NEW YORK STATE LIQUOR AUTHORITY

IT IS HEREBY RESOLVED, pursuant to Section 17 of the Alcoholic Beverage Control Law, that we, VINCENT BRADLEY AND KEVIN KIM, Members of the State Liquor Authority, hereby delegate the following powers with respect to applications to the following employees of the Authority, collectively known as the Licensing Board:

- The power to act on any license, permit or renewal application statewide – Kerri O'Brien and Jacqueline Held;

- The power to remove members of the Licensing Board when they are no longer employed by the Authority – Kerri O'Brien and Jacqueline Held;

- The power to act on any license, permit or renewal application statewide that has no opposition or no complex or controversial issues – Amy Male, David Becker, Elizabeth Dygert, William Crowley, Erin Connors, David Edmunds, Nancy Smith, Susan Cappuccitti, Michael Hotter, James Martin, Jacqueline Held, Peter Klein & Andrea Pomeroy;

- The power to issue a 20 Day Temporary Letter when the only conditions of approval that have not been submitted to the Authority are: Certificate of Authority, Workers' Compensation & Disability Insurance, Newspaper Affidavit, photos showing the applicant is ready to open and operate and/or surrender of the current license in effect – Kerri O'Brien, Jacqueline Held, David Edmunds, Amy Male & David Becker;

- The power to act on permit applications statewide – Maureen Hughes, Lorraine Maloney & Sarah Ashton;

- The power to act on Temporary Retail Permit and Liquidation Permit applications in Zone 1 – Rosemary McKenna & Jennie Eastman;

- The power to act on any license or permit application in Zone 1 that has no opposition or no complex or controversial issues – Barry Sender, Juan Herrera and Larry Fowler;

- The power to act on any renewal application that has no opposition or no complex or controversial issue – Lorraine Maloney, Maureen Hughes, Kaleena Stewart, Scott Lindgren, Matthew White, Kai Fambo, Frank Nicholson, Parag Shah, Stephanie Kehn, Diwanti Pariag, Irma Johnson & Jordan Cerniglia;

IT IS HEREBY FURTHER RESOLVED that, notwithstanding the aforesaid delegation of powers, the following licensing matters must be presented to the Full Board for consideration unless there is a statutory provision requiring the disapproval of the application by the Licensing Board:

- All new package stores, except for removals when there is no change in the 4 closest stores and the new location is:

  1) In New York City and is no more than 400 feet from the current location; or
  2) Outside of New York City and is no more than 1,500 feet from the current location.

- Applications where an application filed by the applicant or for the location has been disapproved within the last 2 years;

- Applications for a premises where the prior license was revoked or cancelled must be forwarded to the Full Board. The following are exceptions where licensing may act in these situations:

  1) The prior license was cancelled and there is nothing in the record to show a connection between the prior licensee and the applicant;
  2) The prior license was revoked and there is nothing in the record to show a connection to the applicant and there is no "public convenience and advantage" or "focal point" issue involved;
  3) The application is subject to the 500 foot law, there are no objections and the applicant has submitted a "public interest" statement in support of the application;
  4) An application where the prior license was cancelled or revoked and that penalty was based solely on the prior licensee having been a prohibited person by revocation; and
  5) The prior license was cancelled due to non-payment of a civil penalty and no other complex or controversial issues exist.

- Applications where there is a STOP on the applicant or premises;

- Applications involving questions of eligibility of the applicant (citizenship, conviction record, police officer);

- Review of Licensing Board determinations disapproving an application;

- Reconsiderations of prior Full Board licensing determinations;

- Applications where a protest to an application has been received from a governmental/elected official, police agency or municipality;

- Applications for on-premises licenses in the city/town of Spring Valley, Rockland County;

- Applications for any license in the Village of Hempstead, Nassau County;

- Applications for establishments with an occupancy of 75 or more that require a waiver of Section 48.4(d)(2) of the Rules of the Authority (two restroom rule);

- Applications for establishments serving beer for on premises consumption (class designation "EB") in the counties of New York, Queens, Kings, Richmond, Bronx, Suffolk, Nassau and Westchester that have a capacity of less than 20 seats, are open 24 hours a day or are requesting a change in the class of license from a Grocery Store (A or AX) to an Eating Place Beer (EB);

- All other applications which, in the judgment of the Deputy Commissioner of Licensing, involve unusual, complex matters or those involving the public interest;

- Any application for a substantial corporate change where there is a change of 70% -79% of the officers and/or directors or LLC Members, a transfer of 70% - 79% of stock of the corporation or LLC or an existing stockholder obtaining 70% - 79% of stock of the corporation or LLC.

IT IS HEREBY FURTHER RESOLVED that the delegation of powers set forth herein is effective immediately and all prior delegations of power with respect to action on licensing applications are hereby rescinded.

We, VINCENT BRADLEY and KEVIN KIM, Members of the State Liquor Authority, certify that the foregoing is a true copy of the resolution duly adopted by the State Liquor Authority at a meeting of its Members held on November 3, 2015.

Kevin D. Kim

Member, State Liquor Authority

Vincent G. Bradley

Member, State Liquor Authority