

**MINUTES
REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
SEPTEMBER 8, 2009
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.

The Board recited the Pledge of Allegiance and had a moment of silence for the fallen soldiers and those serving our country.

Roll Call:

Ms. Janice Alvarez, Mr. Ronald Jerome Brown, Ms. Maria Cruz Denzer, Mr. Jack A. Fornaro, Mr. James J. Forte, Mr. Chris Jones, Mr. Peter Macri, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay A. Malanga, Executive Director, Mr. Patrick J. McNally, Assistant Executive Director and Ms. Barbara Ambrose, Program Development Assistant were present.

Also in Attendance:

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principle 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 15, 2008 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 15, 2008.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Upon motion made by Mr. Peter Macri and seconded by Ms. Janice Alvarez, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held July 14, 2009 and the Executive Director's report for August 2009 are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Ms. Raymond Testa of the Cosmetology Association was in attendance and greeted the Board.

Ms. Bridget Damiano, Cosmetology Association was also in attendance.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Chairman Brown thanked everyone for being in attendance.

Mr. Malanga distributed copies of correspondence received from William Marvy Company in reference to Mar-V-Cide Disinfectant Spray, an article on hair cutting as a career and an e-mail from NCEA Certification Program..

VI FOR BOARD CONSIDERATION

1. IMO Pamela Parker in connection with her criminal offense and her desire to be allowed to take the State Board examination was presented to the Board for consideration.

After careful consideration, upon motion made by Mr. Chris Jones and seconded by Mr. Joseph Santagata, the Board withheld decision on this matter pending Ms. Parker's appearance at an investigative inquiry and submission of proof of rehabilitation. The motion passed unanimously.

2. IMO Savino Semiroglio in connection with his criminal offense and his desire to be allowed to take the State Board examination upon completion of training was presented to the Board for consideration.

Upon motion made by Mr. Chris Jones and seconded by Ms. Janice Alvarez, Mr. Semiroglio's conviction does not bar him from taking the state board examination provided he have no further contact with the criminal justice system. The motion passed unanimously.

3. IMO Jose L. Burgos in connection with his criminal offense and his desire to be allowed to take the State Board examination upon completion of training was presented to the Board for consideration.

Upon motion made by Mr. Jerry Speziale and seconded by Ms. Maria Cruz Denzer, Mr. Burgos's conviction will not bar him from taking the state board examination provided he have no further contact with the criminal justice system. Mr. Peter Macri, Mr. Joseph Santagata and Mr. Jack Fornaro opposed but the motion passed.

4. IMO Kim Skillman in connection with her criminal offense and her application for initial shop licensure of Broad Street Barber Shop, LLC, 1250 S. Broad Street, Trenton, New Jersey was presented to the Board for consideration.

Upon motion made by Mr. Chris Jones and seconded by Ms. Janice Alvarez, Ms. Skillman's shop application for Broad Street Barber Shop is accepted provided Ms. Skillman have no further contact with the criminal justice system. The motion passed unanimously.

5. Correspondence received from Ms. Mary Ellen Kasten in connection with her initial shop application for A Place of My Own, 104 Mine Brook Road, Bernaresville, New Jersey and her desire to obtain a minimum square footage waiver was presented to the Board for consideration. The inspection report reflects that the shop only contains 306 square feet of floor space, 44 square feet short of the minimum required by N.J.A.C. 13:28-2.5.

The Board reviewed this matter at length and determined that the application was for a new shop license of a shop premise that was not previously licensed by the former Board of Barber Examiners or the former Board of Beauty Culture Control and the new premise failed to meet the minimum square foot, in this applicant by 44 feet, and therefore could not issue a waiver.

Upon motion made by Mr. Chris Jones and seconded by Mr. Joseph Santagata, the Board withhold decision on this matter to give Ms. Kasten an opportunity to come into compliance with the minimum square footage. The board requests that she respond within 60 days regarding her plans to come into compliance. The motion passed unanimously.

6. Correspondence received from Mr. Norman A. Randolph, Jr. in connection with his initial shop application for The Soul Barber Shop, 278 Academy Street, Hightstown, New Jersey and his desire to obtain a minimum square footage waiver was presented to the Board for consideration. The inspection report reflects that the shop only contains 298 square feet of floor space, 52 square feet short of the minimum required by N.J.A.C. 13:28-2.5.

After careful consideration, the Board pointed out that the shop had not been operating for some time and did not fall under the grandfather provision for the square footage waiver, the location of the dispensary was not acceptable and there is confusion on how many chairs he has in the salon. The Board indicated that

if Mr. Randolph could come into compliance with all the discrepancies mentioned, he could reapply at that time.

Upon motion made by Mr. Chris Jones and seconded by Ms. Janice Alvarez, the Board denies Mr. Randolph's shop application for The Soul Barber Shop. The motion passed unanimously.

7. Correspondence received from Mr. Trang T. Dang, t/a L & T Artistic Nail Salon, 161 Route 173 South, West Berlin, New Jersey 08091 in connection with the outstanding penalty assessed against him in the amount of \$8,400.00 for the alleged violation resulting out of an inspection of his shop on September 12, 2007 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.

Based on the Board's record on L & T Artistic Nail Salon it shows that Mr. Dang has frequently and continuously allowed L & T Artistic Nail Salon to operate in violation of the Board's statutes and regulations.

Upon motion made by Mr. Chris Jones and seconded by Mr. Jerry Speziale, The Board voted to uphold the fines. However, Mr. Dang is to be offered a payment plan: 50% immediate payment with the balance to be paid over six (6) monthly installments. The motion passed unanimously.

8. Correspondence received from Ms. Terri M. Smallwood-Sana, 128 Bessida Street, Bloomfield, New Jersey 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 Spa Chakra, 41 John F. Kennedy Parkway, Short Hills, New Jersey on June 1, 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.

After careful consideration, upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Santagata, the Board voted to let the fine stands. The motion passed unanimously.

9. Correspondence received from Ms. Rosanne Marzarella, 39 Ashley Court, Marlton, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$500.00 for the alleged violation of N.J.S.A. 45:5B-12(g) at Body Basics Electrolysis, 1930 Route 70 East, Suite E-31, Cherry Hill, New Jersey on June 5, 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.

After careful consideration, upon motion made by Mr. Peter Macri and seconded by Mr. Joseph Santagata, the Board voted to let the fine stands. The motion passed unanimously.

10. Correspondence received from Ms. Olga Rodriguez, 53 Burgess Place, Passaic, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$2,500.00 for the alleged violation of N.J.S.A. 45:1-21(b) & N.J.S.A. 45:5B-7 at Yeliss's Hair Style, 203 Monroe Street, Passaic, New Jersey on December 3, 2002 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. Chris Jones and seconded by Mr. James Forte, the Board voted to let the fine stands. The motion passed unanimously.

The Board indicated that a payment plan be offered.

11. Request received from Mr. Juan Jimenez for approval from the Board for a position as a Foreign Academic Credential Evaluator.

The Board noted that Mr. Jimenez has provided his credential but has not provided relevant body of work on licensing matters for comparable institutions.

Upon motion made by Mr. James Forte and seconded by Ms. Janice Alvarez, based on the information provided, the Board denies Mr. Jimenez's request. The motion passed unanimously.

12. A revised class schedule received from Mr. Kameron K. Rabenou, President, Shore Beauty School, Pleasantville, New Jersey.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Ronald Brown, the Board approves the revised class schedule with minor adjustment: that breaks on Saturday be reduced. The motion passed unanimously.

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

David M Schwartz

Thai B. Le

Young Hee Lee

Don G. Nguyen

Sonia Lucia Haiduk Michael Strong

Dennis Nguyen

Gail R Barone License #WG41635

Dinalva Teixeira License #WG022437

Lionel Powell t/a Nyce Cuts

Chan Van Phu t/a Seaside Nails

Khadine E Grizzle t/a Whatever's Natural

Cassandra Parks t/a Mane Ambiance

Eun Hee Kwon, President t/a Art Nail Spa License #WD25545

Quoc T Ha t/a Professionails License #WM02041

Maria Aparo t/a Valentino's House of Beauty License #WD24544

Colby M. Hobson t/a Shear Genius Unisex Salon License #WD26815

Tony Chung t/a Wonder Nails & Spa License #WM03909

Ashley Nguyen

Valerio & Santiago, LLC t/a V & S Beauty Salon

Lou Renn McDaniel t/a Jordan's Unisex Salon

Hanh T. Duong

Sera Lee

Leta S. May

Amy Nguyen

Kevin Q. Dinh

Nina Cemey

Margaret R Geiger-Benitez t/a Frankie J's Hair Salon/Unisex Shop

Macire Tounkara t/a Sire African Hair Braiding

Ramata Diakite t/a Matou's African Hair Braiding

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

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jack Fornaro, the Board authorizes the issuance of Default letters as indicated above. The motion passed unanimously.

14. IMO Caitlin Davies in connection with her criminal offense and her desire to take the State Board

examination upon successful completion of her training.

After careful consideration, upon motion made by Mr. Joseph Santagata and seconded by Mr. Jack Fornaro, the Board voted to allow her to take the Board examination upon successful completion of training provided she have no further contact with the criminal justice system. The motion passed unanimously.

Supplemental Agenda:

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Peter Macri, the Board accepts the supplemental agenda. The motion passed unanimously.

1. A shop application renewal for Hair Work's, 923 North Third Street, Millville, New Jersey was presented to the Board for consideration. Ms. Barbara J. Poirier, Owner desires to obtain a minimum square footage waiver. The inspection report reflects that the shop only contains 346 square feet of floor space, 4 square feet short of the minimum required by N.J.A.C. 13:28-2.5.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Board approved Ms. Poireir's application for shop licensure of Hair Work's, Millville, New Jersey and waives the minimum square footage requirement with the condition that it be operated as a one (1) chair shop. The motion passed unanimously.

2. Mr. Ray Testa, on behalf of Empire Education Group, requested permission to open the schools on September 19th and October 24th for charity events. Upon motion made by Mr. Jerry Speziale and seconded by Ms. Janice Alvarez, the Board grants permission for participation at these charitable events. The motion passed unanimously.

3. Salvatore Minardi Salon requested permission to participate in Bottle Hill Day in Madison on Saturday, October 3, 2009 as a way to give back to the community.

Upon motion made by Mr. Jerry Speziale and seconded by Ms. Janice Alvarez, the Board grants permission for participation. The motion passed unanimously.

VII EXECUTIVE SESSION

Upon motion made by Ms. Jancie Alvarez and seconded by Mr. James Forte, the Board went into Executive Session to conduct an investigative inquiry IMO Jameson C. Mitchell. The motion passed unanimously.

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

Upon motion made by Ms. Janice Alvarez and seconded by Ms. Maria Cruz Denzer, the Board voted to allow Mr. Jameson C. Mitchell to take Board examination provided he have no further contact with the criminal justice system. Additionally, the Board determined that he be assessed a fine for working without a license and lying on his license application. The motion passed unanimously

VIII OLD BUSINESS

No old business was reported

IX NEW BUSINESS

No new business was reported

X ADJOURNMENT

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Jack Fornaro, the meeting was adjourned at

3:30 P.M.. The motion passed unanimously.

RONALD J. BROWN, Chairman

Countersigned:

JAY A. MALANGA, Executive Director