

## MINUTES

**REGULAR MONTHLY MEETING  
BOARD OF COSMETOLOGY AND HAIRSTYLING  
124 HALSEY STREET - 6TH FLOOR  
NEWARK, NEW JERSEY 07102  
April 13, 2010  
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, Ms. Maria Cruz Denzer, Mr. Jack Fornaro, Mr. James J. Forte, Mr. Peter Macri, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay Malanga, Executive Director, Mr. Patrick J. McNally, Assistant Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present.

#### ***Also in Attendance:***

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principle Transcriber, Mr. Mark 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. Nina Mitchell Wells, Secretary of State and the Newark Star-Ledger and Trentonian Newspapers on December 9, 2009 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 9, 2009.

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

Upon motion made by Mr. Ronald Brown and seconded by Mr. Peter Macri, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held March 9, 2010 are accepted as amended. The motion passed unanimously.

### **IV PUBLIC PARTICIPATION SESSION**

Mr. Raymond Testa of the New Jersey Association of Cosmetology & Hairstyling Schools was in attendance and greeted the Board. He reiterated his offer to help the Board through the process of the new regulations for the barber license.

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

Mr. Malanga stated that the Department of Education wishes to conduct a mass testing of the practical exam and has requested the Board's assistance.

Mr. Malanga distributed information on barbicide, Aurie J. Gosnell Scholarship, NCEA Advance eNewsletter and announced that the International Hair & Beauty Show would be held on May 23 & 24, 2010 at Meadowlands Expo Center, Secaucus, New Jersey.

Mr. Malanga indicated that no school offers any courses that is less than 100 hours to date and requested that the Refresher Course be addressed by the Board.

## **VI FOR BOARD CONSIDERATION**

1. A request received from Ms. Linda Karas, Director of Operations, Robert Fiance Beauty Schools, 312 State Street, Perth Amboy, New Jersey for approval to increase her 500 hour student teacher program to 600 hours at all three of her Robert Fiance Beauty Schools was presented to the Board for consideration.

Note: The Board considered this matter at the regular monthly meeting held March 9, 2010; but withheld decision on this matter pending a review by the School Committee.

Ms. Janice Alvarez stated students would qualify for financial aid at 600 hours.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, Ms. Karas request is approved. The motion passed unanimously.

2. Assembly Bill #2456 was presented to the Board for consideration. If enacted, the bill eliminates compensation for part-time members of certain boards, commissions and other agencies.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Board is opposed to Assembly Bill #2456 to eliminate the Board members compensation and would recommend an increase in mileage. The motion passed unanimously.

3. IMO Kenneth J. Zahn Provisional Order of Discipline was presented to the Board for consideration.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jack Fornaro, the Board directed that the POD be finalized as written. The motion passed unanimously.

4. Correspondence received from Ms. Julie A. Bolhardt, President, t/a Platinum Salon & Spa, 177 Washington Valley Road, Warren, New Jersey 08812 in connection with the outstanding

penalty assessed against her in the amount of \$2,750.00 for the alleged violation resulting out of an inspection of her shop on November 24, 2009 was presented to the Board for consideration. She admitted to the charge of operating in an unsanitary manner and paid the penalty (\$250.00) for that violation; and indicated that she would like to waive her right to a hearing on the other charge (N.J.S.A. 45:5B-3(j) & N.J.A.C. 13:28-2.15(b)5) but furnished a written explanation for the Board to consider before rendering its final decision.

After careful consideration, upon motion made by Mr. Peter Macri and seconded by Mr. Jack Fornaro, the fine stands but due to mitigating circumstances the Board reduces the fine to \$2,000.00 with a payment plan of \$250.00 a month. Should Ms. Bolhardt fail to make a payment, the original sum of \$2,500.00 will revert back. The motion passed unanimously.

5. Correspondence received from Ms. Alieu Kamara, t/a International Hair Braiding Salon, 141-B Chadwick Avenue, Newark, New Jersey 07103 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 October 19, 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.

After careful consideration, upon motion made by Mr. Ronald Brown and seconded by Mr. James Forte, the fine stands. The motion passed unanimously.

6. Correspondence received from Ms. Ashley Kim, 101 Lucas Lane, Voorhees, New Jersey 08043 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 Tiffany Nails & Spa, 1888 Route 70 East #J, Cherry Hill, New Jersey on March 20, 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.

After careful consideration, upon motion made by Mr. Jack Fornaro and seconded by Ms. Maria Cruz Denzer, the fine stands. The Board also asked that a reinspection be scheduled. The motion passed unanimously.

7. Correspondence received from M.s Gabriela Czach, Vice President, t/a Amber Spa, 16 S. Main Street, Pennington, New Jersey 08534 in connection with the outstanding penalty assessed against her in the amount of \$450.00 for the alleged violations resulting out of an inspection of her shop on May 22, 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.

After careful consideration, upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the fine stands. The motion passed unanimously.

8. Correspondence received from Ms. Belinda Brown, t/a Body Boutique, 4 Vernon Avenue, Hamburg, New Jersey 07419 in connection with the outstanding penalty assessed against her in the amount of \$300.00 for the alleged violation resulting out of an inspection of her shop on January 16, 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.

After careful consideration, upon motion made by Mr. James Forte and seconded by Mr. Jack Fornaro, the fine stands. The motion passed unanimously.

9. Correspondence received from Mr. Edward M. Thompson, Esquire, Callaghan Thompson & Thompson, P.A. 2428 Atlantic Avenue, Atlantic City, New Jersey 08401 on behalf of his client Ms. Lee N. Tran, t/a K's Nails, 3501 Route 42, Turnersville, New Jersey in connection with the penalties assessed against Ms. Tran in the amount of \$250.00 for the alleged violations resulting out of an inspection of her shop on October 16, 2009 was presented to the Board for consideration. He indicated that his client would like to waive her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

After careful consideration, upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the fine stands and Ms. Tran is to cease and desist until she obtains the proper shop license. The motion passed unanimously.

10. The following Uniform Penalty Letters (UPLs) issued against unlicensed businesses or individuals were returned to the Board for incorrect address or no forwarding address. These matters were subject to finalization 15 days after issuance. The UPLs are recommended for administrative closure.

<u>NAME</u>	<u>DATE OF ISSUE</u>	<u>AMOUNT</u>
GIAU NGUYEN PHILADELPHIA, PA	08/20/04	\$300.00
O BON THI NGUYEN IRVINGTON, NJ	08/18/05	\$300.00
NINA CEMEY FAIRVIEW, NJ	11/14/07	\$300.00
MARIA MAYELA ARAYA ELIZABETH, NJ	06/22/07	\$300.00
KIEU A NGUYEN PENNSAUKEN, NJ	09/20/05	\$300.00

GLORIA ARIZA PASSAIC, NJ	08/07/07	\$300.00
HANH NGUYEN VOORHEES, NJ	08/06/08	\$300.00
MARIA F CANDIDO-VENTURIM C/O ZAZU UNISEX HAIR DESIGNERS NEWARK, NJ	10/26/05	\$300.00
JU GAN CHEN PHILADELPHIA, PA	06/07/01	\$300.00
BRENDA PERRIN T/A CUT CREATION BARBER SHOP TEANECK, NJ	08/23/00	\$2,500.00
GEALINE CULVER FANWOOD, NJ	03/30/01	\$250.00
DAT T TRAN CAMDEN, NJ	09/10/07	\$300.00
THU NGUYEN PHILADELPHIA, PA	09/05/07	\$300.00
TOMMY NGUYEN TOMS RIVER, NJ	04/17/08	\$300.00
TUYET TRAN TOMS RIVER, NJ	04/17/08	\$300.00
ANH TUYET MANCHESTER, NJ	04/17/08	\$300.00
MINH DONG NGO EATONTOWN, NJ	05/11/07	\$300.00
HEE K SHIM SOUTH RIVER, NJ	06/14/07	\$300.00
THANH TU NGUYEN BETHLEHEM, PA	06/08/04	\$600.00

THU H NGUYEN EATONTOWN, NJ	03/22/04	\$300.00
TRACY NGUYEN C/O NAIL 2001 HAMILTON, NJ	10/01/04	\$300.00
VANDORA WILLIAMS T/A VANEQUES HAIR GALLERY MOUNT HOLLY, NJ	02/24/04	\$250.00
HANG KIM NGUYEN SOUTH RIVER, NJ	10/06/04	\$300.00
BIANCA A SEGURA ELIZABETH, NJ	06/22/07	\$300.00
MYONG SUK YUN FORT LEE, NJ	12/13/07	\$300.00
NIMLOMU SHERPA WOODSIDE, NY	10/17/07	\$300.00
TSHIRINGMA SHERPA WOODSIDE, NY	10/17/07	\$300.00
RUSSELL SIEGLE T/A BEAUTY UNLIMITED OLD BRIDGE, NJ	06/11/08	\$250.00
NGOC NGUYEN C/O LA PERFECTION NAILS SOMERVILLE, NJ	04/03/03	\$300.00
TRACY NGUYEN PHILADELPHIA, PA	02/10/06	\$300.00
KHI THANG NGUYEN JERSEY CITY, NJ	09/06/06	\$300.00
HELENA PEREZ NEWARK, NJ	06/12/07	\$300.00

MARIA RAMIREZ DOVER, NJ	01/03/08	\$300.00
ANDY KIM PALISADES PARK, NJ	04/30/08	\$300.00
SANG K PARK LITTLE FERRY, NJ	12/12/07	\$300.00
LUIS AROCHO T/A THUG RIDERS BARBER SHOP NEWARK, NJ	01/24/08	\$250.00
JULIA BOLGAREVA CAPE MAY, NJ	08/21/07	\$300.00
KATHY ARNOLD CAPE MAY, NJ	08/02/07	\$300.00
RONALD WILLIAMS T/A DOCS BARBER SHOP JERSEY CITY, NJ	12/13/07	\$250.00
MARIA AMGANIA IRVINGTON, NJ	08/09/07	\$300.00
CARMEN HUERTA IRVINGTON, NJ	08/09/07	\$300.00
JHANET ARRIETA ELIZABETH, NJ	10/22/08	\$300.00
ROBERT HARPER T/A BONNIE & CLYDE JERSEY CITY, NJ	09/26/07	\$250.00
KABA SERE T/A INTERNATIONAL HAIR BRAIDING SALON NEWARK, NJ	06/23/05	\$1,650.00
LY THI NGUYEN BEACHWOOD, NJ	06/22/07	\$300.00

NICOLE CITARELLA KEYPORT, NJ	05/22/01	\$300.00
BASILIA CEBALLOS NEW YORK, NY	01/07/04	\$300.00
ROSA CASTILLO UNION CITY, NJ	02/02/04	\$300.00
MARIA ANGELICA CAJTI C/O ANN'S NAILS PATERSON, NJ	07/24/07	\$300.00

Upon motion made by Mr. Ronald Brown and seconded by Mr. Peter Macri, the above listed matters are to be administratively closed. The motion passed unanimously.

11. Assembly Bill #2400 was presented to the Board for consideration. If enacted, requires applications for certain professional and occupational licenses and certain registrations for controlled dangerous substance distribution to include information on applicant's membership in Armed Forces.

Upon motion made by Ms. Maria Cruz Denzer and seconded by Mr. Peter Macri, the Board is in favor of Assembly Bill #2400 but recommends that the time be extended to 120 days. The motion passed unanimously.

12. Mr. Juan Jimenez is scheduled to appeared in connection with his desire to apply for a position as a Foreign Academic Credential Evaluator.

Mr. Juan Jimenez greeted the Board and answered questions from the Board regarding his credentials, experience and process in evaluating foreign credentials.

Upon motion made by Mr. Ronald Brown and seconded by Mr. James Forte, the Board tabled decision on this matter pending Mr. Jimenez's submission of a resume, an outline of his process of evaluating foreign documents and a description of documents he would consider as fraudulent. The motion passed unanimously.

The Board also noted that they would be reviewing other Foreign Academic Credential Evaluators before making their final decision.

13. Mr. Raymond Testa, Vice President, Empire Beauty School, Neptune Plaza Shopping Center, 322 Route 4 East, Paramus, New Jersey appeared with his supervising teacher, Ms. Cameron Burke and Mr. Shawn Calrow, Executive Director in connection with the



application for initial school licensure of Empire Beauty School, Paramus, NJ.

Mr. Testa, Ms. Burke and Mr. Calrow greeted the Board.

Ms. Janice Alvarez and the Board asked questions.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jack Fornaro, the school application for Empire Beauty School, Neptune Plaza Shopping Center, 322 Route 4 East, Paramus, New Jersey is approved subject to a favorable final inspection. The motion passed unanimously.

**AGENDA SUPPLEMENT**

1. IMO Craig Nelson Consent Order.

Respondent requested a payment plan.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jack Fornaro, a payment plan of \$200.00 a month is acceptable provided he does not miss a payment. If he does miss a payment, it will result in the State's right to accelerate the balance pursuant to N.J.S.A. 56:8-17. The motion passed unanimously.

**VII EXECUTIVE SESSION**

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jack Fornaro, the Board went into Executive Session.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jerry Speziale, the Board returned to Open Session to announce its decision. The motion passed unanimously.

**Investigative Inquiries**

**IMO Terry L. Gatto**

The Board received a request from Ms. Gatto that she no longer desires to renew her license.

Upon motion made by Mr. Peter Macri and seconded by Ms. Maria Cruz Denzer, the Board referred this matter to the Board's counsel to issue a Summary of Suspension. The motion passed unanimously.

**IMO Dana Anne Hall**

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Peter Macri, the Board stayed its decision on this matter pending receipt of additional information. The motion

passed unanimously.

### **Refresher Courses**

Between August 2009 to December 2009, the Board was unable to offer testing due to a delay in obtaining a testing vendor, the Board considered the matter and determined to accommodate those testing candidates affected.

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the Board waives the provision of N.J.A.C. 13:28-1.2(e), (f)1 and 6.25(a)3,4 to allow applicants to be admitted for Board examination on the condition that such applicants have satisfied the curriculum hours of their respective course of studies that is more than three years but less than five years prior to December 31, 2009. This waiver expires on December 31, 2010. The motion passed unanimously.

## **VIII OLD BUSINESS**

## **IX NEW BUSINESS**

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jerry Speziale, the Board will assist the Department of Education's mass testing of the practical examination only by providing Board services including use of examiners, transmittal of the practical test results for scoring to Prometric and thereafter transmit the final scores to the Department of Education. The motion passed unanimously.

The Board directed that the school committee review the braiding matter.

### **Committee Reports**

#### Examination & Sites:

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

#### Education & New Studies:

Ms. Maria Cruz Denzer stated that she attended the New York Show and she would be going to Vegas and hopefully will be able to learn more there and report back to the Board.

#### Public Relations:

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

#### Violation:

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

Regulatory:

Mr. Joseph Santagata stated that the committee has a lot of work to do yet.

Mr. Jay Malanga stated that he would communicate with Maryann Sheehan for more dates to meet.

School & Department of Education Liaison:

Mr. Ronald Brown reported that all committee work is up to date.

Mr. Jay Malanga stated that there are several school application now being reviewed.

Legislation:

Mr. Jack Fornaro reported that all committee work is up to date.

**X      ADJOURNMENT**

Upon motion made by Mr. Jerry Speziale and seconded by Mr. James Forte, the meeting was adjourned at 4:39 P.M.. The motion passed unanimously.

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JANICE ALVAREZ, Board Chairperson

Countersigned:

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JAY A. MALANGA, Executive Director