

**Minutes of the December 22, 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 December 22, 2021, by video conference. The Board's Chairperson, Molly Doherty, called the meeting to order at 10:03 a.m.

**ATTENDANCE**

Molly Doherty, Chairperson  
Michael A. Arcuri, Member  
Patricia Kakalec, Member  
Najah Farley, Member  
Sandra Abeles, Member

Benjamin A. Shaw, Counsel  
Matthew D. Robinson-Loffler, Associate Counsel  
Jane M. Ipanaque, Administrative Assistant  
Loisann Abbott, Escribers Court Reporter

**MINUTES**

On motion by Mr. Arcuri, duly seconded by Ms. Farley, and unanimously carried, the minutes of the previous meeting held on November 10, 2021 were approved.

**REPORTS**

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

	November		Year to Date	
	2021	2020	2021	2020
<b>NEW PROCEEDINGS COMMENCED:</b>	<b>16</b>	<b>5</b>	<b>173</b>	<b>106</b>
Section 101 - Review Petitions	14	3	154	86
Section 27-A - Public Employer Safety	2	1	12	10
Section 104 - Corporate Documents	0	1	7	10
Stay Applications	0	0	0	0
<b>HEARINGS HELD:</b>				
Video Hearings Held	7	3	87	16
<b>HEARINGS SCHEDULED/NOT HELD:</b>	<b>3</b>	<b>2</b>	<b>61</b>	<b>141</b>
Administratively Closed	4	0	79	57
<b>BOARD RESOLUTIONS:</b>	<b>7</b>	<b>10</b>	<b>57</b>	<b>35</b>
<b>CASES CLOSED:</b>	<b>7</b>	<b>10</b>	<b>55</b>	<b>35</b>
Section 101	6	6	39	26
Section 27-A	1	0	8	3
Section 104	0	4	8	6
Section WB	0	0	0	1
<b>INTERIM RESOLUTIONS:</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>

Stay Applications	0	0	0	0
Interim Decisions	0	0	2	0
IBA Rules	0	0	0	0
Other	0	0	0	0

**CONSIDERATION OF RESOLUTIONS & DELIBERATION**

On motion by Ms. Abeles, duly seconded by Mr. Arcuri, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:05 a.m.

**Section 101:**

Docket No. Name

- PR 19-007 Walid A. Hallak, Sr. A/K/A Willid A. Hallak, Sr. A/K/A Willy Hallak and Mohammed Ahmed Hallack A/K/A Mike Hallack and Uno Construction, Corp., and W.M.C.K. Construction, Corp.
- PR 19-075 Jackleen A. Nesheiwat, Carlos M. Rios, and JCM Pizzeria, Corp. T/A Sal’s Pizzeria
- PR 19-099 Igor Q. Eliachor AKA Igor Eliachov and Olma Service 21 Group LLC and Olma Lounge LLC T/A Olma Xxi Inc. also T/A Olma Restaurant & Bar
- PR 19-126 See Sun Wong and Fatty Fish Manhattan, Inc.
- PR 19-142 Sasithorn Thongthavechaikij and Besassy LLC T/A Carbone Restaurante Italiano
- PR 20-031 Julie Lynn Baker A/K/A Julie Martin and Robert Martin and Martin Dairy Farm LLC
- PR 20-035 Moshe M. Gold and JLM Decorating NYC, Inc.
- PR 20-037 Esperanza Rosario Collado A/K/A Esperanza Rosario and Oasis Restaurant & Sports Bar, Inc.
- PR 20-045 Amiel L. Aharon

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

On motion by Mr. Arcuri, duly seconded by Ms. Abeles, and unanimously carried, the meeting moved out of quasi-judicial deliberation at 10:41 a.m.

**DISCUSSION**

The Board discussed the following topics:

- A. Board rules have been published and are awaiting the public comment period before they can be adopted.
- B. Case management system and possibility of an upgrade.

**UPCOMING BOARD MEETING DATES AND LOCATIONS**

- 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. Abeles, duly seconded by Ms. Kakalec, and unanimously carried, the meeting was adjourned at 10:53 a.m.