

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
JANUARY 12, 2010
PUBLIC SESSION**

I CALL TO ORDER

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

The Board recited the Pledge of Allegiance and had a moment of silence for the fallen soldiers and those serving our country.

Roll Call:

Ms. Janice Alvarez,, Ms. Maria Cruz Denzer, Mr. Jack Fornaro, Mr. James J. Forte, Mr. Peter Macri, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay Malanga, Executive Director Mr. Patrick J. McNally, Assistant Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present. Mr. Ronald Jerome Brown was absent.

Also in Attendance:

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principle Transcriber and the Board's counsel.

II OPEN PUBLIC MEETINGS ACT

The Chair 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. Nina Mitchell Wells, Secretary of State and the Newark Star-Ledger and Trentonian Newspapers on December 9, 2009 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 9, 2009.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Santagata, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held December 8, 2009 are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Mr. Ray Testa and Ms. Darlene Fox of the Cosmetology Association were in attendance and greeted the Board.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Chairperson Janice Alvarez wished everyone a Happy New Year. She thanked James Forte for the information he passed out on MMA.

Mr. Malanga distributed information on Mr. Kirby Morris resignation from NIC and a copy of the barber bill. He stated that the Committee working on promulgating the rules and regulations for the barbering license should meet soon. He also requested the Board issue a certificate of appreciation to Chris Jones for his many contributions as a board member and board chair.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jerry Speziale, a Certificate is to be issued to Mr. Chris Jones. The motion passed unanimously.

Mr. Malanga indicated that CBT has been a tough journey but that it is up and running as of December 17, 2009.

Ms. Barbara Ambrose stated that the Board has been receiving a lot of phone calls with regard to the new regulation for refresher courses.

VI FOR BOARD CONSIDERATION

1. IMO Jean Francois Gugliemetti Provisional Order of Discipline was presented to the Board for consideration.

DAG Denafrio counseled the Board on this matter.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, the Board went into Executive Session for the purpose of deliberation. The motion passed unanimously.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, 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. Maria Cruz Denzer, the Board agreed to finalize the Provision Order of Discipline as filed and asked that a Final Order be issued. The motion passed unanimously.

2. IMO Perma Tech (hair supplier)/ Perma Tech Hair Removal Institute recommended for administrative closure was presented to the Board for consideration.

The Board's counsel reviewed the background on this matter with the Board.

Upon motion by Mr. Peter Macri and seconded by Mr. James Forte, the matter is to be administratively closed. The motion passed unanimously.

3. Correspondence received from Ms. Pamela M. Shute, t/a Pam's Place, 8 South Main Street, Woodstown, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$100.00 for the alleged violations resulting out of an inspection of her shop on May 17, 2007 was presented to the Board for consideration. She has indicated that she would like to waive her right to a hearing but has furnished a written explanation for the Board to consider before rendering its final decision.

After careful consideration, upon motion made by Mr. Jack Fornaro and seconded by Mr. Peter Macri, the Board preliminary determines that the fine stands and notification to the licensee be held in abeyance pending review of additional information. The motion passed unanimously.

4. Correspondence received from Ms. Lisa Thompson, 340 Quakerweck Road, Salem, New Jersey in connection with the penalty assessed against her in the amount of \$100.00 for the alleged violation of N.J.S.A. 45:5B-12(f) & N.J.A.C. 13:28-2.12(a)2 at Pam's Place, 8 South Main Street, Woodstown, New Jersey on May 17, 2009 was presented to the Board for consideration. She has indicated that she would like to waive her right to a hearing but has furnished a written explanation for the Board to consider before rendering its final decision

After careful consideration, upon motion made by Mr. Jack Fornaro and seconded by Mr. Peter Macri, the Board preliminary determines that the fine stands and notification to the licensee be held in abeyance pending review of additional information. The motion passed unanimously.

5. Correspondence received from Ms. Ellen Brown, 2 Peppermint Hill Road, North Brunswick, New Jersey in connection with the penalty assessed against her in the amount of \$600.00 for the alleged violations of N.J.S.A. 45:5B-7 at Supercuts #9686, 71 South Main Street, Unit F, Marlboro, New Jersey on June 14, 2007 and at Supercuts #9940, 1046 Route 9, Parlin, New Jersey on June 19, 2007 was presented to the Board for consideration.. She has indicated that she would like to waive her right to a hearing but has furnished a written explanation for the Board to consider before rendering its final decision.

After careful consideration, upon motion made by Mr. Jack Fornaro and seconded by Mr. Peter Macri, the fine stands. The motion passed unanimously.

6. IMO Kimberly Furchak in connection with her criminal background and her desire to complete a term of training in cosmetology and hairstyling and eventually become licensed was presented to the Board for consideration.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jerry Speziale, the Board withheld decision on this matter pending Ms. Furchak's appearance at an investigative inquiry. The motion passed unanimously.

7. IMO Nakeara B. Tucker in connection with her criminal background and her application to reinstate cosmetologist-hairstylist license #WD42809 was presented to the Board for consideration.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jack Fornaro, Ms. Tucker is allowed to reinstate her cosmetologist-hairstylist license #WD42809 provided she have no further contact with the criminal justice system. The motion passed unanimously.

8. Ms. Elizabeth Cooper, Director, Ms. Ilalee Harrison, Registrar Westbrook Educational Academy's JMJ School of Beauty Services, 72 E. Holly Avenue, Suite 203, Pitman, New Jersey and Ms. Monica L. Mull, Supervising Teacher appeared in connection with their application for initial school licensure of Westbrook Educational Academy's JMJ School of Beauty Services.

The Board greeted Ms. Cooper, Ms. Harrison and Ms. Mull and asked them questions.

Upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the Board went into Executive Session for the purpose of deliberation. The motion passed unanimously.

Upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the Board returned to Open Session to announce its decision. The motion passed unanimously.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Jerry Speziale, Westbrook Educational Academy's JMJ School of Beauty Services application is accepted subject to a favorable school inspection by the Enforcement Bureau. The motion passed unanimously.

VII EXECUTIVE SESSION

Upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the Closed Session Agenda is amended to include IMO Gladys Ibanez a/k/a Glaydys Robles.

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

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

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jerry Speziale, Mr. Kyle Gibson's request to sit for examination is approved provided he submit immediately notification of any change of address, a copy of his parole agreement, quarterly reports from his parole office and that he have no further contact with the criminal justice system. Also, he is to provide documentation of proof he obtained cosmetology & hairstyling training while he was incarcerated in lieu of taking a brush up course. The motion passed unanimously.

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

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

Upon motion made by Ms. Maria Cruz Denzer and seconded by Mr. James Forte, the Board withheld decision pending Mr. Sheldon's completion of the Halfway House, and upon submission of the following: a copy of his parole agreement and documentation that he is in compliance with his parole agreement, that he establish a good work history (at least three months of work history), and that he demonstrate that he is a law abiding citizen by having no further contact with the criminal justice system. The motion passed unanimously.

VIII OLD BUSINESS

All Committee work was reported up to date.

IX NEW BUSINESS

Ms. Janice Alvarez requested that each Board member ranks the committees that they wish to be assigned to.

X ADJOURNMENT

Upon motion made by Mr. Jack Fornaro and seconded by Mr. James Forte, the meeting was adjourned at 3:30 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director