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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: 9:05 A.M.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Monday, February 26, 2018

State Board of Barber Examiners
February 26, 2018

BOARD MEMBERS:

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

BUREAU PERSONNEL:

Ian B. Everhart, Esquire, Board Counsel
Thomas A. Blackburn, Esquire, Senior Counsel in
Charge, Department of State
Caroline A. Bailey, Esquire, Board Prosecutor
Kelly I. Diller, Board Administrator

Kimberly Adams, Chief of Division of Fiscal
Management, Bureau of Finance and Operations
Julie Snader, Finance and Operations Manager, Division
Of Fiscal Management, Bureau of Finance and
Operations

ALSO PRESENT:

Michael Gent, Curriculum Coordinator, Department of
Corrections
Rosemary Ferruzza, wife of Joseph T. Ferruzza,
Professional Member
Kelly Kolling, Director of Operations, Barber School
of Pittsburgh

1 ***

2 State Board of Barber Examiners

3 February 26, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Board of Barber Examiners was held on Monday, February
7 26, 2018. John C. Christopher, Chairman, called the
8 meeting to order at 9:05 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 October 16, 2017 meeting

17 CHAIRMAN CHRISTOPHER:

18 Could I have a motion on the floor to
19 accept the finalized meeting minutes?

20 MR. GRAY:

21 Motion.

22 MR. FERRUZZA:

23 So moved.

24 CHAIRMAN CHRISTOPHER:

25 Motion by Mr. Gray. Seconded by Mr.

1 Ferruzza. All in favor, say aye?

2 Opposed?

3 [The motion carried unanimously.]

4 ***

5 Introduction of Audience

6 [Chairman Christopher requested the introduction of
7 audience members.]

8 ***

9 Report of Prosecutorial Division

10 [Caroline A. Bailey, Esquire, Board Prosecutor,
11 presented the Consent Agreement for File No. 16-42-
12 11899.]

13 ***

14 Report of Board Counsel

15 [Ian B. Everhart, Esquire, Board Counsel, noted an
16 Adjudication and Order for discussion during Executive
17 Session.]

18 Mr. Everhart noted Board members attendance to
19 observe the Barber Exam at the Camp Hill State
20 Correctional Institution.

21 Michael Gent, Curriculum Coordinator, Department
22 of Corrections, discussed low education funding,
23 noting the equipment used was from the budget of the
24 prison. He added that keeping the equipment up to
25 standards was a challenge.

1 Mr. Gent commended the instructors and managers,
2 as well as the students.]

3 ***

4 Barber Examiners Budget Review Presentation
5 [Kimberly Adams, Esquire, Chief of Division of Fiscal
6 Management, Bureau of Finance and Operations
7 introduced herself and Julie Snader, Finance and
8 Operations Manager.

9 Ms. Adams provided information on the Board's
10 licensee population with 9,235 licensees in Fiscal
11 Year 2017-2018. She noted an increase of 1,386 from
12 Fiscal Year 2015-2016.

13 Ms. Adams referred to a revenue source category
14 breakdown of the revenue. She noted 2015-2016 and the
15 biennial total. She attributed approximately 92
16 percent of the revenue to renewals and applications.
17 She noted the current biennial total.

18 Ms. Snader explained a letter of good standing
19 and certification concerning applying for a license in
20 another state.

21 Ms. Adams reviewed the administrative and legal
22 cost categories. She addressed direct charges,
23 timesheet charges, and license-based fees. She
24 characterized the Board's budget as adequate.

25 Ms. Adams reviewed revenues and expenses for

1 2015-2016, 2016-2017, and 2017-2018.

2 Ms. Adams addressed the projected negative
3 balance in 2018-2019 but noted the approved fee
4 increase would put the numbers in the black.

5 Mr. Ferruzza discussed the need of protecting the
6 barber pole as a symbol of the barber and to be
7 displayed only for a licensed barber.

8 Ms. Adams reviewed expenditures by the Board from
9 Fiscal Years 2015-2016 and 2016-2017 as well as the
10 current budgeted amount.]

11 ***

12 Report of Board Counsel (Continued)

13 [Ian B. Everhart, Esquire, Board Counsel, explained
14 Pennsylvania's reciprocity with ten other states. He
15 noted correspondence concerns regarding loose
16 standards in training and education for further
17 discussion in Executive Session.

18 Chairman Christopher discussed the efforts of the
19 National Association of Barber Boards of America to
20 regulate and standardize the training and education
21 hours across the board in every state.

22 Mr. Everhart addressed the regulations and the
23 Regulatory Analysis Form (RAF) minor changes for
24 discussion in Executive Session.]

25 ***

1 Report of Commissioner - No Report

2 ***

3 For Your Information

4 [Kelly I. Diller, Board Administrator, noted the
5 Pennsylvania Licensing System (PALS) project status
6 for the Board's information and review.]

7 ***

8 Report of Board Chair

9 [John C. Christopher, Professional Member, Chairman,
10 informed the Board of the passing of the Executive
11 Director of the National Association of Barber Boards
12 of America.

13 Chairman Christopher noted the midwinter
14 conference in Savannah, Georgia, for discussion at the
15 Board's next meeting.]

16 ***

17 Report of Board Administrator

18 [Kelly I. Diller, Board Administrator, noted the Code
19 of Conduct and Ethics Commission Forms for completion
20 by Board members.

21 Ms. Diller informed the Board of the mandatory
22 Information Technology (IT) Security training being
23 offered later in the day.]

24 ***

25 Old/New Board Business

1 [Joseph T. Ferruzza, Professional Member, requested an
2 update on the newsletter.

3 Kelly Kolling, Director of Operations, Barber
4 School of Pittsburgh, requested an accountability for
5 problems regarding PALS and suggested a contact and IT
6 field for issues.

7 Ms. Diller noted elder financial abuse
8 information for the Board's review.]

9 ***

10 Election of Officers

11 CHAIRMAN CHRISTOPHER:

12 Any nominations on the floor for
13 Chairman?

14 MR. FERRUZZA:

15 I nominate John Christopher.

16 MS. MOORE:

17 Second.

18 CHAIRMAN CHRISTOPHER:

19 Any other nominations? All in favor,
20 say aye? Opposed?

21 [The motion carried unanimously.]

22 ***

23 CHAIRMAN CHRISTOPHER:

24 Can I have a nomination on the floor for
25 Vice Chairman?

1 MS. MOORE:

2 I nominate Ronald Gray Jr. for Vice
3 Chair.

4 MS. ETTER:

5 Second.

6 CHAIRMAN CHRISTOPHER:

7 Any other nominations for anyone else?

8 All in favor, say aye? Opposed?

9 [The motion carried unanimously.]

10 ***

11 CHAIRMAN CHRISTOPHER:

12 Any nominations on the floor for
13 Secretary?

14 MR. FERRUZZA:

15 I nominate Ginger.

16 MS. MOORE:

17 Second.

18 CHAIRMAN CHRISTOPHER:

19 Any other nominations? All in favor,
20 say aye? Opposed?

21 [The motion carried unanimously.]

22 ***

23 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
24 9:55 a.m. the Board entered into Executive Session
25 with Ian B. Everhart, Esquire, Board Counsel, for the

1 purpose of conducting quasi-judicial deliberations on
2 a number of matters that are currently pending before
3 the Board and to receive advice of Counsel. The Board
4 concluded its Executive Session at 11:48 a.m.]

5 ***

6 MOTIONS

7 MR. EVERHART:

8 This is the Barber Board resuming its
9 meeting in public session after having
10 convened in Executive Session to
11 deliberate the business before it.

12 I believe the Board will entertain
13 a motion to adopt the Consent Agreement
14 at File No. 16-42-11899, the name of the
15 file being Roberto E. Juarbe.

16 Is there a motion to adopt the
17 Consent Agreement?

18 MR. FERRUZZA:

19 So moved.

20 CHAIRMAN CHRISTOPHER:

21 Second?

22 MR. GRAY:

23 Second.

24 CHAIRMAN CHRISTOPHER:

25 All in favor, say aye? Opposed?

1 [The motion carried unanimously.]

2 ***

3 MR. EVERHART:

4 I believe the Board will entertain a
5 motion to adopt the Adjudication and
6 Order at File No. 16-42-13892, the name
7 of the file being Mykel Anthony Galvin.

8 Is there a motion?

9 CHAIRMAN CHRISTOPHER:

10 Motion on the floor?

11 MR. FERRUZZA:

12 So moved.

13 CHAIRMAN CHRISTOPHER:

14 Second?

15 MS. ETTER:

16 Second.

17 CHAIRMAN CHRISTOPHER:

18 All in favor, say aye? All opposed?

19 [The motion carried unanimously.]

20 ***

21 MR. EVERHART:

22 The Board reviewed a number of
23 applications in Executive Session.

24 I believe the Board will entertain
25 a motion to approve the application for

1 Henry Michael Zientek, subject to a two-
2 year probationary license.

3 CHAIRMAN CHRISTOPHER:

4 Motion on the floor to accept?

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 MR. EVERHART:

16 I believe the Board will entertain a
17 motion to approve the application of
18 Marquis Tai'Von Budd with no
19 restrictions.

20 CHAIRMAN CHRISTOPHER:

21 Motion to accept?

22 MR. FERRUZZA:

23 So moved.

24 CHAIRMAN CHRISTOPHER:

25 Second?

1 MS. ETTER:

2 Second.

3 CHAIRMAN CHRISTOPHER:

4 All in favor, say aye? Opposed?

5 [The motion carried unanimously.]

6 ***

7 MR. EVERHART:

8 I believe the Board will entertain a
9 motion to approve the application of
10 Terrence Bethea with no conditions.

11 MS. MOORE:

12 So moved.

13 CHAIRMAN CHRISTOPHER:

14 Second?

15 MS. ETTER:

16 Second.

17 CHAIRMAN CHRISTOPHER:

18 All in favor, say aye? Opposed?

19 [The motion carried unanimously.]

20 ***

21 MR. EVERHART:

22 I believe the Board will entertain a
23 motion to grant the variance for The
24 Men's Club Barbershop as requested.

25 MR. FERRUZZA:

1 So moved.

2 CHAIRMAN CHRISTOPHER:

3 Second?

4 MS. ETTER:

5 Second.

6 CHAIRMAN CHRISTOPHER:

7 All in favor, say aye? Opposed?

8 [The motion carried unanimously.]

9 ***

10 MR. EVERHART:

11 I believe there is a motion to grant the
12 application of Jose Francisco Cosme
13 Rivera to Sit for the Barber Exam upon
14 submission of a full application
15 package.

16 MR. FERRUZZA:

17 So moved.

18 CHAIRMAN CHRISTOPHER:

19 Second?

20 MR. GRAY:

21 Second.

22 CHAIRMAN CHRISTOPHER:

23 All in favor, say aye? Opposed?

24 [The motion carried unanimously.]

25 ***

1 MR. FERRUZZA:

2 I make a motion that we start the
3 legislative process on the barber pole
4 law.

5 MS. MOORE:

6 Second.

7 CHAIRMAN CHRISTOPHER:

8 All in favor, say aye? Opposed?

9 [The motion carried unanimously.]

10 ***

11 MR. FERRUZZA:

12 I also make a motion that we begin the
13 legislative process on the morality
14 clause to be included in our licensure.

15 CHAIRMAN CHRISTOPHER:

16 Any discussion? Motion on the floor?

17 MR. GRAY:

18 Second.

19 CHAIRMAN CHRISTOPHER:

20 Second. All in favor, say aye?

21 Opposed?

22 [The motion carried unanimously.]

23 ***

24 MR. EVERHART:

25 To request review of current reciprocity

1 and standards across states?

2 CHAIRMAN CHRISTOPHER:

3 Motion for that?

4 MR. FERRUZZA:

5 So moved.

6 CHAIRMAN CHRISTOPHER:

7 Okay. Second?

8 MS. ETTER:

9 Second.

10 CHAIRMAN CHRISTOPHER:

11 All in favor? Opposed?

12 [The motion carried unanimously.]

13 ***

14 Next Meeting Date

15 [Ian B. Everhart, Esquire, Board Counsel, noted the
16 next scheduled Board meeting date as Monday, April 16,
17 2018.]

18 ***

19 Adjournment

20 CHAIRMAN CHRISTOPHER:

21 Motion to adjourn?

22 MR. FERRUZZA:

23 Make a motion to adjourn.

24 MS. ETTER:

25 Second.

1 CHAIRMAN CHRISTOPHER:

2 All in favor? Opposed?

3 [The motion carried unanimously.]

4 ***

5 [There being no further business, the State Board of
6 Barber Examiners Meeting adjourned at 11:55 a.m.]

7 ***

8

9 CERTIFICATE

10

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

17

18

19



20

Adam Beck,

21

Minute Clerk

22

Sargent's Court Reporting

23

Service, Inc.

24

25

STATE BOARD OF BARBER EXAMINERS
REFERENCE INDEX

February 26, 2018

TIME	AGENDA
9:05	Official Call to Order
9:06	Pledge of Allegiance
9:06	Roll Call
9:08	Approval of Minutes
9:09	Introduction of Audience
9:09	Report of Prosecutorial Division
9:10	Report of Board Counsel
9:20	Appointment - Budget Review Presentation
9:30	Report of Board Counsel (cont.)
9:38	For Your Information
9:40	Report of Chairman
9:41	Report of Board Administrator
9:55	Executive Session
11:48	Return to Open Session
11:49	Motions
11:55	Adjournment