



**STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

STATE LIQUOR AUTHORITY

80 S. Swan Street  
Albany, New York 12210

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Buffalo, New York 14203

**IN REPLYING REFER TO  
Albany**

**MEDIA ADVISORY**

For Immediate Release

November 21, 2008

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**EMERGENCY LIQUOR LICENSE SUSPENSION ORDERED FOR ALBANY BAR  
SLA Board Votes for Emergency Summary Suspension for Long Branch**

*Albany, NY* – The New York State Liquor Authority (SLA) summarily suspended the license of 53 North Lake Avenue Inc., doing business as “Long Branch” at 53 North Lake Avenue in Albany. The suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle, Commissioner Jeanique Greene, and Commissioner Noreen Healy at the meeting of the Full Board on Thursday, November 20, 2008.

On October 23, 2008 SLA investigators and the Albany Police Department made a disclosed visit to the licensed premises. Due to the large number of apparent underage patrons observed during the disclosed visit, the SLA conducted an interview with the licensee on October 31, 2008 at the Albany SLA Office. The SLA warned the licensee of the serious violations that could result from serving to minors.

On November 14, 2008, the APD, SLA Investigators and investigators from the NYS Department of Motor Vehicles visited the premises in response to a call regarding a female having a seizure. The SLA obtained written statements from twenty-three underage patrons indicating they were served alcohol directly by the bartender. The DMV issued 31 tickets to patrons for possession of an altered identification and one ticket for possession of a forged instrument.

Prior to this incident the licensee was charged with having an unlimited drink special in March and April of 2003 and several sales to minors in April of 2003. In resolution of those violations, the licensee paid \$2,500 and served 10 days suspension. Additionally, the licensee was charged with permitting a disorderly premises in December of 2003 and paid a \$1,500 fine. The Members of the SLA determined the bar poses an imminent threat to the public and voted unanimously for an emergency suspension of the license. Effective immediately, no alcohol can be served or consumed on the premises.

“The State Liquor Authority will not tolerate establishments that ignore the law,” said Chairman Boyle. “This Board will take immediate action when licensees pose a threat to public health, safety, and welfare.”

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. In invoking a summary suspension, the SLA has deemed the violation(s), 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 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 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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