

## MINUTES

**REGULAR MONTHLY MEETING  
BOARD OF COSMETOLOGY AND HAIRSTYLING  
124 HALSEY STREET - 6TH FLOOR  
NEWARK, NEW JERSEY 07102  
APRIL 12, 2016**

### **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. John Ford, Mr. Peter Macri,, Ms. Corby Marie Puascucci, 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. Angela Panteleone 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, Ms. Susan Rischawy, Government Representative, 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 9, 2015, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 9, 2015 was posted in the Office of the Board of Cosmetology and Hairstyling on December 9, 2015.

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

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held March 8, 2016 are accepted as read. The motion passed unanimously.

#### **IV PUBLIC PARTICIPATION SESSION**

Mr. Raymond Testa was present and greeted the Board. He stated that the Association of Cosmetology & Hairstyling Schools of New Jersey was disappointed on the Board's decision on the Petition for Rulemaking and is pursuing a legislative amendment to define cost of materials. The lawsuit has been expanded to all the schools. Similar suit was also filed in Pennsylvania where the schools were allowed to charge reasonable fees.

#### **V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS**

Mr. Jay Malanga asked that the Board add two items to the agenda. The first is a square footage issue with Freestyle Barber Shop in Jersey City and the other is Shore Beauty School's request to offer a barbering program at their school.

Upon motion made by Frances Tomeo and seconded by Mr. John Ford, the matters of Freestyle Barber Shop and Shore Beauty School is added to the agenda. The motion passed unanimously.

Mr. Malanga reminded the Board that Mass Testing was coming up May 16<sup>th</sup>, 17<sup>th</sup> and 21<sup>st</sup> and we are expecting 850 to 900 students.

#### **VI FOR BOARD CONSIDERATION**

1. Correspondence received from Ms. Lakeyshia Phan, t/a Platinum Nails, 557 Englishtown Road, Unit #10, Monroe Township, New Jersey in connection with the penalties assessed against her in the amount of \$1,700.00 for the alleged violations resulting out of an inspection of her shop on September 8, 2015 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 Board has offered a payment plan of \$900.00 up front and \$400.00 per month thereafter until full payment is made. In the event she fails to make a timely payment, a Certificate of Debt shall be filed in accordance with N.J.S.A. 45:1-24. The motion passed unanimously.

2. Correspondence received from Ms. Spica Nap Usher, t/a AB Fab Coiffure, 422 Route 206 South-Unit #2, Hillsborough, New Jersey in connection with the penalties assessed against her in the amount of \$200.00 for the alleged violations resulting out of an inspection of her shop on July 28, 2015 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 full payment of \$200.00 shall be made within thirty (30) days from the date of the Final Decision Letter After UPL and in the event he fails to make a timely payment, a Certificate of Debt shall be filed in accordance with N.J.S.A. 45:1-24. The motion passed unanimously.

3. Correspondence received from Ms. Michelle Magnani, 214 South 19<sup>th</sup> Avenue, Manville, New Jersey in connection with the penalty assessed her in the amount of \$100.00 for the alleged violations of N.J.S.A. 45:5B-12(f) & N.J.A.C. 13:28-2.12(a)2 at AB Fab Coiffure, 422 Route 206 South-Unit #2, Hillsborough, New Jersey on July 28, 2015 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. John Ford and seconded by Ms. Frances Tomeo, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The full payment of \$100.00 shall be made within thirty (30) days from the date of the Final Decision Letter After UPL and in the event he fails to make a timely payment, a Certificate of Debt shall be filed in accordance with N.J.S.A. 45:1-24. The motion passed unanimously.

4. Correspondence received from Ms. Yong Hong Hu, 203 Frances Avenue, New Jersey in connection with the penalty assessed her in the amount of \$100.00 for the alleged violation N.J.S.A. 45:5B-12(f) & N.J.A.C. 13:28-2.12(a)2 at Yes Nails & Spa, 640 Asbury Avenue, Unit A, Ocean City, New Jersey on August 21, 2014 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. John Ford, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The full payment of \$100.00 shall be made within thirty (30) days from the date of the Final Decision Letter After UPL and in the event he fails to make a timely payment, a Certificate of Debt shall be filed in accordance with N.J.S.A. 45:1-24. The motion passed unanimously.

5. Correspondence received from Ms. Virgita Arguedes, 604 A. Valley Road, Gillette, New Jersey in connection with the penalties assessed against her in the amount of \$100.00 for the alleged violations of N.J.S.A. 45:5B-12(f) & N.J.A.C. 13:28-2.12(a)2 at The Charming Nail & Skin Care, 604-A Valley Road, Gillette, New Jersey on September 17, 2015 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 full payment of

\$100.00 shall be made within thirty (30) days from the date of the Final Decision Letter After UPL and in the event he fails to make a timely payment, a Certificate of Debt shall be filed in accordance with N.J.S.A. 45:1-24. The motion passed unanimously.

6. **REINSTATEMENT OF LICENSES IMO:**

IMO Lisa A Wyckoff

After careful review, upon motion made by Mr. Peter Macri and seconded by Ms. Frances Tomeo, Ms. Wyckoff is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e) . Further, the Board reserves the right to take disciplinary action should she practice without a valid license. The motion passed unanimously.

IMO Catherine E. Manning

After careful review, upon motion made by Mr. John Ford and seconded by Ms. Frances Tomeo, Ms. Manning is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e) . Further, the Board reserves the right to take disciplinary action should she practice without a valid license. The motion passed unanimously.

IMO Laura A Frontz

After careful consideration, upon motion made by Mr. Jerry Speziale and seconded by Ms. Frances Tomeo, Ms. Frontz's application for reinstatement of her license is approved. The motion passed unanimously.

IMO Sandra Rodriguez

After careful review, upon motion made by Ms. Corby Pascucci and seconded by Mr. John Ford, Ms. Rodriguez is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e) . Further, the Board reserves the right to take disciplinary action should she practice without a valid license. The motion passed unanimously.

IMO Evelyn Cardona

After careful review, upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, Ms. Cardona is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e) . Further, the Board reserves the right to take disciplinary action should she practice without a valid license. The motion passed unanimously.

#### IMO Young Boo Yoo

After careful review, upon motion made by Mr. Joseph Santagata and seconded by Ms. Corby Pascucci, Ms. Yoo is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e) . Further, the Board reserves the right to take disciplinary action should she practice without a valid license. The motion passed unanimously.

#### IMO Raymond C Herron

Upon motion made by Mr. John Ford and seconded by Ms. Frances Tomeo, the Board withheld decision on this matter pending additional information on his medical condition and whether or not he is cleared to return to work. The motion passed unanimously.

#### IMO Karen A Rainford Sapp

After careful review, upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, Ms. Sapp is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e). Further, the Board reserves the right to take disciplinary action should she practice without a valid license. The motion passed unanimously.

#### IMO Peter A Cosentino

After careful review, upon motion made by Ms. Frances Tomeo and seconded by Mr. John Ford, Mr. Cosentino is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e) . Further, the Board reserves the right to take disciplinary action should he practice without a valid license. The motion passed unanimously.

#### IMO Joan M Muniz

After careful review, upon motion made by Mr. Frances Tomeo and seconded by Mr. John Ford, Ms. Muniz is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e) . Further, the Board reserves the right to take disciplinary action should she practice without a valid license. The motion passed unanimously.

#### IMO Megan S. O'Reilly

After careful consideration, upon motion made by Mr. John Ford and seconded by Ms. Frances Tomeo, Ms. O'Reilly's application for reinstatement of her license is approved. The motion passed unanimously.

IMO Okki Stibi

After careful review, upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, Ms. Stibi is required to provide proof of proficiency and competency by taking and passing the written examination pursuant to N.J.S.A. 45:1-7.4(e). Further, the Board reserves the right to take disciplinary action should she practice without a valid license. Also, her conviction of DWI will not bar her from becoming licensed provided she have no further contact with the criminal justice system. The motion passed unanimously.

7. **IMO** Out of country applicants who provided incomplete response to the Board's Request for Records and Information pursuant to N.J.S.A. 45:5B-28.

Name	Origin	Notice Sent	Expiration
Munoz, Felix	Dominican Republic	10/9/2015	4/9/2016
Mejia, Rafaela Salcedo	Dominican Republic	10/9/2015	4/9/2016
Guerreo, Elvin	Dominican Republic	10/2/2015	4/2/2016
Miranda, Christina	Brazil	10/23/2015	4/23/2016
Tran, Suong	Vietnam	10/2/2015	4/2/2016
Chu, Lap	Vietnam	10/2/2015	4/2/2016
Tawadros, Samir	Egypt	10/2/2015	4/2/2016
Santana Robinson, Wilbert	Dominican Republic	10/2/2015	4/2/2016
Santiago, Belkys Alta	Dominican Republic	10/23/2015	4/23/2016
Sarante, Miguelina	Dominican Republic	10/23/2015	4/23/2016
Reynoso, Antonio	Dominican Republic	10/23/2015	4/23/2016
Almonte, Euclides	Dominican Republic	10/23/2015	4/23/2016
Cupi, Artan	Macedonia	10/2/2015	4/2/2016
Cuevas, Pedro	Dominican Republic	10/2/2015	4/2/2016
Checo, Jose Alberto	Dominican Republic	10/9/2015	4/9/2016
Morillo, Guillermina	Dominican Republic	10/2/2015	4/2/2016
Gewid, Awad	Egypt	10/23/2015	4/23/2016
Gewid, Aziza Aziz	Egypt	10/9/2015	4/9/2016

After careful consideration and discussion, motion made by Ms. Frances Tomeo and seconded by Mr. John Ford, the Board determined that the above listed applicants provided incomplete response to the Board's Notice for Record and Information pursuant to N.J.S.A. 45:5B-28, and determined that they should be given a final 30 days to complete the file, thereafter the application will be closed administratively. The motion passed unanimously.

8. **IMO** Out of country applicants who failed to provide any response to the Board's Request for Records and Information pursuant to N.J.S.A. 45:5B-28.

Name	Origin	Notice Sent	Expiration
Ly, Hong	Vietnam	10/2/2015	4/2/2016
Liberato, Aidaliz Maria	Dominican Republic	10/2/2015	4/2/2016
Hernandez, Jairo	Dominican Republic	10/2/2015	4/2/2016
Gaafar, Mohamed	Egypt	10/23/2015	4/23/2016
Gonzalez, Denny	Dominican Republic	10/23/2015	4/23/2016
Gomez, Ricardo	Dominican Republic	10/23/2015	4/23/2016
Clase, Reyna	Dominican Republic	10/23/2015	4/23/2016
Yildiz, Cihan	Turkey	10/2/2015	4/2/2016
Vargas, Leonardo	Dominican Republic	10/2/2015	4/2/2016
Sepulveda, Gregory	Dominican Republic	10/9/2015	4/9/2016
Tavares, Nieves	Dominican Republic	10/9/2015	4/9/2016
Regalado, Paulina	Dominican Republic	10/2/2015	4/2/2016
Rodriguez, Ronny	Dominican Republic	10/23/2015	4/23/2016
Perez, Jose	Dominican Republic	10/2/2015	4/2/2016
Martinez, Anny	Dominican Republic	10/2/2015	4/2/2016
Nguyen, Linh	Vietnam	10/9/2015	4/9/2016
Nova, Mery Rafaela	Dominican Republic	10/23/2015	4/23/2016
Noel, Jose	Syria	10/23/2015	4/23/2016
De Los Santos, Adalgisa	Dominican Republic	10/9/2015	4/9/2016
Ferreiras, Gissel	Dominican Republic	10/23/2015	4/23/2016
Amoranto, Bayani	Phillipines	10/2/2015	4/2/2016
Anderson Satomi, Alzira	Japan	10/2/2015	4/2/2016
Alvarez, Mery	Dominican Republic	10/23/2015	4/23/2016
Arada, Crispin	Phillipines	10/23/2015	4/23/2016
Alanya, Noemi	Peru	10/2/2015	4/2/2016
Bouatia, Mohammed	Egypt	10/2/2015	4/2/2016
Camacho, Jose	Dominican Republic	10/23/2015	4/23/2016
Pomares, Flor		10/2/2015	4/2/2016
Pereira, Simone	Brazil	9/30/2015	3/30/2016

After careful consideration, motion made by Ms. Corby Pascucci and seconded by Mr. Joseph Santagata, the Board determined that the above listed applicants failed to provide any response to the Board's request for record and information pursuant to N.J.S.A. 45:5B-28 and determined that they should be given a final 30 days to complete the file, thereafter the application will be closed administratively. The motion passed unanimously.

9. **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. Aaron Jones – Individual – License No.: NONE
2. Pamela Schmitt – Individual - License No.: NONE
3. Eun Jae Kim (Angela) – t/a Fanwood Nail – License No.: NONE
4. Jean A. Cotis – t/a Designer Jeans Salon – License No.: 32WD02539900
5. John C. Taylor, Douglas T. Marold - t/a Klean Kutz Barber Shop – License No.: 32WD02688600
6. Nakasha A. Page, Betty Frazier – t/a Hair Sanctuary – License No.: 32WD02845600

Upon motion made by Mr. Joseph Santagata and seconded by Ms. Frances Tomeo, the Board determined to finalize the above listed matters. The motion passed unanimously

#### 10. 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
Ericka Blanco	NONE	December 19, 2014	January 30, 2014	\$ 300.00
Andry Cartagena	NONE	September 6, 2012	April 11, 2012	\$ 300.00
Abraham Acbal	NONE	May 1, 2015	June 11, 2014	\$ 300.00
Raymond J. Touchette	NONE	March 16, 2015	October 10, 2014	\$ 300.00
Ashley Mugrauer	NONE	April 13, 2015	May 22, 2014	\$ 300.00
Luis Suazo-Hernandez	NONE	March 16, 2015	October 10, 2014	\$ 300.00
Jonessa Jackson	NONE	April 13, 2015	May 22, 2014	\$ 300.00
Mohamed Diabi	NONE	August 10, 2009	June 4, 2009	\$ 500.00
Sales Farahiem	NONE	May 23, 2012	May 2, 2012	\$ 300.00
Ami Ndlaye	NONE	March 31, 2015	January 24, 2014	\$ 300.00
Kim Thao	NONE	January 14, 2015	January 24, 2014	\$ 300.00
Jennifer Nguyen	NONE	January 30, 2015	June 27, 32014	\$ 300.00
Maria E. Guaman	NONE	November 26, 2014	February 20, 2014	\$ 300.00
Rosa Guasco	NONE	December 19, 2014	January 16, 2014	\$ 300.00

Upon motion made by Mr. Joseph Santagata and seconded by Ms. Frances Tomeo, the Board directed that the above matters be closed administratively. The motion passed unanimously.

### **AGENDA SUPPLEMENT**

1. A response to the Board's request was received from Mr. Erni Toribio in connection with his shop application for initial licensure of Freestyle Barber Shop, 278 Monmouth Street, Jersey City, New Jersey was presented to the Board for consideration. The shop only measures 288 square feet of floor space, resulting in 62 square feet short of the minimum square footage required by N.J.A.C. 13:28-2.5. Applicant requested that the Board waive the requirement in light of the fact that he has invested all of his money to build this business and that there is no more space to enlarge. The Board reviewed this matter at its regular monthly meeting held March 8, 2016 but withheld decision pending submission of documentation from the landlord that the shop cannot be enlarged and that Mr. Toribio understood he could not be the experienced practicing licensee and that the shop would only be able to operate as a one (1) chair shop should the Board approve his application.

After carefully considering the additional information submitted by Mr. Toribio, upon motion made by Ms. Frances Tomeo and seconded by Mr. John Ford, the Board approved the shop application and waived the minimum square footage requirement with the condition that he will never have more than one (1) operator practicing at any given time and that the waiver will not be transferrable with the sale of the salon. The motion passed unanimously.

2. A request received from Mr. Kameron K. Rabenou, President, Shore Beauty School, 3003 English Creek Avenue, Egg Harbor Township, New Jersey in connection with their desire to offer the Beautician Curriculum at their school.

Ms. Janice Alvarez indicated that she reviewed the curriculum with Jay and that there were only minor corrections.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the Beautician curriculum submitted is approved with the corrections indicated by Ms. Janice Alvarez and allows Shore Beauty School, Egg Harbor Township to offer the Beautician program at their school. The motion passed unanimously.

## **VII OLD BUSINESS**

## **VIII NEW BUSINESS**

### **Committee Reports**

Examination & Sites:

Ms. Janice Alvarez reported the Committee is up to date.

Education & Public Relations:

Mr. Peter Macri reported that the Committee is up to date.

Violations:

Mr. Jerry Speziale reported that the Committee is up to date.

Legislation:

Mr. Peter Macri reported that the Committee is up to date.

School & Department of Education Liaison:

Ms. Janice Alvarez reported 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.

**X ADJOURNMENT**

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, the meeting was adjourned at 2:30 P.M.. The motion passed unanimously.

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JANICE ALVAREZ, Board Chairperson

Countersigned:

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JAY A. MALANGA, Executive Director