

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

-----X  
 In the Matter of the Petition of: :  
 :  
 BABYLON VILL HWY & SANITATION, :  
 :  
 Petitioner, :  
 :  
 To Review Under Section 101 of the Labor Law: :  
 Notice of Violation and an Order to Comply With :  
 Section 27-a of the Labor Law, dated June 5, 2008, :  
 :  
 - against - :  
 :  
 THE COMMISSIONER OF LABOR, :  
 :  
 Respondent. :  
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DOCKET NO. PES 08-007  
RESOLUTION OF DECISION

APPEARANCES

Office of the Village Attorney, Joel Sikowitz of counsel, for Petitioner.

WHEREAS:

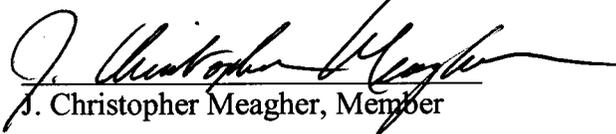
1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 101 and Part 66 of the Industrial Board of Appeals' Rules of Procedure and Practice (Rules) (12 NYCRR Part 66) on July 22, 2008; and
2. By letter, dated August 11, 2008, enclosing a copy of the Rules, the Board requested Petitioner to file an amended petition, in accordance with Rule 66.3, on or before August 22, 2008. To date Petitioner has failed to file an amended petition; and
3. The Board finds that the Petitioner has had ample opportunity to file an amended petition, and that the proceeding should be dismissed in accordance with the Rules.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

This proceeding be, and the same hereby is, dismissed in accordance with the Board's Rules.

  
\_\_\_\_\_  
Anne P. Stevenson, Chairman

Absent  
\_\_\_\_\_  
Susan Sullivan-Bisceglia, Member

  
\_\_\_\_\_  
J. Christopher Meagher, Member

Absent  
\_\_\_\_\_  
Mark G. Pearce, Member

  
\_\_\_\_\_  
Jean Grumet, Member

Dated and signed in the Office  
of the Industrial Board of Appeals  
at New York, New York, on  
May 20, 2009.