

MINUTES  
REGULAR MONTHLY MEETING  
BOARD OF COSMETOLOGY AND HAIRSTYLING  
124 HALSEY STREET - 6TH FLOOR  
NEWARK, NEW JERSEY 07102  
OCTOBER 14, 2008  
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 T. Monaco, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay A. Malanga, Executive Director, Mr. Patrick J. McNally, Assistant Executive Director, Ms. Barbara Ambroise, Program Development Assistant were present.

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 18, 2007 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 18, 2007.

**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 9, 2008 are accepted as read. The motion passed unanimously.

**IV PUBLIC PARTICIPATION SESSION**

Ms. Darlene Fox was in attendance and greeted the Board.

**V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS**

Mr. Malanga distributed an updated Board Member Roster. Also in his distribution was a copy of a letter form NBCL Modern Beauticians Association of New Jersey inviting the Board to its 90th National Convention, Institute, and Trade Show Hospitality Night on July 18, 2009 at 7:00 P.M. Attendance for this meeting has to be pre-approved.

**VI FOR BOARD CONSIDERATION**

1. Assembly Bill No. 3123 requires registration and oversight of home education programs was presented to the Board for consideration.

The legislative analyst stated that this bill does not negate what the Board with regard to the GED.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Anthony Monaco, the Board supports the Bill with comments. The motion passed unanimously.

2. Correspondence received from Mr. Robert F. Glowacky, Chief School Administrator, Warren County Technical School District on behalf of Valerie J. Raposo in connection with her desire to take the licensing examination was presented to the Board for consideration.

Note: This matter was previously presented to the Board at its regular monthly meeting held June 10, 2008; but the Board withheld decision on this matter pending receipt of documentation.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Ronald Brown, Ms. Valerie J. Raposo is allowed to sit for examination. The motion passed unanimously.

3. Correspondence received from Mr. Richard B. Gelade, Esquire on behalf of his client, Ms. Piedad Mendez, 122 Harmony Avenue, Lawrenceville, New Jersey with regard to her application for initial (change of ownership) shop licensure of Schanifer's Hair Salon, Lawrenceville, New Jersey was presented to the Board for consideration. The report of inspection reflects that the shop only contains 326 square feet of floor space, 24 square feet short of the minimum required by N.J.A.C. 13:28-2.5 but he has indicated that it is impossible for her to enlarge or rent additional space; and that the fact that the floor space is twenty-four (24) square feet short does not result in the inability for his client to provide authorized services in a safe and sanitary manner. He also stated that although there are three (3) work stations depicted in the enclosed photographs, his client will remove one work station. Ms. Mendez asks that the Board waive its minimum square footage requirement and issue the desired license.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jack Fornaro, the Board waived the square footage requirement but limits the salon to two (2) workstations and approved the application. The motion passed unanimously.

4. Correspondence received from Ms. Maria L. Privito, t/a Headlines On Main, 4 E Main Street, Maple Shade, New Jersey in connection with the outstanding penalties assessed against her in the amount of \$100.00 for the alleged violations resulting out of an inspection of her shop on April 11, 2007 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. Jack Fornaro, the fine stands. The motion passed unanimously.

5. Correspondence received from Ms. Jessica Harrold 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 Headlines On Main, 4 E. Main Street, Maple Shade, New Jersey on April 11, 2007 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. Ronald Brown, the fine stands. The motion passed unanimously.

6. Correspondence received from Ms. Sophia Nguyen 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 Bee Nails, 150 Quaker Bridge Mall #61, Lawrenceville, New Jersey on January 3, 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 Mr. Ronald Brown and seconded by Ms. Janice Alvarez, the fine stands. The motion passed unanimously.

7. Correspondence received from Mr. Albert L. Bringa, President, t/a Elial's Hair Concept, 708 Anderson Avenue, New Jersey in connection with the outstanding penalties assessed against him in the amount of \$400.00, a penalty assessed against Ms. Minue Garcia in the amount of \$300.00 and a penalty assessed against Mr. Reynaldo Gonzalez in the amount of \$100.00 for the alleged violations resulting out of an inspection of his shop on August 15, 2007 was presented to the Board for consideration. He has indicated that he takes full responsibility for these violations and 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.

After careful consideration, upon motion made by Mr. Ronald Brown and seconded by Mr. Jerry Speziale, the fine stands. The motion passed unanimously.

8. Correspondence received from Mr. Sean Mullen, 117 Farnsworth Avenue, Bordentown, New Jersey in connection with the Provisional Order of Denial of Petition for Reinstatement (filed on June 17, 2008) of his license #WG29564 was presented to the Board for consideration.

Mr. Chris Jones is recused.

A review of the documents submitted indicated that the probation report was too brief to provide guidance and safeguard for the Board to make a decision.

Upon motion made by Mr. Anthony Monaco and seconded by Mr. Jerry Speziale, the Board withholds final decision on this matter pending receipt of a more detailed probation report to include drug and urine testing results directly sent to the Board Office from the probation officer, current status of child support, current status of any certification of completion and rehabilitation. The Board directs that the requested information be submitted as soon as possible in order to finalize the Board's decision. The motion passed unanimously.

9. Correspondence received from Mr. Jeffrey Wulkan in connection with his request for authorization from the Board to open a Bikini Barber Shop in the State of New Jersey was presented to the Board for consideration.

The Board is concerned with hairs getting into exposed skin (N.J.A.C. 13:28-3.3(b)).

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jack Fornaro, a letter is to be sent to Mr. Wulkan stating that N.J.S.A. 45:5B-29c requires a licensed shop to maintain and ensure standards of competency and integrity for the occupation of cosmetology and hairstyling, N.J.S.A. 45:5B-16(a) to maintain good moral character and N.J.A.C. 13:28-3.3(b) to require all licensees to wear clean outer garments". The motion passed unanimously.

#### 10. Disciplinary Matters Pending Conclusion by Default

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

Hoang T. Nguyen  
Hoa K. Tran  
Mi Kyung Murphy  
Ramadan Redzeposki t/a Salon D Hair Design  
Chon Phong Thirath  
Hieu Dinh Le t/a Wonder Nails License #WM00249  
Maria Chuya  
Fatima Garcia  
Jung Won Jang  
Teodoro Caride

Benicio Perez & Aurea Perez t/a Infiniti's Unisex Hair Salon License #WD24438  
Kristi Van Bramer  
Vandora Williams t/a Vaneques Hair Gallery  
Catherine A. Ulrich  
Glenda Flanagan t/a Ultima Hair Designers License #WD21384  
Sanieh Jatker  
Jorge Cabrera & Jose Contrera t/a Illusions License #WD23971  
Ana Segura  
Elliot Garcia  
Helga Gherzan

Carlos R. Garcia License #WI11777  
Juan T. Castillo t/a Upscale Fades  
Diet V. Cao t/a U S A Nails License #WM001730  
Alex Valdez t/a Infamous Kutz Barber Shop  
William Vellalna t/a Second 2 None Styles  
Richard & Ieva M. Robertella t/a Nikolette's At The Park  
License #WD21292  
Katrina L. Folks License #WG59171  
Kaba Sere t/a International Hair Braiding Salon  
Merenciana Burgos t/a Valerie Beauty Salon License #WD19316  
Jong Hyun Baek

The Certificate of Service is attached to the Uniform Penalty Letters for Board review.

Upon motion made by Mr. Jack Fornaro and seconded by Ms. Janice Alvarez, the Board authorizes the issuance of Default letters as indicated above. The motion passed unanimously.

## **VII EXECUTIVE SESSION**

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

Upon motion made by Mr. Jack Fornaro 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. Jack Fornaro and seconded by Mr. Ronald Brown, Ms. Theresa Sullivan's convictions will not bar from taking the Board's examination upon successful completion of training provided she has no further contact with the Criminal Justice System. The motion passed unanimously.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Anthony Monaco, the Board went into Executive Session to review reports of investigation. The motion passed unanimously.

Upon motion made by Mr. Jerry Speziale and seconded by Ms. Janice Alvarez, the Board returned to Open Session. The motion passed unanimously.

## **VIII OLD BUSINESS**

The Legislative Analyst addressed the Board with regard to the Home School adopted regulation. She stated it should be filed in early November and be published in December.

Regarding the sunseting of the Board's rule and regulation that was discussed at the previous meeting has been acted on and forwarded to the Attorney Generals Office.

Mr. Jay Malanga informed the Board that a request from Salvatore Minardi Salon to participate in Bottle

Hill Day in Madison on October 4, 2008 as a way to give back to the community was granted and asked that the Board ratify the decision.

The Board ratified the decision of allowing Salvatore Minardi Salon to participate in the Bottle Hill Day in Madison.

Mr. Jay Malanga stated that in reference to the Barber license the matter is being handled by the Director's Office in conjunction with the Office of the Attorney General.

## **IX NEW BUSINESS**

### **COMMITTEE REPORTS**

No reports were given.

## **X ADJOURNMENT**

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

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Chris Jones, Chairman

Countersigned:

JAY A. MALANGA, Executive Director