

**Minutes of the February 24, 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 February 24, 2021 by video conference. The Board’s Chairperson, Molly Doherty, called the meeting to order at 10:10 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, Administrative Assistant

**Albany**

Benjamin A. Shaw, Counsel  
Dana E. DePass, Administrative Assistant

**Utica**

Michael A. Arcuri, Member

**MINUTES**

On motion by Ms. Kakalec, duly seconded by Mr. Arcuri, and unanimously carried, the minutes of the previous meeting held on January 13, 2021 were approved.

**REPORTS**

The monthly report reflecting activity for January 2021 was reviewed and discussed.

	January		Year to Date	
	2021	2020	2021	2020
<b>NEW PROCEEDINGS COMMENCED:</b>	<b>8</b>	<b>15</b>	<b>8</b>	<b>15</b>
Section 101 - Review Petitions	6		6	
Section 27-A - Public Employer Safety	1		1	
Section 104 - Corporate Documents	1		1	
Stay Applications	0		0	
<b>HEARINGS HELD:</b>				
<b>VIDEO HEARINGS HELD:</b>	<b>8</b>	<b>3</b>	<b>8</b>	<b>3</b>
Capital District				
Upstate				
Downstate				
New York City				
<b>HEARINGS SCHEDULED/NOT HELD:</b>	<b>7</b>	<b>25</b>	<b>7</b>	<b>25</b>
Postponed	7	14	7	14
Resolved Prior to Hearing	0	11	0	11
Administratively Closed	1	11	1	11
<b>BOARD RESOLUTIONS:</b>	<b>9</b>	<b>8</b>	<b>9</b>	<b>9</b>

<b>CASES CLOSED:</b>	<b>9</b>	<b>8</b>	<b>9</b>	<b>8</b>
Section 101	8		8	
Section 27-A	0		0	
Section 104	1		1	
Section WB	0		0	
<b>INTERIM RESOLUTIONS:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Stay Applications	0		0	
Interim Decisions	0		0	

**CONSIDERATION OF RESOLUTIONS & DELIBERATION**

On motion by Mr. Arcuri, duly seconded by Ms. Farley, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:14 a.m.

**Section 101:**

Docket No. Name

- PR 18-060 Rauf Ziya
- PR 19-065 Chong S. Piper AKA Susan Piper and Thomas W. Piper AKA Timothy Piper and 615 W. 176<sup>th</sup> St., LLC
- PR 19-127 Leo O’Brien and Leo O’Brien Racing Stable, Ltd
- PR 19-141 Sergey Igorevich Bezrukov
- PR 20-017 Mahabubuz Zamam and Tikka Garden & Grill Inc.
- PR 20-020 Harry A. Debari
- PR 20-032 Jose R. Sanchez-Pena MD
- PR 20-043 Pie Craft LLC

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

**Section 27-A:**

Docket No. Name

- PES 18-003 Civil Service Employees Association, Inc. (Niagara Falls State Park)

On motion by Ms. Perez, duly seconded by Mr. Arcuri, and unanimously carried, the Resolution of Decision under Section 27-A was adopted.

On motion by Ms. Kakalec, duly seconded by Ms. Farley, and unanimously carried, the meeting moved out of quasi-judicial deliberation at 10:36 a.m.

**DISCUSSION**

The Board discussed the following topics:

- A. Extended electronic filing rules to June 11, 2021
- B. Mandatory training

**UPCOMING BOARD MEETING DATES AND LOCATIONS**

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

CANCELLED - 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. Perez, and unanimously carried, the meeting was adjourned at 11:00 a.m.