

BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
MAY 13, 2008

THIS MEETING WAS ORIGINALLY SCHEDULED AS A REGULAR BOARD MEETING BUT WAS HELD AS A COMMITTEE FOR LACK OF QUORUM. THE MINUTES REFLECT THE RECOMMENDATIONS OF THE COMMITTEE.

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:

Board members in attendance: Ms. Janice Alvarez, Mr. Jack A. Fornaro, Mr. Chris Jones, and Mr. Jerry Speziale.

Board members not in attendance: Mr. Ronald Jerome Brown, Mr. Carlo Melini, Mr. Anthony T. Monaco and Mr. Joseph Santagata

Board administrators in attendance: Mr. Jay A. Malanga, Executive Director, Mr. Patrick J. McNally, Assistant Executive Director and Ms. Barbara Ambrose, Program Development Assistant, 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 18, 2007 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 18, 2007.

III APPROVAL OF MINUTES (OPEN & CLOSED)

The committee recommended that the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held April 8, 2008 are accepted as read.

IV PUBLIC PARTICIPATION SESSION

Mr. Ray Testa was in attendance and greeted the Committee. He addressed the Committee on a matter that appears on the agenda which was submitted by the NJ Association of Cosmetology and Hairstyling Schools, Inc. in connection with the approval on the implementation of the Methods Course in conjunction with Thomas Edison University. He encouraged the Committee to review and recommend it to the Board for approval.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Malanga distributed a copy of Assembly No. 734 regarding the non-disclosure of the residence of persons licensed by certain professional boards, a copy of Senate, No. 1240 concerning the creation of a limited licenses for general barbering and for barbering and hairstyling within the practice of cosmetology and hairstyling, information on the 82nd Annual conference of the National Association of Barber Board of America in Washington, DC, information of the annual conference of the National-Interstate Council of State Boards of Cosmetology to be held October 25-27, 2008, and a copy of a letter from Mr. Normajeon Fusco, President, The Body Perfect on the Nufree System of hair removal.

Also, presented was a newspaper article in which Senator Baron inappropriately remarked this Board as an "obscure" board. The Board chair stated that his response to the Senator was a personal response in which he took deep offense to the remark which misled the public to believe that this Board does not carry out important functions as mandated by the statutes.

VI FOR BOARD CONSIDERATION

1. Correspondence received from Mr. Edwin Esteves, 40 Providence Street, Newark, New Jersey in connection with his conviction of Possession of CDS and his desire to become licensed as a cosmetologist-hairstylist upon completion of training at Natural Motion Institute was presented to the Committee for consideration.

The Committee recommends that the Board withhold decision pending Mr. Esteves' appearance for an investigative inquiry.

The Committee finds that the record is devoid of the individual's response to the Board regarding his desire to be licensed. The Committee finds that the school's response should only be a supplement and never the primary record on behalf of the applicant. The Committee recommends that the Board redraft the letter to indicate that the individual applicant must respond to the Board with the information requested.

2. Correspondence received from Mr. Sean McGowan, 129 Ambler Road, Somers Point, New Jersey in connection with his conviction of Manufacture, Distribution, Dispense (Alprazolam) and his desire to complete a term of training at Shore Beauty School and eventually become licensed was presented to the Committee for consideration.

The Committee recommends that the Board withhold decision pending Mr. McGowan's appearance for an investigative inquiry.

3. Correspondence received from Mr. Kenyon Alston, 231 Chestnut Street, Passaic, New Jersey 07055 in connection with his conviction of Possession of CDS with intent to distribute within 1000 ft of school property and his desire to become licensed as a cosmetologist-hairstylist upon completion of training at Capri Institute, Clifton, New Jersey was presented to the Committee for consideration.

The Committee recommends that Mr. Alston be allowed to sit for examination upon his successful completion of the cosmetology and hairstyling course with a stern advise not to have any further contact with the criminal justice system.

4. Correspondence received from Mr. Anthony C. Comito, t/a Great Clips, 726 Route 202 South, Suite 380, Bridgewater, New Jersey 08807 in connection with the outstanding penalties assessed against him in the amount of \$600.00 for the alleged violations resulting out of an inspection of his shop on November 16, 2007 was presented to the Committee for consideration. He has admitted to the charge of violating N.J.S.A. 45:5B-13(e) and paid that penalty (\$500.00) but indicated that he would like to waive his right to a hearing on the other charge (N.J.A.C. 13:28-2.12(a)2 and furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the fine stand.

5. Correspondence received from Mr. William Sandoz, t/a Spa San Marco, 4160 Dearborn Circle, Mount Laurel, New Jersey 08054 in connection with the outstanding penalties assessed against him in the amount of \$500.00 for the alleged violations resulting out of an inspection his shop on October 3, 2007 was presented to the Committee for consideration. He has admitted to the charge of violating N.J.A.C. 13:28-2.15 and paid that penalty (\$300.00) but indicated that he would like to waive his right to a hearing on the other charge (N.J.A.C. 13:28-2.5(a)2iv and furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the fine stand.

6. Correspondence received from Mr. George A. Cortese, t/a Esthetics, 313 Valley Road, Wayne, New Jersey 07470 in connection with the outstanding penalty assessed against him in the amount of \$100.00 for the alleged violation resulting out of an inspection of his shop on January 10, 2007 was presented to the Committee for consideration. He has indicated that he would like to waive his right to a hearing but has furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the fine stand.

7. Correspondence received from Mr. Carl Nosenzo, t/a Carl's Haircutting, 43 Main Street, High Bridge, New Jersey 08829 in connection with the outstanding penalty assessed against him in the amount of \$100.00 for the alleged violation resulting out of an inspection of his shop on January 26, 2007 was presented to the Committee for consideration. He has indicated that he would like to waive his right to a hearing but has furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the fine stand.

8. Correspondence received from Ms. Sammi Luu, 1831 Kendrick Street, Philadelphia, Pennsylvania 19120 in connection with the outstanding penalty assessed against her in the amount of \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at Bella Nails, 1417 Route 130 & Browning Road (Store #8), Brooklawn Shopping Center, Brooklawn, New Jersey on July 6, 2007 was presented to the Committee for consideration. She has indicated that she would like to waive her right to a hearing but has furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the fine stand.

9. Correspondence received from Mr. Jose L. Montalvo, PO Box 13156, Jersey City, New Jersey 07303 in connection with the outstanding penalty assessed against him in the amount of \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at Jer-Z Clippers, 120 Danforth Avenue, Jersey City, New Jersey on June 26, 2007 was presented to the Committee for consideration. He has indicated that he would like to waive his right to a hearing but has furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the find stand.

10. Correspondence received from Ms. Ana Matos, 251 2nd Street, Elizabeth, New Jersey in connection with her application for initial (change of ownership) cosmetologist-hairstylist shop licensure of Instyle Image Salon, 915 Magie Avenue, Union, New Jersey 07083 was presented to the Committee for consideration. The shop does not have a sink within the confines of the lavatory as required by N.J.A.C. 13:28-2.5 and she has asked that the Board waive the requirement in light of the fact that the previous owners had a change of ownership inspection last year and the inspector found no problems with the shop.

The Committee upon review of the submitted floor plan stated that with some minor changes to the bathroom, the applicant would come into compliance with the Board's regulation. The Committee recommends that Ms. Matos enclose the recommended area without obstructing the hallway.

11. Correspondence received from Mr. John Abdelahdi, Esquire on behalf of his client, Sleem Mohammed, 37 Goshen Street, Paterson, New Jersey in connection with his convictions of various criminal offenses and his desire to become licensed upon his completion of training at Capri Institute, Clifton was presented to the Committee for consideration.

The Committee recommends that the Board withhold decision pending Mr. Abdelahdi's appearance for an investigative inquiry.

12. A request received from Mr. Harry Comp, Jr., Secretary Treasurer on behalf of the NJ Association of Cosmetology and Hairstyling Schools, Inc., for Board consideration and approval on the implementation of the Methods Course in conjunction with Thomas Edison University was presented to the Committee for consideration.

The Committee recommends that the Board approve the implementation of the Methods Course in conjunction with Thomas Edison University.

13. Disciplinary Matters Pending Conclusion by Default

The UPLs were issued and no written response from respondents have been received by the Board to date. These matters were subject to finalization 15 days after issuance. The Attorney General seeks to issue Final Decision and Default Order on UPL for each of the following: IMO

Miguel A. Valencia t/a Andrew Roberts, License #WD20301s

Ana Mendez t/a Ana Beauty Salon, License #WD18974

Amie Thiam t/a Amina's Braiding Shop

Roxanna Castillo t/a Roxanna Glamour, License #WD023683

Ralph Morales

Minh T. Nguyen

Wallington Santana

Dien P. Ngo

Jonathan L. Taylor

Michael Robertson

Beto Jimenez

Jackie Barcs

Alexis Laureda

Luis M. Cartagena

Delores Cherie Tribble t/a Avenue Clippers Salon, License #WD24076

Howard Tran t/a Bee Nails & Spa

Leonardo F. Jaramillo, President & Doel Almodouar, Vice President t/a Crystalz, License #WD024767

Hong Nguyen t/a Nail Tech #6

Hyung Jung Lee, License #WG043778

Maya Silva t/a The Beauty Company, License #WD024918

The Certificate of Service is attached to the Uniform Penalty Letters for Board review.

The Committee recommends that the Board authorize the issuance of Default letters as indicated above.

VII EXECUTIVE SESSION

The Committee conducted an investigative inquiry IMO Ana Carmona.

The Committee recommends that Ms. Carmona be allowed to renew her license with a reprimand on the condition that she has no further contact with the criminal justice system.

VIII OLD BUSINESS

Mr. Chris Jones asked about the examiners salaries.

Mr. Jay Malanga stated that he would draft a new request for a revision to the current fee for DCA's consideration.

The regulation analyst stated that the Home School Amended needed a final action ASAP with one public comment pending. The Board will respond to the comment as reflected in the minutes with a firm date to

reply so that this matter could be finalized on at the next meeting.

IX NEW BUSINESS

COMMITTEE REPORTS

Public Relations

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

School

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

Legislation

No report was given.

Regulatory

The Regulation Committee's proposed regulation for re-adoption, modifications and new provisions cannot be voted on for lack of quorum.

Ms. Janice Alvarez commented that she had mechanical questions (grammar and the likes) regarding the proposed regulation but nothing substantive. The questions were discussed and addressed.

Examination & Sites

Ms. Janice Alvarez reminded the members of the mass testing next week. She stated that they conducted a workshop for the examiners in preparation for the mass testing.

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.

X ADJOURNMENT

The Committee adjourned at 2:30 p.m..

CHRISTIAN JONES, Chairman

Countersigned:

JAY A. MALANGA, Executive Director