

**Minutes of the July 14, 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 July 14, 2021 by video conference. The Board’s Chairperson, Molly Doherty, called the meeting to order at 10:11 a.m.

**ATTENDANCE**

Molly Doherty, Chairperson  
Patricia Kakalec, Member  
Najah Farley, Member  
Sandra Abeles, Member

Benjamin A. Shaw, Counsel  
Matthew D. Robinson-Loffler, Associate Counsel  
Dana E. DePass, Administrative Assistant  
Jane M. Ipanaque, Administrative Assistant

**MINUTES**

On motion by Ms. Kakalec, duly seconded by Ms. Farley, and unanimously carried, the minutes of the previous meeting held on June 2, 2021 were approved.

**REPORTS**

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

	June		Year to Date	
	2021	2020	2021	2020
<b>NEW PROCEEDINGS COMMENCED:</b>	<b>18</b>	<b>3</b>	<b>94</b>	<b>77</b>
Section 101 - Review Petitions	17		82	
Section 27-A - Public Employer Safety	1		5	
Section 104 - Corporate Documents	0		7	
Stay Applications	0		0	
<b>HEARINGS HELD:</b>	<b>7</b>	<b>0</b>	<b>58</b>	<b>8</b>
<b>VIDEO HEARINGS HELD:</b>	<b>7</b>	<b>0</b>	<b>58</b>	<b>8</b>
<b>HEARINGS SCHEDULED/NOT HELD:</b>	<b>3</b>	<b>2</b>	<b>38</b>	<b>118</b>
Postponed	2	0	31	94
Resolved Prior to Hearing	1	2	7	24
Administratively Closed	6	2	36	26
<b>BOARD RESOLUTIONS:</b>	<b>12</b>	<b>0</b>	<b>36</b>	<b>19</b>
<b>CASES CLOSED:</b>	<b>12</b>	<b>0</b>	<b>36</b>	<b>19</b>
Section 101	8		25	
Section 27-A	0		3	
Section 104	4		7	
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 Ms. Farley, duly seconded by Ms. Kakalec, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:15 a.m.

**Section 101:**

Docket No. Name

PR 19-017 Massimiliano Pincione aka Max Pincione and Patrick M. Pincione and Tower Enterprises, Inc.

PR 19-088 Delicias Calenas Inc. and Ingrid Janeth Moreno

PR 19-160 Maxie Bowen and Maxco Construction Inc.

PR 21-052 Anthony P. Frascone aka Anthony Omega and Alpha Omega Building Consultants, Inc.

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

**Section 27-A:**

Docket No. Name

PES 21-004 Poughkeepsie City School District (Inspection # 1459950)

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

On motion by Ms. Abeles, duly seconded by Ms. Kakalec, and unanimously carried, the meeting moved out of quasi-judicial deliberation at 10:31 a.m.

**DISCUSSION**

The Board discussed the following topics:

- A. Covid-19 safety attestation
- B. SLMS trainings
- C. Email
- D. 2021-22 board meeting dates

**UPCOMING BOARD MEETING DATES AND LOCATIONS**

Wednesday, September 29, 2021, Board Meeting at 10:00 a.m., via Zoom

Wednesday, November 10, 2021, Board Meeting at 10:00 a.m., via Zoom

Wednesday, December 22, 2021, Board Meeting at 10:00 a.m., via Zoom

Wednesday, February 9, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, March 30, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, May 18, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, July 13, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, September 21, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, November 9, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, December 14, 2022, Board Meeting at 10:00 a.m., via Zoom

**ADJOURNMENT**

There being no further business, upon motion by Ms. Kakalec, duly seconded by Ms. Farley, and unanimously carried, the meeting was adjourned at 10:59 a.m.