Sites Committee. She distributed copies and indicated that if the committee has any recommendations or suggestions regarding changes, it should just make notations.

SCHOOL

Ms. Janice Alvarez reported that the committee has everything on the Lab Paul Mitchell Partner School except the final school inspection and still has questions on their financials. She indicated that she asked Mr. Griswold to help her decipher their financial statement and that the committee may need input from the other Board members. She also indicated that she has reviewed the application for relocation of Artistic Academy and that everything seems to be in order except for their Department of Health documentation. She also advised that they have information on manicuring in their bulletin but are not offering it and there is no manicuring classroom on the floor plan and that they do not have any information on a teacher training program and apparently are not offering one.

There being no further business, the meeting was adjourned at 3:20 p.m.. The motion passed unanimously.

CARLO MELINI,
Chairperson

Countersigned:

RICHARD G. GRISWOLD, Executive Director