

**MINUTES  
REGULAR MONTHLY MEETING  
BOARD OF COSMETOLOGY AND HAIRSTYLING  
124 HALSEY STREET - 6TH FLOOR  
NEWARK, NEW JERSEY 07102  
APRIL 10, 2007  
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. Ronald Jerome Brown, Mr. Jack A. Fornaro, Mr. Chris Jones, Mr. Carlo Melini, Mr. Anthony Monaco, Ms. Denise Pereau, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay A. Malanga, Acting Executive Director, Mrs. Barbara Ambroise, Program Development Assistant were present.

Also in Attendance:

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principal Clerk Transcriber 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. Nina Mitchell Wells, Secretary of State and the Newark Star-Ledger and Trentonian Newspapers on December 13, 2006 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 13, 2006.

**III APPROVAL OF MINUTES (OPEN & CLOSED)**

Upon motion made by Mr. Ronald Brown and seconded by Mr. Carlo Melini, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held March 13, 2007 are accepted as read. The motion passed unanimously.

**IV PUBLIC PARTICIPATION PORTION**

The Chair opened the public participation portion of the meeting and there being no public members present the public portion of the meeting was closed.

**V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS**

Mr. Malanga distributed information submitted by Mr. Ray Testa, Regis Corp., Compliance Officer on a draft from the upcoming NIC Bulletin which includes an article on national testing.

**VI FOR BOARD CONSIDERATION**

1. A Consent Order filed on March 20, 2007 IMO Tom C. Thach, t/a L.A. Perfection Nails, 2626B Morris Avenue, Union, New Jersey 07083. This matter was presented to the Board for ratification.

Mr. Jay Malanga gave a brief background on this matter.

Upon motion made by Mr. Carlo Melini and seconded by Ms. Denise Pereau, the Board ratified the decision made by Chris Jones, Board Chairman to file a Consent Order IMO Tom C. Thach, t/a L/A

Perfection Nails. The motion passed unanimously.

2. Correspondence received from Ms. Kishia Jones, 14 Dale Place, Neptune, New Jersey 07753 with regard to her application for admission to the cosmetologist-hairstylist examination and her conviction of various criminal offenses was presented to the Board for consideration.

After discussion, upon motion made by Ms. Denise Pereau and seconded by Mr. Joseph Santagata, the Board withheld decision on this matter pending Ms. Jones' appearance for an investigative inquiry. The motion passed unanimously.

3. Correspondence received from Ms. Marilyn Wagner, 997 Thayer Avenue, Avenel, New Jersey 07001 in connection with her conviction of Theft and her desire to complete a term of training at Middlesex County Vocational School and eventually become licensed was presented to the Board for consideration.

After discussion, upon motion made by Mr. Joseph Santagata and seconded by Ms. Janice Alvarez, the Board withheld decision on this matter pending Ms. Wagner's appearance for an investigative inquiry. The motion passed unanimously.

4. Correspondence received from Mr. Bernard Collier, 80 Summer Street, Paterson, New Jersey 07055 with regard to his application for a student permit at Capri Cosmetology Training Center, Clifton, New Jersey and his conviction of various criminal offenses was presented to the Board for consideration.

After discussion, upon motion made by Mr. Ronald Brown and seconded by Mr. Jerry Speziale, the Board withheld decision on this matter pending Mr. Collier's appearance for an investigative inquiry and submission of an updated letter from his parole officer on letter head. The motion passed unanimously.

5. Correspondence received from Ms. Carrol Stevens, Educational Supervisor, Christine Valmy International School, 285 Change Bridge Road, Pine Brook, New Jersey in connection with her desire to obtain approval to offer the Skin Care course in Spanish was presented to the Board for consideration.

The Board was provided with a copy of the Milady book in Spanish as their curriculum. However, the Board was unsure of Ms. Maria Cobo's proficiency to teach Spanish stating that a Spanish passport would not be sufficient proof of proficiency. The Board would request a certification proving that Ms. Cobo is proficient in the Spanish and English language.

Upon motion made by Mr. Carlo Melini and seconded by Mr. Joseph Santagata, the Board withheld decision on this matter pending receipt of Ms. Maria Cobo's certification. The motion passed unanimously.

6. Correspondence received from Ms. Christina Lea, Teaneck Department of Specialized Education Services, Once Merrison Street, Teaneck, New Jersey 07666 in connection with the Career and Academic Empowerment Forum she is sponsoring on May 19, 2007 was presented to the Board for information. She requested that a representative from the State Board of Cosmetology and Hairstyling participate as a panel speaker for this event.

Mr. Jay Malanga indicated that they were looking for someone in the industry to speak.

After discussion, Mr. Jay Malanga and Mr. Jack Fornaro agreed to attend with Ms. Frances Tomeo upon approval from the Ethics office. The motion passed unanimously.

7. Assembly Bill, No. 3899 sponsored by Assemblywoman Amy H. Handlin and Assemblyman Upendra J. Chivukula was presented to the Board for consideration. If enacted, a public body would have until noon on the 30th day following the meeting at which the minutes were taken to make the minutes of the public portions of the meeting available to the public. If the public body fails to comply with the requirement and a member of the public is forced to go to the court for injunctive relief or other remedy, the court would be required to award reasonable attorney fees and court costs incurred by the person.

The Board stated that 30 days would not be sufficient time for minutes to be approved because the Board's minutes are approved at the following meeting which could be over the 30 days depending on the whether there is a quorum for a particular meeting.

Upon motion made by Ms. Denise Pereau and seconded by Mr. Ronald Brown, the Board opposed to Assembly Bill, No. 3899. The Board does not agree that the State should be liable and that it needs more than 60 days to make the Minutes public due to meeting dates and quorum. The motion passed unanimously.

8. Correspondence received in connection with the International Hair & Beauty Show to be held at the Meadowlands Exposition Center, 355 Plaza Drive, Secaucus, New Jersey on May 20-21, 2007 was presented to the Board for information.

The Board acknowledged the information.

9. Correspondence received from Mr. Luis Vazquez, 12 Braun Street, Paterson, New Jersey with regard to his application for student permit at Capri Institute Cosmetology Training Centers, Clifton, New Jersey and his conviction of various criminal offenses was presented to the Board for consideration.

After discussion, upon motion made by Mr. Carlo Melini and seconded by Ms. Denise Pereau, the Board withheld decision on this matter pending Mr. Vazquez's appearance for an investigative inquiry. The motion passed unanimously.

10. Mr. Steve Quimby and supporting staff appeared before the Board to present a Laser Grade proposal on a Computer-Based Testing (CBT) program.

Mr. Steve Quimby, Chief Technology Officer, began the presentation of proposed services and processes as contained in the hand out. He stated that NIC is a national exam. The company provides test development and examiner certification, eligibility processing, candidate information bulletins, authorization to test letters, practical administration, paper and pencil administration, scoring and reporting, computer-based theory administration, and testing centers throughout the States. He stated to date some 34-35 states use the NIC testing service of which 15-16 states use computerized testing. Recently, Washington State, South Carolina, Pennsylvania, Alabama and Ohio have transitioned to CBT.

With Laser Grade, scheduling is done through a toll-free number and the calling centers are open from Monday through Saturday. The testing does not have to be limited to New Jersey. There is a no show cancellation policy and procedure for cancellation.

The Board requested that the curriculum include barbering questions, New Jersey law questions and other questions specific to New Jersey.

With regard to evaluating this program, the company website has a demo test for the candidate to familiarize themselves with the test. The web site is [www.LaserGrade.com](http://www.LaserGrade.com).

The company indicated that the tests can be conducted at various community colleges in addition to other testing venues. If a candidate failed a test, they would be able to reschedule for a test in about 72 hours.

With regard to test score results, it also can include a diagnostic profile for the student to assess the area's the student is strong and weak at.

As for the security of the test, it is encrypted to protect the integrity of the test.

With regard to the reading level of the test, the Board was informed that it was based on a 10th grade reading level.

With regard to security and test center related concerns, it is premature at this time to set up test centers.

With regard to testing fees, it would be charged according to the scope of services provided which has to be agreed by the company and the Board.

11. Default Matters: UPLs and follow-up letters were sent to the Respondents' address of record via regular and certified mail. Both regular and certified mail were not returned undeliverable. As reflected in the UPL, the Respondent was advised that failure to respond within 15 days from the date of receipt of the UPL, the settlement offer will be withdrawn, the allegations deemed admitted and the Board will proceed to final review of the matter. Further, the follow-up letter advised Respondent of the deadline to pay the penalty and failure to do so would result in the Board authorizing the filing of a Certificate of Debt. The matter was subject to finalization 10 days from the receipt of the follow-up letter. To date, Respondent has failed to comply. The Attorney General seeks the entry of a Default Order for the following licensees:

1. IMO Guy Reserve, t/a G Master G, Orange, NJ

Date of UPL - April 30, 2001

Date of follow-up letter - June 30, 2005

2. IMO Tiffany Tran, t/a Glamour Nail Salon, Mt. Laurel, NJ

Date of UPL - July 16, 2003

Date of follow-up letter - July 6, 2005

3. IMO Tran Ha, Philadelphia, PA

Date of UPL - June 9, 1997

Date of follow-up letter - July 15, 2005

4. IMO Kim D. High, Camden, NJ

Date of UPL - April 14, 2003

Date of follow-up letter - August 31, 2005

5. IMO Lortine G. Fertil, t/a Experience Beauty Salon, Orange, NJ

Date of UPL - January 16, 2002

Date of follow-up letter - August 29, 2005

6. IMO Thuy T. Mai, t/a Express Nail, Inc., Jersey City, NJ

Date of UPL - April 3, 2003 & January 14, 2003

Date of follow-up letter - August 29, 2005

After discussing the background on these matters, upon motion made by Mr. Jack Fornaro and seconded by Ms. Denise Pereau, the Board authorized the entry of a Default for each matter listed. The motion passed unanimously.

## **VII EXECUTIVE SESSION**

There was no Executive Session matters.

## **VIII OLD BUSINESS**

The Board requested clarification regarding special mass testing which is administered by the Department of Education ("DOE") according to the DOE's requirements with the assistance of the Board. These students are eligible under the Board's statutes and regulations for licensure and must meet all the Board's requirements. Under the DOE rules, it allows students from the Department of Education Vocational System to take the test without first obtaining a high school diploma. However, they are required to have obtained and submit a high school diploma and other required documents with their application for licensure to the Board.

## **IX NEW BUSINESS**

### **PUBLIC RELATIONS:**

The committee requested articles to be posted on the Board's web site as a tool of communication. The idea is to have one article posted every 3rd month with a hope that it could become a newsletter. The Committee urged every Board member to contribute articles in order to make it successful and ongoing.

The Board would like to have a section on "Ask the Board" and to include information like the Board's rules and regulations so that less salons would violate the rules and regulations.

Other suggestions to promote communication includes a biography of each Board member and a picture of each member.

### **LEGISLATION:**

Mr. Carlo Melini reported that all committee work is up to date.

### **VIOLATION:**

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

### **EDUCATION:**

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

### **EXAMINATION AND SITES:**

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

Ms. Barbara Ambrose stated that the mass special testing conducted by the Board of Education will take place on May 22nd and 23rd at the Sovereign Arena in Trenton and encouraged all Board Members to attend.

### **SCHOOL**

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

### **REGULATORY**

The committee informed the Board that the regulatory committee meeting scheduled on April 24th has been cancelled. In the meantime the committee is trying to assemble experts on issues like fungus on nails, artificial nails, the chemicals used and on OSHA as well.

### **X ADJOURNMENT**

Upon motion made by Mr. Carlo Melini and seconded by Mr. Ronald Brown, the meeting was adjourned at 2:30 P.M.. The motion passed unanimously.

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Chris Jones, Chairperson

Countersigned:

JAY A. MALANGA, Acting Executive Director