

News on Eating, Drinking and Cooking

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Liquor License Procedures Return to Normal as Backlogs Decline

By GLENN COLLINS

And now, stunning news from Albany: the demise of a program that was so successful it will soon cease to exist.

Last fall, the then-new chairman of the New York State Liquor Authority, Dennis Rosen, implemented a clutch of streamlining procedures intended to break the worst liquor license logjam in memory, where bar and restaurant owners were waiting as much as nine months for examiners to grant approvals.

A centerpiece of that reform was a self-certification process that allowed applicants' lawyers to legally vouch for important licensing information required by the authority's Byzantine 26-page form.

On Wednesday, at Mr. Rosen's urging, the authority's board voted unanimously to end the self-certification process, starting on July 1. Self-certification "has worked well, and accomplished what we hoped it would," the chairman said in an interview.

The statistics — supplied by the authority — speak for themselves. Last October, the backlog of licenses was 2,116, of which 1,018 were older than three months. The current backlog is 871, for the most part representing recent applications. In New York City, Long Island and Westchester, the waiting time is three months or less for most applicants; in the rest of the state, the waiting time for a license is less than one month, Mr. Rosen said.

Since last September, remarkably, when 3,146 applications were submitted, 3,763 applications were approved — in other words, 617 more applications were approved than received. (The discrepancy is because of the approval of older applications that were already in the system.) During the last nine months, 768 self-certification applications were received and all but 168 have been approved.

Aside from success, another reason to end the self-certification process was that "we were aware of one criticism of the program from the beginning, that it created a two-tier system to fast-track applications only from those who were represented by lawyers," Mr. Rosen said. "But now that the backlog has been substantially reduced, it's time to put everyone back on an even footing."

But if government furloughs or layoffs "or other policies are implemented due to the budget crisis that might impact our ability to get our work done — then we could re-institute the certification process," Mr. Rosen said.



New York State Liquor Authority

Although the self-certification procedure will end after June, other newly implemented red-tape-reducing measures will still be in force and can keep the backlog from rebuilding, the chairman said.

Those changes include the appointment of an internal auditor at the authority, and the assignment of examiners who prescreen applications for missing information — kicking them out quickly for re-application — as well as a redesign of the authority's intake process requiring fewer examiners to review each application. In addition, a new system to electronically receive required photographs of restaurants — and the fingerprints of the owners — will remain in place.

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.

During the months of self-certification, three lawyers were censured for supplying incomplete applications — though none thus far have faced criminal charges. "They were kicked out of the self-certification program, and told that they could no longer participate," said William Crowley, an authority spokesman.

Some who assist restaurant and bar owners with their applications expressed confusion about why the program was ending. "Over time, I suppose I'm concerned that the backlog could go up again, but I think there has been a lasting change in the commission," said John Springer, a non-lawyer liquor license consultant who owns the Old Port Pub in Port Jefferson, N.Y.

Self-certification "certainly was a success," he added, speaking as both a consultant and pub owner.

Leonard M. Fogelman, a liquor license lawyer in Manhattan, said that "I thought the self-certification program was working well, and many of my clients and those of other attorneys benefited from the program, because they were able to get their liquor licenses issued within a few weeks."

But he added that he was inclined to give the authority the benefit of the doubt, saying he thought "the authority will succeed in its new approach to handling license applications."

Mr. Rosen said that outmoded computer systems had also hindered efficiency in the agency. "We are upgrading those systems so that ultimately," he said, "we hope the application process will be entirely electronic."