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EXECUTIVE DEPARTMENT

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

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MATCHBOX LOSES LIQUOR LICENSE

Liquor Authority Orders Emergency Summary Suspension

ALBANY – (January 10, 2008) The New York State Liquor Authority (SLA) summarily suspended the license of the Matchbox Bar & Grill at 25 Newcomb Street in Cohoes. The suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle and Commissioner Noreen Healey at the full Board meeting on Wednesday, January 9, 2008.

On January 5, 2008, the Cohoes Police Department (CPD) responded to a shooting occurring outside the entrance to the bar resulting in a serious injury to a patron. The shooting followed an altercation occurring inside the premises earlier that evening. As a result, the licensee was charged by the SLA with allowing the premises to become disorderly and with failure to exercise adequate supervision. Since March of 2007, the bar has become a focal point for police attention, as Cohoes Police responded to various incidents including intoxicated and disorderly patrons, larceny and code violations. In November of 2007, in an effort to address these concerns, SLA Enforcement personnel met with the licensee to discuss the supervision of the areas outside the premises. The licensee acknowledged the bar had become disorderly and agreed to address law enforcement concerns. However, on December 15, 2007, SLA investigators assisted the CPD and the Albany District Attorney's Office on a compliance check and uncovered that the bar continued to employ unlicensed security guards and failed to maintain adequate books and records. In addition, based on recent referrals from the CPD, the bar was also cited for disorderly premises, noise violations and code violations. Determining the bar posed an imminent threat to the public, the Members of the Authority voted to impose an emergency summary suspension of the license. Effective immediately, no alcohol can be served or consumed on the premises.

“The SLA will not tolerate violent bars that become a danger to their communities,” State Liquor Authority CEO Joshua Toas said. “The decisive action taken by the Members of the Liquor Authority sends a clear message that when bar owners act irresponsibly, they will lose the privilege of holding a license.”

“I want to thank the SLA for assisting us in this matter,” said Cohoes Chief of Police William Heslin. “This bar is a dangerous place and I commend the SLA for taking swift action.”

In addition to the incidents cited above, the Matchbox was previously charged by the SLA for failure to supervise the premises in August 2007 and disorderly premises, sale to minor and failure to have licensed security guards in June 2007. In resolution of these charges, the Board imposed a civil penalty of \$4,500.

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatively requires emergency action. When the SLA summarily suspends a liquor license, it also serves upon the licensee a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation(s), considering each licensee’s disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension. The SLA’s decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge to address the alleged violation(s) that led to the suspension. An order of summary suspension remains in effect until such time as it is modified by the State Liquor Authority or a reviewing Court.

The State Liquor Authority regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

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