

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
JUNE 14, 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 Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held May 10, 2011 are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Ms. Darlene Fox, School Association was present.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay A. Malanga informed the Board of another hazard alert on hair smoothing products that could release formaldehyde and passed around an article on the subject. Also, he informed the Board of the Aurie J. Gosnell Scholarship being offered by NIC to eligible individuals for training in cosmetology and related fields.

VI FOR BOARD CONSIDERATION

1. Correspondence received from Ms. Mary Basciani, 612 Harvard Avenue, Maple Shade, New Jersey in connection with her request for Board reconsideration in connection with the penalty assessed against her in the amount of \$100.00 for the violation of N.J.S.A. 45:5B-12(f) & N.J.A.C. 13:28-2.12(a)2 at Caryn Max Salon West LLC, 220 Young Avenue, Morrestown, New Jersey on October 12, 2010 was presented to the Board for reconsideration.

After careful reconsideration, 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 Mr. Mun Sook Lym, 108 Grace Road, Lake Hiawatha, New Jersey 07034 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 G G Nails, 233 Newark Pompton Parkway, Pequannock, New Jersey on May 8, 2008 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 careful consideration, upon motion made by Mr. James Forte and seconded by Mr. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

The Board noted that the Enforcement Bureau Investigator observed the practice without a license.

3. Correspondence received from Ms. Sally Desotto, 111 Roff Avenue, Palisades Park, New Jersey 07650 in connection with the outstanding penalties 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. 13:28-12(a)2 at Gerard Hair Design, 709 Bergen Boulevard, Ridgefield, New Jersey on July 11, 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 Ms. Frances Tomeo, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

4. Correspondence received from Ms. Susan M. McNally, 2408 Doolittle Drive, Bridgewater, New Jersey in connection with the outstanding penalties 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 Icon Hair Salon, 20 Commerce Street, Flemington, New Jersey on April 2, 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. James Forte and seconded by Ms. Frances Tomeo, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

5. Correspondence received from Mr. Gerard Matteis, t/a Gerard Hair Design, 709 Bergen Boulevard, Ridgefield, New Jersey 07657 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 July 11, 2008. 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.

After careful consideration, upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

6. Correspondence received from Ms. Linda H. Schwager, Esquire on behalf of her client, Ms.

Ok Rim Lee, t/a Tina's Nail & Spa, 400 Ramapo Valley Road, Oakland, New Jersey in connection with the penalty assessed against her in the amount of \$600.00 for the alleged violations resulting out of an inspection of her shop on January 28, 2011 was presented to the Board for consideration. Ms. Lee waived her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

Upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

7. Correspondence received from Mr. Seabron D. Grace, t/a Incizioni, 917 North Delaware Avenue, Paulsboro, New Jersey 08066 in connection with the outstanding penalty assessed against him in the amount of \$250.00 for the alleged violation resulting out of an inspection of his shop on February 11, 2011 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 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.

8. Correspondence received from Ms. Catherine Serrantonio, t/a Cathy's Nice Nails, 93 Main Street, Farmingdale, New Jersey 07727 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 November 18, 2010 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. Joseph Santagata and seconded by Mr. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

9. Correspondence received from Mr. Michael Baldassaro, t/a Hollywood Barbers, 358 Fulton Street, Woodbridge, New Jersey 07005 in connection with the outstanding penalty assessed against him in the amount of \$2,500.00 for the alleged violation resulting out of an inspection of his shop on February 3, 2011 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 careful consideration, upon motion made by Mr. Peter Macri and seconded by Mrs. Frances Tomeo, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

10. Correspondence received from Mr. Walberto Miranda, Director/Educational Supervisor, Christine Valmy International School, 285 Changebridge Road, Pine Brook, New Jersey in connection with his request for approval from the Board to offer the Brush-Up/Post Graduate Courses as well as the 25 hour Shaving Course was presented to the Board for consideration.

Upon motion made by Mr. Peter Macri and seconded by Ms. Frances Gray, Mr. Miranda's request to offer the Brush-UP/Post Graduate Courses as well as the 25 hour Shaving Course at Christine Valmy International School, Pine Brook, New Jersey is approved. The motion passed unanimously.

11. **For Board Information:** A2721/S2013 Changes five year chapter expiration date for rules to seven years; changes procedures for re-adoption of rules.

The Board acknowledged the information.

12. Correspondence received from Ms. Lynda Zipparo, School Nurse, Cape May County Technical School District, 188 Crest Haven Road, Cape May Court House, New Jersey in connection with the use of the application form for student registration, permit and examination issued by the Board was presented to the Board for consideration. In particular, the physical statement the students are required to submit three (3) times within a year.

After careful consideration, upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Board withheld decision on this matter pending a Committee of the Board's research and study on this matter and report back to the Board at the next monthly meeting. The motion passed unanimously.

VII OLD BUSINESS

VIII NEW BUSINESS

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the August meeting is canceled. The motion passed unanimously.

Committee Reports

Examination & Sites:

Ms. Janice Alvarez stated that the Mass Testing has been completed.

Ms. Frances Tomeo stated that the Mass Testing ran very well.

Mr. Malanga stated that the preparation between the Department of Education and the Board leading up to mass testing was very good.

The Board congratulated Marc, Barbara and John on an awesome job.

Education & Public Relations:

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

Violations:

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

Legislation:

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

School & Department of Education Liaison:

Ms. Janice Alvarez stated that Fran Tomeo did a great job at getting the instructors e-mail addresses for the instructor training.

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 Brigida Colella

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

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board withheld decision on this matter pending additional information to be submitted by Ms. Brigida Colella . The motion passed unanimously.

11:30 A.M. IMO Philip DeVincentis

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

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

Upon motion made by Mr. Jerry Speziale and seconded by Mr. James Forte, the Board will re-instate his license by a consent order indicating a stayed suspension for a period of 6 months. Mr. De Vincentis is to continue to meet the terms of his plea agreement of making payments of \$ 50.00 a month. The motion passed unanimously

X ADJOURNMENT

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, the meeting was adjourned at 2:40 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director