



New Jersey Division of Consumer Affairs



Board of Cosmetology and Hairstyling

**124 Halsey Street - 6th Floor
Newark, New Jersey 07102**

Regular Monthly Meeting March 11, 2003

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

ROLL CALL:

Ms. Elaine C. Haroldson, Mr. Peter Macri, Mr. Carlo Melini, Mrs. Rose Policastro, Mr. Joseph Santagata, Mr. Richard G. Griswold, Executive Director, Mr. Jay A. Malanga, Assistant Executive Director and Mrs. Barbara Ambroise, Program Development Assistant were present. Ms. Patricia Graffin, Mrs. Frances Gray, Ms. Lynn Rasiewicz, Mr. Joseph F. Stead, Jr. and Ms. Marie Maiorano, Office Supervisor 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 Ms. Regina L. Thomas, Secretary of State and the Newark Star-Ledger and Trentonian Newspapers on December 11, 2002 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 11, 2002.

ACCEPTANCE OF MINUTES:

Upon motion made by Mr. Peter Macri and seconded by Mr. Carlo Melini, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held February 11, 2003 are accepted as read. The motion passed unanimously.

INFORMAL HEARINGS

10:30 A.M. Mr. Michael Baldassaro, t/a Hollywood Barbers, 358 Fulton Street, Woodbridge, New Jersey 07095 was scheduled to appear in connection with the alleged violations resulting out of inspections of his shop on March 26, 2002 and August 9, 2002. On March 26, 2002, he was observed operating with an expired shop license, in an unsanitary or unsafe manner and without all physical requirements (water in shampoo basin); and penalties in the amount of \$700.00 were assessed. On August 9,

2002, he was observed operating with an expired shop license, in an unsanitary or unsafe manner, without all physical requirements (water in shampoo basin) and without his current practicing license displayed with photo; and penalties in the amount of \$800.00 were assessed.

Mr. Richard G. Griswold advised that the hearing has been adjourned in order that the Board might consider a settlement offer made by Mr. Baldassarro. He indicated that Mr. Baldassarro has expressed a willingness to admit to all charges and pay a penalty of \$1,300.00

Upon motion made by Mr. Peter Macri and seconded by Mr. Carlo Melini, the Board accepts Mr. Baldassarro's settlement offer. The motion passed unanimously.

11:00 A.M. Mr. Herman L. Alarcon, Esquire and his client, Mr. Ernesto Roncal, t/a Puerto Rico Barber Shop were scheduled to appear in connection with the alleged violations resulting out of an inspection of his shop on October 8, 2002. He allegedly aided, abetted or permitted Francisco Concepcion to post two cosmetologist-hairstylist licenses not issued by the Board of Cosmetology & Hairstyling to practice illegally and was observed operating without an experienced practicing licensee present and in an unsanitary manner; and penalties in the amount of \$5,500.00 were assessed.

Mrs. Rose Policastro greeted Mr. Herman L. Alarcon, Esquire.

Deputy Attorney General Rhonda Pope Stephens gave her opening statement.

Mr. Herman L. Alarcon indicated that he has been trying to contact his client but has been unable to locate him; and he requested that the hearing be adjourned.

Deputy Attorney General Kathy Mendoza stated that she is opposed to an adjournment because the State is ready to go and that if an adjournment is given, there will be substantial additional costs which should be paid by Mr. Ernesto Roncal in the event there is a finding of guilt.

Mr. Richard G. Griswold inquired of Mr. Alarcon as to whether he had read the hearing notice, particularly the part that indicates that adjournments would only be given if they were submitted in writing at least 10 days prior to the date of hearing and good cause was shown.

Mr. Alarcon stated that he did and that he thought he would be able to contact his client.

Upon motion made by Mr. Carlo Melini and seconded by Mr. Peter Macri, the Board went into Executive Session for the purpose of deliberation on a pending disciplinary matter. The motion passed unanimously.

See Court Reporter Transcripts for exact testimony.

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

Upon motion made by Mr. Peter Macri and seconded by Ms. Elaine Haroldson, Mr. Alarcon's application for an adjournment is approved but the matter will be scheduled peremptorily for hearing on April 8, 2003 and no further requests for adjournment will be approved. The motion passed unanimously.

BUSINESS AGENDA

1. Correspondence received from Ms. Debra Norton, Conference Coordinator, National-Interstate Council of State Boards of Cosmetology, Inc. 7622 Briarwood Circle, Little Rock, Arkansas 72205 in connection with the N.I.C. Annual Conference to be held in Sacramento, California August 23-25, 2003 was presented to the Board for consideration. This matter was presented in order that the Board might determine whether it desires to authorize a member to attend this event.

Upon motion made by Mr. Peter Macri and seconded by Mr. Carlo Melini, Mrs. Rose Policastro is authorized to attend the NIC Annual Conference. The motion passed unanimously.

2. Correspondence from Mr. Richard G. Griswold, Executive Director to Mr. Hieu Tran, 1753 Browning Road, Pennsauken, New Jersey 08110 in connection with his alleged improper conduct during the manicurist licensing examination administered to him at Camden County Vocational and Technical High School on January 6, 2003 was presented to the Board for consideration. He was observed referring to notes while taking the written exam and was disqualified; and the matter was presented in order that the Board might determine whether disciplinary action is warranted.

Upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Santagata , the Board withholds decision on this matter pending Mr. Tran's appearance at an investigative inquiry hearing. The motion passed unanimously.

3. Correspondence from Mr. Richard G. Griswold, Executive Director to Ms. Rachel Lynn Warren, 139 44th Street, Sea Isle City, New Jersey 08243 in connection with the Consent Order she entered into with the Board on May 8, 2002 regarding her violation of N.J.S.A. 45:5B-7 on August 3, 2000 was presented to the Board for consideration. In the Consent Order, she admitted to the charge and agreed to pay a penalty of \$1400.00 by way of a payment of \$200.00 to be submitted with the Order and the balance of \$1200.00 in three (3) equal installment payments of \$400.00 due and owing thirty (30) days, sixty (60) days and ninety (90) days after entry of the Order; and she remitted payment of \$200.00 with the Order and a payment of \$400.00 on June 7, 2002 but nothing since; and the Board was asked to determine whether it desires to initiate further disciplinary action.

Upon motion made by Ms. Elaine Haroldson and seconded by Mr. Carlo Melini, the Office of the Attorney General is to be asked to prepare an Order to immediately suspend Ms. Warren's licenses and Mr. Griswold is to file a Certificate of Debt. The motion passed unanimously.

4. Correspondence received from Ms. Claudine Leewaye, 15 Stanwyck Court, Robbinsville, New Jersey 08691 in connection with the penalty assessed against her in the amount of \$100.00 for her alleged violation of N.J.S.A. 45:5B-12(f) and N.J.A.C. 13:28-2.12(a)2 at Tangles, Princeton, New Jersey on September 29, 2000 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. Carlo Melini and seconded by Mr. Peter Macri, the fine

stands. The motion passed unanimously.

5. Correspondence received from Ms. Tiesha Faneil, 1126 Springwood Avenue, Asbury Park, New Jersey 07712 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 Orange Hair Studio, Orange, New Jersey on July 20, 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 Ms. Elaine Haroldson and seconded by Mr. Peter Macri, the Board went into Executive Section to discuss a pending disciplinary matter. The motion passed unanimously.

Upon motion made by Mr. Carlo Melini and seconded by Ms. Elaine Haroldson, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Mr. Peter Macri and seconded by Ms. Elaine Haroldson, Ms. Faneil is not guilty of the charge and the penalty is to be rescinded. The motion passed unanimously.

6. Correspondence received from Ms. Karen L. Osborn, 17 Bunn Road, Hamburg, New Jersey 07419 in connection with the penalty assessed against her in the amount of \$100.00 for her alleged violation of N.J.S.A. 45:5B-12(f) and N.J.A.C. 13:28-2.12(a)2 at Rosemarie's Cottage Coiffures, Sussex, New Jersey on December 29, 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. Carlo Melini and seconded by Ms. Elaine Haroldson, the Board went into Executive Section to discuss a pending disciplinary matter. The motion passed unanimously.

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

Upon motion made by Mr. Peter Macri and seconded by Mr. Carlo Melini, Ms. Osborn is guilty as charged but the penalty is rescinded due to mitigating circumstances. The motion passed unanimously.

7. Correspondence received from Ms. Sharon Smith-Pierce, t/a Life Line Beauty Salon & Supplies, 67 South Black Horse Pike, Blackwood, New Jersey 08012 in connection with the penalty assessed against her in the amount of \$250.00 for the alleged violation resulting out of an inspection of her shop on December 8, 2000 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 Ms. Elaine Haroldson, the fine stands. The motion passed unanimously.

8. Correspondence received from Mr. Ricky C. W. Lui, t/a Salon 46 Inc., 241 Route 46

East, Parsippany, New Jersey 07054 in connection with the penalties assessed against him in the amount of \$1650.00 for the alleged violations resulting out of inspections of his shop on August 25, 1999 and August 11, 2000 was presented to the Board for consideration. He has indicated that he would like to waive his right to a hearing but furnished a written explanation and an offer of settlement in the amount of \$900.00 with accompanying payment and asked that the Board accept his settlement offered in light of the reasons set forth in his letter of explanation.

Upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Santagata, Mr. Lui's settlement offer is rejected and the fines stand. The motion passed unanimously

9. Correspondence received from Ms. Vercie B. Harvey, 5 First Avenue, Pemberton, New Jersey 08068 in connection with the penalty assessed against her in the amount of \$100.00 for the alleged violation resulting out of an inspection of Neva's Hair Dezinzn, Ewing Township, New Jersey on October 19, 2000 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. Carlo Melini and seconded by Mr. Joseph Santagata, Ms. Harvey is guilty as charged but the penalty is rescinded due to mitigating circumstances. The motion passed unanimously.

10. Correspondence received from Ms. Melba Penn, 425 70th Street, Apt. 3, Guttenberg, New Jersey 07093 in connection with the penalty assessed against her in the amount of \$100.00 for her alleged violation of N.J.S.A. 45:5B-12(f) and N.J.A.C. 13:28-2.12(a)2 at Jude Beauty Salon, Jersey City, New Jersey on June 1, 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 Mr. Peter Macri and seconded by Ms. Elaine Haroldson, the fine stands. The motion passed unanimously.

11. Correspondence received from Ms. Barbara Batson, 91 Yellowframe Road, Newton, New Jersey 07860 in connection with the penalty assessed against her in the amount of \$100.00 for her alleged violation of N.J.S.A. 45:5B-12(f) and N.J.A.C. 13:28-2.12(a)2 at Pin-Ups Unisex, Flanders, New Jersey on August 12, 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 Ms. Elaine Haroldson and seconded by Mr. Peter Macri, the fine stands. The motion passed unanimously.

12. Correspondence received from Mr. Oscar West, t/a Oscar's Unisex Kutz, 1612 Pennington Road, Trenton, New Jersey 08618 in connection with the penalty assessed against him in the amount of \$250.00 for the alleged violation resulting out of an inspection of his shop on October 16, 2000 was presented to the Board for consideration. He indicated that he would like to waive his 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 Ms. Elaine Haroldson, the fine stands. The motion passed unanimously.

13. Correspondence received from Ms. Teresa Jimenez, 401 St. Augustine Avenue, Tampa, Florida 33617 in connection with the penalty assessed against her in the amount of \$100.00 for the alleged violation resulting out of an inspection of Jude Beauty Salon, Jersey City, New Jersey on June 1, 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 Mr. Carlo Melini and seconded by Mr. Peter Macri, the fine stands. The motion passed unanimously.

14. Correspondence received from Mr. Frank D. Alfieri, Jr., President, t/a Spa De Vie, 176 Route 46 West, Denville, New Jersey 07834 in connection with the penalty assessed against him in the amount of \$300.00 for the alleged violation resulting out of an inspection of his shop on July 25, 2000 was presented to the Board for consideration. He indicated that he would like to waive his 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. Carlo Melini and seconded by Mr. Peter Macri, the fine stands. The motion passed unanimously.

15. Correspondence received from Mr. Hyun Sook Chung, t/a Pink Nails, 6 South Broad Street, Elizabeth, New Jersey 07201 in connection with the penalty assessed against him in the amount of \$200.00 for the alleged violation resulting out of an inspection of his shop on May 13, 1999 was presented to the Board for consideration. He indicated that he would like to waive his 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 Mr. Carlo Melini, the fine stands. The motion passed unanimously.

16. A request recently received from Ms. Tisha Adams, Division of Consumer Affairs Legislative Section with accompanying copy of Assembly Bill #3330, sponsored by Assemblyman Craig A. Stanley was presented to the Board for consideration. If enacted, it would amend the existing definition of cosmetology and hairstyling to broaden the practice as well as create new licenses for general barbering and barbering and hairstyling within the practice of cosmetology and hairstyling; and Ms. Adams asked that the Board provide it's analysis of this proposal.

Mr. Peter Macri stated that the Board has been talking about bringing back the traditional barber license but not like this. He indicated that he thinks this proposal is very demeaning to the profession.

Mr. Richard G. Griswold noted that it would amend the definition of cosmetology and hairstyling on page 3, j4 and it would take out neck and change neck to body; and he questioned whether practitioners should be allowed to apply creams, cosmetics, etc. to the entire body.

Mrs. Rose Policastro stated that she does not like the word body.

Mr. Peter Macri stated that he is against this bill at face value.

Mr. Richard G. Griswold questioned what they are looking to do on the whole body and indicated that even if you ignore this change, he has a sense that there would be substantial opposition to multiple barber licenses and an apprenticeship program. He advised that a lot of people would like to see the traditional barber license brought back with 1000 or 1200 hours of training and high school and the out of state requirements for barbers and beauticians straightened out but not this proposal.

Mr. Peter Macri stated that this proposal is very regressive.

Mr. Carlo Melini indicated that he thinks it would solve a lot of problems in the industry by bringing back the barber license.

Upon motion made by Mr. Peter Macri and seconded by Mr. Elaine Haroldson, although the Board would probably not object to reinstating a legitimate barber license, it is strongly opposed to this proposal because there should not be 3 barber licenses or apprenticeship training but rather 1 license, atleast 1000 hours of in school training and high school. The motion passed unanimously.

AGENDA SUPPLEMENT

1. A request recently received from Ms. Tisha Adams, Division of Consumer Affairs Legislative Section with accompanying copy of Assembly Bill #3383, sponsored by Assemblyman Francis J. Blee was presented to the Board for consideration. If enacted, it would preclude the Division and the Board from releasing licensees' resident addresses.

Upon motion made by Peter Macri and seconded by Mr. Carlo Melini, the Board unanimously supports Assembly Bill #3383. The motion passed unanimously.

COMMITTEE REPORTS

Examination & Sites:

Mrs. Barbara Ambroise indicated that the Advisory Committee met on Saturday, March 8th to plan the Examiner's training workshop and scheduled the workshop for April 14, 2003 from 6:00 p.m. to 10:00 p.m..

Mrs. Frances Gray advised that she will be doing an educational program for the current examiners and the Advisory Committee members will be interviewing and examining prospective examiners for new examiner positions. She stated that she will be distributing materials to everyone, that the workshop will be at the Middlesex County Vocational Technical School and everyone is encouraged to attend.

Mr. Jay Malanga indicated that they will be looking at 4 subject areas.

Mrs. Ambroise stated that the special test information will be going out to all schools sometime this week, that the dates of the special tests are May 19th and 20th and that they will be held at the Sovereign Bank Arena in Trenton, New Jersey.

Education & New Studies:

Mrs. Rose Policastro reported that she would like to require straight safety razors with rounded ends for safety reasons and she passed a sample around.

Mrs. Ambroise stated that she will change the test instructions accordingly.

Violation:

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

School & Department of Education Liaison:

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

Mrs. Barbara Ambroise indicated that she is still trying to get Experior to send her the pass/fail reports for the 4th quarter, 2002.

Mr. Richard G. Griswold stated that he received a letter from Mr. Anthony LaMonica, Concorde School of Hair Design, Ocean Township advising that they be moving within Ocean Township and that the reason for the move is that they do not have a lease where they are at now and they found a larger place down the road. He advised that he has sent Mr. LaMonica an application for initial school license but would like to know exactly what the Board wants him to submit with it, since it usually requires less paperwork on relocations than it does on new schools. He also inquired as to whether Concorde will be allowed to operate at the new location prior to licensure in the event that the licensing process is not completed when they have to vacate the existing location.

Mrs. Rose Policastro stated that she will call Mr. Griswold tomorrow with the information they have to submit.

Upon motion made by Mr. Peter Macri and seconded by Ms. Elaine Haroldson, Mr. LaMonica is to be allowed to operate at the new location during the application process. The motion passed unanimously.

Legislation:

Mr. Peter Macri reported that the Board supports Assembly Bill #3383 and opposes Assembly Bill #3330 as discussed today. He also indicated that he is aware that there are legislators who are in favor of restoring the barber license and that he is part of a committee the Board recently formed to look at the issue.

Public Relations:

No report was given.

New Business:

Mrs. Rose Policastro indicated that she was at the exam last Saturday and saw people using a hair shaping razor to do a shave and that they should be using a shaving razor with injectable blades and rounded ends.

Mr. Peter Macri stated that the admission letter should be changed to read that shaping razors cannot be used by applicants taking the shaving exam.

Mr. Richard G. Griswold suggested that this issue be put into committee.

Old Business:

Mrs. Rose Policastro questioned whether Barbara Ambroise has gotten the pass/fail figures the committee needs for it's review of Mr. Testa's complaint on the licensing exam.

Mrs. Barbara Ambroise stated that she does not have them yet but will keep after Experior.

Upon motion made by Mr. Peter Macri and seconded by Mr. Carlo Melini, the meeting was adjourned at 3:25 p.m.. The motion passed unanimously.

ROSE POLICASTRO, Chairperson

Countersigned:

RICHARD G. GRISWOLD, Executive Director



Divisional: [Consumer Protection](#) | [File a Complaint](#) | [Licensing Boards](#) | [Rule Adoptions](#) | [Rule Proposals](#) | [Meeting Minutes](#) | [License Renewal Information](#)
Departmental: [lps home](#) | [contact us](#) | [news](#) | [about us](#) | [FAQs](#) | [library](#) | [employment](#) | [programs and units](#) | [services a-z](#)
statewide: [nj home](#) | [my new jersey](#) | [people](#) | [business](#) | [government](#) | [departments](#) | [search](#)