

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
February 12, 2013**

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 Pantaleone, Mr. Joseph Santagata, Ms. Frances Tomeo, Mr. Jay Malanga, Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present. Ms. Maria Cruz Denzer & Mr. Jerry Speziale were absent.

Also in Attendance:

Ms. Gracinda Almeida, Administrative Assistant, Mr. Steven Mattia, Government Service Rep., Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principle Transcriber, Ms. Carol Ann Rotondo, Paralegal and the Board's counsel, DAG Oo.

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 12, 2012, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 12, 2012.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Ms. Jay Malanga stated that in the Closed Minutes on page 2, 2nd paragraph should read Ms. Fran Tomeo not Ms. Fran Tedeo.

Upon motion made by Ms. Peter Macri and seconded by Mrs. Frances Tomeo, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held January 8, 2013 are accepted as amended. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Mr. Raymond Testa, School Association was present and addressed the Board on The U.S. Department of Education's requirements to maintain school accreditation for financial aid purposes.

Regarding providing a safe learning environment, Mr. Testa stated that schools are obligated to provide a complete crime report, utilize text services, PA announcements and practicing lock down drills.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Malanga informed the Board that Fiscal Unit has requested the Board to determine whether to extend the contract on Computer Based Testing.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the matter was added to the agenda for discussion. The motion passed unanimously.

VI FOR BOARD CONSIDERATION

1. The School Committee reviewed barbering curriculum submitted for Board approval from the following schools: Robert Fiance, Perth Amboy, West New York, Pitman & North Plainfield was presented to the Board for consideration.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board approved the barbering curriculum for the Robert Fiance Schools in Perth Amboy, West New York, Pitman & North Plainfield. The motion passed unanimously.

2. Correspondence received from Frank Rizzieri, Rizzieri Salons & Spa, t/a Rizzieri Salon, 288 Egg Harbor Road, Sewell, New Jersey in connection with the outstanding penalty assessed against him in the amount of \$2,500.00 for the alleged violation resulting out of an inspection of his shop on March 16, 2012 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 Mr. Salvatore Lagrotteria & Ms. Roseann Betta, t/a Salon Salon City, LLC, 700 Anderson Avenue, Cliffside Park, New Jersey 07010 in connection with the outstanding penalties assessed against them in the amount of \$400.00 for the alleged violations resulting out of an inspection of their shop on March 31, 2010 was presented to the Board for consideration. They indicated that they would like to waive their 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.

4. Correspondence received from Ms. Krista Nagurka, 41 Poplar Street, Ridgefield Park, 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 at Salon Salon City LLC, 700 Anderson Avenue, Cliffside Park, New Jersey on March 31, 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.

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

5. Correspondence received from Ms. Christie Velez, 33 Garden Street, Ridgefield Park, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at Salon Salon City LLC, 700 Anderson Avenue, Cliffside Park, New Jersey on March 31, 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.

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. Jasveer Pawar, 38 Harding Avenue, Iselin, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at Pearl Beauty Salon, 165 Wood Avenue, Edison, New Jersey on June 7, 2012 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.

7. Correspondence received from Ms. Jenna D'Aloia, 36 Highview Road, Caldwell, New Jersey 07006 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 at Panico Salon & Spa, 393 Kinderkamack Road, Oradell, New Jersey on March 7, 2011 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 Mr. Joseph Santagata, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

8. Correspondence received from Ms. Grace E. Kim, 318 Oak Street, Apt. #C, Ridgewood, 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 at Swan Nails, 80 West Allendale Avenue, Allendale, New Jersey on June 6, 2012 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. Joseph Santagata and seconded by Mr. Angela Panteleone, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

9. Correspondence received from Ms. Tina Reina, t/a Sorelle Orangic Salon & Spa, 250 Browertown Road, Suite 106, Woodland Park, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$2,500.00 for the alleged violation resulting out of an inspection of her shop on September 19, 2012 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 Board directed that a payment plan be offered. The motion passed unanimously.

10. Correspondence received from Mr. Joseph Lewis, t/a Some Where Glamorous, 1400 Bannard Street, Cinnaminson, New Jersey in connection with the outstanding penalty assessed against him in the amount of \$1,000.00 for the alleged violation resulting out of an inspection of his shop on November 16, 2012 was presented to the Board for consideration. Mr. Lewis admitted to the charge of N.J.A.C. 13:28-2.5(b) and paid the penalty (\$200.00) for that violation; and he waived his right to a hearing on the other charges but has 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. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

11. Correspondence received from Mr. David Maccarone, President, t/a Salon Azzurro, 133 Washington Street, PO Box 262, Rock Hill, New Jersey in connection with the outstanding penalty assessed against him in the amount of \$100.00 for the alleged violations resulting out of an inspection of his shop on May 31, 2012 was presented to the Board for consideration. He indicate 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. Angela Pantaleone, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

12. Correspondence received from Ms. Tahira Shaharyar, t/a Tahira's Beauty Salon, 510 Royal Plaza Shop #16, East Windsor, New Jersey in connection with the penalty assessed against her in the amount of \$1000.00 for the alleged violations resulting out of an inspection of her shop on April 4, 2011 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.

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

13. Correspondence received from Mr. Joshua D. Levine, Esquire on behalf of his client, Ms. Svetlana Vivat, t/a Lana's Place, Cliffside, New Jersey in connection with the penalties assessed against her for the alleged violations resulting out of an inspection of her shop was presented to the Board for consideration.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, this matter is referred to the Board's counsel to make a counter offer of \$3,000.00 and a Cease and Desist from further violation. The motion passed unanimously.

14. Correspondence received from Ms. Lynne Cianicullo, t/a Cutting Edge Academy, Succasunna, New Jersey in connection with her desire to offer a Brush Up Course at Cutting Edge Academy, Succasunna was presented to the Board for consideration.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board approves the Brush Up Course to be offered at the Cutting Edge Academy, Succasunna. The motion passed unanimously.

15. **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:

Ms. Janice Alvarez informed the Board that Regis Corporation, t/a Regis Salon & Peggy M. Robert, t/a Skillz Hair Salon had paid the penalty and should be taken off the list.

1. Gianni Siniscalchi, t/a Gianni Hair & Skin Care - License No.: 32WD02611500
2. Tina Johnson, t/a Tina's Beauty Salon - License No.: NONE
3. Dawn Mattews, t/a Tindero Hair Color Salon - License No.: NONE
4. Sharleen Bui, Tuan Duong, t/a World Spa & Nails - License No.: 32WM00463900
5. Richard Geldres, t/a Gold's Salon & Spa - License No.: 32WD02585500
6. Regis Corporation, t/a Regis Salon #3125 - License No.: 32WD02443000
7. Peggy M. Robert, t/a Skillz Hair Salon - License No.: 32WD02174100

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

Agenda Supplement

1. Board to determine whether to extend the contract on Computer Based Testing

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board referred this matter to the Examination and Sites Committee for review of the testing process conducted by Prometric and to evaluate their performance for the purpose of considering the one year extension of the existing contract. The motion passed unanimously.

VII OLD BUSINESS

VIII NEW BUSINESS

None

Committee Reports

Examination & Sites:

The Committee is to review and to recommend to the Board the testing process conducted by Prometric and their performance for the purpose of considering a one year extension of the existing contract and to notify Treasury of their decision.

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

Education & Public Relations:

Ms. Angela Pantaleone 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 stated that all committee work is up to date.

Regulatory Committee:

No report was given.

Special Committee Assignments:

Ms. Janice Alvarez assigned members to review eyelash perming and dipping, eyebrow threading and Bazilian waxing.

Ms. Janice Alvarez stated she would forward a list of questions and forward to the Committee Members and asked that the committee report back to the Board.

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.

X ADJOURNMENT

Upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Santagata , the meeting was adjourned at 2:35 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director