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EMERGENCY SUSPENSION ORDERED FOR TWO ONEONTA BARS Investigations Uncover Widespread Underage Drinking

Albany, NY – The New York State Liquor Authority (SLA) issued two emergency suspensions today for Legends Filling Station at 84 Main Street, and Choice Ultra Lounge at 3-5 Market Street, both in the City of Oneonta. The suspensions were ordered by Members of the SLA, Chairman Vincent Bradley and Commissioner Kevin Kim at a regular meeting of the Full Board on Tuesday February 2, 2016. Effective immediately, no alcohol can be served or consumed on the premises.

Following recent complaints of underage drinking at both establishments, on Saturday January 30th, investigators from the SLA, assisted by the New York State Police, SUNY Oneonta Police and the Oneonta Police Department conducted compliance inspections. At Legends Filling Station, SLA investigators documented ten direct sales to minors, in addition to obtaining one sworn statement from an underage patron. The bar was charged with thirteen violations, including eleven underage sales, failure to supervise the premises, and employing an unlicensed bouncer. Legends Filling Station was previously fined \$3,000 in December 2015 for an unlimited drink special, \$8,000 in September 2014 for selling to a minor and a visibly intoxicated patron, and \$3,500 in July 2013 for two sales to visibly intoxicated patrons.

At Choice Ultra Lounge, the investigation team found that of the approximately 85 patrons at the bar, 70 were underage, with SLA investigators documenting twelve direct sales to minors. The bar was charged with fourteen violations, including twelve underage sales, failure to supervise the premises, and for failing to offer food, as the establishment is licensed as a restaurant. Choice Ultra Lounge was previously fined \$3,000 in March of 2015 by the SLA for selling to a minor.

“Cracking down on underage sales is a priority and the SLA will not hesitate in taking immediate action against bars that blatantly break the law,” said SLA Vincent Bradley. “We will continue work with our state and local our partners in law enforcement across the state to hold licensees accountable.”

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 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.

On the Web: www.sla.ny.gov