

**Minutes of the November 18, 2020  
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 November 18, 2020 by video conference. The Board’s Chairperson, Molly Doherty, called the meeting to order at 10:06 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 Ms. Kakalec, duly seconded by Ms. Perez, and unanimously carried, the minutes of the previous meeting held on August 12, 2020 were approved.

**REPORTS**

Reports showing statistics and case status were distributed to Board Members and staff. The monthly report reflecting activity for August, September, and October 2020 was reviewed and discussed.

	August		September		October		Year to Date	
	2020	2019	2020	2019	2020	2019	2020	2019
<b>NEW PROCEEDINGS COMMENCED:</b>	<b>4</b>	<b>19</b>	<b>3</b>	<b>16</b>	<b>0</b>	<b>10</b>	<b>88</b>	<b>164</b>
Section 101 - Review Petitions	0		0		0		72	
Section 27-A - Public Employer Safety	2		1		0		9	
Section 104 - Corporate Documents	2		2		0		7	
Stay Applications	0		0		0		0	
<b>HEARINGS HELD:</b>	<b>0</b>	<b>9</b>	<b>0</b>	<b>6</b>	<b>2</b>	<b>12</b>	<b>10</b>	<b>75</b>
<b>VIDEO HEARINGS HELD:</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>6</b>	<b>2</b>	<b>7</b>	<b>1</b>	<b>45</b>
Capital District	0		0		0		1	
Upstate	0		0		0		0	
Downstate	0		0		0		0	
New York City	0		0		0		14	
<b>HEARINGS SCHEDULED/NOT HELD:</b>	<b>4</b>	<b>13</b>	<b>4</b>	<b>10</b>	<b>7</b>	<b>16</b>	<b>133</b>	<b>111</b>
Postponed	0	6	0	4	3	14	97	78
Resolved Prior to Hearing	2	7	4	5	4	2	36	33
Administratively Closed	2	7	4	6	4	2	38	32

<b>BOARD RESOLUTIONS:</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>22</b>	<b>0</b>	<b>8</b>	<b>25</b>	<b>63</b>
<b>CASES CLOSED:</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>22</b>	<b>0</b>	<b>8</b>	<b>25</b>	<b>63</b>
Section 101	6		0		0		20	
Section 27-A	0		0		0		3	
Section 104	0		0		0		2	
Section WB	0		0		0		0	
<b>INTERIM RESOLUTIONS:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Stay Applications	0		0		0		0	
Interim Decisions	0		0		0		0	

**CONSIDERATION OF RESOLUTIONS & DELIBERATION**

On motion by Ms. Kakalec, duly seconded by Ms. Farley, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:18 a.m.

**Section 101:**

Docket No. Name

- PR 18-031 Yuriy A. Bilokom AKA Yuriy Bilokon T/A Radiant Cleaning Services, LLC
- PR 18-048 Elizabeth Santamaria AKA Elisabeth Santamaria and Tropicana Rest Inc. T/A Tropicana Restaurant
- PR 19-055 Zhen H. Eglin A/K/A Zhen Lin and Multi Tastes Restaurant Inc.
- PR 19-100 Adrian Shahini and Adriano Mechanical Corp.
- PR 19-156 Vaughan P. Toney and the Friends of Crown Heights Educational Centers Inc. and Antoinette Holder
- PR 20-039 Travis Gil and The Fitness Artist, LLC T/A The Fitness Artist

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

**Section 104:**

Docket No. Name

- CI 20-001 Cazenovia Police Benevolent Association, Inc.
- CI 20-002 The Professional Association of NYSCOPBA Employees, (P.A.N.E.)
- CI 20-003 Albany Police Supervisors’ Association, Inc.
- CI 20-006 New York Labor Health Care Alliance, Inc. (United Labor RX Coalition)

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

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

On motion by Ms. Kakalec, duly seconded by Ms. Farley, and unanimously carried, the Rules for Electronic Filing were extended to February 28, 2021.

**DISCUSSION**

The Board discussed the following topics:

- A. Virtual Hearings

- B. Extend electronic filing rules
- C. Other updates

**UPCOMING BOARD MEETING DATES AND LOCATIONS**

Wednesday, January 13, 2021, Board Meeting at 10:00 a.m., via Webex  
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 11:24 a.m.