

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
OCTOBER 12, 2010
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. Maria Cruz Denzer, Mr. James J. Forte, Mr. Peter Macri, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay Malanga, Executive Director, Mr. Patrick J. McNally, Assistant Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present. Mr. Ronald Jerome Brown was absent.

Also in Attendance:

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principle Transcriber, Mr. Marc DeCarlo, 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. Nina Mitchell Wells, Secretary of State, and the Newark Star-Ledger and Trentonian Newspapers on December 9, 2009, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 9, 2009.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held September 14, 2010 are accepted as read.. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

Mr. Raymond Testa of the Association of Cosmetology & Hairstyling Schools was in attendance and greeted the Board.

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Malanga distributed information on the conviction and sentencing of Lassissi Afolabi, and his ex-wife, Akouavi Kpade Afolabi, who smuggled victims from villages in Ghana and Togo (West African women) to braid hair at unlicensed salons in Newark and East Orange. Lassissi Afolabi and Akouavi Kpade Afolabi do not hold a personal license and do not hold a facility license with the Board.

He stated that Laura Mae Grant, a Board Member for many years and active in the industry had passed away on September 14, 2010.

Mr. Malanga asked the Board to ratify the attendance of licensed beauty school students at the Emiliani Beauty Show on October 11, 2010. He stated that the education demonstration and hands on presentation were excellent for students in training.

Upon motion made by Mr. Joseph Santagata and seconded by Ms. Maria Cruz Denzer, the Board ratified the decision. The motion passed unanimously.

VI FOR BOARD CONSIDERATION

- 1 N.J.A.C. 13:45C Licensee Duty To Cooperate and Comply Rules are being proposed for readoption without change.

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the Board accepts N.J.A.C. 13:45C as proposed. The motion passed unanimously.

2. Correspondence received from Ms. Trang Nguyen, 13 Keith Street, Springfield, Massachusetts 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 Nails Beauty Spa, 755 State Highway 18 (Unit 204), New Brunswick, New Jersey on May 26, 2010 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 Ms. Maria Cruz Denzer and seconded by Mr. Peter Macri, the fine stands. The motion passed unanimously.

3. Correspondence received from Ms. Mai Huong Nguyen, 13 Keith Street, Springfield, Massachusetts 01108 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 Nails Beauty Spa, 755 State Highway 18 (Unit 204), New Brunswick, New Jersey on May 26, 2010 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 Ms. Maria Cruz Denzer and seconded by Mr. Peter Macri, the fine stands. The motion passed unanimously.

4. Correspondence received from Mr. Daniel Rios in connection with his initial shop application for Stars Kutz II, 1704 Kennedy Boulevard, Jersey City, 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 312 square feet of floor space, 38 square feet short of the minimum required by N.J.A.C. 13:28-2.5.

After careful consideration, upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the Board denied the waiver for the square footage based on the fact that it was not a pre-existing shop. Ms. Maria Cruz Denzer opposed the motion; but the motion passed.

5. Correspondence received from Ms. Tracey Thompson, t/a Millenium Cuts & Beauty Salon, 1724 Arctic Avenue, Atlantic City, New Jersey in connection with the outstanding penalty assessed against her in the amount of \$1,850.00 for the alleged violations resulting out of an inspection of her shop on March 18, 2010 was presented to the Board for consideration. 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.

After careful consideration, upon motion made by Ms. Maria Cruz Denzer and seconded by Mr. Joseph Santagata, the fine stands. The motion passed unanimously.

6. Correspondence received from Ms. Dixie L. Tomburo, t/a Park Avenue Haircutting Studio, 260 Park Avenue, Nutley, New Jersey in connection with the outstanding penalty assessed against you in the amount of \$100.00 for the alleged violation resulting out of an inspection of her shop on June 6, 2008 was presented to the Board for consideration. 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.

After careful consideration, upon motion made by Ms. Janice Alvarez and seconded by Mr. Joseph Santagata, the fine stands. Ms. Maria Cruz Denzer and Mr. Peter Macri opposed but the motion passed.

7. Correspondence received from the State of Ohio licensing requirements of their out-of-state applicants.

The Board acknowledge the information and asked that it be filed in the Board office.

8. The following Uniform Penalty Letter (UPL) is recommended for administrative closure:
Craig Nelson

Upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the Board authorized closure on this matter. The motion passed unanimously.

9. Ms. Halee Harrison, Business Development, Westbrook JMJ School of Beauty Services, 70 East Holly Avenue, Pitman, New Jersey and her supervising teacher, Ms. Michelle Grimes appeared before the Board of Cosmetology and Hairstyling for interview in connection with their application for initial school licensure of Westbrook, JMJ School of Beauty Services, Pitman, New Jersey.

After successfully answering questions of the Board, upon motion made by Mr. James Forte and seconded by Mr. Jerry Speziale, the school application is approved subject to a favorable school inspection. The motion passed unanimously.

Mr. Malanga advised that the school must comply with all of the statutes and regulations of the Board pertinent to the operation of the school.

VII EXECUTIVE SESSION

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the Board went into Executive Session.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Joseph Santagata, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

11:15 A.M. IMO Wilfredo Cuevas, Jr.

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, Mr. Cuevas is allowed to sit for examination upon successful completion of the cosmetology and hairstyling course. The motion passed unanimously.

VIII OLD BUSINESS

IX NEW BUSINESS

Committee Reports

Examination & Sites:

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

Education & New Studies:

Mr. James Forte reported that all committee work is up to date.

Public Relations:

Mr. James Forte reported that all committee work is up to date.

Violation:

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

Regulatory:

Mr. Joseph Santagata stated that they were still working on the barber bill.

School & Department of Education Liaison:

Ms. Maria Cruz Denzer stated that they should start to gather information to prepare for the Brazilian Waxing review.

Legislation:

Mr. Jay Malanga stated that there was nothing pending.

X ADJOURNMENT

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the meeting was adjourned at 2:00 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director