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SLA ORDERS EMERGENCY SUSPENSION **Investigators Uncover Rampant Underage Drinking at Colonie Bar**

Albany, NY – The New York State Liquor Authority (SLA) suspended the license of Andrew Prial doing business as “The Landing Zone” at 155 Wade Road in Latham. The suspension was ordered by Members of the SLA, Chairman Dennis Rosen, Commissioner Jeanique Greene, and Commissioner Noreen Healey at a meeting of the Full Board on Wednesday, March 16, 2011. Effective immediately, no alcohol can be served or consumed on the premises.

On March 10, 2011, an underage compliance team consisting of the SLA, the Colonie Police Department (CPD), and the NYS Department of Motor Vehicles (DMV) entered the premises to find 100 of the approximately 150 patrons present were underage during an \$10 “all you can drink” special. The SLA obtained 15 statements from minors, with eight admitting to purchasing alcohol, and another seven stating they obtained drinks from other patrons. Although minors were given a yellow wrist band upon entering the premises indicating they were underage, investigators witnessed these same minors purchasing alcohol from, as well as consuming alcohol in plain sight of, the owner and his staff.

“The licensee provided wrist bands to minors not to ensure they wouldn’t have access to alcohol, but rather as a feeble and failed attempt to fool law enforcement officials,” said SLA CEO Trina Mead. “Just as troubling, for \$10 these minors could surfeit themselves beyond the point of intoxication. These actions are not just illegal, they’re dangerous and this blatant and flagrant disregard of the law will not be tolerated.”

“Establishments that disregard the law and put the public’s safety in jeopardy will not be tolerated,” said Executive Deputy Commissioner J. David Sampson of the Department of Motor Vehicles. “I commend the SLA, Colonie Police Department and DMV investigators for their actions against those who would foster the reckless behavior of underage drinking.”

“This arrest is representative of a continuing effort by the Colonie Police to address the problem of underage drinking and its aftermath,” said Colonie Police Department Chief Steven H. Heider. “This investigation is another example of a successful result from a collaboration of our department, the New York State Liquor Authority and the New York State Department of Motor Vehicles.”

The eight employees on duty that night were all found to be paid off the books, while the three bouncers on call were unlicensed. The SLA charged the bar with 28 violations, including underage sales, unlimited drinks, unlicensed bouncers, contaminated bottles, and failure to supervise the premises. The DMV ticketed five patrons for possession of an altered NYS drivers’ license. The licensee has prior violations with the SLA. In 2006 the SLA imposed a \$5,000 penalty on the Landing Zone for selling to minors, sales to intoxicated patrons and failure to supervise. In 2007 the bar paid a \$10,000 penalty and served a 30-day suspension for disorderly premises, selling to a minor and for exceeding maximum occupancy. In 2010 the SLA imposed a \$6,000 civil penalty and a 10-day suspension for smoking, improper books and records, purchasing from an unauthorized source and for employing unlicensed security.

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Background:

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare requires emergency action. When the SLA summarily suspends a license, it also serves a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation, 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. 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.

