

SUPREME COURT : NEW YORK COUNTY
IAS : PART I

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In the Matter of the Application of

MITCHELL GRAZIOLI,

Plaintiff,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules,

Index No. 2759/86

-vs-

ARVID ANDERSON, Chairman of the Board of
Collective Bargaining of the City of New York,
et al.,

Defendants.

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DAVID H. EDWARDS, JR.,J:

Petitioner's moves for judgement pursuant to Article 78 of the CPLR, annulling the order of the respondent Board of Collective Bargaining which dismissed petitioner's improper practice proceeding which alleged a violation of Section 1173-4.2 (a)(1) or (3) of the New York City Collective Bargaining Law (hereinafter "NYCBBL") or, in the alternative, remanding this matter to the respondent Board for reconsideration.

The application is denied in all respects.

Petitioner has failed to show that the determination made by respondent Board was arbitrary or capricious or an abuse of discretion within meaning of CPLR 7803, subd. 3, or otherwise inconsistent with the rules and regulations promulgated under

the NYCBBL. The court finds that there was a reasonable basis in the record for the decision made.

This constitutes the decision and judgment of the court.

Dated: JAN 29, 1987

J. S. C.