

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
April 9, 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, Mr. Jerry Speziale. Ms. Frances Tomeo, Mr. Jay 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, 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.

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)

Upon motion made by Ms. Peter Macri and seconded by Mrs. Frances Tomeo, the Executive Director's report, Committee reports, and Minutes of the Committee meeting held March 12, 2013 are accepted as amended. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Mr. Santo Trapani was present and greeted the Board.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay Malanga asked that the Board approve two supplemental matters to the agenda. One for the closed session agenda and another for the open session agenda.

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Angela Pantaleone, the Board added one item to the open agenda and another item to the closed agenda. The motion passed unanimously.

Mr. Jay Malanga distributed information pertaining to the International Hair and Beauty Show to be held on May 19 & 20, 2013 at the Meadowlands Exposition Center, 355 Plaza Drive, Secaucus, New Jersey.

VI FOR BOARD CONSIDERATION

1. Correspondence received from Ms. Danielle Weinbrecht, t/a The Hair Shop, 1250 Ringwood Avenue, Haskell, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$500.00 for the alleged violations resulting out of an inspection of her shop on August 3, 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.

2. Correspondence received from Ms. Eileen Petracca, t/a Hair & Stuff, 197 Franklin Avenue, Nutley, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$350.00 for the alleged violations resulting out of an inspection of her shop on October 7, 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 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.

3. Correspondence received from Ms. Tashana Watson, t/a Infinite Possibilities Hair Gallery, 1607 B Springfield Avenue, Maplewood, New Jersey in connection with the outstanding

penalty assessed against her in the amount of \$250.00 for the alleged violation resulting out of an inspection of her shop on September 13, 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. 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.

4. Correspondence received from Ms. Eun Ok Park, t/a The Charming Nail & Skin Care, 596 Valley Road, Gillette, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$900.00 for the alleged violation resulting out of an inspection of her shop on August 31, 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. 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. Georgina Ovalles, t/a Personal Touch Barber Shop & Salon, 334 Market Street, Paterson, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$250.00 for the alleged violation resulting out of an inspection of her shop on January 28, 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, the Board affirms its original decision as set forth in the Uniform Penalty Letter and also directed that this matter also be referred to their Health Department with a copy of the Enforcement Bureau report. The motion passed unanimously.

6. Correspondence received from Ms. Nicole Duong, t/a Medford Nails & Spa, 47 North Main Street, Medford, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$1000.00 for the alleged violations resulting out of an inspection of her shop on August 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. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

7. Correspondence received from Mr. Frank Rizzieri, Rizzieri Aveda School For Beauty and

Wellness, 8200 Town Center Boulevard, Voorhees, New Jersey in connection with the outstanding penalties assessed against him in the amount of \$2,800.00 for the alleged violations resulting out of an inspection of his school on March 13, 2012 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.

8. The School Committee reviewed barbering curriculum submitted for Board approval from the following school: Roman Academy, 431 Lafayette Avenue, Hawthorne, New Jersey 07506 was presented to the Board for consideration.

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, as per the School Committee's recommendation, the Board approves the Barber curriculum for Roman Academy, Hawthorne. The motion passed unanimously.

9. 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 Mr. Peter Macri and seconded by Ms. Angela Pantaleone, the Board accepts the payment plan as presented. The motion passed unanimously.

10. **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. Thu Nguyen, t/a E M Nails & Spa - License No.: 32WM00210400
2. Liem T. Nguyen, t/a Express Nails - License No.: 32WM00070900
3. Latricia Townes, t/a Explosives Styles - License No.: 32WD02855800
4. Tran Dang Le, t/a Elegant Nails II - License No.: 32WM00313100

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Angela Pantaleone, the Board directed that a Final Decision and Default Order on UPL be issued on these matters.

The motion passed unanimously.

11. Dr. GeeCee Pat & Dr. Shajadi Parvin, Owners and Ms. Edith G. Eisele, Supervising Teacher appeared in connection with the application for initial school licensure of Princess Beauty Academy, 66 Middlesex Avenue, Iselin, New Jersey.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board approved the application for school licensure of Princess Beauty Academy upon successful completion of a school inspection. The motion passed unanimously.

AGENDA SUPPLEMENT

12. Correspondence received from Mr. Troy Howard in connection with his application for initial (change of ownership) shop licensure of Johnnie's Barber Shop, 930 Ringwood Avenue, Haskell, New Jersey. The investigation report indicates that the shop only contains 288 square feet of space, 62 square feet short of the minimum required by N.J.A.C. 13:28-2.5; but he has indicated that the barber shop was operated at this location for over 30 years and that it is impossible to enlarge, and he has asked that the Board waive it's minimum square footage requirement.

Upon motion made by Ms. Frances Gray and seconded by Mr. Jerry Speziale, the Board has authorized a waiver of the square footage requirement as per N.J.A.C. 13:28-2.5(c) and that the shop only have (1) operator. The motion passed unanimously.

VII OLD BUSINESS

VIII NEW BUSINESS

Committee Reports

Examination & Sites:

Ms. Janice Alvarez stated that they are getting geared up for the vocational testing.

Ms. Carol Ann Rotondo stated that she and Ms. Barbara Ambroise were getting responses everyday on this.

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:

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.

11:00 AM IMO Brian Anthony Walker

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jerry Speziale, Mr. Brian Anthony Walker is allowed for licensure provided he have no further contact with the criminal justice system. Also he is to submit additional information as discussed by the Board. The motion passed unanimously.

X ADJOURNMENT

Upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Santagata , the meeting was adjourned at 2:15 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director