

**Minutes of the January 13, 2021
Board Meeting of
The NYS Industrial Board of Appeals**

CALL TO ORDER

The regularly scheduled meeting of the Industrial Board of Appeals was held on January 13, 2021 by video conference. The Board’s Chairperson, Molly Doherty, called the meeting to order at 10:07 a.m.

ATTENDANCE

New York City

Molly Doherty, Chairperson
Gloribelle J. Perez, Member
Patricia Kakalec, Member
Najah Farley, Member
Jean Grumet, Administrative Law Judge
Jane M. Ipanaque, Secretary for NYC

Albany

Benjamin A. Shaw, Counsel
Matthew Robinson-Loffler, Associate Counsel

Utica

Michael A. Arcuri, Member

MINUTES

On motion by Mr. Arcuri, duly seconded by Ms. Kakalec, and unanimously carried, the minutes of the previous meeting held on November 18, 2020 were approved.

REPORTS

The monthly report reflecting activity for November and December 2020 was reviewed and discussed.

	November		December		Year to Date	
	2020	2019	2020	2019	2020	2019
NEW PROCEEDINGS COMMENCED:	5	7	13	10	106	181
Section 101 - Review Petitions	3		11		86	
Section 27-A - Public Employer Safety	1		0		10	
Section 104 - Corporate Documents	1		2		10	
Stay Applications	0		0		0	
HEARINGS HELD:	3	7	3	4	16	86
VIDEO HEARINGS HELD:	3	1	3	4	1	45
Capital District	0		0		1	
Upstate	0		0		1	
Downstate	0		0		0	
New York City	0		0		14	
HEARINGS SCHEDULED/NOT HELD:	2	12	6	13	141	138
Postponed	2	10	5	9	104	97
Resolved Prior to Hearing	0	2	1	4	37	39
Administratively Closed	0	2	1	4	38	38
BOARD RESOLUTIONS:	10	0	0	9	35	80

CASES CLOSED:	10	0	0	8	35	79
Section 101	6		0		26	
Section 27-A	0		0		3	
Section 104	4		0		6	
Section WB	0		0		0	
INTERIM RESOLUTIONS:	0	0	0	1	0	1
Stay Applications	0		0		0	
Interim Decisions	0		0		0	

CONSIDERATION OF RESOLUTIONS & DELIBERATION

On motion by Ms. Perez, duly seconded by Mr. Arcuri, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:13 a.m.

Section 101:

Docket No. Name

- PR 17-178 Giovanni Russo a/k/a John Russo and Muzzarella, Inc. T/A Muzzarella Pizza
- PR 18-006 Marcie Lyn Sanders
- PR 18-015 Marcie Lyn Sanders
- PR 19-109 James Obayagbona a/k/a James J. Obayabona and Miracle Security, Inc.
- PR 19-139 Jeremie R. Rachunow and Ageonics Medical, P.C.
- PR 20-016 Pierre Ancy Brunache and Chloe’s Restaurant & Lounge, LLC
- PR 20-026 Diavi M. Osoros and Pollos a La Brasa Don Alex Y Mas Corp.
- PR 20-036 Burton Leventhal a/k/a Burton Drew Leventhal and Newman & Leventhal Caterers, Inc., T/A Newman Leventhal

On motion by Ms. Kakalec, duly seconded by Ms. Perez, and unanimously carried, the Resolutions of Decision under Section 101 were adopted.

Section 104:

Docket No. Name

- CI 20-005 National Union of Non-Profit Dominican Republic, Inc.

On motion by Ms. Farley, duly seconded by Mr. Arcuri, and unanimously carried, the Resolutions of Decision under Section 104 were adopted.

On motion by Ms. Kakalec, duly seconded by Mr. Arcuri, and unanimously carried, the meeting moved out of quasi-judicial deliberation at 11:14 a.m.

DISCUSSION

The Board discussed the following topics:

- A. Virtual hearings update
- B. NYC office move
- C. Other updates

UPCOMING BOARD MEETING DATES AND LOCATIONS

Wednesday, February 24, 2021, Board Meeting at 10:00 a.m., via Webex

Wednesday, April 7, 2021, Board Meeting at 10:00 a.m., via Webex

Wednesday, June 2, 2021, Board Meeting at 10:00 a.m., via Webex

Wednesday, July 14, 2021, Board Meeting at 10:00 a.m., via Webex

Wednesday, August 25, 2021, Board Meeting at 10:00 a.m., via Webex

Wednesday, September 8, 2021, Board Meeting at 10:00 a.m., via Webex

Wednesday, October 20, 2021, Board Meeting at 10:00 a.m., via Webex

ADJOURNMENT

There being no further business, upon motion by Mr. Arcuri, duly seconded by Ms. Farley, and unanimously carried, the meeting was adjourned at 11:22 a.m.