

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
FEBRUARY 14, 2012**

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. Anthony J. Fiore, Mr. James J. Forte, Mr. Peter Macri, Mr. Jerry Speziale, Ms. Frances Tomeo, Mr. Jay Malanga, Executive Director and Ms. Barbara Ambrose, Program Development Assistant were present. Ms. Maria Cruz Denzer and Mr. Joseph Santagata were absent

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 14, 2011, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 14, 2011.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Ms. Janice Alvarez stated that a correction to the minutes under New Business, Examination and Sites on page 6. She stated that the mass testing date for June to be held in Wayne should read June 2nd not June 20th.

Upon motion made by Mr. Frances Tomeo and seconded by Mr. Peter Macri, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held January 10, 2012 are accepted as amended. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay Malanga distributed copies of an article from NCEA on Esthetician License, an article on Bazilian Blowouts, Eyelash Dyes and Eyelash Misconceptions, Risks & Enhancement Options. He also discussed with the Board the issue of online diploma.

VI FOR BOARD CONSIDERATION

1. Correspondence received from Ms. Danielle Grace, 714 ½ Park Avenue, Palmyra, 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 Louis Christian Wayne Robert Salon & Spa, 1990 East Route 70, Cherry Hill, New Jersey on November 13, 2008 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. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

2. Correspondence received from Ms. Beatrice Lum, 25 Cambridge Drive, Howell, 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 Hair Toto Group Inc., 265 A Route 18 South, East Brunswick, New Jersey on August 27, 2009 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. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

3. Correspondence received from Ms. Thuy Le, President, t/a Nail Boutique, 1750 Deptford Center Road, Space #2006, Deptford, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$1,650.00 for the alleged violations resulting out of inspections of her shop on March 13, 2009 and April 27, 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 Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

4. Correspondence received from Ms. Ha Kim Nguyen, t/a Sexy Nails, 1105 Sunset Road, Unit #2A, Burlington, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$3,350.00 for the alleged violations resulting out of an inspection of her shop on August 21, 2008 and September 24, 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. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter and authorized a payment plan. The motion passed unanimously.

5. Correspondence received from Dung Quoc Trieu, t/a Lily's Nail Salon, 511 North Warwick Road, Somerdale, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$2,900.00 for the alleged violations resulting out of an inspection of her shop on June 26, 2009 and November 25, 2009 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. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

6. Correspondence received from Ms. Hung M. Thai, t/a Exotic Nails, 1171 Fischer Boulevard, Toms River, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$4,600.00 for the alleged violations resulting out of an inspections of her shop on May 28, 2002, August 14, 2007 and January 11, 2008 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. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

7. Correspondence received from Ms. Sharon Flesche, t/a Headlines By Pantana, 137-B Paris Avenue, Northvale, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$300.00 for the alleged violations resulting out of an inspection of her shop on August 28, 2009 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. Anthony Fiore and seconded by Mr. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

8. Correspondence received from Ms. Louis Arnold, t/a Shear Essence Unisex Barber, 785 Lyons Avenue, Irvington, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$450.00 for the alleged violations resulting out of an inspection of her shop on January 8, 2008 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. Jerry Speziale and seconded by Mr. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

9. Correspondence received from Ms. Phuong T. Nguyen, t/a Linda Salon, 409 East Main Street, Wrightstown, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$850.00 for the alleged violations resulting out of an inspection of her shop on May 1, 2009 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. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

10. Correspondence received from Ms. Ky Yang Lee, t/a Lee's Nail Studio, 1063 Raritan Road, Clark, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$600.00 for the alleged violations resulting out of an inspection of her shop on August 31, 2009 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. James Forte and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

11. Mr. Paul Ferrara, Jr., Ms. Linda Karas and Ms. Lisa Alexander, Supervising Teacher appeared in connection with the application for initial school licensure of GBR Inc., t/a Robert Fiance Beauty Schools, 70 East Holly Avenue, Pitman, New Jersey.

The Board greeted Mr. Paul Ferrara, Jr., Ms. Linda Kara and Ms. Lisa Alexander.

Ms. Linda Karas and Ms. Lisa Alexander answered questions of Ms. Frances Tomeo and the Board.

After careful consideration, upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the school application for Robert Fiancé Beauty Schools, 70 East Holly Avenue, Pitman, New Jersey is approved subject to a favorable school inspection. The motion passed unanimously.

12. Mr. Raphael R. Blanco & Mr. Reinaldo S. Blanco, Owners, Mr. Charles E. Tahan, Director and Ms. Kathy Doyle, Supervising Teacher appeared in connection with the application for initial school licensure of Blanco's Barber and Beauty Academy, 1 Bloomfield Avenue, Newark, New Jersey 07104.

The Board greeted Mr. Raphael R. Blanco, Mr. Reinald S. Blanco, Mr. Charles E. Tahan and Ms. Kathy Doyle.

Mr. Charles E. Tahan and Ms. Kathy Doyle answered questions of Ms. Frances Tomeo and the Board.

After careful consideration, upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the school application for Blanco's Barber and Beauty Academy, 1 Bloomfield Avenue, Newark, New Jersey is approved subject to a favorable school inspection. The motion passed unanimously.

Agenda Supplement

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the following item is to be added to the Open Agenda. The motion passed unanimously.

1. Correspondence received from Ms. Sue Chung, World of Wings, 1775 Windsor Road, Teaneck, New Jersey in connection with a new business her company wants to launch this year focusing on Children & Family Entertainment. One of the services they are planning will include a role play area for kids where they can enjoy doing their own make-ups, nails & hairs by themselves and, therefore, she is inquiring of the Board whether she would need a license to do this.

Upon motion made by Mr. James J. Forte and seconded by Mr. Jerry Speziale, Ms. Chung is to be notified that she cannot offer any services falling under the definition of cosmetology and hairstyling without being properly licensed. The motion passed unanimously.

2. After careful discussion on repeat violations, upon motion made by Mr. Peter Macri and seconded by Mr. Anthony Fiore, the Final Actions to include uncontested Uniform Penalty Letters, Final Decision Letters, Final Orders, Settlements taken by the Board are to be published in the Public Database. The motion passed unanimously.

VII OLD BUSINESS

VIII NEW BUSINESS

Committee Reports

Examination & Sites:

Ms. Janice Alvarez stated that the Board should not allow students on the floor if they do not have the appropriate uniforms at the testing sites.

After careful discussion, the Board set a date of August 1, 2012 and directed that a letter be sent to all schools informing that students are expected to be in proper uniforms at the test site or they will be turned away starting August 1, 2012 .

Education & Public Relations:

Mr. James Forte reported that all committee work is up to date.

Violations:

Mr. James Forte reported that all committee work is up to date.

Legislation:

Mr. James Forte 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. Anthony Fiore reported that all committee work is up to date.

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 seconded by Mr. Jerry Speziale, the meeting was adjourned at 2:40 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director