

**MINUTES**

**REGULAR MONTHLY MEETING  
BOARD OF COSMETOLOGY AND HAIRSTYLING  
124 HALSEY STREET - 6TH FLOOR  
NEWARK, NEW JERSEY 07102  
May 10, 2011**

**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. James J. Forte, Mr. Peter Macri, Mr. Joseph Santagata, Mr. Jerry Speziale, Ms. Frances Tomeo, Mr. Jay Malanga, Executive Director, Mr. Patrick J. McNally, Assistant Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present. Ms. Maria Cruz Denzer was absent.

***Also in Attendance:***

Ms. Gracinda Almeida, Administrative Assistant, Ms. Yolanda Morales, Principle Transcriber, Mr. Marc 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. Kim Guadagno, Secretary of State, and the Newark Star-Ledger and Trentonian Newspapers on December 15, 2010, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 15, 2010.

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

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held April 12, 2011 are accepted as read. The motion passed unanimously.

**IV PUBLIC PARTICIPATION SESSION**

Bright Star Scanning representative made a presentation to the Board regarding the use of electronic agenda during board meeting.

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

Mr. Jay A. Malanga distributed a News Release Hazard Alert from the US Labor Department's OSHA regarding the hazardous use of hair smoothing products that could release formaldehyde in hair salon and on workers using these products.

## **VI FOR BOARD CONSIDERATION**

1. Correspondence received from Ms. Jae Hwa Anh, t/a Fair Lawn Nail, 19-13 Fair Lawn Avenue, Fair Lawn, New Jersey 07410 in connection with the outstanding penalty assessed against her in the amount of \$150.00 for the alleged violation resulting out of an inspection of her shop on June 24, 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 Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

2. Correspondence received from Ms. Revital Shabtai, 31 Tupelo Drive, Old Bridge, New Jersey 08857 in connection with the outstanding penalty assessed against her in the amount of \$500.00 for the alleged violation resulting out of an inspection of her shop on August 29, 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 Ms. Frances Tomeo and seconded by Mr. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

3. Correspondence received from Ms. Jeanie Kim, President, t/a Fancy Nails & Spa, 62 State Route 36, Keyport, New Jersey 07735 in connection with the outstanding penalties assessed against her in the amount of \$2,800.00 for the alleged violations resulting out of an inspection of her shop on January 22, 2009 was presented to the Board for consideration. She admitted to the charge of N.J.S.A. 45:5B-13(d) and has paid the penalty (\$300.00) for that violation; and indicated that she would like to waive her right to a hearing on the other charge 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 Board finds Ms. Kim guilty as charged, however the Board reduces the fine to \$1000.00. The motion passed unanimously.

4. Correspondence received from Ms. Kyung M. Kim, t/a Nail Time, 135 Skyline Drive, Ringwood, New Jersey 07456 in connection with the outstanding penalties assessed against her in the amount of \$2,100.00 for the alleged violations resulting out of an inspection of his shop on March 24, 2008 was presented to the Board for consideration. She admitted to the charges of N.J.S.A. 45:5B-13(d) and paid the penalties (\$1,800.00) for those violations; and indicated that she would like to waive her right to a hearing on the other charges but furnished a written explanation for the Board to consider before rendering its final decision.

After careful consideration, upon motion made by Mr. Joseph Santagata and seconded by Mr. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

5. Correspondence received from Mr. Pedro P. Valderama, t/a Professional Beauty School, 48 West Palisade Avenue, Englewood, New Jersey 07631 in connection with the outstanding penalties assessed against him in the amount of \$4,100.00 for the alleged violations resulting out of an inspection of his school on December 15, 2010. He has admitted to the charges of N.J.S.A. 45:5B-14(f), N.J.S.A. 45:5B-35 & N.J.S.A. 45:5B-7, N.J.S.A. 45:5B-14(I)& N.J.A.C. 13:28-6.15(d) and N.J.A.C. 13:28-6.24(b) and has paid the penalties (\$1,600.00) for those violations; and indicated that he would like to waive his right to a hearing on the other charge N.J.A.C. 13:28-6.24(b) 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. Jerry Speziale, the Board went into Executive Session for the purpose of deliberation. The motion passed unanimously.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the Board returned to Open Session to announce its decision.

After careful consideration, upon motion made by Ms. Frances Gray and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. Also, the Board directed that Mr. Valderama remedy the situation immediately and be scheduled to appear for an investigative inquiry with his supervising teacher and to provide a copy of a one- year contract with the supervising teacher pursuant to 13:28-6.18 to the Board. The motion passed unanimously.

## **VII OLD BUSINESS**

Mr. Malanga stated that a Committee meeting held in April 2011 with people in the industry, schools, licensees and others went very well.

Mr. Jay Malanga advised that the Barber Committee will be meeting in the near future to discuss information obtained from that meeting before the proposed regulation is finalized for publication.

## **VIII NEW BUSINESS**

Mr. Jay Malanga stated that the Board is assisting the Department of Education with its Mass Testing at various test centers.

### **Committee Reports**

#### Examination & Sites:

Mr. Peter Macri reported that all committee work is up to date.

#### Education & Public Relations:

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

#### Violations:

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

#### Legislation:

Mr. James Forte stated that all committee work is up to date.

#### School & Department of Education Liaison:

Ms. Frances Tomeo reported that all committee work is up to date..

Regulatory Committee:

Mr. Joseph Santagata reported that there was progress and that all committee work is up to date.

**IX EXECUTIVE SESSION**

**11:00 A.M. IMO Staci Triestman**

Upon motion made by Mr. James Forte and seconded by Mr. Peter Macri, the Board went into Executive Session to conduct an investigative inquiry. The motion passed unanimously.

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

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Peter Macri, the Board will allow Ms. Triestman to renew her license upon receipt of quarterly reports from her ISP officer. The motion passed unanimously. .

**11:30 A.M. IMO Brian Jones**

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, the Board went into Executive Session to conduct an investigative inquiry. The motion passed unanimously.

Upon motion made by Mr. James Forte and seconded by Mr. Jerry speziale, the Board returned to Open Session to announce its decision. The motion passed unanimously.

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, Mr. Jones reinstatement application is accepted pending additional information to be reviewed by the Board. The motion passed unanimously.

**X ADJOURNMENT**

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the meeting was adjourned at 2:45 P.M.. The motion passed unanimously.

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JANICE ALVAREZ, Board Chairperson

Countersigned:

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JAY A. MALANGA, Executive Director