

**NYS Industrial Board of Appeals
Board Meeting Minutes
of March 13, 2024**

CALL TO ORDER

The regularly scheduled meeting of the Industrial Board of Appeals was held on March 13, 2024, by video conference. The Board’s Chairperson, Molly Doherty, called the meeting to order at 10:00 a.m.

ATTENDANCE

Molly Doherty, Chairperson	Benjamin A. Shaw, Counsel
Michael A. Arcuri, Member	Jacob Korder, Administrative Law Judge
Najah Farley, Member and Deputy Counsel	Shannan C. Krasnokutski, Associate Counsel
Sandra Abeles, Member	Jane M. Ipanaque, Executive Assistant
Patricia Kakalec, Member	

The Board’s Chairperson introduced and welcomed Associate Counsel, Shannan Krasnokutski, to the IBA team. The Board proposed a Resolution to Delegate Authority to Ms. Krasnokutski, to make certain non-dispositive decisions and to conduct administrative law hearings pursuant to the Board’s rules. On motion by Mr. Arcuri, the Board unanimously waived reading the Resolution into the record. On motion by Ms. Abeles, duly seconded by Ms. Kakalec, and the Board Members unanimously carried, the Resolution to Delegate Authority to Shannan Krasnokutski was adopted.

MINUTES

On motion by Mr. Arcuri, duly seconded by Ms. Abeles, and the Board Members unanimously carried, the minutes of the previous meeting held on January 17, 2024, were adopted.

REPORTS

An overview reflecting activity for Year End 2023, and January and February 2024, was provided.

Cases 2024		Report Period: 1/1/2024 – 2/29/2024			
	PR	PES	CI	ART	Total
Open Cases	160	18	3	18	199
New Cases	20	1	3	0	24
Hearings Held	16	0	0	0	16
Decisions Issued	15	1	0	0	16

Cases 2023					
	PR	PES	CI	ART	Total
Cases Opened	141	19	7	9	176
Hearings Held	83	17	0	0	100
Decisions Issued	75	9	7	0	91

In quasi-judicial deliberation

On motion by Ms. Farley, duly seconded by Ms. Abeles, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:08 a.m.

CONSIDERATION OF RESOLUTIONS & DELIBERATION

Section 101:

Docket No. Name

PR 21-067 Bernard Scott

PR 21-165 Miguel Santana

PR 22-003 Yuri Krainov DDS and Denta Dental PC

PR 23-029 Cyril Cassell and Stratt Construction and Flooring LLC

PR 23-037 Alfonso Tardy and Diferencia Restaurant Inc.

PR 23-083 Joseph Daly and Mill Brook Fire Protection Corp.

PR 23-087 Lynn Fallone and Inn on Broadway, LLC

For Docket No. PR 21-067, Mr. Arcuri did not join in the decision and dissented. On motion by Ms. Farley, duly seconded by Ms. Abeles, and the remaining Board Members carried, the Resolution of Decision for PR 21-067 under Section 101 was adopted.

Docket No. PR 23-083 was removed from the agenda for further review. Except for Docket No. PR 23-083, on motion by Mr. Arcuri, duly seconded by Ms. Abeles, and the Board Members unanimously carried, the Resolutions of Decision under Section 101 were adopted.

Section 27-A:

Docket No. Name

PES 23-013 Charles Termini

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

Section 104:

Docket No. Name

CI 24-001 Hospital Police Benevolent Association, Inc.

CI 24-003 Union Square Legal Services, Inc.

On motion by Mr. Arcuri, duly seconded by Ms. Abeles, and the Board Members unanimously carried, the Resolutions of Approval under Section 104 were adopted.

Points of discussion

Meeting format

Note

Mr. Arcuri excused himself from the meeting at 10:45 AM.

Out of quasi-judicial deliberation

On motion by Ms. Abeles, duly seconded by Ms. Kakalec, and the remaining Board Members carried, the meeting moved out of quasi-judicial deliberation at 10:49 a.m.

UPCOMING BOARD MEETING DATES AND LOCATIONS

Wednesday, April 17, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, June 5, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, July 24, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, September 18, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, October 30, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, December 11, 2024, Board Meeting at 10:00 a.m., TBD

ADJOURNMENT

There being no further business, upon motion by Ms. Abeles, duly seconded by Ms. Farley, and the remaining Board Members carried, the meeting was adjourned at 10:53 a.m.