



ANDREW M. CUOMO
Governor

VINCENT G. BRADLEY
Chairman

LILY M. FAN
Commissioner

GREELEY FORD
Commissioner

DELEGATION OF POWER

Delegation of Power with respect to Licensing Board

Agenda #2018-01546A

Pursuant to Section 17 of the Alcoholic Beverage Control Law, the 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, Jacqueline Held and Sharif Kabir;
- 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, Michael Jones, Erin Connors, David Edmunds, Nancy Smith, Susan Cappuccitti, Peter Klein, Andrea Pomeroy, Stephanie Kehn, Christine North, Brian Christy, Maureen Hughes, James Martin, Juan Herrera, Larry Fowler & Jennie Eastman;
- 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, Vincent Bradley, Sharif Kabir & Amy Male;
- The power to act on all types of permit applications statewide Lorraine Maloney, Sarah Ashton, Jennifer Cramer & Courtney Moore;
- The power to act on Temporary Retail Permit and Liquidation Permit applications in Zone 1 Thomas Kelley, Crystal Vanderpool, Jennifer Marzolf, Joseph Severance, John Manion & Ana Poscidonio;

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- The power to act on any renewal application that has no opposition or no complex or controversial issue – Emily Ercolano;

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 four 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) In Nassau County and is no more than 1,500 feet from the current location; or
 - 3) Outside of New York City/Nassau County and is no more than one-half mile from the current location; or
- 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 the Full Board has issued an emergency summary order of suspension regarding the proposed licensed premises within the last five years;
- Applications where there is a STOP on the applicant or premises;
- Applications involving questions of eligibility of the applicant (citizenship, conviction record, police officer);

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- Reconsiderations of Licensing Board determinations disapproving an application when A member of the Authority has determined that reconsideration is warranted;
- 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 Village of Spring Valley, Rockland County;
- Applications for any license in the Village of Hempstead, Nassau County; and
- All other applications which, in the judgment of the Deputy Commissioner of Licensing, involve unusual, complex matters or those involving the public interest.

This delegation of powers shall be effective immediately and replace all prior delegations of power with respect to action on licensing applications.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on July 25, 2018 before Chairman Vincent Bradley, Commissioner Lily Fan and Commissioner Greeley Ford. The above written delegation of power was approved by Chairman Bradley on behalf of the Members of the Authority on August 3, 2018.

Dated: 8/7/18



Thomas J. Donohue
Secretary to the Authority