

News on Eating, Drinking and Cooking

May 28, 2010, 10:46 am

Liquor Board Will Still Allow Self-Certification by License Applicants

By GLENN COLLINS

Two weeks ago, the New York State Liquor Authority announced that in July, a bureaucratic reform that had reduced the worst liquor-license logjam in memory would be sunsetted because it was such a success.

It's still a success, according to the agency's chairman, Dennis Rosen — but it won't be coming to an end any time soon.

So, what gives?

The new program, called the self-certification process, allowed applicants' lawyers to vouch for important information required on the complex 26-page licensing form, rather than waiting for inspectors to verify it.

Bar and restaurant owners had been waiting as much as nine months for licenses to be approved.

Mr. Rosen had said this month that the license backlog had been reduced to 871 from 2,116, and that the waiting time had been cut in half to three months for applicants in New York City, Long Island and Westchester County — and to less than a month elsewhere in the state.

But in a meeting of the authority's board on Wednesday, Mr. Rosen said the budget impasse in Albany would affect the agency's functioning severely enough to keep self-certification in place, to keep the backlog from growing again.

Self-certification will continue “due to budget constraints,” said William Crowley, a spokesman for the authority. Although layoffs and furloughs were a concern, the most threatening situation was “the prohibition on overtime for state employees,” he said.

Some of those who represent bar and restaurant owners greeted the news with a sigh of relief.

Leonard M. Fogelman, a liquor license lawyer in Manhattan, said that “I am extremely pleased” at the news, adding that he had had “a good experience with self-certification, which enabled our clients to get their licenses expeditiously.”

Mr. Fogelman added, “This, in turn, enabled them to open up their establishments and start making money and start hiring people, all of which was benefiting the state due to the increased collection of taxes.”

In certifying the liquor-license data, applicants' lawyers vouched for it — and faced criminal penalties for supplying false information — making authority examiners' time-consuming verification unnecessary.

But during the months of self-certification, three lawyers were censured for supplying incomplete applications — though none have yet to face criminal charges.

As a result, Mr. Crowley said, “The S.L.A. will be auditing a greater number of applications accepted under the program, to ensure that the information presented is accurate.”