



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

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IN REPLYING REFER TO
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MEDIA ADVISORY

For Immediate Release

February 2, 2006

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**STATE LIQUOR AUTHORITY SUSPENDS LICENSE OF HERKIMER COUNTY BAR
Joint Raid of Establishment Successful in Preventing Underage Drinking**

Albany, NY-The New York State Liquor Authority (SLA) today announced the summary suspension of the liquor license for licensee John A. and Rosanne Franco dba "Lockside Country Inn" located at 1053 State Route 5S in German Flats, NY. The restaurant is located between Mohawk and Little Falls and was the site of a raid after 11 PM on Saturday January 28, 2006. In this joint effort by the State Police from Troop D and the Liquor Authority 35 persons were arrested and numerous violations of the Alcoholic Beverage Control Law were cited.

"Our efforts, combined with that of the New York State Police exemplify our system working at its best. When a bar poses an imminent threat to public health and safety we will take all legal measures to end that threat." said Chief Executive Officer Joshua B. Toas.

The license was summarily suspended by the Members of the Authority at their meeting on February 1, 2006. SLA Investigators served the suspension on February 2, 2006 and removed the license from the owners. The summary suspension remains in effect indefinitely and can only be reversed by Court order or action of the Authority.

Charges currently pending against the licensees include 10 violations of the Alcoholic Beverage Control Law which consist of, serving visibly intoxicated persons, selling premixed alcoholic beverages and "jello shots", unlimited drink specials and 19 counts of serving alcohol to minors.

"The compounding factor here is the underage drinking that was permitted; such flagrant disregard for the law will not be tolerated by the Liquor Authority." CEO Toas added.

Investigator Reece S. Treen of the State Police in Herkimer said "This ABC check conducted by the State Police and the NY State Liquor Authority was in response to complaints by local citizens of underage drinking taking place at this establishment. The investigation resulted in the

arrests of 31 underage drinkers and four employees of the bar for Unlawfully Dealing with a Child, as well as the suspension of the liquor license and numerous other State Liquor Authority violations. Bar owners and employees should realize that it is a crime to serve alcohol to persons under the age of 21."

A Notice of Pleading, which is similar to a Summons in Civil Court, has been issued to the licensee. The Liquor Authority's investigation is ongoing. A licensee found in violation could face disciplinary action which includes a monetary civil penalty, revocation of the liquor license, and/or issuance of a proscription for up to two years. A proscription would prohibit the landlord or any prospective buyers from opening a SLA licensed establishment on the premises.

Licensees found selling alcohol to minors face civil and criminal charges. Criminal charges can be filed against bartenders that serve minors and for minors found in possession of an alcoholic beverage. The charge currently carries a \$50 fine. Governor Pataki's recently unveiled Executive Budget calls for an increase of four times the current fine, raising it to \$200 per violation.

On the Web: www.abc.state.ny.us

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