



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

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IN REPLYING REFER TO
Albany

MEDIA ADVISORY

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LICENSE SUSPENDED AT CLUB 90 IN ALBANY
Liquor Authority Issues Summary Suspension for Dangerous Bar

Albany, NY - The New York State Liquor Authority (SLA) summarily suspended the license of the 25 Over Tavern, Inc, also known as "Club 90" at 90 Central Avenue in Albany. 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, October 3, 2007.

On September 21, 2007 the Albany Police Department (APD) was called to the licensed premises in response to gunshots fired inside the bar, resulting in injuries of two patrons. Based on investigations conducted by the APD and the State Liquor Authority, Club 90 was charged with several violations of the ABC Law including; failure to provide adequate supervision in connection with the shootings, disorderly conduct for permitting drug use on the premise, knowingly employing a felon, employment of unlicensed bouncers, and for extending the premises without approval by the State Liquor Authority. Today, the Members of the SLA determined the bar poses an imminent threat to the public and voted for emergency suspension of the license. Effective immediately, no alcohol can be served or consumed on the premises.

"I want to commend the Albany Police Department for their outstanding work in this case," State Liquor Authority Chairman Boyle said. "This investigation and the action taken today illustrate how cooperation between law enforcement officials and the SLA can help to ensure the safety of the public."

"Today's decision by the New York State Liquor Authority sends a clear message to any establishment in the City of Albany that the type of atmosphere that was prevalent at Club 90 will not be tolerated and there will be consequences. The safety of the patrons who visit the bars, clubs and taverns should be of the utmost importance to those who operate them," said Chief James W. Tuffey.

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. 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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