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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF BARBER EXAMINERS**

TIME: 9:10 A.M.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Monday, October 1, 2018

State Board of Barber Examiners  
October 1, 2018

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BOARD MEMBERS:

John C. Christopher, Chairman, Professional Member  
Ronald Gray Jr., Vice Chairman, Professional Member  
Ginger Etter, Consumer Protection Member, Secretary  
Ian J. Harlow, Commissioner of Professional and  
Occupational Affairs - Absent  
Margaret A. Moore, Public Member - Absent  
Dominic A. Muniz, Professional Member  
Joseph T. Ferruzza, Professional Member  
Ken Jaram, Professional Member

BUREAU PERSONNEL:

Shana M. Walter, Esquire, Board Counsel  
Glenn P. Masser, Esquire, Board Prosecution Liaison  
Caroline A. Bailey, Esquire, Board Prosecutor  
Angela B. Lucci, Esquire, Board Prosecutor  
Kelly I. Diller, Board Administrator

ALSO PRESENT:

Michael Gent, Curriculum Coordinator, PA Department of  
Corrections  
Rosemary Ferruzza, wife of Joseph T. Ferruzza,  
Professional Member

1 \*\*\*

2 State Board of Barber Examiners

3 October 1, 2018

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Barber Examiners was held on Monday, October  
7 1, 2018. John C. Christopher, Chairman, called the  
8 meeting to order at 9:10 a.m.

9 \*\*\*

10 Pledge of Allegiance

11 [The Pledge of Allegiance was recited.]

12 \*\*\*

13 Roll Call

14 [Roll call was taken.]

15 \*\*\*

16 Approval of Minutes of the August 20, 2018 meeting

17 CHAIRMAN CHRISTOPHER:

18 Could I have a motion on the floor to  
19 approve the minutes of our last meeting  
20 of August 20, 2018?

21 MR. FERRUZZA:

22 So moved.

23 CHAIRMAN CHRISTOPHER:

24 Second?

25 MR. GRAY:

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Second.

CHAIRMAN CHRISTOPHER:

All in favor, say aye. Opposed?

[The motion carried. Ginger Etter abstained from voting on the motion.]

\*\*\*

Report of Prosecutorial Division

[Caroline A. Bailey, Esquire, Board Prosecutor, presented the Consent Agreements for Case No. 17-42-09118 and Case No. 16-42-05437.]

\*\*\*

Report of Board Counsel

[Shana M. Walter, Esquire, Board Counsel, discussed compiling the reciprocity procedures from other states and territories for a comparison with Pennsylvania and providing the information at the Board's next meeting.

Ms. Walter updated the Board on the status of its proposed regulations, noting that the barber pole regulation had not moved.

Ms. Walter noted matters for discussion during Executive Session.]

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Report of Commissioner - No Report

\*\*\*

Report of Board Chairman

1 [John C. Christopher, Chairman, Professional Member,  
2 and Mr. Muniz represented the Commonwealth of  
3 Pennsylvania at the National Association of Barber  
4 Boards of America Convention in Kansas City, MO, in  
5 September. He described the convention as very  
6 informative and well-attended with 20 states  
7 represented.

8 Chairman Christopher noted a significant focus on  
9 education. He commented that cosmetologists outnumber  
10 barbers in some cases up to 10 to 1.

11 Chairman Christopher also mentioned a review of  
12 the bylaws of the National Association of Barber  
13 Boards and the finalization of the policies and  
14 procedures. He discussed different state governing  
15 bodies, where Boards have inspectors who only inspect  
16 barbershops, salons, and schools. He mentioned that  
17 some states have a combined license for barbers and  
18 cosmetologists.

19 Chairman Christopher noted the interest of other  
20 states to reform their laws concerning reciprocity.  
21 He stated the National Association of Barber Boards of  
22 America (NABBA) will support the Board regarding  
23 educating Governor Wolf as to the Board's position on  
24 the Executive Order.

25 Mr. Muniz noted a discussion with individuals at

1 the conference who were establishing an association  
2 for barbers to fight certain bills, explaining the  
3 process to contact state senators in their individual  
4 capacity to fight these bills.

5 Chairman Christopher stated NABBA was raising  
6 money to copyright the barber pole regulation, and  
7 money was being raised for legal fees.]

8 \*\*\*

9 Report of Board Administrator

10 [Kelly I. Diller, Board Administrator, reminded  
11 members to submit travel documents on time.]

12 \*\*\*

13 Old/New Board Business - No Report

14 \*\*\*

15 2019 Board Meeting Dates

16 [Kelly I. Diller, Board Administrator, requested  
17 approval of the 2019 meeting dates.]

18 CHAIRMAN CHRISTOPHER:

19 Could I have a motion on the floor to  
20 accept these meeting dates?

21 MR. MUNIZ:

22 So moved.

23 CHAIRMAN CHRISTOPHER:

24 Second?

25 MS. ETTER:

1                   Second.

2 CHAIRMAN CHRISTOPHER:

3                   All in favor, say aye. Opposed?

4 [The motion carried unanimously.]

5   \*\*\*

6 Exam Statistical Reports

7 [John C. Christopher, Chairman, Professional Member,  
8 stated the Board has approximately 8,900 total  
9 licensed shops, schools, barbers, managers, and  
10 teachers.]

11           Chairman Christopher noted that the national  
12 average for the number of hours to complete a barber  
13 course should be 1,500 hours.]

14   \*\*\*

15 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
16 9:41 a.m. the Board entered into Executive Session  
17 with Shana M. Walter, Esquire, Board Counsel, for the  
18 purpose of conducting quasi-judicial deliberations on  
19 a number of matters that are currently pending before  
20 the Board and to receive advice of Counsel. The Board  
21 concluded its Executive Session at 11:34 a.m.]

22   \*\*\*

23 MOTIONS

24 MS. WALTER:

25                   We are returning from Executive Session,

1 where the Board and Counsel engaged in  
2 quasi-judicial deliberations regarding  
3 items on the agenda; two consent  
4 agreements, eight motions, three  
5 proposed adjudications and orders, one  
6 appeal of a citation, and one  
7 application of John Damien Smith that  
8 were discussed and deliberated on by the  
9 Board during Executive Session.

10 If we could vote again on the draft  
11 of the minutes from the August 20, 2018  
12 meeting.

13 CHAIRMAN CHRISTOPHER:

14 We want to make an amendment to it. The  
15 vote previously was a unanimous vote in  
16 favor to approve the minutes. I believe  
17 it was a 6 to 0 vote in favor. We would  
18 like to change that to 5 votes in favor  
19 and 1 abstention. Ms. Etter abstained  
20 from voting on the motion.

21 \*\*\*

22 MS. WALTER:

23 I believe the Board would entertain a  
24 motion regarding Case No. 17-42-09118.

25 CHAIRMAN CHRISTOPHER:



1                   On this case, I need a motion on the  
2                   floor to reject.

3 MR. FERRUZZA:

4                   So moved.

5 CHAIRMAN CHRISTOPHER:

6                   Second?

7 MR. JARAM:

8                   Second.

9 CHAIRMAN CHRISTOPHER:

10                   All in favor, say aye.   Opposed?

11 [The motion carried unanimously.]

12   \*\*\*

13 CHAIRMAN CHRISTOPHER:

14                   Second motion on the floor for Case No.  
15                   16-42-05437.   This would be a motion to  
16                   accept the Consent Agreement.   Motion to  
17                   accept?

18 MR. GRAY:

19                   Motion.

20 CHAIRMAN CHRISTOPHER:

21                   Second?

22 MR. FERRUZZA:

23                   Second.

24 CHAIRMAN CHRISTOPHER:

25                   All in favor, say aye.   Opposed?

1 [The motion carried unanimously.]

2 \*\*\*

3 CHAIRMAN CHRISTOPHER:

4 This is for the motion to grant Motions  
5 for Default Judgment and direct counsel  
6 to draft an Adjudication consistent with  
7 deliberations.

8 MS. WALTER:

9 This is for agenda Item No. 4, Dennis P.  
10 Catapano, Case No. 16-42-06776.

11 CHAIRMAN CHRISTOPHER:

12 Motion on the floor to accept?

13 MR. MUNIZ:

14 Motion.

15 CHAIRMAN CHRISTOPHER:

16 Second?

17 MR. JARAM:

18 Second.

19 CHAIRMAN CHRISTOPHER:

20 All in favor, say aye. Opposed?

21 [The motion carried unanimously.]

22 \*\*\*

23 MS. WALTER:

24 No. 5 on the agenda, Alex Henson, Case  
25 No. 16-42-10799; No. 6 on the agenda,

1 Michael L. Holley, Case No. 17-42-05229;  
2 No. 7 on the agenda, James J. Johnston  
3 II, Case No. 16-42-09842; No. 8 on the  
4 agenda, Walter Jones, Case No. 16-42-  
5 12519; No. 10 on the agenda, Christopher  
6 G. Ortiz, Case No. 17-42-09669; and No.  
7 11 on the agenda, Frank B. Pursell, Case  
8 No. 16-42-05786.

9 CHAIRMAN CHRISTOPHER:

10 Motion on the floor to grant Motions for  
11 Default Judgement and direct Counsel to  
12 draft Adjudications consistent with  
13 deliberations for those six matters.

14 MR. FERRUZZA:

15 So moved.

16 CHAIRMAN CHRISTOPHER:

17 Second?

18 MR. MUNIZ:

19 Second.

20 CHAIRMAN CHRISTOPHER:

21 All in favor, say aye. Opposed?

22 [The motion carried unanimously.]

23 \*\*\*

24 MS. WALTER:

25 I believe the Board would entertain a

1 motion to defer No. 9, Domingo Pacheco  
2 t/d/b/a Manhattan Barber Shop, Case No.  
3 17-42-02328, until the December 17, 2018  
4 meeting.

5 CHAIRMAN CHRISTOPHER:

6 Motion on the floor to move that to that  
7 meeting.

8 MR. MUNIZ:

9 So moved.

10 CHAIRMAN CHRISTOPHER:

11 Second?

12 MR. JARAM:

13 Second.

14 CHAIRMAN CHRISTOPHER:

15 All in favor, say aye. Opposed?

16 [The motion carried unanimously.]

17 \*\*\*

18 CHAIRMAN CHRISTOPHER:

19 The next two, which are item No. 12 and  
20 Item No. 13 on the agenda, are motions  
21 to approve the Adjudications and Orders  
22 for Case No. 16-42-08300 and Case No.  
23 16-42-06605.

24 MS. WALTER:

25 To clarify, the Adjudications and Orders

1                   are Proposed Adjudications from the  
2                   Hearing Examiner.

3 CHAIRMAN CHRISTOPHER:

4                   Motion on the floor to accept these two.

5 MR. FERRUZZA:

6                   So moved.

7 CHAIRMAN CHRISTOPHER:

8                   Second?

9 MR. GRAY:

10                  Second.

11 CHAIRMAN CHRISTOPHER:

12                  All in favor, say aye. Opposed?

13 [The motion carried unanimously.]

14   \*\*\*

15 CHAIRMAN CHRISTOPHER:

16                  No. 14, Francisco Torres, Case No. 16-  
17                  42-04749, motion to direct Counsel to  
18                  draft Adjudications, to rewrite the  
19                  portion of the Adjudication consistent  
20                  with deliberations.

21                  Motion on the floor to accept.

22 MR. MUNIZ:

23                  Motion

24 CHAIRMAN CHRISTOPHER:

25                  Second?

1 MR. FERRUZZA:

2 Second.

3 CHAIRMAN CHRISTOPHER:

4 All in favor, say aye. Opposed?

5 [The motion carried unanimously.]

6 \*\*\*

7 CHAIRMAN CHRISTOPHER:

8 Item 15, which is a citation appeal,

9 Justin R. Kelly d/b/a Hone & Strop

10 Barber and Brand Co., Case Nos. 18-42-

11 00087 and 18-42-00088. This is a motion

12 to uphold the Hearing Examiner's Order.

13 Motion on the floor to accept.

14 MR. MUNIZ:

15 Motion

16 CHAIRMAN CHRISTOPHER:

17 Second?

18 MR. FERRUZZA:

19 Second.

20 CHAIRMAN CHRISTOPHER:

21 All in favor, say aye. Opposed?

22 [The motion carried unanimously.]

23 \*\*\*

24 CHAIRMAN CHRISTOPHER:

25 The last one is No. 17, applications.

1 Motion to accept John Damien Smith to  
2 sit for the exam.

3 Motion on the floor to accept.

4 MR. FERRUZZA:

5 Motion

6 CHAIRMAN CHRISTOPHER:

7 Second?

8 MR. JARAM:

9 Second.

10 CHAIRMAN CHRISTOPHER:

11 All in favor, say aye. Opposed?

12 [The motion carried unanimously.]

13 \*\*\*

14 Newsletter Update

15 [Joseph T. Ferruzza, Professional Member, requested  
16 Board statistics, as well as notes from the NABBA  
17 convention for the December newsletter. Mr. Ferruzza  
18 will provide a heritage shop article, possibly on  
19 Joseph DeGennaro's place in Altoona.

20 Chairman Christopher suggested adding information  
21 in the newsletter on Governor Wolf's Executive Order.]

22 \*\*\*

23 Adjournment

24 CHAIRMAN CHRISTOPHER:

25 Motion to adjourn?

1 MR. GRAY:

2 Motion.

3 CHAIRMAN CHRISTOPHER:

4 Second?

5 MR. FERRUZZA:

6 Second.

7 CHAIRMAN CHRISTOPHER:

8 All in favor? Opposed?

9 [The motion carried unanimously.]

10 \*\*\*

11 [There being no further business, the State Board of  
12 Barber Examiners Meeting adjourned at 11:52 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Barber Examiners meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Barber Examiners meeting.



Adam Beck,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF BARBER EXAMINERS  
REFERENCE INDEX

October 1, 2018

TIME	AGENDA
9:10	Official Call to Order
9:10	Pledge of Allegiance
9:11	Roll Call
9:11	Approval of Minutes
9:12	Report of Prosecutorial Division
9:14	Report of Board Counsel
9:15	Report of Board CHAIRMAN
9:26	Report of Board Administrator
9:41	Executive Session
11:34	Return to Open Session
11:34	Motions
11:45	Newsletter Update
11:52	Adjournment