

**Minutes of the July 13, 2022  
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 13, 2022, by video conference. The Board's Chairperson, Molly Doherty, called the meeting to order at 10:07 a.m.

**ATTENDANCE**

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

Benjamin A. Shaw, Counsel  
Matthew D. Robinson-Loffler, Associate Counsel  
Jane M. Ipanaque, Executive Assistant

**MINUTES**

On motion by Mr. Arcuri, duly seconded by Ms. Kakalec, and unanimously carried, the minutes of the previous meeting held on May 18, 2022, were approved.

**REPORTS**

The monthly report reflecting activity for May and June 2022, was reviewed, and discussed.

	May		June		Year to Date	
	2022	2021	2022	2021	2022	2021
<b>New Proceedings Commenced:</b>	<b>11</b>	<b>18</b>	<b>21</b>	<b>21</b>	<b>70</b>	<b>189</b>
Section 101 - Review Petitions	10	15	19	20	63	165
Section 27-A - Public Employer Safety	1	1	1	1	3	14
Section 104 - Corporate Documents	0	2	1	0	4	10
Stay Applications	0	0	0	0	0	0
<b>Hearing Held:</b>	<b>7</b>	<b>7</b>	<b>6</b>	<b>7</b>	<b>39</b>	<b>92</b>
Video Hearings	7	7	6	7	39	92
<b>Hearings Scheduled/Not Held:</b>	<b>2</b>	<b>9</b>	<b>2</b>	<b>3</b>	<b>21</b>	<b>66</b>
<b>Administratively Closed:</b>	<b>9</b>	<b>8</b>	<b>7</b>	<b>6</b>	<b>39</b>	<b>86</b>
<b>Board Resolutions:</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>27</b>	<b>66</b>
<b>Cases Closed:</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>27</b>	<b>64</b>
Section 101	12	0	0	7	23	48
Section 27-A	1	0	0	0	1	8
Section 104	1	0	0	4	3	8
Section WB	0	0	0	0	0	0

<b>Interim Resolutions:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
Stay Applications	0	0	0	0	0	0
Interim Decisions	0	0	0	0	0	2
IBA Rules	1	0	0	0	1	0
Other	0	0	0	0	0	0

**In quasi-judicial deliberation**

On motion by Ms. Abeles, duly seconded by Mr. Arcuri, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:15 a.m.

**CONSIDERATION OF RESOLUTIONS & DELIBERATION**

**Section 101:**

Docket No. Name

PR 19-095 Mirso Lekica a/k/a Mirsad Lekic

PR 19-109 James Obayabona aka James J. Obayabona and Miracle Security, Inc.

PR 19-146 Danielle Sylvia Hay T/A Haywire, Inc.

PR 20-054 Cheryl Gentry and Glow Media & Marketing, Inc. T/A Glow Global Events

PR 21-020 Acri Café, Inc.

PR 21-049 Dijifi Life, Inc.

PR 21-053 Wanda G. Fernandez a/k/a Wendy Fernandez

PR 21-104 Starr A. Cooper a/k/a Starr Ango d/b/a Walk-In Weaves Buffalo

PR 22-018 BBQ Hicksville LLC and BBQ Nite Restaurant LLC

PR 22-026 Gamal A. Mohammed

Docket number PR 19-146 was removed for further review and deliberation. Ms. Kakalec was recused from participating in any discussion and voting of Docket number PR 19-109. On motion by Ms. Abeles, duly seconded by Ms. Farley, and unanimously carried, the remaining Resolutions of Decision under Section 101 were adopted. The Board also voted to issue PR 19-109, however, Patricia Kakalec is recused from that decision and was not part of the decision or the vote on that decision.

**DISCUSSION**

The Board discussed the following topics:

- A. Mandatory training
- B. Staffing update

**Out of quasi-judicial deliberation**

On motion by Mr. Arcuri, duly seconded by Ms. Farley, and unanimously carried, the meeting moved out of quasi-judicial deliberation at 11:32 a.m.

**UPCOMING BOARD MEETING DATES AND LOCATIONS**

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, January 11, 2023, Board Meeting at 10:00 a.m., via Zoom

**ADJOURNMENT**

There being no further business, upon motion by Mr. Arcuri, duly seconded by Ms. Farley, and unanimously carried, the meeting was adjourned at 11:45 a.m.