

NEW YORK CITY  
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS  
ENVIRONMENTAL CONTROL BOARD

BOARD MEETING

VIA VIDEO CONFERENCING

December 17, 2020

9:36 A.M. - 10:08 A.M.

December 17, 2020

## MEMBERS PRESENT:

**Shamonda Graham - Department of Buildings (DOB)**  
**Joseph Gregory - New York City Fire Department (FDNY)**  
**Joni Kletter, Esq. - Commissioner/Chief Administrative Law  
Judge, OATH, Chair/Executive Director, OATH ECB**  
**Elizabeth Knauer, Esq. - Appointed Member (Water)**  
**Madelynn Liguori, Esq. - Department of Sanitation (DSNY)**  
**Jorge Martinez, Esq. - Department of Health & Mental  
Hygiene (DOHMH)**  
**Russell Pecunies, Esq. - Department of Environmental  
Protection (DEP)**  
**Tom Shpetner, Esq. - Appointed Member**  
**Matthew Smith, Esq. - New York City Police Department  
(NYPD)**  
**Douglas Swann - Appointed Member (Air)**  
**Jarrold Whittington - Appointed Member (Noise)**

## ALSO PRESENT:

Rachel Amar - Special Assistant to Commissioner, OATH  
Erin Callahan - Department of Environmental Protection  
(DEP)  
John Castelli - Deputy Commissioner for Legislative  
Affairs, OATH  
**Kelly Corso, Esq. - Assistant Commissioner for Hearings  
Division Adjudications, OATH**  
Marcella Eckels - Department of Environmental Protection  
(DEP)  
Brian Gatens  
Svetlana Iosilevich, Esq. - Executive Agency Counsel,  
Business Integrity Commission (BIC)  
Timothy Jones, Esq. - Assistant General Counsel, OATH  
Susan Kassapian, Esq. - Deputy Commissioner/Appeals, OATH  
Richard J. LaPlant - Office of Management and Budget (OMB)  
Nancy Lin - Office of Management and Budget (OMB)  
Latisha Pender - Department of Transportation (DOT)  
Craig Porges, Esq. - Deputy Ombudsperson and Deputy Pro Se  
Clerk, OATH  
**Peter Schulman, Esq. - Asst. Director for Appeals, OATH**  
Marisa Senigo - Deputy Commissioner for Public Affairs &  
Communications, OATH  
**Frances Shine - Secretary to the Board**  
Amy Slifka, Esq. - Deputy Commissioner/Hearings Division,  
OATH

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Samuel Solomon, Esq. - Chief of Staff/Special Counsel,  
OATH

**Olga Statz, Esq. - Deputy General Counsel, OATH**

**Joy A. Thompson, Esq. - Assistant General Counsel, OATH**

Jean Wesh, Esq. - Managing Attorney, Ombudsperson, OATH

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2 (The board meeting commenced at 9:36  
3 A.M.)

4 JONI KLETTER, ESQ., CHAIR, EXECUTIVE  
5 DIRECTOR, OATH ECB, COMMISSIONER/CHIEF  
6 ADMINISTRATIVE LAW JUDGE, OATH: So I'm going to  
7 call the meeting to order. I'm going to ask Joy  
8 for a roll call to verify quorum.

9 JOY A. THOMPSON, ESQ., ASSISTANT GENERAL  
10 COUNSEL, OATH: Of course. Good morning, all. I  
11 hope you can hear me. I'm just going to read  
12 everyone's name. Just please respond. Of  
13 course, Commissioner Kletter.

14 MS. KLETTER: Here.

15 MS. THOMPSON: Shamonda Graham.

16 SHAMONDA GRAHAM, DEPARTMENT OF  
17 BUILDINGS: I'm here.

18 MS. THOMPSON: Joseph Gregory.

19 JOSEPH GREGORY, NEW YORK CITY FIRE  
20 DEPARTMENT: Present.

21 MS. THOMPSON: Elizabeth Knauer?

22 ELIZABETH KNAUER, ESQ., APPOINTED  
23 MEMBER: I'm here.

24 MS. THOMPSON: Madelynn Liquori?

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2 MADELYNN LIGUORI, ESQ., APPOINTED

3 MEMBER: Here.

4 MS. THOMPSON: Jor- Jorge Martinez?

5 JORGE MARTINEZ, ESQ., DEPARTMENT OF

6 HEALTH & MENTAL HYGIENE: Present. Good morning,  
7 everyone.

8 MS. THOMPSON: Russ? Russell Pecunies?

9 We see you. Tom Shpetner? Thomas Shpetner?

10 TOM SHPETNER, ESQ., APPOINTED MEMBER:

11 Here.

12 MS. THOMPSON: Matthew Smith?

13 MATTHEW SMITH, ESQ., NEW YORK CITY

14 POLICE DEPARTMENT: Here.

15 MS. THOMPSON: Douglas Swann?

16 DOUGLAS SWANN, APPOINTED MEMBER: Here.

17 MS. THOMPSON: Jarrod Whittington?

18 JARROD WHITTINGTON, APPOINTED MEMBER:

19 Here.

20 MS. THOMPSON: We have 100 percent

21 attendance. All present.

22 MS. KLETTER: Excellent

23 MS. THOMPSON: Thank you.

24 MS. KLETTER: Thank you. Before we

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2 start, I just want to take a minute to thank  
3 everybody for all the work that they've done  
4 during this pandemic. You know, we, we thought  
5 it would be a month or two. We're now 10 months  
6 in. And it's been, the work has been remarkable  
7 and extraordinary. You know, I've, I've listened  
8 in on most of the panel meetings and I'm always  
9 incredibly impressed by the attention and the  
10 scrutiny that you all give to each and every  
11 case. That's rea-, it really is extraordinary.  
12 So thank you all.

13 And thank you to the OATH staff for  
14 everything they've done. You know, at the  
15 Hearings Division, we've now done over 80,000  
16 remote hearings since mid-March. I know we've  
17 also done thousands of appellate cases. I don't  
18 have the exact number, but it's, it's, it's in  
19 the thousands, so, I assume. Thank you all so  
20 much.

21 And I hope everybody is staying safe and  
22 healthy during this difficult time. So I just  
23 wanted to acknowledge all the work.

24 And I'm now going to ask for a motion to

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2 adopt the minutes from the October 22, 2020  
3 meeting.

4 MS. LIGUORI: Motion.

5 MS. THOMPSON: Yes.

6 MS. KLETTER: Thank you, Madelynn. Does  
7 anyone have any corrections? I'm going to ask  
8 Joy to call for a vote to approve the minutes as  
9 presented.

10 MS. THOMPSON: Thank you, Commissioner.  
11 I'm going to start with asking if anyone has any  
12 objections to the approval of the minutes? If so  
13 -- okay. Any abstentions? Thank you.  
14 Commissioner, the motion carries. The minutes  
15 are approved.

16 MS. KLETTER: Thank you. I'm now going  
17 to ask Olga Statz to introduce OATH's proposed  
18 final rule requiring identification for  
19 registered representatives at our hearings.

20 OLGA STATZ, ESQ., GENERAL COUNSEL, OATH:  
21 Good morning, everybody. We're -- this is at the  
22 final stage of the introduction of this rule. It  
23 has gone through the, the initial drafting stage,  
24 then the first proposal stage where all of you



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2 had an opportunity a few meetings ago to review  
3 in detail and to ask your questions, and it was  
4 approved then.

5 It had to go through another approval in  
6 the Law Department. I'm sorry. It had to go  
7 through another approval in the Law Department  
8 and it passed muster there. And now, at this  
9 stage, we're just presenting it again, having  
10 been approved by the Law Department and all other  
11 agencies that had to take a look at it. We want  
12 you to take, to just approve it so that we can  
13 now publish this rule and it can become a, an  
14 official rule of OATH.

15 Should I take the, these things out or,  
16 and just speak regularly?

17 RUSSELL PECUNIES, ESQ., DEPARTMENT OF  
18 ENVIRONMENTAL PROTECTION: It's Russ.

19 MS. KLETTER: Whoever's number ends in  
20 08 should go on mute. Russ, is that you?

21 MR. PECUNIES: My, my, I finally got  
22 through on the phone.

23 MS. KLETTER: Please put your phone on  
24 mute. Thank you.

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2 MR. PECUNIES: It should be okay now.

3 MS. STATZ: Okay. Thank you. I  
4 basically said what I wanted to say about it.  
5 We've reviewed it. It is a rule that will  
6 protect litigants and also allow OATH to do  
7 better to, to assist the DOI and the DA's Office  
8 to detect and root out fraud. Thank you very  
9 much.

10 MS. KLETTER: Okay. Does anyone have  
11 any questions for Olga?

12 MR. SHPETNER: Yeah, this is -- hi.  
13 This is Tom.

14 MS. STATZ: Hi.

15 MR. SHPETNER: I just have a real quick  
16 question. Do we see a lot of people doing this  
17 under our auspices? I mean, does this happen a  
18 lot?

19 MS. STATZ: It used to happen more than  
20 it does now. But, I mean, it's, it happens.

21 MR. SHPETNER: I mean, I just don't  
22 remember ever really discussing it. It just  
23 never -- it seems like a new thing. So I just  
24 was curious about like the, the context. I just

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2 never --

3 MS. STATZ: Well, I --

4 MR. SHPETNER: I mean, like any crazy  
5 person can impersonate anybody. But, like, I  
6 just didn't know that we needed to do a check  
7 down like this.

8 [CROSSTALK] [00:06:10]

9 MS. STATZ: Yeah, there, there was --

10 MR. SHPETNER: Yeah. I remember a few  
11 cases where there was like, maybe somebody wasn't  
12 duly authorized and appeared at a hearing, but  
13 that person had apparent authority, because they  
14 said they were an attorney or something like  
15 that. So that's -- I, I'm just not, I'm not in  
16 opposition. I'm pretty agnostic here. I just  
17 didn't understand the background.

18 MS. STATZ: Well, this, this came as a  
19 result of DO-, a DOI suggestion that was made to  
20 us because there was a case where a person had  
21 been impersonating a rep and it ended up going to  
22 the DA's Office and there were twe-, there were  
23 tens of thousands of dollars involved, in all  
24 types of fraud. And, as a result of that case,

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2 the DOI looked at some of our processes and  
3 thought that some, that our making sure that we  
4 know exactly with whom we are dealing is going to  
5 be helpful to them. Because what happens is a  
6 person can put a, put in a form, sign their name  
7 and then say that wasn't me, I didn't sign that,  
8 and there's no way to, to link that person to the  
9 form.

10 By requiring that the reps show ID and  
11 for the Clerk's Department individuals to  
12 actually note that they received the ID, the  
13 person can't say that wasn't me. That, that  
14 avenue of escape is no longer available to that  
15 person. So that's why we have this.

16 MR. SHPETNER: I mean, even the most  
17 unhinged person can make an appearance in Federal  
18 District Court. Right? I mean, you know, so I  
19 just, it's just interesting to me. It sound,  
20 sounds like a good idea. I just didn't know,  
21 like, what the background was.

22 MS. STATZ: Yeah, that was the  
23 background.

24 MS. KNAUER: You know, just out of

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2 curiosity, what benefit do people get by doing,  
3 by impersonating a rep?

4 MS. STATZ: You know, I asked my-, I ask  
5 myself that question a lot as well because, at  
6 first, I came in with a logical mind. Why would  
7 you do something for someone and not get paid for  
8 it? Because if they don't know you're doing it,  
9 they're not going to pay you. But that's not the  
10 way it necessarily works.

11 It seems that there is some sort of, of  
12 a way where people do something for someone and  
13 say, lis- listen, I did this for you. I, I  
14 knocked down this fine, et cetera, et cetera.  
15 You owe me money. And some people have just fal-  
16 , just fall for that. And it's not, that's not  
17 the only methodology of fraud. There, there are  
18 different. It, it gets, people get very  
19 creative. And so --

20 MS. KNAUER: I, I think I have heard in  
21 a prior meeting a discussion about people doing,  
22 you know, they'll, they'll go and represent  
23 somebody without authorization and then say I, I  
24 got this knocked down, where, really, they're

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2 comparing the default penalty to the standard  
3 penalty and they didn't get it knocked down at  
4 all.

5 MS. STATZ: Exactly.

6 MS. KNAUER: They just actually were  
7 found in violation and were, --

8 MS. STATZ: And got the standard  
9 penalty.

10 MS. KNAUER: -- the standard penalty was  
11 imposed.

12 MS. STATZ: Yes. Yes.

13 MR. MARTINEZ: Would you say they're  
14 also targeting immigrants or folks who don't  
15 speak English well?

16 MS. STATZ: No. This is, this is all,  
17 an equal opportunity fraud. I mean, it's just,  
18 it's people with small businesses, small, small  
19 building owners. Anyone who is not, you know, SL  
20 Green or, or people on that scale who know  
21 exactly what the score is. This is anyone whose,  
22 who doesn't have a constant intercourse with the  
23 City, etcetera, etcetera, so they're, they feel  
24 that they owe something to that person or that

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2 the person is giving them some information that  
3 wouldn't normally have had.

4 Any other questions? Thank you very  
5 much.

6 MS. KLETTER: Thank you. I was going to  
7 ask for a motion to approve the final rule, the  
8 proposed final rule?

9 MS. LIGUORI: Motion.

10 MS. KLETTER: Thank you, Madelynn. Joy,  
11 can you please call for a vote [unintelligible]  
12 [00:09:57]?

13 MS. THOMPSON: Yes. Yes, we did not  
14 have a poll today, so [unintelligible]  
15 [00:10:03].

16 MS. KLETTER: So we're just answer- --  
17 Joy, you're on mute. I don't know if you intend  
18 to be.

19 MR. MARTINEZ: Yeah, I --

20 MS. THOMPSON: No.

21 MR. MARTINEZ: -- I approve. I'm sorry,  
22 I can't figure out the poll thing, but I approve.

23 MS. THOMPSON: That's okay. That was  
24 Jorge Martinez, and I am so sorry. I added to

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2 the chat the question, do you approve of the  
3 adoption of the final rule requiring registered  
4 representatives to show ID? Now, I, I can ask  
5 you to vote yes or no in the chat, and then I'll  
6 take it from there. And I do have Mr. Martinez's  
7 response, so thank you.

8 So far, I have both --

9 MR. SWANN: This is Doug.

10 MS. THOMPSON: Doug? Mr. Swann, are you  
11 also on the phone?

12 MR. SWANN: Yes. Yes, I approve.

13 MS. THOMPSON: Thank you so much, Mr.  
14 Swann. I have a, I seem to have votes from  
15 everyone. Tom, are you going to vote in the  
16 chat?

17 MR. SHPETNER: I'm voting, I'm voting  
18 yes. I didn't, I wouldn't understand if I was  
19 putting it in the chat or not. But, yes, I  
20 approve.

21 MS. KLETTER: Okay. Okay.

22 MS. THOMPSON: And it looks like, with  
23 his vote, it looks like this is, passes  
24 unanimately. Thank you, Commissioner.



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2 MS. KLETTER: Okay, great. Thank you,  
3 everyone. I'm now going to have Kelly Corso  
4 introduce the pre-sealing reports.

5 KELLY CORSO, ESQ., ASSISTANT  
6 COMMISSIONER FOR HEARINGS DIVISION ADJUDICATIONS,  
7 OATH: Hello. Can everyone hear me?

8 MS. KLETTER: We can.

9 MS. STATZ: Yes. Yes.

10 MS. CORSO: Great. Hi. Kelly Corso,  
11 Assistant Commissioner for Adjudications of the  
12 Hearing Division. And we have just 15 pre-  
13 sealing reports today. They're all backflow  
14 cases. And in 14 of them, the hearing officers  
15 agreed with DEP that there should be no further  
16 action or sealing of the premises because the  
17 respondents had demonstrated compliance during  
18 the hearings.

19 And in the final one, the fifteenth one,  
20 they also agreed that there should be no further  
21 action, but that was based on the fact that the  
22 premises had been demolished, so no device was  
23 needed to be implemented at the premises anymore.  
24 And that's it.

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2 MS. KLETTER: Okay, thank you. Are  
3 there any questions for Kelly?

4 MR. SHPETNER: No.

5 MS. KLETTER: Great.

6 MS. KNAUER: I, I'm sorry. Joy, I just  
7 wanted to note that, in the chat, it looks like  
8 Shamonda, who was not able to unmute her phone,  
9 had a question about the last item.

10 MS. THOMPSON: Yes, I see that.  
11 Commissioner and Peter, there was a -- Shamonda,  
12 are you available? There was a question, but it  
13 was after discussion, it was during the vote.

14 MS. KLETTER: Right. How, how these  
15 cases will be handled remotely. And, yeah. And,  
16 well, I think it's somewhat dependent on the  
17 timing for when the rule, final rule is  
18 implemented. Olga, do you want to --

19 MS. STATZ: Yes. Yes, absolutely.  
20 After it's published -- Joy, how, how long is it  
21 going to take before it becomes final after we  
22 publish it? It's going to take like 30 days?

23 MS. THOMPSON: Yes. We, as soon as, as  
24 soon as we have approved it, the next step is to

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2 publish it. I expect, with the holidays coming  
3 up, I would, I estimate a publication date of  
4 December 30th. That means 30 days after. So by  
5 at least January 1st -- I'm sorry, February 1st.

6 MS. STATZ: Thirtieth, mm-hmm.

7 MS. THOMPSON: February 1st, yeah,  
8 January 30th or February 1st, this will go into  
9 effect. It depends on how soon and, with the  
10 holidays, when I can get it published. But at  
11 least by, at the latest, February 1st it would be  
12 in effect.

13 MS. STATZ: And there's also something  
14 else, Shamonda. This, this rule was conceived of  
15 before this pandemic was ever an issue. There  
16 was no, no question in our mind, back then, that  
17 we would always have live hearings, and that's  
18 the way OATH would run. So this, this particular  
19 rule didn't really take into account the remote  
20 aspect of it right now. Because, at this point,  
21 it's, it's a live rule. It's, you show up,  
22 you're going to a hearing and you have to show  
23 ID. And there, there is, of course we're going  
24 to, now that we're in this new world, we're going

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2 to have to, perhaps, think about ways to see if  
3 it's possible to do this remotely. But that  
4 hasn't, that ha-, really hasn't been the case.  
5 So far, we've just been ushering through this  
6 particular rule as conceived originally.

7 MS. KLETTER: But thank you for raising  
8 that, because I do think it's worth having us  
9 have a conversation in terms of what current or  
10 future rules might need to be amended in light of  
11 the ongoing remote hearings.

12 MS. STATZ: Yes.

13 MS. KLETTER: Okay.

14 MS. KNAUER: And Shamonda just made  
15 another, one more point in the chat, if, if  
16 everybody can see it, about adding in a  
17 disclaimer in the remote system that --

18 MS. STATZ: Something like that,  
19 something like that does exist. I think Amy can  
20 speak to it better. But in the, in the remote  
21 exchanges that I've seen, especially for the  
22 motions to vacate, there's, there's a portion of  
23 it -- or, actually, Peter could also speak to  
24 this. There's a portion of it where the person

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2 submitting the application has to say that,  
3 identify themselves and say that they have  
4 authority to, to put in the motion. So something  
5 like that does exist already and had, had existed  
6 for an extended period of time.

7 But, I mean, people still do -- okay,  
8 great. I got it, Shamonda. Thank you.

9 MS. KLETTER: Okay, thank you for  
10 raising that.

11 MS. STATZ: Yes.

12 MS. KLETTER: Okay. So I just want to  
13 confirm there are no questions for Kelly on the  
14 pre-sealing reports now. Okay, great. Joy, can  
15 you do the roll call?

16 MS. THOMPSON: Yes, I will. At this  
17 point, I'm going to put the question in the chat,  
18 but I'm going to ask simply, is there any  
19 objections to our approving the pre-sealing, the  
20 15 pre-sealing reports presented by Ms. Corso?  
21 Okay. Seeing, hearing no -- seeing no objections  
22 and hearing no objections, this motion carries,  
23 Commissioner.

24 MS. KLETTER: Thank you so much. I'm

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2 now going to ask Russ Pecunies to address DEP's  
3 request for cease and desist orders.

4 PETER SCHULMAN, ESQ., ASSISTANT DIRECTOR  
5 FOR APPEALS, OATH: Russ, is your phone muted?

6 MR. PECUNIES: Hello?

7 MR. SCHULMAN: Okay.

8 MR. PECUNIES: Hello?

9 MR. SCHULMAN: Yes.

10 MS. KLETTER: Yes, we can hear you. Go  
11 ahead.

12 MR. PECUNIES: Okay. Everything,  
13 everything just froze. I'm sorry. Hello?

14 MS. KLETTER: We can hear you. Go  
15 ahead.

16 MR. PECUNIES: Oh, okay. Great. This -  
17 - okay. I'm still getting it. Okay. Now, I, I  
18 had to get off the Webex because it's telling me  
19 --

20 MS. KLETTER: Yeah, that's the best way  
21 to do it.

22 [CROSSTALK] [00:18:40]

23 MR. PECUNIES: Because it's, it's, it's  
24 freezing and, and starting and stopping, and just

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2 going kind of, kind of crazy. So I'm just on the  
3 phone.

4 Okay. This month, DEP is requesting  
5 that the Board issue a cease and desist order to  
6 My Mandarin, Incorporated, which is the owner of  
7 a restaurant located at 100-120 Brighton Beach  
8 Avenue in Brooklyn.

9 DEP inspected this location and, on  
10 August 20th of last year, issued them a  
11 Commissioner's Order requiring them to install  
12 and maintain grease interceptors. When they  
13 failed to comply with that order, DEP then issued  
14 a series of summonses in November and December of  
15 last year and in January, February and March of  
16 this year. Then, from March to October, because  
17 of the pandemic, there was no for- further  
18 enforcement action taken.

19 In October, on October 6th, they were  
20 required to attend a mandatory compliance meeting  
21 with DEP and they failed to appear for that  
22 mandatory compliance meeting. Based on the  
23 business's failure to comply with the order  
24 issued in September of 2019 and their continuing

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2 failure to comply in response to five summonses  
3 and a notice to attend the mandatory compliance  
4 meeting, the Department is requesting that the  
5 Board issue an order to cease and desist.

6 MS. KLETTER: Thank you so much, Russ.  
7 Are there any questions? I don't see anyone. So  
8 I'm going to ask for a motion to, to approve this  
9 cease and desist order. Thank you, Madelynn.

10 MS. LIGUORI: Motion.

11 MS. KLETTER: I'm going to call for a  
12 vote. Joy?

13 MS. THOMPSON: Okay, thank you. I'm  
14 going to now, I'm going to enter this in the  
15 chat, but I'm going to start with asking whether  
16 there are any objections to the approval of the  
17 DEP's request for a cea- ci- -- excuse me --  
18 cease and desist order in this matter. And I see  
19 that there has been approval from everyone. No  
20 objections. Commissioner, the motion does carry.

21 MS. KLETTER: Thank you so much. I'm  
22 now going to ask for a motion to go into  
23 Executive Session.

24 MR. SCHULMAN: I'm sorry. Before we go,



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2 there were two people who called in after we  
3 started. I just wanted to see if we can identify  
4 who they are. The 3472 number ending in 29,  
5 number ending in 29.

6 MR. SWANN: Douglas Swann.

7 MR. SCHULMAN: Okay, thank you. And  
8 number ending in 59.

9 FRANCES SHINE, SECRETARY TO THE BOARD:  
10 Frances Shine.

11 MR. SCHULMAN: Okay, thank you very  
12 much.

13 MS. KLETTER: Great. I'm going to ask  
14 for a motion to go into Executive Discu- Session  
15 to discuss new decisions in the cases that are in  
16 the judicial report. So everyone other than OATH  
17 ECB staff and the Board should leave the room.  
18 But I don't know if there -- Peter, do you have  
19 that under control?

20 MR. SCHULMAN: Hopefully. We'll see  
21 who's left once people leave.

22 MS. KLETTER: Okay.

23 MR. SCHULMAN: Let's see.

24 MS. KLETTER: Are we all set?

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2 MR. SCHULMAN: Okay. Yes, it looks like  
3 it. I'm going to pause the recording.

4 [OFF MIC CONVERSATION]

5 [OFF THE RECORD]

6 [ON THE RECORD]

7 MS. KLETTER: Okay. Are we back in  
8 Public Session? Peter? No? Alright. I just  
9 want to open up the floor to see if anyone has  
10 additional questions. Alright. So, for Board  
11 dates for the next meeting, we're looking at  
12 February 11th or 18th. Does anyone want to  
13 advocate for one date over the other? I know  
14 that's kind of far off at this point. So we'll  
15 put a hold on February 11th for now, Joy.

16 MS. THOMPSON: Thank you. I got, for  
17 the next date, it will be February 11th. Thank  
18 you, Commissioner.

19 MS. KLETTER: Thank you. And thank you  
20 again. Just, I want to reiterate what I said at  
21 the beginning of the meeting, if you didn't hear  
22 me, for just the remarkable work everyone has  
23 done this past year and through the pandemic.  
24 It's, it's really incredible. And I appreciate

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2 everybody's work and I hope you all have a  
3 wonderful holiday. And stay safe.

4 [CROSSTALK] [00:25:41]

5 MS. KLETTER: Thank you.

6 MS. KNAUER: I'm sorry.

7 MS. THOMPSON: Elizabeth?

8 MS. KNAUER: Sorry, sorry to interrupt.

9 I -- maybe this is obsolete, but I have an Appeal  
10 Panel down for February 11th.

11 MR. SCHULMAN: We can move, we can move  
12 that, if we --

13 MS. KNAUER: Oh, okay. Okay.

14 MR. SCHULMAN: If it -- yeah, we'll move  
15 that so that it doesn't conflict with the Board  
16 meeting.

17 MS. KNAUER: Okay. I'm sorry to  
18 interrupt.

19 MS. KLETTER: Sorry. I mean, we can  
20 also put the Board meeting at February 18th. So  
21 is there a preference?

22 MR. SHPETNER: Yeah, if the, if the  
23 Appellate Panel is already in place, why mess  
24 with it?

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2 MS. KLETTER: Yeah. So well move it,  
3 Joy, let's move it to February 18th. Thank you.

4 MR. SHPETNER: I mean, can, can  
5 [unintelligible] [00:26:21] probably going to be  
6 stuck here at home. You know, I don't know if  
7 this one is astrologically superior or some other  
8 reason. I don't know.

9 MS. KNAUER: I mean, the February 18th  
10 one would be during the school holidays, if that  
11 makes a difference to people. But --

12 MS. KLETTER: Probably not.

13 MR. SHPETNER: That's pretty irrelevant.

14 [CROSSTALK] [00:26:42]

15 MS. KNAUER: No, no ski vacations this  
16 year, so -- right?

17 MS. KLETTER: Nope. Nope.

18 MR. SHPETNER: [Unintelligible]

19 [00:26:49] can't so no. No.

20 MS. KLETTER: Well, yeah, please stay  
21 safe everyone. I'm going to ask for a motion to  
22 adjourn. Thank you.

23 MS. LIGUORI: Motion.

24 MS. KLETTER: Thank you. Thank you,

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Madelynn. And we'll adjourn the meeting. Thank you, everybody.

MS. STATZ: Thank you, Commissioner.

ALL: Thank you.

MS. THOMPSON: Thank you. Be safe and well. Bye.

MS. STATZ: Happy holidays, everybody.

MS. THOMPSON: Happy holidays.

(The board meeting concluded at 10:08 a.m.)

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Environmental Control Board, 12/17/2020

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of Board Meeting of the Environmental Control Board on December 17, 2020, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



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Date: January 11, 2021

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