

# STATE BOARD OF MEDIATION AND ARBITRATION

38 WOLCOTT HILL ROAD, WETHERSFIELD, CT 06109

## MINUTES OF SBMA BOARD MEETING

Tuesday, January 17, 2023

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A meeting of the Connecticut State Board of Mediation and Arbitration was held on Tuesday, January 17, 2023. This meeting was held virtually, via Teams.

Present: Gerald T. Weiner, Esq., Chairman  
Dennis C. Murphy, Esq. Deputy Chairman  
Betty Kuehnel, Labor Member  
Peter Carozza, Labor Member  
Michael Culhane, Management Member

Guest: Douglas Cho, Esq., Director/Mediator

Public Guest: Steven McEleheny  
Richard Kosinski

The Tuesday, January 17, 2023, meeting of the State Board of Mediation and Arbitration was opened by Gerald T. Weiner, Chairman, at 8:30 a.m.

- 1) Minutes of Previous Meeting: A motion was made by Dennis Murphy to accept the minutes of the November 21, 2022, Board meeting. The motion was seconded by Betty Kuehnel and passed unanimously.
- 2) Old Business:
  - A. Review of Outstanding Arbitration Hearings: The number of pending arbitrations, the number of cases held in abeyance, scheduled and re-scheduled were examined by the Board. There are approximately two hundred and eighty (280) cases pending which is an increase from 266;

cases held in abeyance decreased from 31 to 25; scheduled cases increased from 100 to 135; and rescheduled cases decreased from 25 to 12.

B. **Review of Fiscal Year Figures:** The SBMA fiscal year figures were compared to the past year, and have decreased slightly; revenues collected to date have also decreased slightly; however, state cases filed have increased significantly, by more than double.

C. **Outstanding Overdue Awards:** There are no overdue awards at this time.

D. **Motions to Vacate:** All open motions to vacate were briefly reviewed as to their status in five matters. Two cases have been recently withdrawn by the plaintiffs; a motion in another case was denied by the presiding court, concluding that matter. Thus at this time there are two pending motions to vacate.

3) **New Business:** It was noted that Ruben Acosta, a recently appointed alternate neutral arbitrator, resigned from the Board effective in January 2023.

4) **Director's Report:** Job postings for three open SBMA clerical positions are still being processed, and a number of applicants have been scheduled for interviews in this month.

5) **Executive Session:** Two matters were pending to be considered in executive session. One concerned a request from Richard Kosinski to be recommended for appointment as an alternate neutral arbitrator with the Board. Mr. Kosinski had requested his matter be heard in the public portion of the Board meeting, and not in executive session. Discussion regarding his request was held, with Chairman Weiner noting concerns and reservations as to whether, and to what extent, the executive session rules apply to the Board, but without taking any final position on this issue, and without setting any particular precedent or policy, the Board allowed Mr. Kosinski's request for appointment to be discussed in open session. After a brief discussion, the Board took no action on Mr. Kosinski's request.

Michael Culhane then moved to go into executive session to discuss another person who has requested to be appointed as an alternate arbitrator with SBMA.

Betty Kuehnel seconded the motion, and the Board members unanimously voted to go into executive session. A discussion was held regarding this other person's request for appointment; no action or votes were taken on that person's request. After voting to leave the executive session, the Board did not conduct any further action.

- 6) Motion to Adjourn: A motion to adjourn was made by Dennis Murphy and seconded by Michael Culhane; the motion passed unanimously. The meeting adjourned at approximately 9:10 a.m.

*Douglas A. Cho, Esq.*  
*Director/Mediator*  
*January 17, 2023*