

**MINUTES
REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
OCTOBER 9, 2007
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. Ronald Jerome Brown, Mr. Jack A. Fornaro, Mr. Chris Jones, Mr. Anthony Monaco, Mr. Jerry Speziale, Mr. Jay A. Malanga, Executive Director, Mr. Patrick J. McNally, Assistant Executive Director, Ms. Barbara Ambrose, Program Development Assistant were present. Mr. Carlo Melini and Mr. Joseph Santagata were absent.

Also in Attendance:

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principal Clerk 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 13, 2006 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 13, 2006.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Upon motion made by Mr. Jerry Speziale and seconded by Ms. Janice Alvarez, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held September 11, 2007 are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION PORTION

Mr. Chris Jones greeted Mr. Raymond Testa and Ms. Darlene Fox and asked whether they had any comments.

Mr. Testa and Ms. Fox indicated that they had no comments.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Malanga distributed information to the Board including a copy of an article from the September 23rd Sunday Star-Ledger in reference the Dawn Til Dusk matter the Board had considered previously and a copy of correspondence received from Ms. Carol Smith, Director of Licensing Regulations, Braiding.net on hair braiding.

Mr. Chris Jones distributed a Planning Protocol for Generating and Introducing Board Initiatives (Work Effective) to the Board Members at the last meeting and asked if any one had any questions or comments.

There was no comments or questions.

Mr. Chris Jones stated that a request had come into the Board Office from Ms. Carla Brady, Salon Coordinator, Salvatore Minardi Salon, Madison, New Jersey in reference to her desire to have the approval of the Board to allow her salon to participate in the annual fall festival called Bottle Hill Day in Madison on October 6, 2007. He asked the Board to ratify his decision in allowing Salvatore Minardi Salon to do so under short notice. Also he indicated that the Board might want to come up with guidelines in granting these waivers for charity events in the future and possibly add them to the regulation.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Ronald Brown, the Board ratifies the Board Chairman's decision to allow Salvatore Minardi Salon to participate in the Bottle Hill Day in Madison on October 6, 2007.

VI FOR BOARD CONSIDERATION

1. Correspondence recently received from Ms. Jennifer Smith, 50 Hilo Court, Naples, Florida 34112 in connection with her conviction of Possession of Controlled Dangerous Substance and her application to reinstate cosmetologist-hairstylist license #WG25775 was presented to the Board for consideration.

Mr. Jay Malanga gave a brief background on this matter and stated that Ms. Smith had called on several occasions and stated that she could not make the trip back to New Jersey for an Investigative Inquiry and that she did not intend to work in New Jersey ever again, but that she needed certification of her New Jersey license to obtain her Florida licensure.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jerry Speziale, the Board allows Ms. Smith to reinstate her license #WG25775 upon submission of a current letter from her probation officer indicating that she is in good standing regarding all her obligations and with the condition that if she ever comes back to New Jersey to practice she will have to appear before the Board for an investigative inquiry. The motion passed unanimously.

2. Correspondence received from Mr. Santo Trapani, Group General Manager in connection with the outstanding penalties assessed against Concorde School of Hair Design, 1458 Route 35, Ocean Township, New Jersey in the amount of \$1050.00 for the alleged violations resulting out of an inspection conducted on June 21, 2006 was presented to the Board for consideration. Mr. Trapani admitted to the charges of operating without all teachers in training wearing required identification badges and in an unsafe and unsanitary manner and has paid the penalty (\$450.00) for those violations and waived his right to a hearing on the other two (2) charges but furnished a written explanation for the Board to consider before rendering its final decision.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jerry Speziale, the Board went into Executive Session to seek advice of counsel. The motion passed unanimously.

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

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jerry Speziale, the find stands for both violations based on the fact that the student teacher must be under direct constant supervision of the supervising teacher pursuant to N.J.A.C. 13:28-6.23(b) and that there appears to be at least 6 student discrepancies with the sign-in sheets in violation of N.J.S.A. 45:5B-14(I) and N.J.A.C. 13:28-6.14(d). The motion passed unanimously.

3. Correspondence received from Ms. Lourdes Rodriguez, 1055 East 22nd Street, Paterson, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at Alter Ego Professional Hair Spa, 329 21st Avenue Paterson, New Jersey on March 30, 2007 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 discussion, upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the fine stands. The motion passed unanimously.

4. Correspondence received from Ms. Vanna T. Thach, 2205 Cove Road, Pennsauken, New Jersey 08110 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 Cindy's Nails, Medford, New Jersey on December 13, 2006 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 discussion, upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the fine stands. The motion passed unanimously.

5. Correspondence received from ms. Castillo de Blanco, 43 Haledon Avenue, Paterson, New Jersey 07514 in connection with the outstanding penalty assessed against her in the amount of \$300.00 for the alleged violation of N.J.S.A. 45:5B-7 at Dulce's Beauty Salon Unisex, 488 Broadway, Paterson, New Jersey on April 4, 2007 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 discussion, upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the fine stands. The motion passed unanimously.

6. Correspondence received from Mr. Austin Lee in connection with his application for initial (change of ownership) shop licensure of Slim Clippers Barber Shop, 1685-87 Pennington Road, Ewing, New Jersey was presented to the Board for consideration. The report of the inspection reflects that the shop only contains 338 square feet of floor space, 12 square feet short of the minimum required by N.J.A.C. 13:28-2.5 but he indicated that the premise has been previously licensed by the Board for many years and he asked that the Board waive it's minimum square footage requirement and issue the desired license.

The Board pointed out that it was an pre-existing shop.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the Board waives the minimum square footage requirement and issues the desire license. The motion passed unanimously.

7. Disciplinary Matters Pending Conclusion by Default

The Certificate of Service with respect to the below listed Uniform Penalty Letters (UPLs) was made available for Board review. 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 Thuy-Dung Thi Nguyen (Not licensed)

Ranelle Williams License #WG51752

Tameka Jones (Not licensed)

Andy Tran (Not licensed)

Van T. Hoang (Not licensed)

Buu Phan (Not licensed)

Bich N. Pham (Not licensed)

Hoa Sog Yoo (Not licensed)

Angela Franco (Not licensed)

Gloria Ortiz (Not licensed)

Lippincott C. Nagy License #WA35958

Krinaben Vadodaria (Not licensed)
Hung M. Trinh (Not licensed)

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Ronald Brown, the Board authorizes the issuance of Default letters as indicated above except IMO Krinaben Vadodaria, a UPL needed to be reissued to her home address. The motion passed unanimously.

VII EXECUTIVE SESSION

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Jerry Speziale, the Board went into Executive Session to conduct investigative inquiries. The motion passed unanimously.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jerry Speziale the Board returned to Open Session. The motion passed unanimously.

VIII OLD BUSINESS

Mr. Chris Jones asked whether Mr. Malanga had come up with a protocol on achieving the Barbering license.

Mr. Jay Malanga stated he did not address the barber issue at this time.

Mr. Chris Jones stated that he had asked Mr. Malanga to outline the steps the Board needs to do in order to accomplish its initiatives such as the barber license, CBT testing and early testing.

Regarding prospective CBT vendor, the Board counsel will approach Fiscal for the best approach to accomplish the Board's initiative.

Mr. Chris Jones asked whether there has been any word from the OAG's office regarding what green card documentation for renewal and licensure.

Mr. Malanga stated that there has not been any new information.

Mr. Chris Jones asked whether there has been any word from the Enforcement Bureau on a newspaper reported incident regarding allegation of human trafficking in an unlicensed salon.

Mr. Jay Malanga stated he had not heard anything yet and that he would keep the Board informed on this issue.

IX NEW BUSINESS

Mr. Chris Jones requested that a copy of the information provided by those who were called to appear for an Investigative Inquiry be made available at the inquiry.

COMMITTEE REPORTS

Public Relations

Mr. Chris Jones stated that in light of Ms. Denise Pereau's resignation, he is looking for someone to volunteer to take on the responsibility to chair and resume work on getting a newsletter started.

School

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

Mr. Jay Malanga informed the Board that Mr. Kameron Rabenou, Pangea Capital Advisors, LLC had

submitted the school application for change of ownership of Shore Beauty Academy and that they would be scheduled for a school interview at the next monthly meeting to be held in November.

Legislation

Mr. Chris Jones informed the Board that Mr. Carlo Melini had e-mailed him and reported that all committee work is up to date.

Regulatory

Mr. Chris Jones continues to encourage the Board Members to give their input regarding any proposed changes on the regulation.

The Board's counsel stated that a meeting should be set up with the assigned rule analyst for any substantive discussion on the regulations.

Examination & Sites

Mr. Janice Alvarez reported that they are in the process of accepting applications for testing examiners and scheduling them for training sessions in the coming months.

Mr. Malanga indicated that many of the applications the Board uses will soon be on-line.

Ms. Janice Alvarez urged the Board to seek pay increase for examiners.

Mr. Chris Jones asked that Janice put this request in writing and bring it in to the next meeting.

X ADJOURNMENT

Upon motion made by Mr. Ronald Brown and seconded by Mr. Anthony Monaco, the meeting was adjourned at 2:30 P.M.. The motion passed unanimously.

Christian R. Jones, Chairman

Countersigned:

JAY A. MALANGA, Executive Director