

MINUTES

REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
January 13, 2015

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.

Roll Call:

Ms. Janice Alvarez, Mr. Peter Macri, Ms. Angela Panteleone, Mr. Joseph Santagata, Mr. Jerry Speziale, Ms. Frances Tomeo, Mr. Jay A. Malanga, Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present.

Also in Attendance:

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principle Transcriber, Ms. Carol Ann Rotondo, Paralegal 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. Kim Guadagno, Secretary of State, and the Asbury Park Press, Bergen Record, Newark Star-Ledger and Trentonian Newspapers on December 17, 2014, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 17, 2014. was posted in the Office of the Board of Cosmetology and Hairstyling on January 9, 2014.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Joseph Santagata, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held December 9, 2014 are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Mr. Testa, on behalf of, had submitted a written request for Board consideration regarding the requirement of a medical certificate for student permit pursuant to N.J.S.A. 45:5B-25 and a second medical certificate for a license to practice pursuant to N.J.S.A. 45:5B-16. The Board informed Mr. Testa that the matter will be reviewed at its next meeting.

Ms. Darlene Fox of Artistic Academy greeted the Board. She thanked the Board office for timely processing of testing applications from her school. She also stated that the online registration for student permits was user friendly and convenient.

Ms. Sherry Polk, School Director, The Lab Paul Mitchell Partner School also greeted the Board.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

VI FOR BOARD CONSIDERATION

AGENDA

1. Correspondence received from Mr. Darrin Harris, t/a Clint's Barber Shop, 6 North Laurel Street, Bridgeton, New Jersey in connection with the penalties assessed him in the amount of \$550.00 for the alleged violations resulting out of an inspection of his shop on April 10, 2014 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 its final decision.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

2. Correspondence received from Mr. Elvin Padilla, t/a Nena Salon & Spa, 2900 Bergenline Avenue, Union City, New Jersey in connection with the penalties assessed him in the amount of \$1,100.00 for the alleged violations resulting out of an inspection of his shop on June 4, 2014 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 its final decision.

Upon motion made by Mr. Peter Macri and seconded by Ms. Frances Tomeo, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

3. Correspondence received from Ms. Dorene Corliss, t/a 401 West, 401 West White Horse Pike, Egg Harbor City, New Jersey in connection with the penalties assessed her in the amount of \$2,500.00 for the alleged violations resulting out of an inspection of her shop on December 17, 2013 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 its final decision.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, this matter be tabled pending reinspection and proof of a Board of Health certificate to offer regulated services within its jurisdiction for the upstairs room. The motion passed unanimously.

4. Correspondence received from Ms. Elaina M. Flanagan, t/a Capelli Belli Salon LLC, 215 West Main Street, Somerville, New Jersey in connection with the penalties assessed her in the amount of \$300.00 for the alleged violations resulting out of an inspection of her shop on Aril 17, 2014 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 its final decision.

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

5. Correspondence received from Mr. Ali Abed, 102-A Augusta Street, South Amboy, New Jersey in connection with the penalty assessed against her in the amount of \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at Mo's Barber Shop, 3186 Washington Road, Parlin, New Jersey on April 2, 2014 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 its final decision.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

6. Correspondence received from Ms. Wendy Pacilio, 205 Peach Tree Lane, Egg Harbor Township, New Jersey in connection with the penalties assessed her in the amount of \$300.00 for the alleged violations resulting out of an inspection of her shop on August 21, 2014 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 its final decision.

Upon motion made by Mr. Peter Macri and seconded by Ms. Angela Pantaleone, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

7. Reinstatement of licenses whose license has expired more than three (3) biennial cycles.

IMO:

Valeria Denson - WG02520000

Willie Mathis - WI00475100

Virginia A. Heady - WG01994

Jonathan L. Scott - WG28411

Sharon J. (Iannaccone) McManus - WG06909

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, having reviewed the application for reinstatement and its supporting documents, the Board determined that applicants whose submission failed to indicate

any relevant practice related to cosmetology and hairstyling, beauty culture, barbering, manicuring or skin care specialty services for which they were licensed for and whose licenses had not been renewed for three (3) or more biennial periods, must demonstrate that they are proficient and competent to practice with reasonable skill and safety by taking and passing the Board's written exam prior to reinstatement. Further, the Board also determined that those who failed on the first try would have to take a refresher course before challenging the written exam a second time. The motion passed unanimously.

8. **Disciplinary Matters Pending Conclusion by Default Orders:**

The UPLs were issued and no written responses from Respondents have been received by the Board to date. These matters were subject to finalization fifteen (15) business days after issuance of Notice of Intent to File Default Order. The Certificate of Service is attached for Board review.

The Attorney General seeks to issue Final Decision and Default Order on UPL for each of the following IMO:

1. Fen Gxue Yuan - Individual - License No.
32WGO5361200
2. Samuel Bermudez - Individual - License No.
32WA00401100

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Board directed that a Final Decision and Default Order on UPL be issued on these matters. The motion passed unanimously.

1. *Yulisa Gomez and Franklin Reynoso, t/a Essex Beauty Salon & Barber Shop*

License No.: 32WDO2697600

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Board directed that an Order of Summary Suspension will be issued. The motion passed unanimously.

VII OLD BUSINESS

VIII NEW BUSINESS

Committee Reports

Examination & Sites:

Mr. Peter Macri stated that all Committee work is up to date.

Education & Public Relations:

Ms. Angela Panteleone reported that all Committee work is up to date.

Violations:

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

Legislation:

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

School & Department of Education Liaison:

Ms. Frances Tomeo reported that all Committee work is up to date.

Regulatory Committee:

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

Special Committee Assignments:

No report

IX EXECUTIVE SESSION

The Board adjourned the Public Session and moved to the Executive Session for advice of counsel and review of open matters (investigations and deliberations). When and if action is taken, it will be reported in Public Session.

1. **IMO David Rodriguez**

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the Board has allowed Mr. David Rodriguez to sit for the barbering examination for licensure provided he has no further contact with the criminal justice system and cease and desist from practicing without a license. The motion passed unanimously.

2. **IMO Omar Bryant**

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Angela Pantaleone, Mr. Bryant is allowed to sit for examination for licensure provided he have no further contact with the criminal justice system and cease and desist from practicing without a license. The motion passed unanimously.

2. **Applicants Approved To Sit For Exam:**

1. Kristopher J. Brown
2. Justin Duryea
3. Tanesha R. Williams
4. Shannon T. Bailey
5. Kayla M. Baumgardner
6. Henry N. DeJesus
7. Multris A. Brown

X ADJOURNMENT

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the meeting was adjourned at 2:35 P.M.. The motion passed unanimously.

JANICE

ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director