

NEW YORK STATE LIQUOR AUTHORITY

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

A Message from The Chairman

As in 1933, the State Liquor Authority is still focused on providing information and continually reviewing our policies and procedures as well as promoting changes to the ABC Law. And while the county boards were abolished over a decade ago, we still rely on our partners in local governments across the state to help us accomplish our goals. We do this by collaborating with police departments, working with District Attorney's Offices, as well as sharing information with state and local regulatory agencies.

In addition, as evidence suggests, the majority of licensees want to comply with the law. As such, accomplishing agency goals also requires educating and providing information to our licensees in a clear, understandable manner. We do this through mediums like this newsletter, by sponsoring free training seminars, providing clear interpretations of the law, webcasting public hearings and providing video-conferencing for our applicants and licensees around the state, and by answering the numerous calls and emails this agency receives on a daily basis. Nevertheless, while voluntary compliance our goal, working with licensees does not come at the cost of public protection.

The SLA is a regulatory agency, and when violations occur, especially blatant and willful violations of the law, this agency will not hesitate to act.

However, tough disciplinary actions and a focus on voluntary compliance are not mutually exclusive. The SLA utilizes both methods to meet our responsibility of protecting the public health and safety through efficient and fair regulation of the alcohol industry. So while we will continue to crack down on deliberate violators, we will also continue to work with and praise socially responsible businesses that go above and beyond what the law requires.

Continuing this focus of providing relevant information to licensees, this newsletter will highlight new wholesale issues, discuss what

The purpose of this monthly Bulletin is fourfold:

First – By a mutual understanding of our work and problems to make a strong closely knit organization of the State and County Alcoholic Beverage Control Boards;

Second – To make available to the counties information as to the working of the law throughout the state;

Third – To bring out information which will be valuable in interpreting this law to the public;

Fourth – Through these monthly reports, showing the working of the law, to get data which will enable us to judge as to the effectiveness of the law and as to whether any changes in the law are needed.

The Bulletin this month, the first ever, gives the reports from the County Boards as to the effect of the legalization of beer on business, the arrest for violations of the Beer Law, and the number of Beer Gardens in the State.



Commissioner
Sheppard

*Commissioner Mrs. John S. Sheppard
On the announcement of the first edition of
From the first issue of
Alcoholic Beverage Control News
August 1933 Volume 1, Number 1*

licensees can expect at a Full Board meeting, as well as review new laws and summarize the preliminary report of the Law Revision Commission's study of the Alcoholic Beverage Control Law. This issue will also spotlight some new faces at the SLA; first and foremost, Commissioner Jeanique Greene, who comes to the SLA with an impressive record of public service to the people of New York State. Additionally, we welcome Woody Pascal as First Deputy Director in charge of licensing, technology, and operations in the New York City office. Finally, while not new to the agency, we congratulate Mary Jo Lattimore-Young on her recent promotion to Deputy Commissioner of the SLA's Buffalo Office.



Daniel B. Boyle

As always, we at the SLA appreciate your continued support and welcome your comments and suggestions.

SLA WELCOMES COMMISSIONER GREENE

Jeanique Greene was nominated to serve as a Commissioner of the New York State Liquor Authority in June of 2008, and is the third African-American woman and the first of Puerto Rican descent to serve as a Commissioner.

A resident of Westchester County, Commissioner Greene brings an extensive record of government service to her new position. Prior to her appointment, she was an Analyst for the New York State Office of Court Administration's Continuing Legal Education Board.

For nearly seven years, Commissioner Greene served as the Legislative Director for then Senate Deputy Minority Leader David A. Paterson, drafting legislation and researching numerous issues, including health care, crime, transportation and housing. She also represented the Senator at numerous functions and meetings; organized town hall meetings; presented reports on the state budget and legislative affairs to community boards and organization meetings as well as supervising the staff in the Senator's Albany Office.

Commissioner Greene conducted legal research on Title VII sexual discrimination issues; researched FOIL requests; and prepared memoranda of law on deceptive business practices and consumer fraud during her time in the New York State Attorney General's Office.

She has also worked for the New York Center for Alternative Sentencing and Employment Services (CASES), and served as an Intern for the New York State Police, New York State Assembly Black and Puerto Rican Legislative Caucus and the New York City Department of Corrections.

Commissioner Greene received her Juris Doctorate degree from Albany Law School of Union University in Albany; and graduated, cum laude, from the John Jay College of Criminal Justice in New York City, with a Bachelor of Science Degree in Criminal Justice and minors in Government and Law.



*Commissioner
Jeanique Greene*



Meeting of the Full Board in Zone 1 Board Room

SLA WELCOMES NEW EXECUTIVE STAFF

First Deputy Director Woody Pascal has compiled an impressive record of public service for the people of New York State. The son of Haitian immigrants and a native of Westchester County, Pascal began working for the office of then State Senator David A. Paterson as an intern at the age of 21. He was quickly elevated to the position of Director of Operations and Constituent Services, where he served as the Senator's senior liaison with Federal, State, and City agencies, and was responsible for planning of outreach events for constituents.

In December 2002, following his election as Senate Minority Leader, Senator Paterson appointed Pascal as his Chief of Staff. Pascal became the first African-American, Haitian-American as well as the youngest Chief of Staff in the history of the State Senate. In this role, Pascal was instrumental in breathing new life into the Minority Conference, both among members and staff. In an effort to gather the best ideas and insights of every employee, Pascal worked personally with all 140 Democratic staffers, regardless of their position in the hierarchy.

In January of 2005, Pascal became the Chief of Staff for Assemblyman Keith L.T. Wright, acting as the Assemblyman's main contact for not only advocacy groups, lobbyists and constituents, but for the media as well.

In 2006 he moved on to the office of Erik Martin Dilan, head of the Brooklyn Delegation in the New York City Council. As Chief of Staff, Pascal again used his acute knowledge of government to ensure that the Council Member's constituents and the entire Borough Delegation were represented in budget talks and all other aspects of City Government.

A resident of the Bronx, Pascal is a graduate of the John Jay College of Criminal Justice and is the father of a 12-year-old daughter who attends public school.



*First Deputy Director
Woody Pascal*

On September 12, 2008, Mary Jo Lattimore-Young was appointed by the Members of the State Liquor Authority as Deputy Commissioner overseeing the SLA's Buffalo Office.



*Deputy Commissioner
Mary Jo Lattimore-Young*

In this role, Lattimore-Young has the responsibility to manage an office comprised of 21 employees from licensing, enforcement, and legal departments. Working closely with the Counsel to the Authority and the Deputy Commissioner of Licensing in Albany, Deputy Commissioner Lattimore-Young's initial goals include cutting the processing time for new applications as well as increasing the turnaround time for charging and calendaring disciplinary cases. These goals will be accomplished by streamlining current processes, updating internal procedures, and utilizing the abilities, experience, and expertise of the dedicated and hardworking staff in the Buffalo Office.

Prior to heading up the Buffalo Office, Deputy Commissioner Lattimore-Young served as a Senior Attorney in the Albany Office with the SLA. Lattimore-Young comes to the SLA with an extensive and diverse legal background. Born and raised in Jamestown, the lifelong Western New Yorker is a local attorney who has devoted the majority of her legal career to public service. She has served in a number of state agencies including the NYS Worker's Compensation Board, NYS Attorney General's Office, NYS Department of Correctional Services as well as with the Niagara County District Attorney's Office.

Deputy Commissioner Lattimore-Young is a graduate of the University at Buffalo Law School. She earned a Bachelor of the Arts Degree from Fordham University as well as an Associate of the Arts Degree from Jamestown Community College. She is married to Oliver Young. They live in Buffalo and are the proud parents of three sons.

APPEARING BEFORE THE FULL BOARD

By Jacqueline Held

Your application process is concluding and you've been informed the final determination to approve or disapprove your application will be made by the Full Board at their next scheduled meeting. Now, the decision you have to make is whether to appear at the meeting or not.

Appearing before the Members is not mandatory however, the Members welcome the opportunity to meet and question prospective applicants. If you decide to attend the meeting, this article provides information that may help to guide you.

Full Board meetings are open to the public and are generally held on the 5th floor of the Authority's New York City office in Harlem. Meetings start promptly at 10:00 AM and the entire proceeding is webcasted live on the internet. Applicants and others wishing to speak in connection with an agenda item will be called in the order as they signed in. For the convenience of our applicants across the state, video conferencing is available from the Authority's Albany and Buffalo office locations.

The Full Board consists of the three Members of the Authority that will be voting on your application: Chairman Boyle, Commissioner Healey and Commissioner Greene. Other staff from the Authority are also present at the meeting and will be on the panel in front of you including; Counsel, Deputy Commissioner of Licensing, Director of Enforcement and the Secretary to the Authority. They have various duties including answering questions the Members may have regarding your application.

For many people, speaking in front of a large panel can be a daunting experience, nevertheless, preparation can help. Here are a few tips for preparing for the meeting:

Know your application

The Members may ask you various questions about your application. Such as: What are your hours of operation? How many employees will you hire? What security measures are you taking to prevent violations from occurring? You should know all the intimate details of your application. How you answer these and other questions may have an effect on how the Members vote.

Familiarize yourself with the proceedings

Past meetings are archived on the Authority's website at www.abc.state.ny.us for the direct link go to: www.abc.state.ny.us/full-board-meetings-nyc-1. See for yourself what happens as reviewing prior meetings will give you insight as to what you can expect when you appear.

Ask questions before the meeting

Contact the Secretary's Office at (518) 402-4394, prior to the meeting date, if you have any concerns or questions about appearing in front of the Full Board. You may also e-mail us at Secretarys_office@abc.state.ny.us. We will be happy to assist.

If you have any new or additional documents you would like the Members to consider when reviewing your application (petitions, photos, statistics, etc.) please send them to the Secretary's Office in Albany no later than the Friday prior to the scheduled meeting. If possible, please refrain from bringing new information on the meeting date as the Members need adequate time to review all submissions. If you present a large amount of new material to the Members during the meeting, in all likelihood the decision on your application will be delayed until a future meeting date.

At the meeting when your item is called you may give a brief statement about your application. You should also be aware that if anyone appears at the meeting to protest your application, they may be allowed to speak. Nevertheless, you will be given an opportunity to refute any protests against your application. When all discussion has ended, the Chairman will request the Secretary to call the votes and you will find out their decision.

The Members of the State Liquor Authority are public officers doing the job that is empowered to them. That job, in part, is to issue or refuse to issue any license or permit provided for under the ABC Law. Your job, as an applicant, is to ensure that the representations made in your application are accurate and that public convenience and advantage will be promoted by approval of your license. Please remember, a license to traffic in alcoholic beverages is a privilege, not a right.

Jacqueline Held is the Secretary to the Authority



Secretary Held and Counsel Donohue review case information at the Full Board Meeting

NEW LAWS AND RULES FOR 2008

By Thomas Donohue

As a result of recent legislative and regulatory activity, there are several new laws and rules that effect licensees. The following is meant to be a brief summary of these changes. Unless indicated otherwise, the new laws and rules are now in effect. If you have any questions, please contact the Authority's Office of Counsel at albanycounsel@abc.state.ny.us.

- There is now a standard form to be used by on premises licensees to notify the local municipality of the original application and renewals. The new law is effective October 1, 2008.
- Wineries may conduct wine tastings starting at 10 am on Sundays. The prior law stated that tastings could not start until noon.
- Wineries and Farm Wineries can sell wine for consumption on the grounds of the New York State Fair.
- Ice Cream made with wine will now be considered a non-alcoholic product and may be manufactured and sold without a license from the Authority.
- Colleges will be able to obtain permits to serve alcoholic beverages for educational purposes.
- The New York State Wine & Culinary Center can conduct tastings of and sales of wine, beer and liquor produced in New York State.
- Manufacturers and Wholesalers may participate in, or support, retailer trade associations without violating the "gifts and services" law.
- Last year's law creating the Farm Distiller's license was amended to make clear that the distillers can sell liquor in bulk to wineries, sell liquor produced by other farm distillers, and locate the farm distillery at an existing distillery.
- The definition of "wine" was been changed. "Wine" can now be produced not only from grapes, but also other fruits and plants. The definition of "New York State labeled wine" has also been change to include "other fruits", as well as grapes.
- Class A-1 distillers may sell liquor in bulk to wineries and farm wineries. Class C distillers will be able to sell fruit brandy in bulk to farm wineries.
- A new category of liquor, "New York State labeled liquor" has been added to the law. This will include liquor made from agricultural products with at least 75% of the volume of the products being grown in New York. Class A-1, B-1, and C distillers will be able to sell bottles of New York State labeled liquor to farm wineries, either outright or on consignment. Farm wineries may sell the bottles for off-premises consumption and conduct tastings at the farm winery. The law will go into effect March 24, 2009.
- The "notification date" for wholesalers to advise the Authority of retailers who are delinquent in their liquor and wine bills (the "COD" list) has changed. Under the existing statute, the notification date varied depending on the date of delivery. The new date will be 35 days from the date of delivery. This schedule has already been implemented administratively by the Authority.
- Under current law, wineries and farm wineries can obtain 1 permit each year to conduct tastings at 5 events that are sponsored by charitable organizations. Starting January 23, 2009, multiple permits can be obtained each year.
- The keg registration law has been extended one year, until November 22, 2009. The keg registration fee, now \$75, will decrease to \$50.
- New procedures are in place for obtaining an "all night permit". These are the permits issued to allow on premises retailers to continue serving "after hours" on New Year's Eve. Additional information is available on the Authority's website.

Thomas Donohue is the Counsel to the New York State Liquor Authority

THE LAW REVISION COMMISSION'S REVIEW OF THE ABC LAW

By Thomas J. Donohue

As many of you may be aware, the New York State Law Revision Commission is conducting a review of the Alcoholic Beverage Control (“ABC”) Law. The Commission is a state agency that, among other things, reviews existing laws and makes recommendations as to whether the laws should be replaced or amended.

In 2007, the Commission was directed to review the ABC Law to determine how effective the law, including the way it is administered, is at regulating and controlling the manufacture, sale and distribution of alcoholic beverages. The Commission was also directed to review the ABC law to determine whether it met four objectives: simplicity, ease of administration, fairness and equity. After conducting the review, the Commission is required to issue a report of its findings, conclusions and recommendations.

The Commission held numerous meetings with state and local government officials, representatives of manufacturers, wholesalers and retailers, and other interested parties. These meetings were followed by two day-long roundtable discussions, one held at Brooklyn Law School and the other at Albany Law School. On behalf of the State Liquor Authority, Chairman Boyle, Commissioner Healey and I attended all events.

After hearing the views of the various parties with differing interests, and after extensive research into the history of the regulation of alcoholic beverages and the ABC Law itself, the Commission has issued a preliminary report which is available at the Commission’s website (www.lawrevision.state.ny.us). The report identifies a number of issues that the Commission expects to address when it makes its final report. The Commission is only able to make recommendations. Any changes to the ABC Law will require legislative action.

Among the questions the Commission intends to address are:

- how to keep the State Liquor Authority free from improper political influence;
- whether functions of the Authority should be eliminated, modified or transferred to other agencies;
- whether the Authority’s regulations are outdated or overly burdensome;
- whether the license and permit structure should be streamlined;
- whether licensing standards such as “public interest” and “public convenience and advantage” should be clearly defined in the ABC Law;
- whether there should be changes to the “200 foot rule” and “500 foot rule”;
- whether the prohibition against ownership of more than one package store should continue;
- whether package stores should be allowed to engage in other businesses, such as the operation of ATMs;
- whether wine should be available in grocery stores;
- whether package stores should be allowed to engage in “cooperative purchasing”;
- whether the state’s “gifts and services” law should be more consistent with the federal law; and
- whether, given recent court decisions, the price posting laws should be eliminated or amended.



*Thomas Donohue
Counsel to the Liquor Authority*



B.Y.O.B.

By Kimberly Morella

New Rules for “New Year’s Eve” permits

By Kerri O'Brien

The State Liquor Authority has issued new rules concerning the application process for permits issued for “all night” or “New Year’s Eve” permits. These permits allow retail on premises licensees to continue serving alcoholic beverages after 4 am (or earlier in some counties).

The new rules provide as follows:

Applications for these permits must be filed *at least 45 days in advance*. For those licensees wishing to get permits for this New Year’s Eve, December 31, 2008, applications must be filed on or before November 17, 2008.

Notice of the licensee’s intent to apply for the permit must be sent to the local police department or, if there is no local police department, to the County Sheriff’s Department. The licensee must include, with the application, proof that this notice was mailed. Acceptable proof is either (1) a copy of the notice and a certified mail receipt card or (2) the original, or a copy of the notice stamped and signed by the police department.

In deciding whether to issue a permit to a licensee, the Authority will consider the licensee’s disciplinary history (including pending charges) and whether, given the nature of the event, the licensee has adequate facilities and security plans.

The permit must be displayed in a conspicuous place where the event is held.

The Authority’s Licensing Bureau will make a decision on each application within 10 business days of filing. If the Licensing Bureau denies the application, the licensee can request review of the decision by a Member of the Authority. Such requests should be sent to the Office of Counsel at the Authority’s Albany office. A Member of the Authority will review the decision and make a final determination within 10 business days of receipt of the request.

Kerri O'Brien is Director of Licensing

Q: What is B.Y.O.B?

A: B.Y.O.B. is commonly known as “Bring Your Own Bottle”. It is a practice where unlicensed establishments (whether they are awaiting a licensing decision, have been denied a license, or never applied for one) allow customers to bring an alcoholic beverage to their establishment to be consumed on site. In any case, this practice is a violation of the Alcoholic Beverage Control Law (ABC Law).

Q: I’ve applied for my liquor license, while my license is pending, is it ok to allow my customers to bring their own bottles of wine or other alcohol to have with their meals?

A: Not if your business has a maximum occupancy of 20 seats or more! BYOB is generally not legal in New York State. Those hoping to get a liquor license might jeopardize their chances for approval for permitting such practices.

Q: We have a few regular customers that like a particular brand of liquor with their meals, a brand that we don’t stock. Does the ABC Law allow for a solution that would not require us to order expensive products we have little use for to satisfy our customers?

A: Yes it does. As a licensed establishment, you may allow a customer to ‘bring their own’ provided the beverage is covered by the type of license you have (for example, if you have a wine/beer license, while patrons cannot bring liquor into the establishment, they may bring wine or beer products). The ABC law does not prohibit businesses from charging ‘corkage fees’ for use of glasses, table service, etc.



*Kimberly Morella
Deputy Director of Communications*

FOCUS ON THE HEARING BUREAU

By: Robert Karr, ALJ, Edward Rodriguez, ALJ, Akiva Tessler, ALJ, Roger Rock, Chief ALJ

Over the past six months, the Hearing Bureau has combined its collective resources to increase efficiency and cut waste. This was accomplished by directing the individual talents of the Bureau's Administrative Law Judges (ALJs) and administrative staff toward the needs of the collective group. As a result, the Bureau was able to eliminate inefficiency and waste within the unit.

Some of the improvements made by the Hearing Bureau over the past 6 months include:

- Established a statewide network of ALJs capable of presiding over any disciplinary hearing, with 24 hours notice.
- Created a policy that all case decisions are written within a 30 day deadline.
- Created an ALJ training program for the Hearing Bureau's ALJs.
- Created a program where all ALJs handle their hearings on a rotating basis.
- Established a policy that all ALJs be on-the-bench and ready to go by 10:00 am.
- Created a policy that the daily docket calendar be given to all ALJ's by 10:00 am.
- Created separate ALJ offices more conducive to the decision-writing process.
- Created a "Writing Day" program giving ALJs "think-time" to write their decisions.
- Implemented a policy that all licensees receive a copy of the ALJ's decision.
- Created a "24-Contro" policy that all ALJ decisions be processed within 24 hours.
- Created a writing format greatly improving the quality of all ALJ case decisions.
- Created a standardized hearing adjournment procedure for contested requests.
- Created a standardized transcript ordering procedure to expedite requests.
- Created the "500-Foot-ALJ-for-the-Day" program with a 10 day report deadline.
- Created procedures to operate at maximum efficiency resulting in a virtual elimination of all backlogged case decisions.

With a commitment toward introducing into its future similar policies and programs, the Hearing Bureau is dedicated to continually improving upon its performance as it executes its duties and responsibilities for the Authority and the people of the State of New York. We welcome any ideas or suggestions that will help us to improve upon our operations.



Chief ALJ Roger Rock



ALJ Rodriguez conducts a hearing in the Zone 1 offices

CREDIT-DELINQUENT LIST C.O.D.

By Robert Benedetto

Recently we have received many inquiries relating to credit, credit period, delinquent lists and delivery charges. I will attempt to give a brief explanation of this process to answer the most frequently asked questions on this issue.

Must wholesalers sell on credit to retailers?

A licensed wholesaler is not required to extend credit to a licensed retailer. However, if a wholesaler extends credit to a retailer the ABC Law places conditions on the arrangement. Wholesalers may not extend credit to any retailer on the C.O.D. list.

How long is the credit period?

For the delivery of liquor and wine, the credit period is 30 days from the date of invoice/delivery. For beer and wine products, the credit period depends on which particular credit cycle the delivery date takes place. Both credit calendars can be viewed on the SLA webpage.

What is the C.O.D. list?

If a retailer, who has purchased on credit, fails to pay by the specific due date, the wholesaler must notify the retailer and the State Liquor Authority of the delinquency. For liquor and wine purchases, that notification date is no later than 5 days after payment is due. For beer and wine products, the notification date is no more than 3 days after payment is due. The period between the due date and delinquent notice period is not a grace period for payment of an invoice and that a payment envelope's postmark is relevant to a final payment date as evidence of payment within the credit period. The ABC Law requires the wholesaler to report an account delinquent if payment is not received by the due date. Retailers who are reported as delinquent in payment are added to the C.O.D. list.

What happens if a retailer is on the C.O.D. list?

No wholesaler may extend credit to any retailer on the C.O.D. list. The retailer must pay cash on delivery until the delinquent invoice is removed from the C.O.D. list. Both the wholesaler and retailer are subject to disciplinary charges for credit sales while the retailer is on the delinquent list.

Cash is described in the ABC law as currency and coin of the United States of America, certified check, money order, bank officer's check or draft or a check drawn on the account of the retail licensee payable to the manufacturer or wholesaler and dated no later than the date of delivery of the alcoholic beverages and which is honored upon presentment for payment. If a licensee on the C.O.D. list offers a check from its retail account to the wholesaler which has not been honored, the retailer may be subject to license suspension for up to 15 days for the first offense and not more than 60 days for subsequent offenses.

What charges must be reported?

A wholesaler must put a retailer on the delinquent list for non-payment of the amount due for the alcoholic beverages delivered. The amount due includes not only the price of the alcoholic beverages and any authorized delivery charge. The wholesaler can charge for delivery and failure to pay the delivery charge can result in being placed on the delinquent list. A wholesaler may not put a retailer on the delinquent list or keep a retail account on the list for non-payment of non-alcoholic beverages or interest, penalties or other charges relating to a past due bill. The wholesaler cannot report a retailer delinquent for failing to pay charges related to product being stored in and delivered from the wholesaler's warehouse. The wholesaler will remove the retailer from the delinquent list as soon as possible when payment on the delinquent invoice(s) has been satisfied by the retailer.

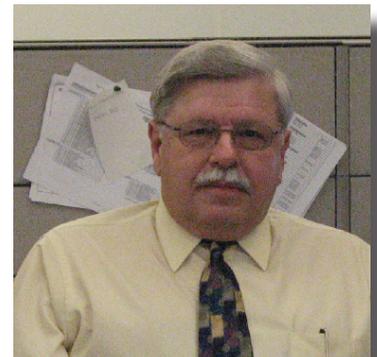
What if there is a dispute as to whether a charge is owed?

If the wholesaler believes the retailer has failed to pay a reportable charge, it must report the default to the SLA. The SLA is empowered to resolve disputes and, under certain conditions, to permit credit sales to persons on the delinquent list.

Can a Temporary Retail Permit holder be given credit?

A person(s) possessing a valid Temporary Retail permit may purchase alcoholic beverages only by currency or check unless the holder of the Temporary Retail permit has a retail license and is operating under such retail license in addition to the temporary permit, and is not delinquent under the provisions of Section 101-a as to any retail license(s) under which he operates.

If you have any further questions or complaints relating to the delinquent list contact the Wholesale Bureau via email at Wholesale@abc.state.ny.us or via telephone at 518-474-6820.



Director of Wholesale Robert Benedetto

CONGRATULATIONS AND FAREWELL

The State Liquor Authority sends best wishes to Ed Reyer who moved to Texas this fall with his family. Mr. Reyer started with the SLA in 2005 as a member of the licensing staff and quickly worked his way up to Regional Director of NYC Operations, then Director of Operations and then Assistant Director of Licensing statewide. Congratulations!

As Assistant Director of Licensing for the SLA, Ed could be found in the office early each day coordinating and organizing efforts to make the licensing experience easier for applicants and more productive and efficient for the agency. Under the direction of Deputy Commissioner Kerri O'Brien, Ed helped implement the new, more efficient license applications, clamp down on misuses of one-day-permits and foster communication with local Police Departments involved in the permits.

Some of Ed's innovations included; rotating employees to help cross train staff, providing additional tools for staff to learn proper procedures in processing licenses, utilizing individual talents to maximize staff output, and increasing staff in overburdened units.

Ed will be missed by all at the SLA and we wish him best of luck in his future endeavors.



Commissioner Noreen Healey, Assistant Director of Licensing Ed Reyer, Commissioner Jeanique Greene

DISCIPLINARY PENALTIES

The following businesses received penalties from the Full Board of the State Liquor Authority. They were selected randomly from the Full Board calendars from July 2008 to September 2008. The penalties are reported to raise the awareness by informing licensees on the potential penalties for violations of the New York State Alcoholic Beverage Control Law. Our goal is to help deter future violations by alerting licensees to potential penalties they may face.

Type of License	Violation	Penalty	City
Bar	Sale to Minor(s)	License Suspension 15 Days Civil Penalty \$8,500	Bronx
Bar	Availing, Sale to Minor(s), Disorderly Premises, Failure to Supervise	Cancellation \$15,000 Civil Penalty	New York
Bar	Failure to Notify of Arrest, Refusal to appear and/or testify	Cancellation \$15,000 Civil Penalty	New York
Convenient Store	Sale to Minor	Civil Penalty \$6,500	Massena
Bar	Disorderly Premises Assault/Altercation* prior adverse history	Civil Penalty \$2,000	Utica
Club	Sale to Non-Member, Gambling, Failure to Comply w/Local Regulations	Revocation \$1,000 Bond Claim	Oswego
Bar	Sale to Minor(s), Sale to Minor under 18 years old	License Suspension 10 Days Civil Penalty \$2,500	Hudson Falls
Bar	Sale to Minor under 18 years old *prior adverse history	Civil Penalty \$5,000	Rochester
Bar	Unlimited Drinks	License Suspension 15 Days Civil Penalty \$10,000	Rochester
Bar	Extensio[n] of Premises, Unlicensed Security Guards, Failure to Supervise, Employment of Felon, Disorderly Premises	Revocation \$1,000 Bond Claim Plus 2-year Proscription	Albany
Restaurant	Sale to Minor	Civil Penalty \$2,000	Ticonderoga
Bar	Disorderly Premises Assault/Altercation, Unlicensed Security Guards	License Suspension 20 Days, Civil Penalty \$1,000	Perry
Convenient Store	Availing, Sale to Minor(s), Disorderly Premises, Failure to Supervise	Cancellation Civil Penalty \$1,000	Ronkonkoma

The Mission of the New York State Liquor Authority

Chapter 478 of the Laws of 1934, known as the Alcoholic Beverage Control Law, created the State Liquor Authority and the Division of Alcoholic Beverage Control. The Legislature enacted this measure “for the protection, health, welfare and safety of the people of the State.”

The SLA has two main functions: issuing licenses and ensuring compliance with the Alcoholic Beverage Control Law. The Authority’s Licensing Bureaus are responsible for the timely processing of permits and licenses required by the ABC Law. The Compliance Unit is responsible for the protection of the public by working with local law enforcement agencies to uphold the law and bring administrative action against licensees who violate the law.

The Authority seeks to:

Respect applicants and licensees;

Work cooperatively with community groups and local leaders to ensure public participation in the licensing and enforcement process;

Increase productivity by utilizing available resources, education and training to successfully deliver a quality service to our customers;

Ensure that those who do not respect the privileges of holding a license are fairly and firmly disciplined;

and

To create a unified, comprehensive approach to all Agency functions to achieve maximum effectiveness and efficiency.



The Alfred E. Smith Office Building
Albany, NY

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