

## MINUTES

**REGULAR MONTHLY MEETING  
BOARD OF COSMETOLOGY AND HAIRSTYLING  
124 HALSEY STREET - 6TH FLOOR  
NEWARK, NEW JERSEY 07102  
OCTOBER 8, 2013**

### **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. Angela Panteleone, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay Malanga, Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present. Ms. Frances Tomeo and Ms. Maria Cruz Denzer were absent.

#### **Also in Attendance:**

Ms. Gracinda Almeida, Administrative Assistant, Mr. Steven Mattia, Government Service Rep., Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principle Transcriber, Ms. Carol Ann Rotondo, 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 Asbury Park Press, Bergen Record, Newark Star-Ledger and Trentonian Newspapers on December 12, 2012, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 12, 2012.

#### **III APPROVAL OF MINUTES (OPEN & CLOSED)**

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held September 10, 2013 are accepted as read. The motion passed unanimously.

#### **IV PUBLIC PARTICIPATION SESSION**

Mr. Ray Testa, and Mr. Vincent Chiarell, Professional Beauty Association were present and greeted the Board.

#### **V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS**

Mr. Jay Malanga thanked Ms. Frances Tomeo and Ms. Janice Alvarez for taking their time to attend the Pennsylvania testing process. I am sure the Board will gain valuable information that may be applicable to improving the Board's testing process.

Mr. Jay Malanga stated that he had received an email from Maryann Sheehan with regard to Ethics training of Board members relating to political activities. He distributed a copy of the e-mail to all the board members.

#### **VI FOR BOARD CONSIDERATION**

1. Correspondence received from Mr. Dino Rosato, President, Ms. Nicole Rosato, Vice President, t/a Zebulun Jesus Is Lord Barber Shop, LLC, 4302 US Highway 9, Howell, New Jersey in connection with the outstanding penalty assessed against him in the amount of \$2,050.00 for the alleged violation resulting out of an inspection of his shop on June 21, 2013 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. Joseph Santagata, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The Board also directed that there be no commingling of recreational or religious activities within the licensed premise of the salon and directed that Mr. Rosato remove the pool table. The motion passed unanimously.

- 2 Correspondence received from Mr. Eun Ju Lee, t/a Ace Nails, 2651 Route 10 East - Unit #11, Morris Plains, New Jersey in connection with the outstanding penalty assessed against him in the amount of \$600.00 for the alleged violation resulting out of inspection of his shop on February 13, 2013 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 Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

3. Correspondence received from Mr. Yoon Jung Chang, t/a Pinky Nails & Spa, 62 East Mill Road, Unit #C-3, Long Valley, New Jersey in connection with the outstanding penalty assessed against him in the amount of \$200.00 for the alleged violation resulting out of an inspection of his shop on November 29, 2012 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 Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

4. Correspondence received from Mr. Sherif Meshriki, t/a World Beauty Center, 858 Bergen Avenue, Jersey City, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$2,550.00 for the alleged violations resulting out of an inspection of her shop on May 13, 2013 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 Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

5. Correspondence received from Ms. Christina Ellis on behalf of her employer Ms. Patricia Heal, t/a Salon Di Panache, 51 Trinity Street, Newton, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$200.00 for the alleged violations resulting out of an inspection of her shop on March 5, 2013 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 Ms. Angela Pantaleone and seconded by Mr. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

6. Correspondence received from Ms. Christina Ellia, 1 Emmans Lane, Newton, 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 Salon Di Panache, 51 Trinity Street, Newton, New Jersey on March 5, 2013 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 Ms. Angela Pantaleone 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 Ms. Sarah T. Lan, 55 Bently Lane, Willingboro, New Jersey in connection with the penalty assessed against her in the amount \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at Flemington Nails II, 1061 Route 22 North, Branchburg, New Jersey on March 8, 2013 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 Ms. Angela Pantaleone, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously

8. Correspondence received from Ms. Loan Nguyen, 404 Jamaica Drive, Cherry Hill, New Jersey in connection with the penalty assessed against her in the amount \$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 Kim's Nails Salon, 1361-D Fairview Boulevard, Delran, New Jersey on February 1, 2013 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 Ms. Angela Pantaleone and seconded by Mr. Joseph Santagata, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously

9. Correspondence received from Ms. Chi Cao, 8606 Ditman Street, Philadelphia, Pennsylvania in connection with the penalty assessed against her in the amount \$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 Flemington Nails II, 1061 Route 22 North, Branchburg, New Jersey on March 8, 2013 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 Ms. Angela Pantaleone and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

10. Correspondence received from Ms. Chelsea Manfre, 1 Kenmore Road, Edison, New Jersey in connection with the penalty assessed against her in the amount \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at John Richard, 401 Main Street, Metuchen, New Jersey on February 15, 2013 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 Ms. Angela Pantaleone and seconded by Mr. Joseph Santagata, the Board determined there was insufficient cause for action and rescinded the UPL.

11. Correspondence received from Mr. Jose Azcona-Vargas, 270 King Street, Apartment #920, Perth Amboy, New Jersey in connection with the penalty assessed against him in the amount of \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at John Richard, 401 Main Street, Metuchen, New Jersey on February 15, 2013 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 Ms. Angela Pantaleone, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

12. Correspondence received from Ms. Raychell E. Crawford in connection with her application for cosmetology and hairstyling shop licensure of Star Stylz Hair Studio, 212 Whitier Avenue, Dunellen, New Jersey was presented to the Board for consideration. The inspection report reflects that the shop only contains 336 square feet of floor space, 14 square feet short of the minimum required by N.J.A.C. 13:28-2.5. Ms. Crawford indicated that this location has previously been licensed as a cosmetology and hairstyling salon, that she is unable to expand and that she has invested her finances and labor of love; and has asked that the Board waive its minimum square footage requirement and issue her a license.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Board waived the minimum square footage requirement with the condition that there will never be more than one (1) operator practicing at any time and that the waiver is not transferable with the sale of the shop. The motion passed unanimously.

13. A request from Ms. Meg Stezzi, Dean, Shore Beauty School, 3003 English Creek, Egg Harbor Township, New Jersey in connection with her desire to offer a 1000 hour barbering program was presented to the Board for consideration.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, the request is approved upon submission of a corrected kit list that is up to code. The motion passed unanimously.

14. IMO Rules Implementing P.L. 2013, c.49 which requires professional boards to provide credits toward requirements for licensure of veterans with substantially equivalent training was presented to the Board for consideration.

Ms. Elizabeth Greenblatt greeted the Board. She reviewed Assembly Bill No. 2882 with the Board and she noted the Board would have to adopt rules to implement P.L. 2013, c.49. The Board is to determine whether the training at the military would be equivalent to the Board's required curriculum, or if additional training would be needed. Once the draft proposal is completed she will bring it to the Board for further discussion.

The Board Members thanked Ms. Greenblatt for the information.

15. IMO Adrienne Curcio high school diploma was presented to the Board for consideration.

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Peter Macri, pursuant to N.J.A.C. 13:28-1.1(c)3, Ms. Curcio needs to obtain a GED. The motion passed unanimously.

16. **Disciplinary Matters Pending Conclusion by Default Orders:**

The UPLs were issued and no written responses from Respondents have been received by the Board to date. These matters were subject to finalization fifteen (15) business days after issuance of Notice of Intent to File Default Order. The Certificate of Service is attached for Board review.

The Attorney General seeks to issue Final Decision and Default Order on UPL for each of the following IMO:

1. Orlando Freire, t/a Grace Nails 2 - License No. 32WD02433900
2. Mi Nye Lee, t/a Graceful Nails - License No. 32WM00311300
3. Anthony D'Amato, Ana D'Amato, James Homoki, Helen Homoki, t/a Great Clips #9868 - License No. 32WD02922700
4. Miguel D. Luzuriaga, t/a Gotham Nails - License No. 32WM00261100
5. Khardiata Dial, t/a Khardijah African Hair Braiding - License No. 32WD02521100

No. 2 and No. 3 above paid the penalty in full prior to the meeting and therefore obviating the need to file default orders.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Board directed that a Final Decision and Default Order on UPL be issued on these matters. The motion passed unanimously.

17. A request submitted by Ms. Darlene Fox, Director, Artistic Academy, 301 Gibraltar Drive, Morris Plains, New Jersey in connection with her desire to utilize biometric means for tracking student hours at Artistic Academy was presented to the Board for consideration.

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Joseph Santagata, the

request was approved. The motion passed unanimously.

18. Correspondence received from Senator Brian Stack in connection with Mr. Enrique Rodriguez's application for cosmetology and hairstyling shop licensure of La Dieta Barber Shop, 800 Bergenline Avenue, Store #1, Union City, New Jersey was presented to the Board for consideration. The inspection report reflects that the shop only contains 263 square feet of floor space, 87 square feet short of the minimum required by N.J.A.C. 13:28-2.5; but Senator Stack advised that a major investment has been made in terms of equipment and rental deposit, that not being able to open would pose a serious financial burden and has asked that the Board review this matter and grant a waiver.

Upon motion made by Mr. Peter Macri and seconded by Ms. Angela Pantaleone, the Board waived the minimum square footage requirement with the condition that there will never be more than one (1) operator practicing at any time and that the waiver is not transferable with the sale of the shop. The motion passed unanimously.

19. IMO Mary Ann P. Gordon - Applicant. Ms Gordon is applying for a cosmetology and hairstyling license by endorsement. She alleged holds a similar license in the State of New York.

Upon motion made by Ms. Angela Pantaleone and seconded by Mr. Joseph Santagata, pursuant to N.J.S.A. 45:5B-29 the Board voted to allow her to provide affidavit(s) from her employer(s) of a New York licensed shop(s) substantiating three (3) years of employment in the regulated field and submission of a W2 form. The motion passed unanimously.

## **VII OLD BUSINESS**

## **VIII NEW BUSINESS**

### **Committee Reports**

#### Examination & Sites:

Ms. Joseph Santagata reported that all Committee work is up to date.

#### Education & Public Relations:

Ms. Angela Pantaleone reported that all Committee work is up to date.

#### Violations:

Mr. Joseph Santagata reported that all committee work is up to date.

Legislation:

M reported that all committee work is up to date.

School & Department of Education Liaison:

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

Regulatory Committee:

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

Special Committee Assignments:

No report

**IX EXECUTIVE SESSION**

The Board adjourned the Public Session and moved to the Executive Session for advice of counsel and review of open matters (investigations and deliberations). When and if action is taken, it will be reported in Public Session.

11:00 AM **IMO** Carren Monroe

Upon motion made by Mr. Joseph Santagata and Mr. Peter Macri, Ms. Monroe is allowed to complete a term of training at a cosmetology school and upon successful completion sit for examination provided she have no further contact with the criminal justice system. The motion passed unanimously.

11:20 A.M. **IMO** Allah Fahreal

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Spezial, Mr. Fahreal is allowed to reinstate his license provided he complies with all of the terms and conditions of his parole and he submits quarterly reports from his parole officer, a copy of his release order when he is released from supervision, the name and address of his employer and immediate written notification of any change of employment or residential address and that he have no further contact with the criminal justice system. The motion passed unanimously.

11:45 A.M. **IMO** Timothy DeJesus

Upon motion made by Ms. Joseph Santagata and seconded Mr. Peter Macri, Mr. DeJesus is allowed to reinstate his license provided he comply with all of the terms and conditions of his probation and he submit quarterly reports from his probation officer, a copy of his release

order when he is released from supervision, the name and address of his employer and immediate written notification of any change of employment or residential address and that he have no further contact with the criminal justice system. The motion passed unanimously.

**X ADJOURNMENT**

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jerry Speziale, the meeting was adjourned at 2:30 P.M.. The motion passed unanimously.

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JANICE ALVAREZ, Board Chairperson

Countersigned:

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JAY A. MALANGA, Executive Director