

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
FEBRUARY 8, 2011
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, Ms. Maria Cruz Denzer, Mr. James J. Forte, Mr. Peter Macri, Mr. Joseph Santagata, Mr. Jerry Speziale, Ms. Frances Tomeo, Mr. Jay Malanga, Executive Director, Mr. Patrick J. McNally, Assistant 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, Mr. Marc DeCarlo, 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 Newark Star-Ledger and Trentonian Newspapers on December 15, 2010, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 15, 2010.

Mr. Jay Malanga introduced Ms. Frances Tomeo to the Board. The Board welcomed Ms. Tomeo.

Ms. Frances Tomeo was sworn in by the Deputy Attorney General.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held January 11, 2011 are accepted as read. Ms. Frances Tomeo abstained. The motion passed.

IV PUBLIC PARTICIPATION SESSION

No public members present.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay Malanga asked the Board to add an item to the agenda. He stated that Christine Valmy had submitted a Spanish curriculum and that the School Committee had reviewed it and approved the curriculum.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. James Forte, the Board added the item to the agenda.

Upon motion made by Mr. James Forte and seconded by Ms. Frances Tomeo, the Board approved the Spanish curriculum to be offered at Christine Valmy. The motion passed unanimously.

Mr. Jay Malanga indicated that Department of Education will conduct Mass Testing and requested that the Board assist the Office of Career Technical Education by providing board examiners for practical exams.

Ms. Janice Alvarez stated that they will be doing an examination evaluation this year.

VI FOR BOARD CONSIDERATION

1. Ms. Anivia Cruz-Dilworth, an applicant for a skin care license was charged criminally for unlicensed practice of medicine by performing buttock-enhancement procedure using industrial grade injectable was presented to the Board for information.

Upon motion made by Mr. Peter Macri and seconded by Ms. Mariz Cruz Denzer, that Ms. Anivia Cruz-Dilworth's appear before the Board for an Investigative Inquiry before she sits for Board examination. The motion passed unanimously.

2. Correspondence received from Mr. Hoa V. Phan, t/a Lina Rose Nails Salon, 7943 South Crescent Boulevard, Pennsauken, New Jersey 08109 in connection with the outstanding penalties assessed against him in the amount of \$1,600.00 for the alleged violations resulting out of an inspection of his shop on October 1, 2010 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.

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

3. Correspondence received from Ms. Won Ja Kim, President, t/a Crystal Skin Care, 570 Piermont Road, #C-10, Closter, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$3,400.00 for the alleged violations resulting out of inspections of her shop on January 22, 2009 and October 27, 2006 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.

After careful consideration, upon motion made by Mrs. Frances Gray and seconded by Mr. Joseph Santagata, the fine stands. The motion passed unanimously.

4. Correspondence received from Ms. Tiffany Cao, t/a Tiffany's Nail's (Ocean Nails), 813 East 8th Street, Ocean City, New Jersey in connection with the outstanding penalties assessed against him in the amount of \$250.00 for the alleged violations resulting out of an inspection of his shop on December 25, 2008 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.

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

5. Correspondence received from Ms. Carol Robinson, t/a Fantastic Sams, 3151 Route 27 (Suite B), Franklin Park, New Jersey 08823 in connection with the outstanding penalties assessed against her in the amount of \$350.00 for the alleged violations resulting out of an inspection of her shop on September 25, 2009 was presented to the Board for consideration. She indicated that he would like to waive her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

After careful consideration, upon motion made by Mr. James Forte and seconded by Ms. Frances Tomeo, the fine stands. The motion passed unanimously.

6. Correspondence received from Ms. Yvonne Bladis, 1006 Bayley Court, Bridgewater, New

Jersey in connection with the outstanding 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 Jag Salon Hair & Color, 30 Lyons Road, Basking Ridge, New Jersey on January 21, 2010 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.

After careful consideration, upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the fine stands. The motion passed unanimously.

7. Correspondence received from Ms. Mary Basciani, 612 Harvard Avenue, Maple Shade, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$100.00 for the alleged violations of N.J.S.A. 45:5B-12(f) & N.J.A.C. 13:28-2.12(a)2 at Caryn Max West LLC, 220 Young Avenue, Moorestown, New Jersey on October 12, 2010 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.

After careful consideration, upon motion made by Ms. Frances Tomeo and seconded by Mr. James Forte, the fine stands. The motion passed unanimously.

8. A request from Kevin A. Perneta, Director, EEG, Inc. Schools on providing their students catalogs in an electronic format (via DVD or web-based) rather than distributing traditional paper copies was presented to the Board for consideration.

After discussion on this matter, upon motion made by Ms. Frances Tomeo and seconded by Ms. Maria Cruz Denzer, Mr. Perneta's request is approved. The motion passed unanimously.

9. Mr. Santo Trapani, Supervisor and Mr. Joseph Drasdis, Vice President of Information Technology, Empire, EEG appeared before the Board to make a presentation on using digital scanner by TimeStar to report student's attendance and hours. Currently, the Board uses traditional method of paper reporting which is time consuming and unreliable.

Mr. Eric Rosen and Mr. Joe Cardoma from Division of Consumer Affairs MIS also attended the presentation.

Mr. Trapani gave his presentation on TimeStar and Mr. Joseph Drasdis offered technical

information on the recording of student hours. They represented that the system is reliable, stable and widely used in other states and for various purposes including payroll.

Mr. Cardoma stated that DCA is familiar with the system and will confer with Empire on the compatibility of the system for reporting student hours.

VII EXECUTIVE SESSION

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

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

11:00 A.M. IMO Kareem Archer

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, Mr. Archer is approved to sit for examination upon completion of his training. The motion passed unanimously.

VIII OLD BUSINESS

Ms. Mary Ann Sheehan, Regulatory Analyst updated the Board on the progress of the Barber regulation. The Committee has spent time on the proposed regulation but it still needs to review the teacher's qualifications. The Board will have a public meeting with interested parties including barbers, schools representatives and association members on the proposed regulations as soon as the draft is accepted by the Board.

IX NEW BUSINESS

Committee Reports

Examination & Sites:

Ms. Janice Alvarez indicated that the mass testing would be taken place for the vocational schools. The dates will be announced.

Education & Public Relations:

Ms. Jerry Speziale reported that all committee work is up to date.

Ms. Janice Alvarez requested the committee to contribute relevant articles maybe twice a year on the Board's website.

Violations:

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

Legislation:

Mr. Peter Macri stated that the proposed barber regulations have yet to be presented for approval and that he would like that done as soon as possible.

School & Department of Education Liaison:

Ms. Janice Alvarez reported that all committee work is up to date.

X ADJOURNMENT

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the meeting was adjourned at 2:45 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director

