

**MINUTES
REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
MAY 8, 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. Jack A. Fornaro, Mr. Chris Jones, Mr. Carlo Melini, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay A. Malanga, Executive Director, Mrs. Barbara Ambroise, Program Development Assistant were present. Mr. Ronald Jerome Brown, Mr. Anthony Monaco and Ms. Denise Perea were absent.

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. Carlo Melini and seconded by Mr. Jerry Speziale, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held April 10, 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 on a Kiss Live "Color" Competition to be held on Monday May 21st at 10:00 a.m. at the International Hair Show, Meadowlands Convention Center, Secaucus, New Jersey. He also stated that Empire Corp and Regis Corp have indicated they will be merging their schools with a target date of June 1st, however nothing has been finalized at this point. He indicated that it would be in the best interest of the students to allow them to continue to operate during this transitional period. Information regarding the merger is posted on www.regiscorp.com.

VI FOR BOARD CONSIDERATION

1. Correspondence received from Mr. Trang Le, t/a Fancy Nails, 649 Route 206 North, Unit #4, Hillsborough, New Jersey in connection with the penalty assessed against him in the amount of \$450.00 for

the alleged violations resulting out of an inspection of his shop on October 4, 2006 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.

After discussion, upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the Board directed that the fines stand. The motion passed unanimously.

2. Correspondence received from Ms. Catherine Marrone, t/a Spa Tiki, 430 ½ Main Street, Little Falls, New Jersey in connection with the penalty assessed against her in the amount of \$2,750.00 for the alleged violations resulting out of an inspection of her shop on September 18, 2006 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.

Ms. Marrone's efforts was not supported by any credible information and did not mitigate against the penalty and fine.

After discussion, upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the Board directed that the fines stand and that Ms. Marrone cease and desist from violating N.J.S.A. 45:1-21(h) & N.J.A.C. 13:28-2.10(d). The motion passed unanimously.

3. Correspondence received from Mr. James Christina, t/a Jimmy C's Barber Shop, 2128 Route 70, Manchester, New Jersey in connection with the penalties assessed against him in the amount of \$800.00 for the alleged violations resulting out of an inspection of his shop on December 8, 2006 was presented to the Board for consideration. Mr. Christina admitted to the charge of operating with Jennifer Allen practicing cosmetology & hairstyling without a valid license and has paid the penalty (\$300.00) for that violation; and he has indicated that he would like to waive his right to a hearing on the other three (3) charges but furnished a written explanation for the Board to consider before rendering its final decision.

After discussion, upon motion made by Mr. Carlo Melini and seconded by Mr. Jack Fornaro, the Board directed that the fines stand. The motion passed unanimously.

4. Correspondence received from Ms. Lolita Arias, 137 East Main Street, Somerville, New Jersey in connection with the penalty assessed against her in the amount of \$300.00 for her alleged violation of N.J.S.A. 45:5B-7 at Boro Nail, 424 Route 206 South, Hillsborough, New Jersey on September 12, 2006 was presented to the Board for consideration. She indicated that she would like to waiver her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

After discussion, upon motion made by Mr. Jack Fornaro and seconded by Mr. Carlo Melini, the Board directed that the fines stand for all charges but due to her financial circumstances the Board approved Ms. Arias to enter into a payment plan with the Board of \$25.00 per month. The motion passed unanimously.

5. Correspondence received from Ms. Carmen Suarez, Administrative Assistant, Natural Motion Institute of Hair Design on behalf of Mr. Joseph Brown, 772 ½ Broadway, Bayonne, New Jersey in connection with his convictions of various criminal offenses and his desire to complete a term of training at Natural Motion Institute of Hair Design and eventually become licensed was presented to the Board for consideration.

The Board noted that Mr. Brown had violated his probation.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Jerry Speziale, the Board withheld decision on this matter pending Mr. Brown's appearance at an Investigative Inquiry.

6. Correspondence received from Ms. Christine S. Smith, 1 Church Street, PO Box 280, Oldwick, New Jersey in connection with her conviction of Possession of Drug Paraphernalia and her desire to reinstate her Manicurist license #WF16066 was presented to the Board for consideration.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Jerry Speziale, the Board withheld decision on this matter pending Ms. Smith's submission of proof that she has completed the program with Carrier Clinic as ordered by the Court. The motion passed unanimously.

7. Correspondence received from Ms. Rebecca Ann Parks-Phillips, 515 E. 4th Street, Florence, New Jersey 08518 in connection with your application to be admitted to the cosmetologist-hairstylist examination and the Stipulation of Settlement she entered into with the Board of Nursing was presented to the Board for consideration.

After discussion, upon motion made by Mr. Jerry Speziale and seconded by Mr. Jack Fornaro, the Board withheld decision on this matter pending Ms. Smith's appearance at an Investigative Inquiry. The motion passed unanimously.

8. Default Matters: Uniform Penalty Letters (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 John White, t/a Deon's Paradise Unisex Hair Salon, Newark, New Jersey

Date of UPL - May 24, 1995

Date of follow-up letter - October 6, 2004

2. IMO Theresa De Prosopo, West Paterson, New Jersey

Date of UPL - February 7, 2000

Date of follow-up letter - September 30, 2004

3. IMO Jennifer De Camillo, Ship Bottom, New Jersey

Date of UPL - September 3, 1999

Date of follow-up letter - September 30, 2004

Upon motion made by Mr. Carlo Melini and seconded by Mr. Jack Fornaro, the Board allows for entry of a Default Order in these matters pending verification of address of record. The motion passed unanimously.

VII EXECUTIVE SESSION

Upon motion made by Mr. Carlo Melini and Seconded by Mr. Jerry Speziale, the Board went into Executive Session for advice of counsel and to conduct investigative inquiries. The motion passed unanimously.

Upon motion made by Mr. Carlo Melini and seconded by Mr. Jerry Speziale, the Board returned to Open Session.

VIII OLD BUSINESS

Mr. Larry DeMarzo, Director of Consumer Relations informed the Board that the Division of Consumer Affairs (DCA) has been contacted by Assemblyman Stanley's Office informally requesting information pertinent to the 600-hour barbering curriculum proposed by the Board at its March 14, 2006 Board meeting. Mr. DeMarzo stated that there was no educational component in the Stanley Bill as it stands and he suggested that the Board include a curriculum with an educational component.

The Board briefly discussed the background information on how the proposed 600-hour curriculum came about at its March 14, 2006 meeting. At that time, a committee met separately with the Board's Legislative Analyst. Due to time constraints the Board accepted the committee's proposed 600-hour curriculum for a limited barber license, without the chemical, coloring, straightening components, etc. However, the Board expressed reservations with a 600-hour curriculum as it might impact adversely on student's ability to qualify for financial aid, on inner city students and whether its proprietary schools would offer a 600-hour curriculum.

Mr. DeMarzo stated that they would need a rough draft curriculum rather quickly in order to respond to the Assemblyman's informal request. The Board's Legislative Analyst agreed to meet informally with the Board chair to outline rough suggestions on the curriculum for the purpose of responding to the informal request.

Mr. Larry DeMarzo announced that the Attorney General's office has notified the Division of Consumer Affairs that Mr. Jay Malanga has been approved as Executive Director of the Board. The Board is asked to ratify the Attorney General's decision.

A question was raised as to why the Board was not informed of the process of appointing the Executive Director.

The Board's counsel stated that the Board is requested to ratify the Attorney General's appointment and if there was any Board member who opposed the appointment to raise it then.

Upon motion made by Mr. Jerry Speziale and seconded by Ms. Janice Alvarez, and seeing no objection was raised, the Board ratifies the Attorney General's appointment of Jay A. Malanga as Executive Director of the Board of Cosmetology and Hairstyling. The motion passed unanimously.

IX NEW BUSINESS

Mr. Chris Jones indicated that Ms. Bridget Damiano, Vice President, Capri Institute Cosmetology Training Centers, Inc. was present and asked whether she would like to make any comments.

Ms. Bridget Damiano greeted the Board and indicated that she did not have any comments at this time.

PUBLIC RELATIONS:

No report was given.

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. She reminded the Board that the Mass Testing would be held on March 22nd and 23rd.

SCHOOL

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

REGULATORY Mr. Jay Malanga informed the Board that the Regulatory Committee meeting would be held on May 21st from 10:00 a.m. to 3:00 p.m. at the New Jersey Department of Health and Senior Services, Trenton, New Jersey and any committee member going needed to inform him in order to get travel approval.

X ADJOURNMENT

Upon motion made by Mr. Carlo Melini and seconded by Mr. Jack Fornaro, the meeting was adjourned at 2:15 P.M.. The motion passed unanimously.

Christian A. Jones, Chairperson

Countersigned:

JAY A. MALANGA, Executive Director