



**ANDREW M. CUOMO**  
Governor

**VINCENT G. BRADLEY**  
Chairman

**LILY M. FAN**  
Commissioner

**GREELEY FORD**  
Commissioner

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**DELEGATION OF POWER**

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Delegation of Power with respect to matters to be determined by the Full Board

Agenda #2020-00379E

Pursuant to prior delegations issued by the Members of the Authority and currently in effect, determination of certain licensing, disciplinary and miscellaneous matters have been delegated to the Chairman and other officers and employees of the Authority. Matters not delegated must be submitted the Members of the Authority for consideration.

Section 16 of the Alcoholic Beverage Control Law requires that at least two of the three Members be present to constitute a quorum to conduct business. As a result, the Members of the Authority constitute a “public body” under this state’s Open Meeting Law<sup>1</sup> and every meeting of the Members of the Authority must be open to the public.<sup>2</sup>

Governor Cuomo has declared a State of Emergency and taken related action to help in efforts to contain the spread of the novel coronavirus (also known as COVID-19). Gatherings of large numbers of persons, such as sporting events, have been cancelled or have restrictions on attendance to minimize the risk of the spread of the virus.

Although not a large event, the meetings of the Members of the Authority (also known as Full Board Meetings) draw attendees from various parts of the state to the Authority’s three offices. In recognition of the possibility that further action may be taken to suspend events such as the Full Board Meetings, the Members of the Authority find it necessary to take steps that will allow core functions of the agency to continue without the need for Full Board Meetings.

Therefore, pursuant to Section 17 of the Alcoholic Beverage Control Law, the Members of the State Liquor Authority hereby delegate to the Chairman the power to act on any matter that currently requires a determination by the Members of the Authority, including but not limited to the determination of any licensing matter that falls outside the delegated jurisdiction of the Licensing Board and any disciplinary matter that is not eligible to be processed as a “Non-calendar” item.

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<sup>1</sup> Public Officers Law Section 102(2)

<sup>2</sup> Public Officers Law Section 103(a)

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This delegation is subject to the following conditions:

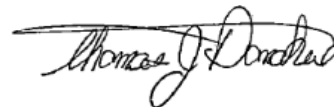
- The powers delegated to the Chairman shall not become effective unless and until the Governor directs the suspension of Full Board Meetings.
- Once in effect, the powers delegated shall terminate upon the Governor directing that Full Board Meetings may resume.
- The Secretary to the Authority shall continue to create calendars and schedule items for Full Board Meetings. However, in lieu of the Full Board Meeting the Chairman shall review and determine the items on each scheduled calendar.
- The Chairman's review of each calendar shall be recorded and, to the extent possible, webcast live. However, since the Chairman's review of each calendar is not a public meeting, members of the public will not be able to attend or participate via video conference.
- The Secretary to the Authority will advise the parties to all licensing and miscellaneous matters that any presentation in support or opposition must be submitted via email by the date set forth in the notice (as is the current practice) and no other submissions and no appearances will be permitted.
- The Secretary to the Authority will advise all licensing applicants that they may request to have their application held in abeyance until such time as Full Board Meetings resume.
- In the Chairman's discretion, and to the extent practical, the Chairman may allow licensees who have a matter that was the subject of a disciplinary hearing or who entered a No Contest plea (not a Conditional No Contest plea) to be heard via telephone prior to any determination being made on the matter.

This delegation of powers shall be effective immediately.

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This matter was heard and determined by the Members of the Authority at a Special Full Board meeting held on March 16, 2020 before Chairman Vincent Bradley and Commissioner Greeley Ford. The above written delegation of power was approved by Chairman Bradley on behalf of the Members of the Authority on March 16, 2020.

Dated: 3/16/20



Thomas J. Donohue  
Secretary to the Authority