

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
MARCH 11, 2014**

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. Ms. Maria Cruz Denzer was absent.

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 January 9, 2014, and 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. Frances Tomeo and seconded by Mr. Peter Macri, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held February 11, 2014 are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Mr. Raymond Testa, School Association and Ms. Sharita Jones, Artistic Academy were present.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay Malanga distributed information on Bill #A-2332 and Bill # S-681.

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Angela Pantaleone, the Board moved to include Bill #A-2332 and Bill #S-681 to the Agenda for Board comment.

After careful consideration, upon motion made by Ms. France Tomeo and seconded by Ms. Angela Panteleone, the Board is in favor of Bill S-681 in its present form. The motion passed unanimously.

After careful consideration, upon motion made by Ms. Angela Pantaleone and seconded by Ms. Frances Tomeo, the Board is in favor of Bill A-2332 in it present form. The motion passed unanimously.

Mr. Jay Malanga stated that he had received an updated form for recusal of a Board Member.

VI FOR BOARD CONSIDERATION

1. Correspondence received from Ms. Ashley McIver, 54 Huckleberry Lance, Levittown, Pennsylvania in connection with the outstanding penalty assessed against her in the amount of \$500.00 for the alleged violation of N.J.S.A. 45:5B-12(g) on February 4, 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. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

2. Correspondence received from Ms. Kateryna A. Sosoinovska, 802 Florida Grove Road, Keasbey, 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 T & C Nails, 338 Menlo Park Drive #1705, Edison, New Jersey on March 4, 2013. 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 Panteleone and seconded by Mr. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

3. Correspondence received from Mr. Jeoung Ae Kim, t/a Pink Nail, 381 Triangle Road, Hillsborough, New Jersey in connection with the outstanding penalties assessed against him in the amount of \$3,200.00 for the alleged violations resulting out of an inspection of his shop on July 29, 2013 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 Board directed that a payment plan be offered to pay \$1,600.00 up front and \$300.00 per month thereafter with the last payment being \$400.00. Also, the Board directed that the Board of Health be notified. The motion passed unanimously.

4. Correspondence received from Mr. Johnny Tran, t/a Luxury Nails & Spa, 2237 Route 9 #7, Old Bridge, New Jersey in connection with the outstanding penalties assessed against him in the amount of \$300.00 for the alleged violation resulting out of an inspection of her shop on March 12, 2013 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. Joseph Santagata, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

5. School Committee reported on Scope of Work for prospective vendors was presented to the Board for consideration.

Ms. Frances Tomeo gave the background information and discussed the drafted Scope of Work on this matter.

Ms. Janice Alvarez stated that the Committee revised the previous Scope of Work for prior Request for Proposal to meet the Board's current needs.

After discussion at length, Ms. Frances Tomeo recommended that the Board accept the proposed Scope of Work.

Upon motion made by Mr. Peter Macri and seconded by Ms. Angela Panteleone, the Board moves to accept the proposed Scope of Work with the committee's amendments. The motion passed unanimously.

6. Ms. Eunice Kamunge, Mr. Joseph Picolli and their supervising teacher Ms. Bienvenida Henriguez appeared and testified in connection with their initial cosmetology & hairstyling school application for Merit School of Cosmetology, 321, Grove Street, Jersey City, New Jersey 07302 .

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the initial application for Merit School of Cosmetology is approved subject to a favorable school inspection. The motion passed unanimously.

7. **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. Muhammad I. Muniyr – Individual – License No.: 32WG02379600
2. Tu Nguyen – t/a Tina’s Nails Salon – License No.: 32WM00507600

Upon motion made by Mr. Joseph Santagata 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.

8. **Administrative Closure**

The following Uniform Penalty Letters (UPLs) and Notice of Intent to File Default Orders (Notices) are recommended for administrative closure due to being returned to the Board for the following reasons: unclaimed, incorrect address, no forwarding address for the business or licensee, no information, or shop closure, were presented to the Board for consideration.

License Name	License #	UPL Issued	Date of Inspection	Total Penalty Amount
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Nan Hyang Kim, Individual	None	February 16, 2011	January 14, 2009	\$300.00 Resent Notice and it came back as undeliverable was tabled from February 11, 2014 Board Meeting
Jung Bae Oh, Hyun Oh, t/a Luz Hair Boutique	32WD02700200	November 21, 2011	December 15, 2009	\$650.00 moved with no forwarding address
Sharonda Tate, t/a Salon Premier	NONE	March 21, 2011	January 29, 2011	\$250.00

The Board's counsel stated that Ms. Sharonda Tate has paid the violation and, therefore, is to be taken off the list.

Upon motion made by Ms. France Tomeo and seconded by Mr. Peter Macri, the above listed matters are administratively closed. The motion passed unanimously.

VII OLD BUSINESS

VIII NEW BUSINESS

Committee Reports

Examination & Sites:

Ms. Frances Tomeo 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.

Ms. Janice Alvarez stated that a meeting was scheduled with the Department of Education on March 31, 2014.

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 Jeriyln Wallace

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, Ms. Wallace will be allowed to reinstate her license provided she have no further contact with the criminal justice system and that she submit quarterly reports from her probation officer. The motion passed unanimously.

2. IMO Tiffany Rafalko

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jerry Speziale, the Board accepts Ms. Rafalko's application for licensure by endorsement provided she have no further contact with the criminal justice system and provides proof of completion of a drug program. The motion passed unanimously.

3. **IMO** William James

Upon motion made by Ms. Frances Gray and seconded by Ms. Angela Panteleone, Mr. James is allowed to sit for examination upon his successful completion of training provided he have no further contact with the criminal justice system. The motion passed unanimously.

X ADJOURNMENT

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Angela Pantaleone, the meeting was adjourned at 2:45 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director