

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
25 Commerce Drive Cranford, N.J. 07016

BULLETIN 2236

September 8, 1976

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STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
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September 8, 1976

1. APPELLATE DECISIONS - RANK v. EWING.

W. Barry Rank,

Appellant,

v.

Township Committee of the
Township of Ewing,

Respondent.

On Appeal

CONCLUSIONS
AND
ORDER

Appellant, Pro se

Charles P. Allen, Jr., Esq., Attorney for Respondent

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

This is an appeal from the imposition of a special condition attached to the grant of application for a place-to-place and person-to-person transfer of a plenary retail consumption license from Sherbrooke Properties, Inc. to appellant and from 1573 Parkside Avenue to Grand Union Shopping Center, Parkway Avenue, Ewing Township. The Township Committee of the Township of Ewing (hereinafter Committee) on February 26, 1976, granted such transfer to appellant upon the special condition that the license not be actually delivered to transferee until the completion of construction of the premises, and with the further special condition that "no food be served in the licensed premises". It is to this latter condition that this appeal is addressed.

Appellant contended, in his petition of appeal, that there was no basis upon which the inclusion of the special condition could be grounded; there was no evidence produced before the Committee which necessitates for the proscription of the service of food in the proposed premises. He averred that the said special condition was unreasonable.

No answer was filed by the respondent Committee and an appearance by its counsel was entered merely to furnish copies of a township map, photographs of the proposed site and the minutes of the meeting of the Committee with its accompanying Resolution.

At the scheduled hearing in this Division, appellant appeared to move the appeal. No one appeared on behalf of the Committee, nor was it represented at the hearing by Counsel. Appellant testified that he had been in conversation with the Committee officials and Township Attorney, all of whom indicated to him that no appearance at the hearing in this Division would be made.

A review of the Resolution and the Minutes of the meeting of the Committee fails to reveal any oral or written comment prior to the introduction of the Resolution referring to the sale of food in the proposed premises. The sole reference to it is its inclusion within the Resolution of the offending line: "and that no food will be served or sold....".

The Alcoholic Beverage Law (N.J.S.A. 33:1-22) permits a local issuing authority to impose any special condition to any license deemed necessary and proper to accomplish the objects of the law. Where such special conditions are imposed, the Director determines, on appeal whether these special conditions imposed were arbitrary or unreasonable. Belmar v. Div. of Alcoholic Beverage Control, 50 N.J. Super. 423 (App. Div. 1958).

As long as special conditions imposed relate to the subject license (Balaniz v. East Newark, Bulletin 156, Item 1) and are made concurrent with the issuance of the license (Alanwood Holding Company v. Atlantic City et als, Bulletin 1963, Item 1) and are reasonably required to serve the best interests of the community (Borko v. Mansfield Twp., Bulletin 1894, Item 3), the impositions of such conditions will be affirmed by the Director. (A's Inn, Inc. v. Deal, Bulletin 2139, Item 3). Cf. Lubliner v. Paterson, 33 N.J. 428 (1960).

In the absence of any evidence whatever, that the special condition imposed related to the interest of the community, it cannot be inferred or suggested that such special condition is reasonable.

If the special conditions attached to a license are unreasonable the action of the issuing authority will be set aside. West End Grocery Co. v. Highlands, et al, Bulletin 1806, Item 2.

In and by itself, the sale of food in a licensed premises is not objectionable. It is not contrary to the spirit of the alcoholic beverage law nor does it generally result in activities inimical to the interests of the community. If for some reason, unstated in the record, the sale and service of food in the licensed premises gave rise to a situation contra to the best interests of the community, the record should reveal it.

There is no record, nor has the Committee offered any that the conditions imposed were first approved as is statutorily required. Preliminary approval is a concomitant basis for the imposition of license conditions. Cf. Rockleigh Field Club, Inc. v. Rockleigh, Bulletin 1665, Item 4; Fox & Hounds, Inc. v. Roselle Park, Bulletin 2141, Item 5.

With the foregoing principles as a basis, it is apparent that, under the factual situation outlined, the special condition imposed by the Committee was unreasonable. Thus, appellant has met its burden of establishing that the action of the Committee was erroneous and should be reversed, as required by Rule 6 of State Regulation No. 15.

Conclusions and Order

No Exceptions to the Hearer's report were filed pursuant to Rule 14 of State Regulation No. 15.

Having carefully considered the entire matter herein, including the transcript of the testimony and the Hearer's report, I concur in the findings and recommendations of the Hearer, and adopt them as my conclusions herein.

Accordingly, it is, on this 29th day of June 1976,

ORDERED that the action of the respondent, Township Committee of the Township of Ewing with respect to the aforesaid special condition be and the same is hereby reversed; and it is further

ORDERED that the special condition, viz., that "no food be served in the licensed premises", attached to appellant's license be and the same is hereby deleted.

Joseph H. Lerner
Acting Director

2. APPELLATE DECISIONS - PORTINGTON v. KEARNY.

Mariann Portington,)	
t/a 307 Bar,)	
)	
Appellant,)	On Appeal
)	
v.)	CONCLUSIONS
)	AND
Mayor and Council of the)	ORDER
Town of Kearny,)	
)	
Respondent.)	
Edward M. Norton, Esq., Attorney for Appellant		
Norman A. Doyle, Jr., Esq., Attorney for Respondent		

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

This is an appeal from the action of the Mayor and Council of the Town of Kearny (hereinafter Council) which, on April 14, 1976, suspended appellant's Plenary Retail Consumption License C-8, for premises 307 Kearny Avenue, Kearny, for sixty days, following its determination that, on diverse days, the appellant conducted her licensed premises as a nuisance; in violation of Rule 5 of State Regulation No. 20. Upon the filing of this appeal, the Director, by Order dated April 29, 1976, stayed the said suspension, pending the determination of the appeal.

Appellant contends in her petition of appeal that the action of the Council was erroneous in that none of the many specific instances of disturbance cited were the result of any act by the appellant proscribed by the aforesaid regulation.

In its Answer, the Council averred that the sheer number of instances of disturbances justified its finding. The appellant further contended that the suspension imposed was unduly harsh and severe under the circumstances.

A hearing was held de novo in this Division pursuant to Rule 6 of State Regulation No. 15 at which the parties were permitted to introduce evidence and to cross-examine witnesses. However, with the exception of the appellant, who had not heretofore testified, no witnesses were called by either party; reliance was placed on the transcript of the proceedings before the Council offered into evidence in accordance with Rule 8 of State Regulation No. 15.

Mariann Portington (whose first name has been continuously misspelled as Marion in all previous pleadings) testified that she inherited the licensed premises from her late mother about three years ago. Her parents had operated a tavern at that location for many years and, during her short tenure, the Council and local authorities had been unjustly ascribing neighborhood problems to the management of her tavern. Although she does not work in the premises, other than keeping its books and visiting to tend bar once a week or so, she does employ a manager, two bartenders and a barmaid. She and her manager have twice visited the Chief of Police, at his invitation, in an effort to reduce neighborhood problems.

From her description of her establishment and the area, it appears that she owns a typical neighborhood tavern, closely adjacent to another tavern and a liquor store. The problems in the area do not stem from her patrons or the operation of her place, but rather from a group of toughs and undesirables who loiter nearby. She admitted not having been in her premises on any of the occasions listed in Council's resolution, but contends that she heard of each instance from her employees shortly after its happening.

The resolution adopted by the Council lists twelve incidents upon which it made its determination. This list began with an incident in September 1974 when a man was found lying intoxicated on the sidewalk in front of appellant's premises. Another instance cited a man drinking a can of beer on the sidewalk outside the tavern.

At another time, the police were called by the licensed premises employees when an ejected patron broke down the front door in a fit of rage. There were about four instances when groups of loiterers congregated in such number as to require police action. In three instances someone was injured either in or outside the appellant's premises as a result of fights or altercations. No specific disciplinary action against appellant followed any of the incidents.

Of the twelve instances cited, four were the result of calls made to the police by appellant's employees. Of the remaining eight, two concerned persons found outside premises, one on the ground intoxicated, and the other leaning against the building drinking. No proof was offered in either instance that the persons had been patrons of appellant's premises.

One of the instances listed involved an arrest made five properties away from the subject premises and another involved juveniles who had been creating a disturbance on the street and whose presence bore no relation to the tavern of appellant.

Of all of the incidents cited, two concerned loiterers who, in order to escape police attention, took refuge within

appellant's premises. In one of these two situations, the police officer entered the premises to arrest the loiterer.

A review of the many police reports and the related testimony thereto, leaves the singular impression that none of the disturbances or incidents was of sufficient gravity to warrant a disciplinary charge against appellant; but more than half of them which occurred at appellant's doorstep were more than sufficient to induce the Chief of Police to invite appellant to a conference.

Preliminarily, it should be observed that, in order to prevail on this appeal, the appellant must sustain the burden of establishing that the action of the Council was clearly erroneous and against the logic and effect of the presented facts. Hudson-bergen County Retail Liquors Stores Assn. v. Hoboken, 135 N.J.L. 502 (1947). The Director's function in matters of this kind is not to reverse the determination of the municipal issuing authority unless he finds as a fact that there was a clear abuse of discretion or unwarranted finding of fact or mistake of law by the Council. Lyons Farms Tavern v. Newark, 55 N.J. 292 (1970). It must be established that the relevant evidence herein does not adequately support the conclusion reached by the Council. Hornauer v. Div. of Alcoholic Beverage Control, 40 N.J. Super. 501 (App. Div. 1956).

The Council concluded, from all of the evidence before it, that the appellant was guilty of permitting a nuisance to occur and, although it must be admitted that most of the incidents related were either not directly attributable to the subject premises or were the result of a call for aid from it, which should not result in penalty to the appellant, there were at least two situations where loiterers sought refuge from the police by hasty entrance to appellant's premises. Had appellant's employees been sufficiently alert to the neighborhood problems, the establishment would not have become a sanctuary for the infractors pursued by the police.

In short, the Council was convinced that the premises were conducted as a nuisance; and it so found. As above indicated, the Director should not, under these circumstances, overturn that conclusion. Lyons Farms Tavern v. Newark, supra.

However, for the penalty imposed, the Council selected a suspension of sixty days as adequate under the circumstances.

Licensed premises so operated to become a nuisance are subject to a denial of a renewal application for the license. Greenstein v. Elizabeth, Bulletin 2135, Item 4, aff'd by Appellate Division, Superior Court, in unreported opinion cited in Bulletin 2169, Item 1; The Back Street Lounge, Inc. v. Newark, Bulletin 2138, Item 1; One Ninety Four Bar, Inc. v.

Passaic, Bulletin 2142, Item 1; Alice G. Townsend, Inc. v. Jersey City, Bulletin 2200, Item 1. The sale of alcoholic beverages is a privilege, not a right; the business of selling alcoholic beverages is one that must be carefully supervised and it should be conducted by reputable people in a reputable manner. Zicherman v. Driscoll, 133 N.J.L. 586.

The primary purpose of a suspension being imposed against this appellant is to serve as warning that, if the conditions attributed are not quickly remedied, her license may not be renewed. Cf. Bayonne v. B & L Tavern, Inc., Bulletin 1509, Item 1; Rubin's Tavern v. Paterson, Bulletin 1920, Item 1.

Although there is no specific minimum penalty designated in "nuisance" matters by the Director of this Division, he has affirmed the imposition of a fourteen day and a twenty day penalty respectively in similar situations. Cf. Roff v. Bogota, Bulletin 2144, Item 4 and Reminsky v. Paterson, Bulletin 2183, Item 3. A sixty day penalty was approved in a matter wherein the police were required to quell eight brawls or incidents occurring within the licensed premises. Nehoc Tavern, Inc. v. Paterson, Bulletin 2115, Item 1.

It is, thus, recommended that the penalty imposed by the Council in the instant matter be modified to a penalty of thirty days as being more in keeping with the proofs advanced and the manifest intention of the Council to expect the neighborhood situation corrected. Modification of penalty has been directed by the Director of this Division where the facts justified the same. Grandview Cafe, Inc. v. Jersey City, Bulletin 2124, Item 1; Paiva v. Harrison, 2134, Item 2; Parker Inn, Inc. v. Hawthorne, Bulletin 2177, Item 3; Re Zanolli, Inc., Bulletin 2208, Item 2; Danny's Lounge, Inc. v. Paterson, Bulletin 2221, Item 4.

In all other respects, it is found that the appellant has not met the burden of establishing that the action of the Council is erroneous and should be reversed, as required by Rule 6 of State Regulation No. 15. The appellant should be advised, however, that by the recommended reduction of the penalty imposed, there is no intent to minimize the problems inherent in the area of which her licensed premises is a center and for which the Council, in attempt to rid the neighborhood of problems, may question the continuance of appellant's license privilege.

Conclusions and Order

No Exceptions to the Hearer's report were filed pursuant to Rule 14 of State Regulation No. 15.

Having carefully considered the entire record herein, including the transcript of the testimony, the exhibits, and the

Hearer's report, I concur in the findings and recommendations of the Hearer and adopt them as my conclusions herein. I have particularly adopted the Hearer's recommended reduction of the suspension of license from sixty to thirty days.

Accordingly, it is, on this 12th day of July 1976,

ORDERED that the action of the respondent, Mayor and Council of the Town of Kearny be and the same is affirmed, as modified from a suspension of appellant's license of sixty days to thirty days; and it is further

ORDERED that my Order dated April 29, 1976 staying the Council's order of suspension pending the determination of this appeal be and the same is hereby vacated; and it is further

ORDERED that Plenary Retail Consumption License C-8, issued by the Mayor and Council of the Town of Kearny to Mariann Portington, t/a 307 Bar, for premises 307 Kearny Avenue, Kearny, be and the same is hereby suspended for thirty (30) days commencing at 2:00 a.m. Wednesday, July 21, 1976 and terminating at 2:00 a.m. on Friday, August 20, 1976.

Joseph H. Lerner
Acting Director

3. DISCIPLINARY PROCEEDINGS (Union Beach) - SUPPLEMENTAL ORDER - TERMINATION OF SUSPENSION PREVIOUSLY IMPOSED.

In the Matter of Disciplinary
Proceedings against

Gildawie, Inc.
t/a Mandy's Den
507 Front Street
Union Beach, N.J.,

Transferred to:

Faith Elaine Leonard
t/a The Bay Pub
507 Front Street
Union Beach, N.J.,

Holder of Plenary Retail Consump-
tion License C-10, issued by the
Borough Council of the Borough
of Union Beach.

SUPPLEMENTAL
ORDER

Alfred T. Hennessy, Jr., Esq., Attorney for Licensee

BY THE ACTING DIRECTOR:

On March 22, 1976, Conclusions and Order were entered herein suspending the subject license for the balance of its term, viz., until midnight June 30, 1976, effective 2:00 a.m. on Tuesday, April 20, 1976 upon licensee's plea of non vult to charges alleging that: (1) in its short form application dated June 4, 1975, it failed to disclose that one Clifford Gildawie had an undisclosed interest therein; in violation of N.J.S.A. 33:1-25; (2) it aided and abetted the said Clifford Gildawie to exercise the rights and privileges of said license; in violation of N.J.S.A. 33:1-52; (3) from March 1973, to the date of the charges preferred herein, it failed to keep and maintain proper books of account for the licensed business; in violation of Rule 36 of State Regulation No. 20; and (4) on October 24, 1975, it hindered an investigation at the licensed premises by personnel of the Division of Alcoholic Beverage Control; in violation of Rule 35 of State Regulation No. 20.

The order of suspension granted leave to a bona fide transferee of the license to apply to the Director by verified petition for the lifting of the suspension whenever the unlawful situation has been corrected, but in no event sooner than sixty-four days from the commencement of the said suspension.

It now appears, from the verified petition submitted by the said transferee, Faith Elaine Leonard, that the subject license was purchased by her on May 13, 1976, and her application for a person-to-person transfer of the said license was approved by Borough Council of the Borough of Union Beach on May 27, 1976; and Clifford Gildawie has disassociated himself with said license and has no rights or interest therein. Therefore, the unlawful situation has apparently been corrected.

More than sixty-four days have elapsed since the commencement of the said suspension. Good cause shown, I shall grant the petition requesting termination of the suspension.

Accordingly, it is, on this 28th day of June 1976,

ORDERED that the said suspension, imposed herein, be and the same is hereby terminated, effective immediately.

JOSEPH H. LERNER
ACTING DIRECTOR

4. OBJECTIONS TO APPLICATION FOR SPECIAL PERMIT (N. J. SPORTS and EXPOSITION AUTHORITY) - PERMIT GRANTED.

In the Matter of Objections)
to the Application of)

Harry M. Stevens, Inc.)
921 Bergen Avenue)
Jersey City, N.J.,)

For a Special Permit under)
N.J.S.A. 33:1-74 and N.J.S.A.)
33:1-42, to sell and serve)
alcoholic beverages in Premises)
situated and belonging to:)

CONCLUSIONS
and
ORDER

New Jersey Sports and Exposi-)
tion Authority, a quasi-)
governmental agency)

Located in the Borough of)
East Rutherford, Bergen County,)
New Jersey.)

L. Joseph Fallon, Objector, Pro se
Russo, Tumulty & Nester, Esqs., by Edward J. Russo, Esq.,
Attorneys for Applicant
Zazzali & Zazzali, Esqs., by George L. Schneider, Esq., Attorneys
for N.J. Sports and Exposition Authority

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

On April 19, 1976, the applicant, Harry M. Stevens, Inc., filed an application for a special permit for the period July 1, 1976 to June 30, 1977, subject upon application for annual renewal to sell alcoholic beverages for on-premises consumption in and upon portions of the New Jersey Sports and Exposition Authority lands and designated thereon as "Track" and "Stadium", within the Borough of East Rutherford, Bergen County.

Objections were filed by L. Joseph Fallon, an officer of the Bergen County Licensed Beverage Association and by the Borough of East Rutherford.

Harry M. Stevens, Inc., in its application agreed to comply with the following conditions:

- (a) Permittee shall not sell or serve any alcoholic beverages or allow, permit or suffer the consumption of any alcoholic beverages on the premises covered by this permit between the hours of 2:00 a.m. and 10:00 a.m.
- (b) Permittee shall abide by and comply with the provisions of R.S. Title 33: C-1, and any Rules and Regulations promulgated heretofor, and hereafter, by the Director of the Division of Alcoholic Beverage Control, including the provisions of State Regulations No. 13,20,34 and 39.
- (c) Permittee shall not advertise, directly or indirectly, the availability of alcoholic beverages in any publication, circular or similar media, unless permission has first been submitted to and approved by the Director of the Division of Alcoholic Beverage Control.
- (d) Permittee shall file all reports required by the Director of the Division of Taxation, Beverage Tax Bureau and hereby confers upon such Director and the Direction of the Division of Alcoholic Beverage Control, their investigators and agents full and complete authority to examine all of its books and records.

Finally, the permittee stipulated that the said permit would not be transferable.

At the hearing on the objections in this Division, the objector, L. Joseph Fallon, a licensee and an officer of the Association of Tavern Owners of the area, appeared to present objections. No representative of the Borough of East Rutherford appeared to present objections.

Applicant supported its application through the testimony of its regional representative, Thomas C. O'Lone, who described the intended operation of the sale of alcoholic beverages within the "Track" and the "Stadium" presently being constructed as part of the New Jersey Sports Complex. Plans and sketches of the intended locations for sale at both were introduced into evidence, along with a copy of a lease between the applicant and the N.J. Sports and Exposition Authority.

He represented that adequate police guards would be employed within the area, and the local police would not be required to assist in regular daily patrols or inspections of the said premises. Local ordinances would be controlling upon the applicant in the same manner as other ordinances control local licensees.

L. Joseph Fallon testified that his objection and those of his fellow licensees revolved about the prospective reduction of necessary police protection for him and his colleagues due to the concentration of their small police force with problems arising from the "Track" and "Stadium".

He argued that such concentration would be compounded by the sale of alcoholic beverages within the complex. However, after the assurances given by O'Lone that the Authority planned to have its own internal police force, Fallon felt somewhat relieved.

From O'Lone's description, I find that the security force planned will be more than ample to ensure the proper and lawful operation of the drinking areas. Further, it should be emphasized that the subject permit, if issued, will expire on June 30, 1977; a renewal application must then be filed. If the applicant conducts these premises in violation of the Law or of the Rules and Regulations of this Division, or in a manner against public interest, the Director could weigh such conduct carefully in his consideration of applicant's application for renewal. Re 4 Leaf Liquors & Lounge v. Newark, Bulletin 1830, Item 1; Rehling v. South Orange, Bulletin 2104, Item 1.

It is, therefore, recommended that a Special Permit be issued to applicant for the consumption of alcoholic beverages in accordance with the application filed therefor.

Conclusions and Order

No exceptions to the Hearer's report were filed on behalf of the objector.

Having carefully considered the entire record herein, including the transcript of the testimony, the exhibits and the Hearer's report, I adopt the findings, recommendations and conclusions set forth in the said report.

I shall, therefore, issue a Special Permit under N.J.S.A. 33:1-74 and N.J.S.A. 33:1-42 to the applicant authorizing the sale and service of alcoholic beverages on the subject premises, in accordance with the application filed therefor.

Dated: July 1, 1976

Joseph H. Lerner
Acting Director

5. APPLICATION TO REMOVE DISQUALIFICATION - PRIOR CONVICTION OF PASSING COUNTERFEIT FEDERAL RESERVE NOTES - SUBSEQUENT CONVICTION AS DISORDERLY PERSON PRECLUDES GRANTING APPLICATION - PETITION DENIED.

In the Matter of an Application)
to Remove Disqualification be-)
cause of a Conviction, Pursuant)
to R.S. 33:1-31.2.)

CONCLUSIONS
and
ORDER

Case No. 2973
- - - - -)

Walter H. Cleaver, Esq., Appearing for Division.

BY THE ACTING DIRECTOR:

Petitioner's criminal record discloses that in 1965 he was convicted, in Federal District Court, Newark, N.J., of the crime of passing, uttering, and concealing counterfeit Federal Reserve Notes and sentenced to one year imprisonment, three months of which were to be served at the Federal House of Detention, New York City.

It further appears that on January 26, 1973 he was convicted in Municipal Court of Newark of being a disorderly person under 24:21-20A3 for possession of marijuana under 25 grams, and sentenced to six months probation.

Since the crime of which petitioner was convicted involves the element of moral turpitude (Re Case No. 2138) he was, thereby, rendered ineligible to be engaged in the alcoholic beverage industry in this State. N.J.S.A. 33:1-25, 26.

To afford petitioner the relief requested, it is necessary that I find that he has been conducting himself in a law-abiding manner for five years last past and that his association with the alcoholic beverage industry will not be contrary to the public interest. See N.J.S.A. 33:1-31.2.

In view of his conviction on January 26, 1973, I conclude that petitioner has not so conducted himself and therefore, will deny his petition. Re Case No. 1974, Bulletin 1664, Item 6;
Re Case No. 2109, Bulletin 1733, Item 9.

Petitioner, however, may reapply to remove his disqualification on or after January 26, 1978 (five years from January 26, 1973, the date of his last conviction) provided, however, that he has been law-abiding during said five years and has proven to be a fit person to become engaged in the alcoholic beverage industry in this State.

Accordingly, it is, on this 2nd day of July, 1976

ORDERED that the petition herein be and the same is hereby denied.

Joseph H. Lerner,
Acting Director

6: MISCELLANEOUS SEIZURE CASES - ENUMERATED LIST.

- SEIZURE CASE #13,241 - On May 20, 1975 at 4103 Pacific Avenue, Wildwood, cash of \$150., miscellaneous restaurant equipment seized, forfeited; sum of \$3,000. posted by owner forfeited.
- SEIZURE CASE #13,312 - On October 12, 1975 at 295 Morris Avenue, Newark, cash of \$34.36 and miscellaneous personalty seized and forfeited, the sums of \$300. posted by vending machine company and \$500 posted by owner of remaining both forfeited.
- SEIZURE CASE #13,325 - On October 26, 1975 at 1038 East Grand Street, Elizabeth, \$110.72 cash and miscellaneous personalty in Grand Shoe Shine Parlor, seized and forfeited, and sum of \$1,000. posted by vending company returned; sum of \$150. deposited
- SEIZURE CASE #13,339 - On December 12, 1975, cash of \$63.34, miscellaneous personalty seized and forfeited at Monte Bello Social Club at 297 Grand Street, Paterson; sum of \$200. posted by vending company returned; sum of \$150. by owner forfeited.
- SEIZURE CASE #13,340 - On December 12, 1975 at El Buen Latino Social Club at 499 Main Street, Paterson, cash of \$101.47, miscellaneous personalty seized and forfeited; sum of \$150 posted by vending company and sum of \$300. posted by owner forfeited.
- SEIZURE CASE #13,343 - On December 13, 1975 at United Gents Social Club at 388 - 15th Avenue, Newark, cash of \$26.80, miscellaneous personalty seized and forfeited; sum of \$100. posted by vending company forfeited.
- SEIZURE CASE #13,345 - On December 14, 1975, Ford Van with N.Y. Registration in Westfield - van returned to Hertz Co., miscellaneous alcoholic beverages returned to N.Y. stores under stipulation concurred in by Deputy Attorney General.
- SEIZURE CASE #13,347 - On January 2, 1976 at 806 N. 5th Street, Camden, \$71.00 cash, miscellaneous personalty seized and forfeited; \$600. posted by vending machine company returned.
- SEIZURE CASE #13,348 - On January 6, 1976 at International Barbecue, 236 - 2nd Street, Elizabeth, \$153.50 cash and miscellaneous personalty seized and forfeited, \$400. posted by vending machine company returned; \$500. posted by owner forfeited.
- SEIZURE CASE #13,352 - On January 16, 1976 at 3422-C Browns-Mills Road, Pemberton Township, \$209.83 cash, miscellaneous personalty seized and forfeited; \$250. posted by Pepsi Cola Co. and \$50. posted by Stewart Sandwich Co., forfeited.
- SEIZURE CASE #13,353 - On January 17, 1976 at #2 Gauenta Street, Penns Grove, \$57.65 cash, miscellaneous personalty seized, ordered forfeited.
- SEIZURE CASE #13,357 - On January 31, 1976 at 100 West End Ave., Trenton, \$62.87 cash, miscellaneous personalty seized and forfeited; \$700. posted by vending company and \$800. posted by owner, forfeited.

7. STATE LICENSES - NEW APPLICATIONS FILED.

Garden State Soda-Beer-Seltzer Co.

756 Communipaw Avenue

Jersey City, New Jersey

Application filed August 16, 1976
for person-to-person and place-to-
place transfer of State Beverage
Distributor's License SBD-105 from
Gregory L. Betar, t/a All Seasons
Beverages, 343 Hazel Street, Clifton,
New Jersey.

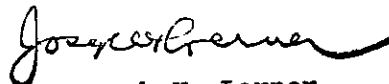
Luis Fernandez and Luis Amechazurra

t/a La Isla

164 Railroad Avenue

Jersey City, New Jersey

Application filed August 27, 1976
for person-to-person transfer of
State Beverage Distributor's
License SBD-85 from Arnold Young
and Morris Rubell.



Joseph H. Lerner
Director