

MINUTES

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
DECEMBER 13, 2011**

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. Anthony J. Fiore, Mr. James J. Forte, Mr. Peter Macri, Mr. Joseph Santagata, Mr. Jerry Speziale, Ms. Frances Tomeo, Mr. Jay Malanga, Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present.

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. Kim Guadagno, Secretary of State, and the Newark Star-Ledger and Trentonian Newspapers on December 15, 2010, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 15, 2010.

III APPROVAL OF MINUTES (OPEN & CLOSED)

Upon motion made by Mr. Joseph Santagata and seconded by Mr. James Forte, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held November 15, 2011 are accepted as read. The motion passed unanimously.

IV PUBLIC PARTICIPATION SESSION

None

V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS

Mr. Jay Malanga distributed information on the National Esthetic Teacher Training (NETT) Partners with International Congress of Esthetics and Spa Conferences in 2012 and an article in the Star-Ledger on collection rates for various boards.

Mr. Malanga also distributed the Charity Forms to the Board Members.

VI FOR BOARD CONSIDERATION

1. Pursuant to N.J.S.A. 45:5B-5, the Board is asked to elect from its membership a chairperson and a vice chairperson to serve for the period of January 1, 2012 to December 31, 2012.

Mr. Peter Macri nominated Ms. Janice Alvarez for chairperson.

Mr. Jay Malanga asked whether there are any other nominations.

Ms. Maria Cruz Denzer nominated Mr. Joseph Santagata for chairperson

Mr. Joseph Santagata declined.

A motion was made by Mr. Peter Macri and seconded by Mr. Jerry Speziale to close the nominations for chairperson. The motion passed unanimously.

Thereafter, the election was conducted and Ms. Janice Alvarez was elected to serve as chairperson for the period of January 1, 2012 to December 31, 2012. The vote was unanimously.

Ms. Janice Alvarez nominated Mr. Peter Macri for vice chairperson.

Mr. Jay Malanga asked whether there are any other nominations for vice chairperson.

A motion was made by Ms. Janice Alvarez and seconded by Mr. Jerry Speziale to close the nominations for vice chairperson. The motion passed unanimously.

Thereafter, the election was conducted and Mr. Peter Macri was elected to serve as vice chairperson for the period of January 1, 2012 to December 31, 2012. The vote was unanimously.

2. Pursuant to N.J.S.A. 10:4-6, the Board is asked to establish and file with the Secretary of State an Annual Notice Schedule for the period of January 1, 2012 through December 31, 2012.

Upon motion made by Mr. Peter Macri and seconded by Mr. James Forte, the regular monthly meetings of the Board of Cosmetology & Hairstyling for the period of January 1, 2012 through December 31, 2012 are to be conducted on the second Tuesday of each month; and Mr. Jay Malanga is to file the required Annual Notice Schedule with the Secretary of State. The motion passed unanimously

3. Correspondence received from Ms. Ilona Lenart, t/a Nails Plus, 114 Center Street, Garwood, New Jersey 07027 in connection with the outstanding penalty assessed against her in the amount of \$200.00 for the alleged violation resulting out of an inspection of her shop on November 5, 2008 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 Mr. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

4. Correspondence received from Ms. Hyo K. Koh, t/a Sophie's Nails, 53 Academy Street, South Orange, New Jersey 07079 in connection with the outstanding penalties assessed against her in the amount of \$1,150.00 for the alleged violations resulting out of an inspection of her shop on November 5, 2008 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. Frances Tomeo 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. Dawn Camacho, 133 Grand Avenue, Trenton, 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 Sydney Albert Salon Spa, 3495 Route 1 South, Princeton, New Jersey on May 16, 2008 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 Mr. James Forte, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

6. Correspondence received from Ms. Dominique Simpson, 3 Grant Court, Hamilton, 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 Sydney Albert Salon Spa, 3494 Route 1 South, Princeton, New Jersey on May 16, 2008 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. James Forte and seconded by Mr. Anthony Fiore, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

7. Correspondence received from Ms. Ishia Thorpe, 413 Irving Avenue, Millville, 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-15(h) at Empire Beauty School, 2100 State Highway #38, Plaza Cherry Hill, Cherry Hill, New Jersey on October 28, 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.

Upon motion made by Mr. Peter Macri and seconded by Ms. Frances Tomeo, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

8. Correspondence received from Ms. Jeanette Mendez, 223 Lindwood Avenue, Paterson, 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 Shampoo, 238 West Passaic Street, Rochelle Park, New Jersey on January 10, 2008 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. Frances Tomeo and seconded by Mr. Jerry Speziale, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

9. Correspondence received from Ms. Maria Giron, 4 Oak Street, Dover, 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 New Sue Nail, 303 South Salem Street, Dover, New Jersey on March 29, 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

Upon motion made by Mr. Peter Macri and seconded by Mr. Anthony Fiore, the matter is tabled pending more information from the Enforcement Bureau.. The motion passed unanimously.

10. Correspondence received from Mr. Izzo Gaetano, t/a Gaetano's Beauty Salon, 85 West Somerset Street, Raritan, New Jersey 07052 in connection with the outstanding penalty assessed against him in the amount of \$500.00 for the alleged violation resulting out of an inspection of his shop on March 12, 2009 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. James Forte and seconded by Mr. Peter Macri, the Board tabled this matter pending a copy of the Electrology report and a current floor plan. The motion passed unanimously.

Agenda Supplement

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the following item is to be added to the agenda. The motion passed unanimously.

1. IMO Christine Gorham, t/a Sweet & Sassy.

Respondent requested an extension to file an Answer to the Administrative Complaint by December 15, 2011.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Peter Macri, the Board granted an extension to file an answer. The motion passed unanimously.

VII OLD BUSINESS

VIII NEW BUSINESS

Committee Reports

Examination & Sites:

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

Mr. Jay Malanga stated that he would be meeting with Howard Gary on the 21st regarding the Department of Education's initiative on mass testing vocational school candidates for licensure.

Ms. Frances Tomeo stated that Howard Gary and/or Marie Barrey should consider attending the examinations also.

Mr. Jay Malanga stated that he would ask Howard Gary to have someone attend this year.

Education & Public Relations:

Maria Cruz Denzer reported that all committee work is up to date.

Violations:

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

Legislation:

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

School & Department of Education Liaison:

Ms. Frances Tomeo stated that they had three or four school applications that were in the process of being reviewed.

Regulatory Committee:

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

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 A.M. IMO Mr. James D. Marrow

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board returned to Open Session to announce it's decision. The motion passed unanimously.

Upon motion made by Ms. Maria Cruz Denzer and seconded by Mr. Jerry Speziale, the Board directed that Mr. Marrow be allowed to take the cosmetologist-hairstylist license examination pending a positive character reference from his current employer and that he provide monthly reports from his parole

officer and have no further contact with the criminal justice system. The motion passed unanimously.

X ADJOURNMENT

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the meeting was adjourned at 2:45 P.M.. The motion passed unanimously.

JANICE ALVAREZ, Board Chairperson

Countersigned:

JAY A. MALANGA, Executive Director