

Nicholas Viest
Chair

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The City of New York Manhattan Community Board 8

October 18, 2013

Kerri J. O'Brien
Deputy Commissioner
State Liquor Authority
80 South Swan Street, Suite 900
Albany, New York 12210-8002

RE: Requesting the State Liquor Authority require applicants seeking a license renewal to appear before the Community Board, if requested, as a condition of renewing their license

Dear Ms. O'Brien:

At the October 16, 2013 Full Board meeting of Manhattan Community Board 8, the following recommendation was adopted by a vote of 33 in favor, 0 opposed, 0 abstention, and 0 not voting for cause.

WHEREAS, in most circumstances only State Liquor Authority (SLA) applicants applying for New Liquor Licenses, Alterations and Corporate Changes will appear before Community Board 8M; and **WHEREAS**, Community Board 8M regularly receives notice from renewal applicants for whom there is a known problem, which may include: community or 311 complaints, operating in a way that interferes with the quality of life for area residents, running an establishment that puts the safety of its patrons or the community at large in jeopardy and/or running an establishment contrary to prior agreements with the community board or the SLA; and **WHEREAS**, the purpose of requesting that these renewal applicants appear before the board is to seek solutions to the problems which allow proprietors to run their establishments successfully, but in a manner that addresses the safety and quality of life concerns of the community; and **WHEREAS**, unless the applicant appears before Community Board 8M when requested to do so, we are unable to work with the proprietors to resolve any problems; and **WHEREAS**, businesses that consistently operate with multiple violations or are the subject of multiple community complaints are generally less likely to attend these meetings; and **WHEREAS**, Community Board 8M will normally disapprove applications for either a refusal to appear or failure to address significant violations by an establishment, the SLA will generally automatically approve most renewal applications; and **WHEREAS**, circumventing the community board review and comment process for renewals eliminates any opportunity for public review and limits the accountability of a licensee and the ability of the board to work with the establishment to find solutions to the problems or complaints with the licensee; and **WHEREAS**, if the SLA required applicants seeking renewal license to appear before a community board, if requested to do so by said board, prior to the granting of a renewal it would greatly foster the ability for mutually beneficial resolutions; **THEREFORE, BE IT RESOLVED**, that Community Board 8M urges the SLA to establish an administrative policy requiring applicants seeking renewal licenses appear before the community board if and when requested to do so by the board, and that the SLA delay or deny the issuance of a license renewal to any applicant who fails to do so; and

BE IT FURTHER RESOLVED, that Community Board 8M requests our elected representatives to enact any necessary enabling legislation to authorize or mandate such a policy if the SLA is unable or unwilling to do so within a reasonable period of time.

Please advise this office of any action taken regarding this matter.

Sincerely,

Nicholas Viest
Chair

Jonathan Horn & Domenico Minerva
Co-Chairs, Street Life Committee

Cc: Hon. Michael Bloomberg, Mayor of the City of New York
Hon. Scott M. Stringer, Manhattan Borough President
Hon. Liz Krueger, New York State Senator
Hon. Dan Quart, New York State Assembly Member
Hon. Micah Kellner, New York State Assembly Member
Hon. Jessica Lappin, New York City Council Member
Hon. Daniel Garodnick, New York City Council Member