

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
September 13, 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.

Ms. Janice Alvarez greeted the new Board Member, Mr. Anthony J. Fiore.

Mr. Anthony J. Fiore was sworn in by the Board's counsel.

Mr. Anthony J. Fiore greeted the Board and gave a brief background on himself.

Roll Call:

Ms. Janice Alvarez, Mr. Anthony J. Fiori, Mr. James J. Forte, Mr. Peter Macri, 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, Mr. Joseph Santagata, Mr. Jerry Speziale, Ms. Frances Tomeo were absent.

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. 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.

There being not enough Board Members to form a quorum, the members present acted as a committee of the Board

III APPROVAL OF MINUTES (OPEN & CLOSED)**IV PUBLIC PARTICIPATION SESSION****V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS****VI FOR BOARD CONSIDERATION**

1. A request from Mr. Seymour Chase, Esquire on behalf of his client, Harry Peebles, t/a Harry's Hair Salon & Barber Shop, 62 W. Main Street, Bogota, New Jersey and his request for a waiver of the minimum square feet required by N.J.A.C. 13:28-2.5 was reviewed by a committee of the Board.

Since this facility is not an existing shop and that the application forms clearly states the minimum square footage requirement, the Committee recommends that Mr. Peebles' shop application for Harry's Hair Salon & Barber Shop, 62 W. Main Street, Bogota, New Jersey be denied.

2. Correspondence received from Mr. Huan Trong Nguyen, t/a Kay Nails, 1376 State Highway 23, Butler, New Jersey in connection with the outstanding penalty assessed against him in the amount of \$1,100.00 for the alleged violations resulting out of an inspection of his shop on June 6, 2008 was reviewed by a committee of the Board.. He has admitted to the charges of N.J.S.A. 45:5B-13(d) and has paid the penalty (\$600.00) for that violation; and indicated that he would like to waive his right to a hearing on the other charge (N.J.A.C. 13:28-2.1(d)) but has furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the violation of N.J.A.C. 13:28-2.1(d0) (\$500.00) be rescinded due to administrative oversight.

3. Correspondence received from Mr. Ramon Lopez, 822 12th Street, Apt. #B1, Hammonton, New Jersey 08037 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 Rey's Barber Shop, 112 Bellevue Avenue, Hammonton, New Jersey on March 16, 2009 was reviewed by a committee of the Board. 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 pointed out that Mr. Lopez admitted to working without a license.

The Committee recommends that the fine stand.

4. Correspondence received from Mr. Carmen Sanchez, t/a Carmen's Hair Designer, 1056 St. Georges Avenue, Avenel, New Jersey 07001 in connection with the outstanding penalty assessed against him in the amount of \$600.00 for the alleged violation resulting out of an inspection of his shop on June 23, 2011 was reviewed by a committee of the Board. 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 did not find anything in Mr. Sanchez's explanation that would mitigate against the imposition of a penalty.

The Committee recommends that the fine stand.

5. Correspondence received from Mr. Arthur Magee, Mr. Michael Magee and Mr. Jeff Snyder, t/a Vibrance Medical Spa, 3056 Route 10 West - Suite Y, Denville, New Jersey 07834 in connection with the outstanding penalties assessed against them in the amount of \$2,750.00 for the alleged violations resulting out of an inspection of their shop on July 23, 2009 was reviewed by a committee of the Board.. They have indicated that they would like to waive their right to a hearing but have furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the fine stand, and that the matter be referred to the Medical Board and that the shop be reinspected.

6. Correspondence received from Ms. Lisa Cumiskey, t/a Lisa Renee Hairstyling, 8 Bellewood Avenue, Cape May Court House, New Jersey 08210 in connection with the outstanding penalties assessed against her in the amount of \$250.00 for the alleged violation resulting out of an inspection of her shop on August 19, 2010 was reviewed by a committee of the Board. 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.

7. Correspondence received from Mr. Charles Dileo, t/a Soho Studios, 2551 Route 516 Unit 8, Old Bridge, New Jersey 08857 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 June 9, 2011 was reviewed by a committee of the Board. 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 Mr. Hugo A. Correia, President, t/a knockout Barber Shop, 267 North Broad Street, Elizabeth, New Jersey 07202 in connection with the outstanding penalties assessed against him in the amount of \$3,050.00 for the alleged violations resulting out of an inspection of his shop on December 9, 2010 was reviewed by a committee of the Board. He has admitted to the charges of N.J.S.A. 45:5B-13(e) and N.J.S.A. 45:5B-13(d) and has paid the penalties (\$550.00) for those violations; and indicated that he would like to waive his right to a hearing on the other charge (N.J.S.A. 45:1-21(b) & N.J.S.A. 45:5B-7) but has furnished a written explanation for the Board to consider before rendering its final decision.

The Committee recommends that the fine stand and that another inspection be performed.

9. An e-mail received from Ms. Sangeta M. Javia, t/a Seva, Walmart 306 US-9, Woodbridge, New Jersey 07095. Ms. Javia has requested that the Board waive the sink and hooded dryer requirements in order for her to obtain a full service salon for her to offer eyelash extensions was reviewed by a committee of the Board..

The Committee recommends that Ms. Javia's request be denied until Ms. Javia satisfies all minimum requirements to open a cosmetology & hairstyling shop license prior to offering eyelash extensions.

10. Correspondence received from Ms. Meg Stezzi, Director, Rizzieri Aveda School, 8200 Town Center Boulevard, Voorhees, NJ 08043 in connection with her anticipated class schedule for start dates for 2012 was reviewed by a committee of the Board.

The Committee approved the class schedule for start dates for 2012 of Rizzieri Aveda School, Voorhees, New Jersey.

11. Correspondence received from Ms. Meg Stezzi, Director, Rizzieri Aveda School, 8200 Town Center Boulevard, Voorhees, New Jersey 08043 in connection with their class schedule was reviewed by a committee of the Board..

The Committee approved the class schedule for Rizzieri Aveda School, Voorhees, New Jersey.

12. Correspondence received from Ms. Judy Pellegrino in connection with her request for guidance from the Board to serve the homebound clients was reviewed by a committee of the Board..

The committee recommends that Ms. Pellegrino find a shop to sponsor her pursuant to N.J.S.A. 45:5B-8(c) in performing services to homebound clients that are not in facilities delineated in N.J.S.A. 45:5B-8(a). N.J.S.A. 45:5B-8(c) requires that a licensed shop which sponsors such services shall maintain records of the services performed.

13. Correspondence received from Mr. Adam Neumar, FCM 101B Carolyn Boulevard, Farmingdale, NY 11735 in connection with Hair Brush Sanitization Methodology was reviewed by a committee of the Board..

The Committee thanked Mr. Neumar for the information.

14. Bills A4245 and S1531 for Board information was reviewed by a committee of the Board..

The Committee tabled this matter pending a copy of the full bill.

15. Correspondence received from Mr. Walberto Mirando, Director/Educational Supervisor, Christine Valmy International School, 285 Changebridge Road, Pine Brook, New Jersey in connection with ceasing class operations on Saturdays was reviewed by a committee of the Board.

The Committee saw no problem with the new class schedule.

16. Senate, No. 200 and Assembly, No. 940 prohibits application of certain temporary “black” or “blue” henna tattoos was reviewed by a committee of the Board.

The Committee acknowledged the information and stated that the Board has a prohibition of N.J.A.C. 13:28-2.15(11) that prohibits tattooing.

17. **IMO** Sarah Troy, unlicensed practice for Board review and action was reviewed by a

committee of the Board.

The Committee recommends that the matter be referred to prosecution.

18. **IMO** Patricia Lipinski, unlicensed practice for Board review and action was reviewed by a committee of the Board..

The Committee recommends that the matter be referred to prosecution

VII OLD BUSINESS

VIII NEW BUSINESS

IX EXECUTIVE SESSION

11:00 A.M. IMO Pedro P. Valderama, t/a Professional Beauty School

The Board's counsel stated that Mr. Valderama needs to renew his school license before the expiration of the grace period.

X ADJOURNMENT

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director

