

STATE OF NEW JERSEY  
 Department of Law and Public Safety  
 DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
 1100 Raymond Blvd. Newark 2, N. J.

July 20, 1964

BULLETIN 1569

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STATE OF NEW JERSEY  
Department of Law and Public Safety  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
1100 Raymond Blvd. Newark 2, N. J.

BULLETIN 1569

July 20, 1964

1. NEW LEGISLATION - AMENDMENT OF R.S. 33:1-81 (UNLAWFUL ACTS BY MINORS; DISORDERLY PERSONS).

Assembly Bill No. 250 amending R.S. 33:1-81 (the provision of the Alcoholic Beverage Law defining unlawful acts by minors and others and providing for their prosecution as disorderly persons) was approved by the Governor on May 5, 1964 and thereupon became Chapter 40 of the Laws of 1964.

Its effect is to increase the fine which might be imposed from a maximum of \$50.00 to a fine "of not less than \$100.00 and not exceeding \$200.00".

JOSEPH P. LORDI  
DIRECTOR

Dated June 30, 1964

2. APPELLATE DECISIONS - B & L TAVERN, INC. v. BAYONNE.

#2924- )  
B & L Tavern, Inc., )

Appellant, )

v. )

Board of Commissioners of )  
the City of Bayonne, )

Respondent. )

ON APPEAL

ORDER

----- )  
#2986 - )  
B & L Tavern, Inc. )

Appellant, )

v. )

Municipal Council of )  
the City of Bayonne, )

Respondent. )  
----- )

Raphael G. Jacobs, Esq., Attorney for Appellant.  
Frank J. Ziobro, Esq., Attorney for Respondent Board of Commissioners.  
James P. Dugan, Esq., by Nathan Zinader, Esq., Attorney for Respondent  
Municipal Council.

BY THE DIRECTOR:

These are appeals from denial of appellant's application for renewal of its plenary retail consumption license for premises 477 Avenue C, Bayonne, for the year 1962-63 by respondent Board of Commis-

sioners, and for the year 1963-64 by respondent Municipal Council, following prior denial of renewal for the year 1961-62 by respondent Board of Commissioners.

The original denial was reversed by the Director by Conclusions and Order dated May 10, 1962, in B & L Tavern, Inc. v. Bayonne, Bulletin 1459, Item 1. (The direction therein that respondent Board of Commissioners renew the license not having been honored and executed by respondent within ten days thereafter, the order became self-executed pursuant to R.S. 33:1-38. The 1960-61 license, thus renewed for 1961-62, was extended for the years 1962-63 and 1963-64 pending determination of these appeals pursuant to R.S. 33:1-22.)

On appeal to the Appellate Division, the Director was affirmed, subject to the condition that appellant not rent the second floor of the premises for use as a social club. Bayonne v. B & L Tavern, Inc. and Division of Alcoholic Beverage Control, App. Div. Docket No. A-894-61, decided April 15, 1963, not officially reported, reprinted in Bulletin 1509, Item 1.

On further appeal to the Supreme Court, the judgment of the Appellate Division was affirmed, subject to the condition thereby imposed with respect to rental of the second floor of the tavern building. Bayonne v. B & L Tavern, Inc. and Division of Alcoholic Beverage Control, 42 N.J. 131, reprinted in Bulletin 1561, Item 1.

Following hearing of both appeals herein, by letter of May 19, 1964, the attorney for respondent Municipal Council has advised me that, in view of the decision of the Supreme Court, respondent consents to the entry of an order of reversal in these appeals.

Accordingly, it is, on this 22nd day of May 1964,

ORDERED that the action of respondents Board of Commissioners and Municipal Council of the City of Bayonne, in denying appellant's applications for renewal of license for the years 1962-63 and 1963-64, be and the same is hereby reversed, and it is directed that said Municipal Council renew appellant's license for the years 1962-63 nunc pro tunc and 1963-64, in accordance with the applications filed therefor, subject to the special condition that the second floor of the building shall not be rented for use as a social club.

JOSEPH P. LORDI  
DIRECTOR

3. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - SALE BELOW FILED PRICE - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 35 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

ZOTTO'S CORP. )  
t/a "ZOTTO'S" )  
1324 Hamilton Avenue )  
Trenton, New Jersey )

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-124, issued by the City Council of the City of Trenton. )

-----  
Licensee, by Joseph DiEugenio, President, Pro se.  
Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on April 24, 1964, it sold a pint of whiskey (1) for off-premises consumption during prohibited hours, in violation of Rule 1 of State Regulation No. 38, and (2) below filed price, in violation of Rule 5 of State Regulation No. 30.

Licensee has a previous record of suspension of license by the Director for five days, effective May 6, 1963, for sale below filed price. Re Zotto's Corp., Bulletin 1514, Item 6.

The prior record of similar violation within the past five years considered, the license will be suspended on the first charge for fifteen days (Re DiBiase, Bulletin 1559, Item 2) and on the second charge for twenty days (Re Joffe and Barbarosh, Bulletin 1553, Item 7) or a total of thirty-five days, with remission of five days for the plea entered, leaving a net suspension of thirty days.

Accordingly, it is, on this 20th day of May, 1964

ORDERED that Plenary Retail Consumption License C-124 issued by the City Council of the City of Trenton to Zotto's Corp., t/a "Zotto's", for premises 1324 Hamilton Avenue, Trenton, be and the same is hereby suspended for thirty (30) days, commencing at 2:00 a.m. Wednesday, May 27, 1964, and terminating at 2:00 a.m. Friday, June 26, 1964.

JOSEPH P. LORDI  
DIRECTOR

- 4. DISCIPLINARY PROCEEDINGS - NUISANCE (INDECENT LANGUAGE AND CONDUCT- HOSTESS ACTIVITY - SALE TO INTOXICATED PERSONS - SALE DURING PROHIBITED HOURS) - LICENSE SUSPENDED 65 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

Alice A. Henn )  
 t/a The Roost )  
 84 Sitgreaves Street )  
 Phillipsburg, New Jersey )

CONCLUSIONS  
 AND ORDER

Holder of Plenary Retail Consumption License C-7, issued by the Board of Commissioners of the Town of Phillipsburg. )

-----)  
 Joseph V. DeMasi, Esq., Attorney for Licensee.  
 Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge as follows:

"On Thursday, January 30, Tuesday, February 4, Tuesday, February 11, Friday night February 21 and early Saturday morning February 22, and Saturday night February 29 and early Sunday morning March 1, 1964, you allowed, permitted and suffered your licensed place of business to be conducted in such manner as to become a nuisance, viz., in that on all or some of said dates you allowed, permitted and suffered lewdness, immoral activity and foul, filthy and obscene language and conduct in and upon your licensed premises; allowed, permitted and suffered females employed on your licensed premises to accept beverages at the expense of or as a gift from customers and patrons; allowed, permitted and suffered the sale and service to and the consumption of alcoholic beverages by persons actually or apparently intoxicated in and upon your licensed premises; allowed, permitted and suffered alcoholic beverage activity in and upon the licensed premises during hours prohibited by regulation of the Town of Phillipsburg; and otherwise conducted your licensed place of business in a manner offensive to common decency and public morals; in violation of Rule 5 of State Regulation No. 20."

Absent prior record, and considering the various elements of the charge, the license will be suspended for sixty-five days, with remission of five days for the plea entered, leaving a net suspension of sixty days. Cf. Re Rogers, Bulletin 1546, Item 8 (foul, filthy and obscene language and conduct - 10 days); Re Blue Chateau, Inc., Bulletin 1496, Item 4 (hostess activity by barmaids - 20 days); Re Club Del Rose, Bulletin 1556 Item 1 (sale to intoxicated persons - 20 days); Re Blakjak, Inc., Bulletin 1547, Item 11 (sale during prohibited hours - 15 days).

Accordingly, it is, on this 25th day of May 1964,

ORDERED that Plenary Retail Consumption License C-7, issued by the Board of Commissioners of the Town of Phillipsburg to Alice A. Henn, t/a The Roost, for premises 84 Sitgreaves Street, Phillipsburg, be and the same is hereby suspended for the balance of its term, viz., until midnight June 30, 1964, commencing at 1 a.m. Monday, June 1, 1964; and it is further

ORDERED that any renewal license that may be granted shall be and the same is hereby suspended until 1 a.m. Friday, July 31, 1964.

JOSEPH P. LORDI  
DIRECTOR

5. DISCIPLINARY PROCEEDINGS - ORDER LIFTING SUSPENSION FOR BALANCE OF TERM UPON PROOF OF CORRECTION OF UNLAWFUL SITUATION.

In the Matter of Disciplinary Proceedings against )

PEPPERMINT TWIST, A CORP. )  
103 Jackson Street )  
Newark, New Jersey )

ORDER

Holder of Plenary Retail Consumption License C-494, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark. )

-----  
Louis M. Turco, Esq., Attorney for Licensee.  
David S. Piltzer, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

On March 9, 1964, I entered an order suspending the license herein for the balance of its term, commencing on March 17, 1964, with leave to the licensee or any bona fide transferee of the license to file verified petition establishing correction of the unlawful situation (undisclosed interest in the license) for lifting of the suspension herein on or after May 11, 1964, after the license had been suspended for fifty-five days. Re Peppermint Twist, Bulletin 1558, Item 4.

Upon appeal to the Appellate Division of the Superior Court, temporary stay was granted until March 23, 1964, on which date further stay was denied by the court. Accordingly, on April 1, 1964, I entered a supplemental order suspending the license for the balance of its term, commencing on April 3, 1964, with leave to apply for lifting of the suspension on or after 2:00 a.m. Thursday, May 28, 1964. Re Peppermint Twist, Bulletin 1561, Item 4.

It appearing from verified petition submitted by the licensee that the unlawful situation has been corrected and that, upon denial of further stay by the court on March 23, 1964, the licensee discontinued the licensed business in compliance with the original order of suspension on the theory that such order of suspension was reinstated by reason of denial of further stay, I shall grant the

petition requesting termination of the suspension, effective immediately.

Accordingly, it is, on this 22nd day of May, 1964,

ORDERED that the suspension heretofore imposed herein be and the same is hereby terminated, effective 2:00 a.m. May 22, 1964.

JOSEPH P. LORDI  
DIRECTOR

6. DISCIPLINARY PROCEEDINGS - BOTTLING - SALE FOR OFF-PREMISES CONSUMPTION IN OTHER THAN ORIGINAL CONTAINER - ALCOHOLIC BEVERAGES NOT TRULY LABELED - HINDERING INVESTIGATION - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

CARMINE C. Di PERI )  
T/A CLUB BEL AIR )  
888 Main Avenue )  
Passaic, New Jersey )

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption License C-51, issued by the Board of Commissioners of the City of Passaic. )

-----)  
Peter P. Zangara, Esq., Attorney for Licensee.  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on March 14, 1964, at about 11 p.m., he (1) bottled a pint of whiskey for sale, in violation of R.S. 33:1-78; (2) sold the pint of whiskey for off-premises consumption in other than its original container, in violation of R.S. 33:1-2; (3) possessed the pint of whiskey in a bottle bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20, and (4) hindered investigation (by failing to restrain patrons from interfering with the conduct of the investigation), in violation of R.S. 33:1-35.

Reports of investigation disclose as to charges 1, 2 and 3 that, in response to an order from a patron for a pint of Seagram's V.O. whiskey (and none being in stock), the bartender emptied a pint bottle of Old Grand-Dad whiskey into another container and then filled the Grand-Dad bottle with Seagram's V.O. from an opened quart bottle of that brand. Basically what the bartender did was to sell a pint of whiskey for off-premises consumption during hours prohibited by State Regulation No. 38, albeit not in its original container. Hence the violations alleged in these charges will be viewed for penalty purposes as though the sale had been made in violation of State Regulation No. 38.

Licensee has a previous record of suspension of license by the Director for ten days effective March 26, 1963, for failing to

operate a restaurant on the licensed premises, in violation of special condition imposed upon the license. Re Di Peri, Bulletin 1508, Item 5.

The substance of the violations considered, the license will be suspended on the first, second and third charges for fifteen days (cf. Re Adams, Bulletin 1516, Item 4) and on the fourth charge for ten days (Re Snyder, Bulletin 1507, Item 1), to which will be added five days by reason of the record of suspension for previous dissimilar violation within the past five years (Re Vamos, Bulletin 1541, Item 5), or a total of thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days.

Accordingly, it is, on this 12th day of May 1964,

ORDERED that Plenary Retail Consumption License C-51, issued by the Board of Commissioners of the City of Passaic to Carmine C. Di Peri, t/a Club Bel Air, for premises 888 Main Avenue, Passaic, be and the same is hereby suspended for twenty-five (25) days, commencing at 3 a.m. Thursday, May 14, 1964, and terminating at 3 a.m. Monday, June 8, 1964.

JOSEPH P. LORDI  
DIRECTOR

7. DISCIPLINARY PROCEEDINGS - GAMBLING (HORSE RACE BETS) - POSSESSION OF NUMBERS SLIPS AND SWEEPSTAKES TICKETS - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

ANNA & CHARLES MUSSARA )  
731 - 32nd Street )  
Union City, New Jersey )

CONCLUSIONS  
AND ORDER

-----  
Holders of Plenary Retail Consumption License C-190, issued by the Board of Commissioners of the City of Union City. )

Nathan J. Littauer, Esq., Attorney for Licensees.  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensees plead non vult to charges alleging that on March 2, 1964, they (1) permitted acceptance of horse race bets on the licensed premises, in violation of Rule 7 of State Regulation No. 20, and (2) possessed and permitted numbers slips and sweepstakes tickets on the licensed premises, in violation of Rule 6 of State Regulation No. 20.

Absent prior record and since the violations occurred previous to my notice of April 27, 1964, to all retail licensees concerning increased penalties to be imposed in bookmaking and

numbers cases (Bulletin 1560, Item 6), in fairness, the heretofore existing minimum penalty will be imposed as in similar cases, viz., suspension of license for twenty-five days, with remission of five days for plea entered, leaving a net suspension of twenty days. Cf. Re Hillside Bowling, Inc., Bulletin 1448, Item 2; Re Ferrari, Bulletin 1522, Item 8.

Accordingly, it is, on this 13th day of May 1964,

ORDERED that Plenary Retail Consumption License C-190, issued by the Board of Commissioners of the City of Union City to Anna & Charles Mussara, for premises 731 - 32nd Street, Union City, be and the same is hereby suspended for twenty (20) days, commencing at 3 a.m. Wednesday, May 20, 1964, and terminating at 3 a.m. Tuesday, June 9, 1964.

JOSEPH P. LORDI  
DIRECTOR

8. SEIZURE - FORFEITURE PROCEEDINGS - UNLAWFUL SALE OF ALCOHOLIC BEVERAGES - ALCOHOLIC BEVERAGES ORDERED FORFEITED.

In the Matter of a Seizure	)	
on July 28, 1962 of a quantity	)	
of alcoholic beverages at	)	Case No. 10,877
premises 111 Waverly Avenue,	)	
in the City of Newark, County	)	ON HEARING
of Essex and State of New	)	CONCLUSIONS
Jersey.	)	AND ORDER

William Walker, Pro Se.  
I. Edward Amada, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

This matter came on for hearing pursuant to R.S. 33:1-66 and State Regulation No. 28 to determine whether 3 bottles of wine and a pint bottle of whiskey, more particularly described in a schedule annexed hereto, made part hereof and marked Schedule "A", seized on July 28, 1962 from William Walker at premises 111 Waverly Avenue, Newark, N.J. constitute unlawful property and should be forfeited.

The seizure was made by ABC agents because of alleged unlawful sales of alcoholic beverages at the premises. When the matter came on for hearing pursuant to R.S. 33:1-66, William Walker appeared, pro se, and sought return of the alcoholic beverages. A Hearer's Report was expressly waived by the claimant, as permitted under Rule 4 of State Regulation No. 28.

ABC Agent J testified on behalf of the Division to the following: In the early morning of July 21, 1962 he observed Walker making sales of alcoholic beverages to persons on the street in front of the above referred-to premises. He thereupon purchased from Walker a pint of Tiger Rose wine, handing him a \$1.00 bill, for which he received 25¢ change.

On July 28, 1962 at about 3:00 A.M., fortified with a search warrant, he again approached Walker who was engaged in the

same enterprise, and purchased 2 pints of Tiger Rose wine for which he paid him \$1.50 with 2 "marked" dollar bills. He received change in the sum of 50¢.

Immediately upon the said purchase, by pre-arrangement, he signalled to other agents and local Police officers, who approached and searched Walker. They found on his person 3 pints of Tiger Rose wine and 1 pint of Seagram's VO. Walker insisted that he was selling these alcoholic beverages for a "boy", but he could give no further identification as to his principal's name or whereabouts. Walker was thereupon arrested, charged with sale of alcoholic beverages and possession with intent to sell without a license in violation of R.S. 33:1-50 (a and b), arraigned in the municipal court of the City of Newark, and held for action by the Essex County Grand Jury.

An examination of the records of this Division disclosed that no license or permit authorizing the sale of alcoholic beverages was issued to Walker or for premises herein described.

The affidavit of mailing, the affidavit of publication, the inventory and the chemist's report certifying to the alcoholic contents of the confiscated beverages were admitted into evidence.

William Walker, testifying in support of his claim, stated that he purchased the wine and whiskey at a liquor store on Kinney Street at 10 P.M. on July 20, 1962, but denied selling these alcoholic beverages to anyone, including the agent. In fact, he denied having seen the agent on the week prior to July 28, or selling any beverages to him at that time. He further insisted that he never had any Tiger Rose wine in his possession, but, in fact, had purchased Vincove Sherry.

On cross-examination, he admitted telling the agent that he was selling the wine for a "boy". The Hearer then asked him the following:

"Q When you told him there was some boy you were selling it for, what boy did you have in mind?

A I didn't know any boy right then.

Q You didn't know of any boy?

A No.

Q This was just a fake story you were giving him; is that it?

A Yes."

He then insisted that he never had Tiger Rose wine in his possession. At that point the bottles of wine were brought into the hearing room and shown to the claimant; the claimant thereupon recanted, admitted that he was mistaken, that, it was, in fact, Tiger Rose wine.

My examination and evaluation of the evidence and the exhibits satisfy me that the version given by the ABC agents is an accurate one and that, in fact, the claimant was engaged in the sale of alcoholic beverages. Since this claimant did not have any license authorizing him to sell alcoholic beverages, the alcoholic beverages

are illicit and constitute unlawful property subject to forfeiture. R.S. 33:1-1(i); R.S. 33:1-2; R. S. 33:1-66; Seizure Case No. 11,156, Bulletin 1557, Item 5; Seizure Case No. 10,934, Bulletin 1510, Item 5.

Accordingly, it is DETERMINED and ORDERED that the alcoholic beverages listed in the aforesaid Schedule "A" constitute unlawful property and the same be and are hereby forfeited in accordance with the provisions of R.S. 33:1-66, and that it be retained for the use of hospitals and state, county and municipal institutions, or destroyed in whole or in part, at the direction of the Director of the Division of Alcoholic Beverage Control.

JOSEPH P. LORDI  
DIRECTOR

Dated: May 13, 1964

SCHEDULE "A"

4 - bottles of alcoholic beverages

9. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

JOSEPH & VICTORIA BURZANSKI )  
t/a JO-VIC CAFE )  
576 No. 27th Street )  
Camden, New Jersey )

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption License C-25, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden. )

-----)  
Licensees, by Joseph Burzanski, Pro se.  
David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensees plead non vult to a charge alleging that on April 27, 1964, they possessed alcoholic beverages in two bottles bearing labels which did not truly describe their contents, in violation of Rule 27 of State Regulation No. 20.

Absent prior record, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Cliffside Inn, Inc., Bulletin 1542, Item 3.

Accordingly, it is, on this 18th day of May 1964,

ORDERED that plenary retail consumption license C-25 issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden to Joseph & Victoria Burzanski, t/a Jo-Vic Cafe, for premises 576 No. 27th Street, Camden, be and the same is hereby suspended for ten (10) days, commencing at 2 a.m. Monday, May 25, 1964, and terminating at 2 a.m. Thursday, June 4, 1964.

JOSEPH P. LORDI  
DIRECTOR

10. DISCIPLINARY PROCEEDINGS - ORDER LIFTING SUSPENSION FOR BALANCE OF TERM UPON PROOF OF CORRECTION OF UNLAWFUL SITUATION.

In the Matter of Disciplinary Proceedings against )

SAMUEL BERELMAN, INC. )  
t/a PAYTON'S PLACE )  
629 Ferry Avenue )  
Camden, New Jersey )

O R D E R

Holder of Plenary Retail Consumption License C-100, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden. )  
-----)

Richman, Berry & Ferren, Esqs., Attorneys for Licensee.  
David S. Piltzer, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

On April 6, 1964, I entered an order suspending the license herein for the balance of its term commencing on April 13, 1964, with leave to the licensee to file verified petition establishing correction of the unlawful situation (undisclosed interest of non-residents in the license) for lifting of the suspension on or after May 8, 1964, after the license had been suspended for twenty-five days, Re Samuel Berelman, Inc., Bulletin 1562, Item 3.

It appearing from verified petition submitted by the licensee that the unlawful situation has been corrected, I shall grant the petition requesting termination of the suspension.

Accordingly, it is, on this 22nd day of May, 1964,

ORDERED that the suspension heretofore imposed herein be and the same is hereby terminated, effective 2:00 a. m. Friday, May 22, 1964.

JOSEPH P. LORDI  
DIRECTOR

11. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

COLLBERN, INC., )  
322 38th Street )  
Union City, New Jersey )

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption License C-98, issued by the Board of Commissioners of the Town of Union City. )  
-----)

Licensee, by Mildred Bernhart, President, Pro se.  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on May 9-10, 1964, it sold drinks of alcoholic beverages to four minors (age 18, 19, 19 and 20), in violation of Rule 1 of State Regulation No. 20.

Although the licensee corporation has no previous record of suspension of license, the license of Bixby's, Inc., for premises State Route 17, Wood-Ridge (in which Lawrence Coll, holder of 49% of the stock of the licensee corporation, was then a stockholder) was revoked by the Commissioner effective October 12, 1945 on hours, hostess, lewdness and application fraud charges. Re Bixby's, Inc., Bulletin 680, Item 3. In addition, the license then held by Lawrence Coll for the presently licensed premises was suspended by the municipal issuing authority for ten days effective February 11, 1957, on a hostess charge.

The prior record of dissimilar violation of Bixby's, Inc. and Lawrence Coll disregarded because occurring more than five years ago, the license will be suspended for twenty days, with remission of five days for the plea entered, leaving a net suspension of fifteen days. Re Crystal Inn, Inc., Bulletin 1499, Item 10, Re Morris, Bulletin 1447, Item 8.

Accordingly, it is, on this 26th day of May 1964,

ORDERED that Plenary Retail Consumption License C-98, issued by the Board of Commissioners of the Town of Union City to Collbern, Inc., for premises 322 38th Street, Union City, be and the same is hereby suspended for fifteen (15) days, commencing at 3 a.m. Tuesday, June 2, 1964, and terminating at 3 a.m. Wednesday, June 17, 1964.

JOSEPH P. LORDI  
DIRECTOR

12. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against  
  
LYN-JON, INC. (Corporation of N.J.),  
t/a GREEN TREE INN  
East Front Street  
Waterford Township  
PO Atco, New Jersey

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption License C-5, issued by the Township Committee of the Township of Waterford.

Licensee, by Lyn W. Johnson, President, Pro se.  
David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on April 10, 1964, it possessed an alcoholic beverage in one bottle

bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20.

Although the licensee has no previous record of suspension of license, the license then held by Lyn W. Johnson (president and 98% stockholder of the licensee) and Alan H. Reid for premises Bridgeton-Fairton County Road, Fairfield Township, was suspended by the municipal issuing authority for ten days effective May 1, 1947, for an hours violation; and the license then held by John D. Johnson (1% stockholder of the licensee) and Paul O. Marquardt, t/a Jersey Tavern, for premises 549 South Broadway, Gloucester City, was suspended by the Commissioner for fifty-five days effective July 7, 1947, for purchase of stolen whiskey. Re Johnson and Marquardt, Bulletin 770, Item 5.

The prior record of suspension of license of the corporate stockholders for dissimilar violations disregarded because occurring more than five years ago, the license will be suspended for ten days, with remission of five days for the plea entered, leaving a net suspension of five days. Re Chance, Bulletin 1557, Item 6.

Accordingly, it is, on this 25th day of May 1964,

ORDERED that Plenary Retail Consumption License C-5, issued by the Township Committee of the Township of Waterford to Lyn-Jon, Inc., t/a Green Tree Inn, for premises on East Front Street, Waterford Township, be and the same is hereby suspended for five (5) days, commencing at 2 a.m. Monday, June 1, 1964, and terminating at 2 a.m. Saturday, June 6, 1964.

JOSEPH P. LORDI  
DIRECTOR

13. DISCIPLINARY PROCEEDINGS - SERVING ALCOHOLIC BEVERAGES OTHER THAN ORDERED - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

PALLADIUM LANES, INC. )  
512 Main Street )  
Orange, New Jersey )

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-68, issued by the Municipal Board of Alcoholic Beverage Control of the City of Orange. )

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Licensee, by Albert J. Evangelista, Secretary, Pro se.  
Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on January 24-25, 1964, it served alcoholic beverages other than ordered, in violation of Rule 23 of State Regulation No. 20.

Reports of investigation disclose that orders from persons seated at tables for "name" brand Scotch whisky mixed drinks were

filled at the bar with "off" brand Scotch whisky.

Absent prior record, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Robert-Alan Hotel, Inc., Bulletin 1532, Item 4.

Accordingly, it is, on this 25th day of May, 1964,

ORDERED that Plenary Retail Consumption License C-68, issued by the Municipal Board of Alcoholic Beverage Control of the City of Orange to Palladium Lanes, Inc. for premises 512 Main Street, Orange, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. Monday, June 1, 1964, and terminating at 2:00 a.m. Thursday, June 11, 1964.

JOSEPH P. LORDI  
DIRECTOR

14. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

SAMUEL F. COLLEMACHINE, INC.,  
t/a JOHNNY'S BAR  
Old Milford Rd. & Wright Ave.,  
Berlin Township  
PO RFD Berlin, New Jersey

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption License C-5, issued by the Township Committee of the Township of Berlin.

Licensee, by Samuel F. Collemachine, President, Pro se.  
David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on April 23, 1964, it possessed an alcoholic beverage in one bottle bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20.

Absent prior record, the license will be suspended for ten days, with remission of five days for the plea entered, leaving a net suspension of five days. Re Chance, Bulletin 1557, Item 6.

Accordingly, it is, on this 18th day of May 1964,

ORDERED that Plenary Retail Consumption License C-5, issued by the Township Committee of the Township of Berlin to Samuel F. Collemachine, Inc., t/a Johnny's Bar, for premises at Old Milford Rd. & Wright Ave., Berlin Township, be and the same is hereby suspended for five (5) days, commencing at 2 a.m. Monday, May 25, 1964, and terminating at 2 a.m. Saturday, May 30, 1964.

JOSEPH P. LORDI  
DIRECTOR

15. DISCIPLINARY PROCEEDINGS - NUISANCE (HOSTESS ACTIVITY) - SALE DURING PROHIBITED HOURS - HINDERING INVESTIGATION - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 55 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

S.M.S. CORP. )  
t/a MELODY CLUB )  
219 Ellison Street )  
Paterson, New Jersey )

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-261, issued by the Board of Alcoholic Beverage Control for the City of Paterson. )

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Bruno L. Leopizzi, Esq., Attorney for Licensee.  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that (1) on February 7, 11-12, 27-28, March 5, 11-12, 18-19 and 21, 1964, it conducted its licensed place of business as a nuisance, viz., permitting hostess activity by unescorted female patrons and employees, in violation of Rule 5 of State Regulation No. 20, (2) and (3) on March 21, 1964, sold alcoholic beverages during hours prohibited by local ordinance, and (4) on March 21, 1964, hindered investigation (advising patrons to refuse information requested by Division agents), in violation of R.S. 33:1-35.

Licensee has a previous record of suspension of license by the Director for forty days effective March 21, 1956, for (1) "hours" violation, (2) gambling (poker and dice games), and (3) hindering investigation. Re S.M.S. Corp., Bulletin 1107, Item 5. In addition, the license of Salvatore Manno and Mary Manno (respectively 25% and 75% stockholders of the licensee corporation) then held for premises 187 Ellison Street, Paterson, was suspended by the Director for fifteen days effective November 26, 1951, for hostess activity, and again for fifteen days effective August 13, 1952, for sale to minors. Re Manno, Bulletin 921, Item 6; Bulletin 942, Item 4.

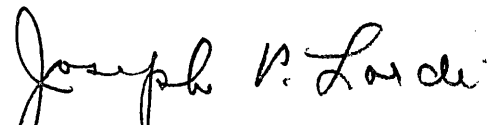
The prior record of suspension of license for similar and dissimilar violations occurring, respectively, more than ten and five years ago disregarded, but considering the record of suspension for similar violation (hours and hindering) occurring more than five but less than ten years ago, the license will be suspended on the first charge for twenty days (Re Milchman, Bulletin 1571, Item 3), on the second and third charges for twenty days (Re Blue Chateau, Inc., Bulletin 1496, Item 4), and on the fourth charge for fifteen days (Cf. Re Michael Perry, Inc., Bulletin 1537, Item 5; Re Sports Bar & Grill, Inc., Bulletin 1540, Item 4), or a total of fifty-five days, with remission of five

days for plea entered, leaving a net suspension of fifty (50) days. In addition, the licensee is pointedly warned that any future violation of the alcoholic beverage law or regulations will be dealt with most severely.

Accordingly, it is, on this 22nd day of June 1964,

ORDERED that Plenary Retail Consumption License C-261, issued by the Board of Alcoholic Beverage Control for the City of Paterson to S.M.S. Corp., t/a Melody Club, for premises 219 Ellison Street, Paterson, be and the same is hereby suspended for the balance of its term, viz., until midnight June 30, 1964, commencing at 3 a.m. Monday, June 29, 1964; and it is further

ORDERED that any renewal license that may be granted shall be and the same is hereby suspended until 3 a.m. Tuesday, August 18, 1964.

  
Joseph P. Lordi,  
Director.