

**MINUTES
REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
OCTOBER 10, 2006
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.

Mr. Carlo Melini called the meeting to order and asked that everyone turn off their cell phones unless they have a pending emergency and may need to be reached.

ROLL CALL:

Ms. Janice Alvarez, Mr. Ronald Brown, Mr. Jack A. Fornaro, Mr. Christian R. Jones, Mr. Carlo Melini, Ms. Denise Pereau, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay Malanga, Assistant Executive Director and Mrs. Barbara Ambrose, Program Development Assistant were present. Mr. Anthony T. Monaco was absent.

II OPEN PUBLIC MEETINGS ACT

Mr. Carlo Melini 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. Regina L. Thomas, Secretary of State and the Newark Star-Ledger and Trentonian Newspapers on December 15, 2005 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 15, 2005.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Joseph Santagata, the Executive Director's report, Committee reports and Minutes of the regular monthly meetings held September 12, 2006 and the Executive Director's report for the month of August are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION PORTION

Mr. Carlo Melini opened the public participation portion of the meeting and there being no public members present the public portion of the meeting was closed.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay Malanga distributed to Board Members material for their information. Included in the distribution was information Ms. Rosemary Weiner, Chairman, New Jersey Metro Beauty Advisory Council and Owner of the Brass Rose Spa & Salon, Pearson VUE & Promissor, electronic testing service, a newspaper article on hair braiding and a letter from Kevin Pernet, Director of Accreditation and Compliance, Empire Beauty School, Inc. requesting permission to operate their clinics in their Bordentown, Cherry Hill and Laurel Springs schools on Saturday, October 14, 2006 with all proceeds going to "Kids Peace", the National Center for Kids Overcoming Crisis.

VI FOR BOARD CONSIDERATION

1. Correspondence received from Ms. Rachel Lenox, A-7 Bentley Road, Eastampton, New Jersey with regard to her conviction of Unlawful Possession of Weapons and her desire to complete a term of training at Rizzieri Aveda School for Beauty and Wellness and eventually become licensed was presented to the Board for

consideration.

Mr. Carlo Melini stated that he had thoroughly reviewed this matter and did not feel that Ms. Lenox has to come before the Board.

Mr. Joseph Santagata stated that he would like to see a copy of the police report before making a decision.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jack Fornaro, the Board withholds decision on this matter pending review of a copy of the police report. The motion passed unanimously.

2. Correspondence received from Mr. Regina A. Rosetto, t/a Bonita's Salon, 2008 Route 37 East, Unit #5, Toms River, New Jersey in connection with the penalties assessed against her in the amount of \$500.00 for the alleged violations resulting out of an inspection of her shop on May 26, 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.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the fine stands. The motion passed unanimously.

3. Correspondence received from Ms. Angela Nagy, 279 Hoover Avenue, Edison, New Jersey in connection with her application for initial (change of ownership) shop licensure of Santo's Barber Shop, 311 Raritan Avenue, Highland Park, New Jersey was presented to the Board for consideration. The report of inspection reflects that the shop only contains 237 square feet of floor space, 113 square feet short of the minimum required by N.J.A.C. 13:28-2.5 and that there are no hand washing facilities within the confines of the lavatory as required by the same regulation but she indicated that the shop has been in existence since 1928 and that there is no space available in the building to increase the square footage; and she asked that the Board waive its minimum square footage requirement and issue the desired license.

Upon motion made by Mr. Christian Jones and seconded by Ms. Janice Alvarez, the application for initial (change of ownership) shop licensure of Santo's Barber Shop is approved with one chair. Ms. Nagy must remove two chairs. The motion passed unanimously.

Mr. Carlo Melini stated that Ms. Nagy should also be informed that according to the measurements of both floor plans from her and the inspector, the square footage is actually 176 square feet.

4. Correspondence received from Mr. Nieves Cortegoso, t/a Maria's Unisex Salon, 299 Route 22 East, Green Brook, New Jersey in connection with the penalties assessed against him in the amount of \$700.00 for his alleged violations resulting out of an inspection of his shop on June 26, 2006 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. Janice Alvarez and seconded by Mr. Jack Fornaro, the fine stands. The motion passed unanimously.

5. Correspondence received from Ms. Mariama Sylla, 762 South 17th Street, 2nd Floor, Newark, New Jersey in connection with the penalty assessed against her in the amount of \$300.00 for her alleged violation of N.J.S.A. 45:5B-7 at Lady B Hair Braiding, Irvington, New Jersey on April 7, 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.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the fine stands. The motion passed unanimously.

6. Correspondence received from Ms. Alicia T. Willard, 36 Hana Road, Edison, New Jersey in connection with her conviction of Possession With Intent to Distribute On or Near School and her desire to obtain a cosmetology

& hairstyling license was presented to the Board for consideration.

Upon motion made by Ms. Janice Alvarez and seconded by Ms. Denise Pereau, the Board withholds decision on this matter pending Ms. Willard's appearance at an investigative inquiry. The motion passed unanimously.

7. All correspondence in connection with the Provisional Order of Discipline issued to Moungh Hee Lee on May 9, 2006 was presented to the Board for consideration. Deputy Attorney General Adriana Baudry indicated that upon review of the documentation presented by Ms. Lee, the Attorney General is satisfied that Moungh Hee Lee graduated from beauty school, albeit not Chung Hwa, as proffered in her application for licensure and will not oppose Ms. Lee's request for a dismissal of the Provisional Order of Discipline.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Ronald Brown, the Provisional Order of Discipline issued to Ms. Moungh Hee Lee is dismissed. The motion passed unanimously.

8. Application for initial licensure as a cosmetologist-hairstylist of Adela Valdez De Rosario and correspondence pertaining to her demonstration that she has successfully completed high school or its equivalent from a corresponding school, Continental Academy was presented to the Board for consideration.

The Board reviewed the issue of corresponding schools at length and in their discussion it was pointed out that the Department of Education in New Jersey would not accept home schooling, online schooling or corresponding schools as any credit toward their GED program. The Board's counsel stated that the Board is in a gathering phase of information so that the Board could make a decision and that they are waiting for guidelines from the Department of Education.

Upon motion made by Ms. Denise Pereau and seconded by Mr. Ronald Brown, the Board withholds decision on this matter pending a response from the Department of Education and Mr. David E. Sherman. A reminder should be sent out to the Department of Education and Mr. Sherman for their response. The motion passed unanimously.

9. Disciplinary Matters Pending Conclusion by Default

The provisional orders of discipline listed below were issued but no written response from Respondents have been received by the Board to date was presented to the Board for consideration. This matter was subject to be finalized 30 days after issuance. The provisional orders were sent by regular and certified mail to Respondents' last known address on file with the Board. Pursuant to N.J.A.C. 13:45C-1.3(7), the license has an obligation to notify the Board in writing of any change of address from that registered with the Board no later than 30 days following the change of address. The provisional orders sent by regular mail were not returned undeliverable. Because the Board did not receive a written response from Respondents, further proceedings were not necessary and that the provisional orders should be made final without modification for the following licensees:

Susan Hyun Soon Kim WG 33425
Seung Hee Lee WG 35164
Seung Ae Kim WG 35439
Kyung Ae Kim Lee WG 27452
Hyun Mi Kang WG 34203
Hong Hee Kim WG 32849
Eun Kyung Lee WG 29672
Byeong Ran Jun WG 27299

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jerry Speziale, the issuance of a Final Order of Discipline is authorized for each licensee mentioned. The motion passed unanimously.

10. All correspondence pertaining to the Provisional Order of Discipline the Board issued to Ms. Kyeong Soon Sin, 726 Broad Avenue, Apt. A2, Ridgely, New Jersey 07657 on June 14, 2006 was presented to the Board for consideration. Ms. Sin asked that she be allowed to continue practicing without a license while she fulfills the Board's requirements. Deputy Attorney General Adriana Baudry indicated that the Attorney General cannot

condone practicing cosmetology without a license and therefore objects to a renewal of Ms. Sin's license until she fulfills all Board requirements and the Board is asked to determine whether it desires to issue a Final Order of Discipline.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Christian Jones, this matter is referred to the Board's counsel for issuance of a Final Order of Discipline taking into account that Ms. Sin's mitigating circumstances, her failure to meet the criteria and to cease and desist from operating. The motion passed unanimously.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jerry Speziale, the Board went into Executive Session for 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. The motion passed unanimously.

VII EXECUTIVE SESSION

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Christian Jones, the Board went into Executive Session for the purpose of conducting an investigative inquiry and discussing Provisional Orders of Discipline. The motion passed unanimously.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Christian Jones, the Board returned to Open Session.

VIII COMMITTEE REPORTS

PUBLIC RELATIONS:

Ms. Denise Perea reported that the Committee is waiting for articles to come in for the Board's Web Site and they are in a fact finding mission to establish a newsletter and will report back to the Board once all information is in.

Mr. Jerry Speziale informed the Board that he has looked into holding the Christmas Party at the Newark Club as they did last year and that he did not see any problem holding it there again this year.

LEGISLATION:

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

VIOLATION:

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

EDUCATION:

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

EXAMINATION AND SITES:

Ms. Janice Alvarez reported that the committee is still looking for venues for CBT.

Mr. Jay Malanga stated that he has asked that PCS submit a contract to the Board for review.

Upon motion made by Mr. Christian Jones and seconded by Ms. Denise Perea, the Board ratifies Mr. Malanga's decision to go into contract review with PCS. The motion passed unanimously.

Mr. Jay Malanga stated that the sites he has looked at are excellent. He stated that Steve Quinby is the Board's contact person from New Jersey.

Mr. Carlo Melini asked for a contact number and/or e-mail address for Mr. Quinby so that he may also keep informed.

SCHOOL

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

Mr. Jay Malanga stated that he is still waiting to hear from Onyx's attorney and will do a follow up letter. He stated that Mr. Harry Comp from Parisian Beauty Academy should be commended for taking in the students from Onyx Beauty Academy.

Mr. Christian Jones suggested that a Certificate of Appreciation be sent to Mr. Comp on behalf of the Board.

Mr. Jay Malanga informed the Board that Joy's Beauty School has also closed and that it appears that they have placed all the remaining students in other schools without having any problems. He also stated that Joy's School will be relocating to another location in the near future.

REGULATORY

Mr. Jay Malanga stated that he had spoken to Mr. Anthony Monaco and that the committee is well on it's way with the Sunsetting and would like to remind the Board Members that if they have any issue that needs to be looked at to please contact Mr. Monaco.

OLD BUSINESS

Mr. Christian Jones asked for the report on what impact different school start dates would have on the board office.

Mr. Jay Malanga stated that he would have that report shortly.

Mr. Christian Jones stated that he had information and will be sending it out to each board member and asked that it be put on the agenda next month with Mr. Malanga's report on the impact of school start dates on the board office.

IX ADJOURNMENT

Upon motion made by Mr. Christian Jones and seconded by Mr. Jerry Speziale, the meeting was adjourned at 3:00 P.M.. The motion passed unanimously.

Chairperson

CARLO MELINI,

Countersigned:

JAY A. MALANGA, Assistant Executive Director