

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
APRIL 14, 2015**

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, Ms. Frances Tomeo, Mr. Jay A. Malanga, Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present. Mr. Joseph Santagata 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 17, 2014, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 17, 2014. was posted in the Office of the Board of Cosmetology and Hairstyling on January 9, 2015.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Ms. Janice Alvarez indicated that on page 3 of the closed session minutes IMO Lorrie Mortarulo is a repeat of the previous agenda which was an error.

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held March 10, 2015 are accepted as amended. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Ms. Kim Ringler, Deputy Director greeted the Board and to thank the Board Members for their time and service and for protecting the public's safety and welfare.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay Malanga introduced Susan Rischawy, Government Representative to the Board Members and stated that she was a great asset to the Board Office.

VI FOR BOARD CONSIDERATION

1. The Board's regulation analyst, Ms. Elizabeth Greenblatt appeared before the Board regarding proposed amendments of N.J.A.C. 13:28-6.28; 6.29; 6.29A; 6.29B; 6.30; 6.31; 6.32; and proposed new rule of N.J.A.C. 13:28-6.28A. Ms. Greenblatt greeted the Board and provided a brief summary of the Rules and Regulations Committee's recommendations and the background information of the proposed new amendments and rule for Board review and action.

The Board discussed the impacts of the proposed amendments and rule, and made some editorial changes.

Upon motion made by Mr. Janice Alvarez and seconded by Ms. Angela Pantaleone, the Board accepts the proposed amendments and new rule with the discussed changes. The motion passed unanimously.

2. Correspondence received from Jeffrey D. Marks, Esq., Law Offices of Jeffrey D. Marks, P.O. Box 2665, 415 Clifton Avenue, Clifton, New Jersey 07011, representing Ms. Zoila Jacher, t/a Tere Hair Studio, 404 Clifton Avenue, Clifton, New Jersey 07011 in connection with her application for initial licensure (change of ownership) and having 329 square feet of floor space, 21 square feet short of minimum required by N.J.A.C. 13:28-2.5 was presented to the Board for consideration.

The Board discussed about the discrepancy in the square footage measurement as represented by the applicant's measurement. The Board pointed out that the previous licensed salon owner had a waiver for having a lavatory outside the salon, but not a square footage waiver.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale that Applicant is only approved to operate salon with one (1) chair and that the waiver will not be transferrable to another owner. The motion passed unanimously.

3. Correspondence received from Mr. Jeong Hee Yu, t/a Paradise Nails, 9 Bloomfield Avenue, Unit #4, Caldwell, New Jersey 07006, in connection with the penalties assessed against him in the amount of \$800.00 for the alleged violations resulting from an inspection of his shop on November 5, 2014 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 Ms. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

4. Correspondence received from Mr. Michael Quach, t/a NJ Glamours Nails Inc., 1723 East 2nd Street, Scotch Plains, New Jersey 07076, in connection with the penalties assessed against him in the amount of \$550.00 for the alleged violations resulting from an inspection of his shop on July 2, 2014 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 Ms. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

5. Correspondence received from Mr. Malik Williams, t/a R Nu Barber Shop, 1030 Old Corlies Avenue, Neptune, New Jersey 07753, in connection with the penalties assessed against him in the amount of \$500.00 for the alleged violations resulting from an inspection of his shop on May 29, 2014 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 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.

6. Correspondence received from Ms. Dong Sook Cho, 435 South 8th Avenue, Galloway, New Jersey 08205, in connection with the penalty against her in the amount of \$300.00 for the alleged violations of N.J.S.A. 45:5B-7 at Pretty Nails, 2087 South Shore Route 9-Unit C6, Ocean View, New Jersey 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 Ms. Angela Pantaleone, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

7. Correspondence received from Ms. Jucinda Cordes, 4 Erica Court, Old Bridge, New Jersey 08857, in connection with the penalties assessed against her in the amount of \$250.00 for the alleged violations of N.J.S.A. 45:5B-35 & N.J.S.A. 45:5B-7 at Lenneth Miller Hair Studio, 337 Applegarth Road, Store 5A, and Monroe Township, New Jersey 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. Angela Pantaleon and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

8. Reinstatement of Licenses IMO:

Darlene E. Rumbas - WG00978700

Ramon Lopez - WG02623200

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the above listed individuals are required to take the written examination and pay the licensing fees. Also, the Board reserves the right to take disciplinary action on any individual working without a license. The motion passed unanimously.

9. Out of Country Applications pursuant to N.J.S.A. 45:5b-28 where the applicant represented that they possess a license to practice in their home country IMO:

1. George Jacob
2. Samer Jacob
3. Sarbjeet Kaur

Upon motion made by Ms. Frances Tomeo and seconded by Ms. Angela Pantaleone, it does not appear that based on the record provided that these applicants possess a license to practice issued by a licensing authority whose criteria is substantially similar to that established by this Board. The Board determined that a Notice for Records and Information be sent for final determination. The motion passed unanimously.

10. Out of Country Applications pursuant to N.J.S.A. 45:5b-28 where the applicant represented that they do not possess a license to practice in their home country IMO:

1. Alberto Rosa
2. Arendi Flores Perez
3. Argenis Reinoso

4. Belkis Maria Mateo
5. Byfield O. Newon
6. Carlos R. Navos
7. Doralba Caviedes Quinones
8. Edward Morfa Galan
9. Huyen Thi Bich Le
10. Jahson Miller Then Sanchez
11. Indira Samantha Mendozam M.
12. Irina V. Sivkova
13. Katarzyna U. Kubacka
14. Leonardo Vargas
15. Marcel F. Tineo Ovalle
16. Natali R. Rodriguez De Ramirez
17. Neetaben C. Kakadiya
18. Suong Thi Thu Tran
19. Reina Rosarina Gomez Rosario De Santos
20. Vanessa Perdomo

After carefully reviewing each application and noting the deficiencies, upon motion made by Ms. Angela Pantaleone and seconded by Mr. Peter Macri that although the record provided does not appear to meet the Board's requirements for licensure, the Board determined that a Notice for Records and Information be sent to these applicants for final determination. The motion passed unanimously.

11. 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. Glennys Lara, Roger R. Bustos, Jr., Nicholas Ferro, and John B. Flores

t/a 1st Stop Barber Shop - License No.: 32WD02632100
Sylla Kemo - t/a Kadi Hair Braiding - License - NONE

2. Zhong Zha Jin - Individual - License No.: NONE

Upon motion made by Mr. Angela Panteleone and seconded by Mr. Peter Macri, the Board directed that a Final Decision and Default Order on UPL be issued on these matters. The motion passed unanimously.

11. 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
Fatoumata Kamara	NONE	August 7, 2012	May 4, 2012	\$300.00
Cedibel G. Chuquimarca	NONE	November 30, 2012	July 6, 2012	\$300.00
Yan Carlos Almonte Acevedo	NONE	October 12, 2012	June 14, 2012	\$300.00
Frankelvis Suarez	32WG06457900	September 23, 2013	May 10, 2013	\$100.00
Jessica Choi	NONE	April 30, 2010	January 7, 2009	\$300.00
Angela Carbone t/a Jules Cooper Color & Design	32WD02696400	January 20, 2012	April 23, 2010	\$600.00

Upon motion made by Mr. Peter Macri and seconded by Ms. Angela Panteleone, the matters listed above is to be administratively closed. The motion passed unanimously.

Agenda Supplement

1. IMO Gloria Salazar DeLeon, t/a Gloria's Unisex, Union City, New Jersey Offer of Settlement on a Uniform Penalty Letter in Lieu of Formal Proceeding.

After carefully reviewing the matter, upon motion made by Ms. Frances Tomeo and seconded by Ms. Angela Pantaleone, the Board accepts the counteroffer of settlement of \$5000.00. The motion passed unanimously.

VII OLD BUSINESS

VIII NEW BUSINESS

Committee Reports

Ms. Janice Alvarez reported that all work in the Committees are up to date.

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** Lorrie Mortarulo

Ms. Mortarulo was scheduled to appear at 11:00 AM and it is now 1:40 PM and she did not appear. She also failed to appear at the March 10, 2015 regular monthly meeting.

Upon motion made by Mr. Peter Macri and seconded by Ms. Angela Pantaleone, it appears that the applicant abandon's her application and thus, she is not allowed to sit for examination for licensure until she appears before the Board. The motion passed unanimously.

2. IMO Carl Boynton

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, that based on his conviction, a consent order is to memorialize that Mr. Boynton's license to practice will be conditioned upon his compliance with Megan Law's monitoring requirements and that he shall not have further contact with the criminal justice system. The motion passed unanimously.

X ADJOURNMENT

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, the meeting was adjourned at 3:25 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director