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SLA ORDERS EMERGENCY SUSPENSION FOR TIVOLI BAR
Investigators Uncover Widespread Underage Drinking at The Black Swan Pub

Albany, NY – The New York State Liquor Authority (SLA) suspended the license of Cignanero LTD., doing business as “The Black Swan Pub” at 66 Broadway in the Village of Tivoli. The suspension was ordered by Members of the SLA, Chairman Dennis Rosen and Commissioner Jeanique Greene, at a special meeting of the Full Board on Wednesday, December 12, 2012. Effective immediately, no alcohol may be served or consumed on the premises.

On December 6, 2012, following recent complaints of underage drinking and excessive noise, undercover SLA Investigators entered the premises. After determining a large number of patrons appeared to be underage, additional SLA Investigators and deputies from the Dutchess County Sheriff’s Office entered the premises to conduct a joint underage drinking compliance inspection. Investigators documented thirteen underage purchases, including sales made directly by the licensee. In addition, Investigators found that although the bar provided wrist bands for patrons 21 years of age and over, this security measure was ignored by staff and the licensee.

The SLA charged the bar with eighteen violations, including underage sales, unlicensed bouncers, paying employees off the books, and failure to supervise the premises. In addition, the Dutchess County Sheriff’s Office arrested the licensee and two bartenders for unlawfully dealing with a child. The bar was previously fined by the SLA \$2,000 on August 23, 2006 for excessive noise, and \$4,000 on May 27, 2009 for employing unlicensed bouncers and employees off the books.

“It is clear that preventing illegal underage sales was not a concern of this licensee or his employees,” said SLA Chairman Dennis Rosen. “Cracking down on underage sales is a priority for the SLA and we will continue working with local law enforcement to aggressively prosecute licensees that break the law.”

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 SLA or a reviewing Court.

The SLA 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.

On the Web: www.sla.ny.gov

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