

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
JULY 13, 2010
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, Ms. Maria Cruz Denzer, Mr. Jack Fornaro, Mr. James J. Forte, Mr. Peter Macri, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay Malanga, Executive Director, Mr. Patrick J. McNally, Assistant Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present. Mr. Ronald Jerome Brown was absent.

Also in Attendance:

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, 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. Nina Mitchell Wells, Secretary of State, and the Newark Star-Ledger and Trentonian Newspapers on December 9, 2009, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 9, 2009.

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 June 8, 2010 are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Ms. Darlene Fox of the Association of Cosmetology & Hairstyling Schools was in attendance and greeted the Board.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay Malanga stated that on July 7, 2010 Acting Director Thomas Calcagni, notified all Board members of the changes recently implemented on how they will be compensated for Board attendance and expenses.

The Board members expressed their disappointment with this new law because the cap does not take into consideration those who travel great distances to attend board meetings which ultimately would cost them out of pocket expenses.

The Board indicated that the law is not clear as to whether the cap on payment includes Board Members who attend the practical examinations as industry experts. The Board Testing Administrators depend on the Board Members for advice and industry expertise as testing issues arise.

Mr. DeMarzo recommended that the DCA, the Executive Director and the exam coordinator schedule a meeting to discuss compensating these Board members.

Mr. Malanga distributed copies of National Association of Barber Boards of America 84th Annual Conference to be held at the Crown Plaza St. Paul Riverfront Hotel in St. Paul, MN on September 18th - 23rd, 2010, the NCEA Advanced eNewsletter and The Esthetic Teacher Resource.

Mr. Malanga also distributed a letter from Casey Crabill, President, Raritan Valley Community College, Somerville, New Jersey indicating the cosmetology program was being transferred from the county vocational school system to the community college system. The transfer was administrative with no change to the cosmetology program. The change does not impact the program. The present teacher will remain as the instructor and classes will remain in the vocational school location. The Board acknowledged the information.

VI FOR BOARD CONSIDERATION

1. Correspondence received from Ms. Jane M. Strobel, 2353 Redwood Road, Scotch Plains, New Jersey 07076 in connection with the outstanding penalty 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 Supercuts #9324, 270 North Avenue, Westfield, New Jersey on October 19, 2009 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 Mr. Peter Macri and seconded by Mr. James Forte, the find stands. The motion passed unanimously.

The Board asked that a letter be sent to Supercuts Headquarters to address the problem of numerous violations within their franchise salons..

2. Correspondence received from Mr. Steven Magnifico, t/a Chateau Hairstylists, 1195 Route 70, Lakewood, New Jersey 08701 in connection with the outstanding penalties assessed against him in the amount of \$800.00 for the alleged violations resulting out of an inspection of his shop on May 27, 2009 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 Mr. James Forte, the fine stands. The Board asked that Mr. Magnifico submit a revised floor plan designating the back room for electrolysis and that the square footage must be deducted from the total square footage of the shop. The motion passed unanimously.

3. Correspondence received from Ms. Patricia A. Howell, t/a Candy-Lyn Beauty Shop, 40 South Lincoln Avenue, Washington, New Jersey 07882 in connection with the outstanding penalty assessed against her in the amount of \$250.00 for the alleged violation resulting out of an inspection of her shop on November 21, 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.

Upon motion made by Mr. Jerry Speziale and seconded by Ms. Maria Cruz Denzer, the fine stands. The motion passed unanimously.

4. Correspondence received from Mr. Egab T. Kiswani, 1075 Main Street, Paterson, New Jersey 07076 in connection with the outstanding penalty assessed against him 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 Supercuts #9324, 270 North Avenue, Westfield, New Jersey on October 19, 2009 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. James Forte and seconded by Mr. Jack Fornaro, the fine stands. The motion passed unanimously.

5. Correspondence received from Mr. Paul Cheng, t/a Chapel Nail Salon, 600 West Chapel Avenue, Unit A, Cherry Hill, New Jersey 08002 in connection with the outstanding penalty assessed against him in the amount of \$150.00 for the alleged violation resulting out of an inspection of his shop on December 16, 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.

Upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the fine stands. The motion passed unanimously.

6. Correspondence received from Ms. Wendy Hall, General Manager, t/a CGI Holistic Fitness, 111 Homans Avenue, Closter, New Jersey 07624 in connection with the outstanding penalties assessed against her in the amount of \$350.00 for the alleged violation resulting

out of an inspection of her shop on July 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.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Peter Macri, the fine stands. The motion passed unanimously.

7. Additional documentation submitted by Mr. Juan Jimenez to be considered as a Foreign Academic Credential Evaluator for the Board was presented for consideration.

Mr. Jay Malanga briefed the Board on this matter and asked that the Board review Mr. Juan Jimenez's request to be added to the list of approved credential evaluators.

Upon motion made by Mr. Peter Macri and seconded by Ms. Mariz Cruz Denzer, after careful review of Mr. Jimenez's submission and appearance before the Board, the Board finds his credentials to be sufficient and added him to the approved Foreign Credential Evaluator's list. The motion passed. Mr. Jack Fornaro abstained.

VII EXECUTIVE SESSION

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the Board went into Executive Session.

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.

11:00 A.M. IMO Mr. Artavius Lee Coleman

Upon motion made by Ms. Maria Cruz Denzer and seconded by Mr. Jack Fornaro, Mr. Coleman is allowed to sit for examination. The motion passed. Mr. Peter Macri abstained.

11:30 A.M. IMO Ms. Tara A. Siegel

Upon motion made by Mr. Jerry Speziale and seconded by Mr. James Forte, Ms. Siegel is allowed to sit for examination upon successful completion of her training. The motion passed unanimously.

11:45 A.M. IMO Ms. Katherine M. Nelson is to provide additional information and should be scheduled to appear in 6 months for a review of her progress. The motion passed unanimously.

IMO Olivia Andricola

Upon motion made by Ms. Maria Cruz Denzer and seconded by Mr. Joseph Santagata, a Provisional Order of Discipline is to be issued suspending Ms. Andricola's license for 3 months and a fine of \$200.00. The motion passed unanimously.

IMO Thomas Duc Nguyen

Upon motion made by Ms. Maria Cruz Denzer and seconded by Mr. Peter Macri, the Board directed that a Provisional Order of Discipline be issued suspending his license. The motion passed unanimously.

VIII OLD BUSINESS

IX NEW BUSINESS

Committee Reports

Examination & Sites:

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

Education & New Studies:

Ms. Maria Cruz Denzer reported that all committee work is up to date.

Public Relations:

Ms. Maria Cruz Denzer reported that all committee work is up to date.

Violation:

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

Regulatory:

Mr. Joseph Santagata stated that they would be having a special meeting for the Barber bill today after the regular monthly meeting.

School & Department of Education Liaison:

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

Legislation:

Ms. Jack Fornaro reported that all committee work is up to date.

X ADJOURNMENT

Upon motion made by Mr. Jerry Speziale and seconded by Mr. James Forte, the meeting was adjourned at 2:00 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director