

STATE OF NEW JERSEY  
Department of Law and Public Safety  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
1100 Raymond Blvd. Newark, N.J. 07102

Director

BULLETIN 1934

September 29, 1970

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STATE OF NEW JERSEY  
Department of Law and Public Safety  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
1100 Raymond Blvd. Newark, N.J. 07102

BULLETIN 1934

September 29, 1970

1. APPELLATE DECISIONS - STASH and ED ELIZABETH AVENUE,  
INC. v. ELIZABETH.

STASH and ED ELIZABETH AVENUE, INC.,  
t/a STASH AND ED,

Appellant,

v.

CITY COUNCIL OF THE CITY OF  
ELIZABETH,

Respondent.

)  
)  
) ON APPEAL  
) CONCLUSIONS  
) AND ORDER  
)  
)  
)

-----  
Weiner, Weiner & Glennon, Esqs., by John T. Glennon, Esq.,  
Attorneys for Appellant.  
Edward W. McGrath, Esq., by Daniel J. O'Hara, Esq.,  
Attorney for Respondent.

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

Appellant appeals from the suspension by respondent of their plenary retail consumption license for premises 801-803 Elizabeth Avenue, Elizabeth, for twenty-five days, effective January 15, 1970, after finding them guilty of the following charges:

"1. On June 28, 1969, you sold, served and delivered alcoholic beverages to the following persons in and upon your licensed premises: Jerry --, age 18, Martha B. --, age 20, all of the above sales of alcoholic beverages having taken place in violation of Section 16 of the City Alcoholic Beverage Ordinance and Rule 1, State Regulation 20.

"2. On said June 28, 1969, the licensee, Edward Burdick failed to exhibit his license upon the request of Police Officer Fred Mazura of the Elizabeth Police Department and thereby caused and hindered and delayed the investigation of the licensed premises in violation of Rule 35, State Regulation 20, of the Division of Alcoholic Beverage Control of the State of New Jersey."

Upon the filing of the appeal an order was entered by the Director staying respondent's order of suspension until further order herein.

Appellant contends in its petition of appeal that the action of respondent was erroneous because:

a. The verdict was contrary to the weight of the evidence.

b. Appellant is not guilty of the allegation contained in the complaint.

Respondent's answer avers that appellant was guilty of so much of Charge 1, respecting sale, service and delivery of alcoholic beverages to Geraldine --, a minor, but because of inability to produce Martha --, an alleged minor, the charge against her was abandoned. Furthermore respondent asserts that appellant was guilty of delaying and hindering the investigation.

Officer Mazura testified that at 12:13 a.m. on June 28, 1969, accompanied by two other police officers, upon observing a large crowd of people outside appellant's licensed premises, he stopped and made inquiry as to what occurred. Officer Mazura said while questioning some of the people, a gentleman (subsequently identified as Edward Burdick, president of appellant) came from the rear door and approached him. Officer Mazura stated that he and Mr. Burdick entered the premises and he (Officer Mazura) observed a female who appeared to him to be a minor (subsequently identified as Geraldine --) seated at a table; that he requested her to produce proof of her age and at first she produced a false birth certificate, indicating that she was an adult but thereafter produced a driver's license, showing her to be eighteen years of age.

The officer further testified that upon questioning Geraldine --, she said her drink contained "Seagrams 7 and Seven-up". Upon taking a sip, it was his opinion that it contained an alcoholic beverage.

Officer Mazura also testified he then requested Mr. Burdick to produce the liquor license. Burdick said "he didn't have to show me a damn thing." The officer further said he again requested Mr. Burdick to show him the license but again met with a refusal. At this time other police officers entered the licensed premises and when Mr. Burdick saw Officer Mello, he said "I know this gentleman. I will show him my license." Officer Mello then directed Mr. Burdick to get the license for Officer Mazura, which Mr. Burdick did.

On cross examination Officer Mazura was questioned if he identified himself to Mr. Burdick and his response thereto was that he had told him that he was a police officer while both were outside the tavern before entering the premises. The officer was subjected to lengthy cross examination but adhered to the testimony he had given on direct examination as to what had occurred at the time in question.

Officer Gilrain testified that when he entered appellant's premises he observed Officer Mazura talking to Geraldine -- and although he did not hear the conversation, he saw Geraldine -- on two occasions hand Officer Mazura a piece of paper. Also according to Officer Gilrain, he heard Mr. Burdick refuse to get the liquor license upon request of Officer Mazura, but when Officer Mello entered he heard Burdick say that he would show the license to him. However, the latter officer told Burdick to get the license and give it to Officer Mazura, which direction Burdick followed.

Officer Mello corroborated the testimony that he heard Burdick refuse to show the liquor license to Officer Mazura and when Burdick offered to show him (Mello) the license, he suggested that it should be shown to Officer Mazura.

Geraldine -- testified at the hearing on December 5, 1969, that she was eighteen years of age, being born July 11, 1950, and that while in appellant's tavern on June 28, 1969,

she ordered and was served by a girl a mixed drink containing whiskey and Seven-up. She admitted that at first she showed Officer Mazura a false birth certificate, but finally told him her age and displayed her driver's license to the officer which license contained her correct age.

Geraldine -- further testified that she was never asked before service of her drink as to her age.

Edward Burdick testified that on June 28, 1969 he checked the age of Geraldine -- and she displayed a card as proof that she was over twenty-one years. Burdick said that he had no conversation outside the premises with Officer Mazura; that when Geraldine -- opened her purse, he saw Officer Mazura reach in and take her wallet. Burdick also stated he did not hear Officer Mazura ask to produce the liquor license.

Michaline Burdick, wife of Edward Burdick, testified that she saw Geraldine -- in the premises on the day in question but did not see any alcoholic drink on the table in front of her. Mrs. Burdick further stated that Officer Mazura never made any demand for the production of the license. She said in response to a question by Councilman McCloud that Officer Mazura did not take the wallet out of Geraldine's purse.

Monica McRae testified that she was employed as a waitress by the appellant on June 28, 1969 and "I didn't see her [Geraldine] until I walked up to the owner, Eddie, to ask him if it was all right to serve her, but then other people came in and I didn't even go by that table. Not at all." Mrs. McRae further stated that the place was crowded and "there was a band there and kids dancing."

Appellant produced as witnesses a member of the band and three bartenders, who testified they were present at the time in question but because they were busy their testimony was vague with relation to the charges preferred in this case.

The matter now under consideration is one of fact and the testimony of the witnesses must carefully be weighed. Testimony to be believed must not only proceed from the mouth of a credible witness but must be credible in itself. It must be such as common experience and observation of mankind can approve as probable in the circumstances. Spagnuolo v. Bonnet, 16 N.J. 546 (1954); Gallo v. Gallo, 66 N.J. Super. 1 (App. Div. 1961).

I am satisfied that the police officers testifying in this matter have given an accurate and truthful account of what transpired in the licensed premises at the time in question. Moreover, I am also satisfied with Geraldine's testimony that she was served alcoholic beverages by a waitress on appellant's licensed premises on June 28, 1969. I am not impressed with the testimony of the witnesses produced by appellant. This testimony of Edward Burdick was negative in nature.

After careful examination of all the testimony there is no doubt in my mind that Geraldine -- was served alcoholic beverages in appellant's licensed premises. Furthermore I am satisfied that Edward Burdick failed to cooperate in the investigation with police Officer Mazura by producing the liquor license certificate on the occasions requested by the officer.

I find as a fact that the appellant was guilty of both charges preferred in this case. I therefore recommend that an

order be entered affirming respondent's action and dismissing the appeal and fixing the effective dates for the suspension imposed by respondent and stayed pending the entry of an order herein.

### Conclusions and Order

Written exceptions to the Hearer's report, with supportive argument thereto, were filed by the appellant's attorneys pursuant to Rule 14 of State Regulation No. 15. Written answer to the exceptions was filed by the attorney for the respondent.

Having carefully considered the entire record herein, including the transcripts of the testimony, the Hearer's report, the exceptions thereto and the answer to said exceptions, I concur in the findings and conclusions of the Hearer and adopt them as my conclusions herein.

Accordingly, it is, on this 6th day of August 1970,

ORDERED that Plenary Retail Consumption License C-90, issued by the City Council of the City of Elizabeth to Stash and Ed Elizabeth Avenue, Inc., t/a Stash and Ed, for premises 801-803 Elizabeth Avenue, Elizabeth, be and the same is hereby suspended for twenty-five (25) days, commencing at 2 a.m. Thursday, August 20, 1970, and terminating at 2 a.m. Monday, September 14, 1970.

RICHARD C. McDONOUGH  
DIRECTOR

## 2. DISCIPLINARY PROCEEDINGS - GAMBLING (BOOKMAKING) - POSSESSION OF INDECENT MATTER - LICENSE SUSPENDED FOR 75 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

JOSEPH RUANE  
91 Hudson Street  
Hoboken, N. J.

Holder of Plenary Retail Consumption  
License C-117, issued by the Municipal  
Board of Alcoholic Beverage Control of  
the City of Hoboken.

-----  
Joseph Ruane, Pro se.  
Edward F. Ambrose, Esq., Appearing for Division.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging (1) and (2) that, on June 4 and 11, 1970, he permitted the acceptance of horse race and numbers bets on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20 and (3) that on June 11, 1970 he possessed obscene, lewd and indecent matter (literature, pictures and drawings) on the licensed premises, in violation of Rule 17 of State Regulation No. 20.

Absent prior record, the license will be suspended on the first and second charges for sixty days (Re Huneke, Bulletin 1899, Item 11) and on the third charge for fifteen days (Re Olmo,

Bulletin 1850, Item 4), or a total of seventy-five days, with remission of five days for the plea entered, leaving a net suspension of seventy days.

Accordingly, it is, on this 6th day of August 1970,

ORDERED that Plenary Retail Consumption License C-117, issued by the Municipal Board of Alcoholic Beverage Control of the City of Hoboken to Joseph Ruane, for premises 91 Hudson Street, Hoboken, be and the same is hereby suspended for seventy (70) days, commencing at 2:00 a.m. Monday, August 24, 1970, and terminating at 2:00 a.m. Monday, November 2, 1970.

RICHARD C. McDONOUGH  
DIRECTOR

3. DISCIPLINARY PROCEEDINGS - GAMBLING (HORSE RACE BETS) -  
PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 65 DAYS, LESS  
5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

CLUB HILLCREST, A CORP.  
66 Washington Avenue  
Belleville, N. J.

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption  
License C-12, issued by the Board of  
Commissioners of the Town of Belleville.

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Teltser, Byrne and Greenberg, Esqs., by Irwin R. Rein, Esq.,  
Attorneys for Licensee  
Edward F. Ambrose, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2) alleging that on divers days between May 29 and October 22, 1969 it permitted the acceptance of numbers and horse race bets on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Licensee has a previous record of suspension of license by the municipal issuing authority for ten days effective April 1, 1968 for sale of alcoholic beverages for off-premises consumption during prohibited hours, in violation of Rule 1 of State Regulation No. 38.

The prior record of suspension of license for a dissimilar violation occurring within the past five years considered, 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. Re Hillman, Bulletin 1784, Item 5.

Accordingly, it is, on this 6th day of August 1970,

ORDERED that Plenary Retail Consumption License C-12, issued by the Board of Commissioners of the Town of Belleville to Club Hillcrest, A Corp., for premises 66 Washington Avenue, Belleville, be and the same is hereby suspended for sixty (60) days, commencing at 2 a.m. Monday, August 24, 1970, and terminating at 2 a.m. Friday, October 23, 1970.

RICHARD C. McDONOUGH  
DIRECTOR

4. DISCIPLINARY PROCEEDINGS - GAMBLING (PLAYING OF CARDS FOR MONEY STAKES) - SALE OF DRINKS FOR OFF-PREMISES CONSUMPTION - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

PLAIN AND FANCY TAVERN (A CORPORATION)  
789 Chambers Street  
Trenton, N. J.

Holder of Plenary Retail Consumption  
License C-61, issued by the City  
Council of the City of Trenton

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Lawrence N. Stein, Esq., Attorney for Licensee  
Edward F. Ambrose, Esq., Appearing for Division

)  
) CONCLUSIONS  
) AND ORDER  
)  
)  
)  
)

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on February 14, 1970, it (1) permitted gambling (playing of a card game for money stakes) on the licensed premises, in violation of Rule 7 of State Regulation No. 20, and (2) sold three mixed drinks of scotch whisky for consumption off the licensed premises, in violation of R.S. 33:1-2.

Licensee has a previous record of suspension of license by the Director for ten days, effective January 12, 1970, for possession of alcoholic beverages in bottles not truly labeled (Re Plain and Fancy Tavern, Bulletin 1896, Item 14), and by the municipal issuing authority for thirty days, effective February 23, 1970, for permitting alcoholic beverage activity on the licensed premises during period its license was under suspension, in violation of Rule 32 of State Regulation No. 20.

The license will be suspended on the first charge for fifteen days (Re Kolibas, Bulletin 1911, Item 12) and on the second charge for ten days (Re Triano, Bulletin 1760, Item 13), to which will be added five days by reason of the record of suspension effective January 12, 1970 for dissimilar violation occurring within the past five years (Re Miller, Bulletin 1911, Item 3), the record of suspension effective February 23, 1970 for dissimilar violation being disregarded in admeasuring the penalty because imposed subsequent to the occurrence of the violations herein (Re Getcliffe, Inc., Bulletin 1911, Item 9), 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 30th day of July 1970,

ORDERED that Plenary Retail Consumption License C-61, issued by the City Council of the City of Trenton to Plain and Fancy Tavern (A Corporation), for premises 789 Chambers Street, Trenton, be and the same is hereby suspended for twenty-five (25) days, commencing at 2:00 a.m. Monday, August 3, 1970, and terminating at 2:00 a.m. Friday, August 28, 1970.

RICHARD C. McDONOUGH  
DIRECTOR

5. DISCIPLINARY PROCEEDINGS - LICENSEE WORKING WHILE APPARENTLY  
INTOXICATED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR  
25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

CONCLUSIONS  
AND ORDER

FELIX CIESLARCZYK  
t/a Anton and Chuck's  
516 Ridgeway Avenue  
South Amboy, N. J.

Holder of Plenary Retail Consumption  
License C-2 issued by the Common  
Council of the City of South Amboy

-----  
Lynch, Mannion, Lutz & Lewandowski, Esqs., by Robert W. Lewandowski,  
Esq., Attorneys for Licensee  
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on  
April 8, 1970, he worked as a bartender on his licensed premises  
while actually or apparently intoxicated, in violation of Rule 24  
of State Regulation No. 20.

Licensee has a previous record of suspension of license  
by the Director for ten days effective June 12, 1967, for sale to  
minors. Re Cieslarczyk, Bulletin 1743, Item 6.

The license will be suspended on the charge herein for  
twenty days (Re Big John's Tavern, Inc., Bulletin 1879, Item 7),  
to which will be added five days by reason of the record of  
suspension of license for dissimilar violation occurring within  
the past five years (Re Harrington & Burns, Inc., Bulletin 1882,  
Item 5), or a total of twenty-five days, with remission of five  
days for the plea entered, leaving a net suspension of twenty days.

Accordingly, it is, on this 7th day of August, 1970,

ORDERED that Plenary Retail Consumption License C-2,  
issued by the Common Council of the City of South Amboy to Felix  
Cieslarczyk, t/a Anton and Chuck's, for premises 516 Ridgeway  
Avenue, South Amboy, be and the same is hereby suspended for  
twenty (20) days, commencing at 2:00 a.m. Tuesday, August 25,  
1970, and terminating at 2:00 a.m. Monday, September 14, 1970.

RICHARD C. McDONOUGH  
DIRECTOR



6. DISCIPLINARY PROCEEDINGS - CRIMINALLY DISQUALIFIED EMPLOYEE -  
PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS  
5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

CLARA KRONE  
102 - 36th Street  
Union City, N. J.

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption  
License C-155 issued by the Board of  
Commissioners of the City of Union City

-----  
Licensee, Pro se  
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on June 1, 1970, and on divers days prior thereto, she employed as a bartender Fred Krone, a person convicted of crime involving moral turpitude, in violation of Rule 1 of State Regulation No. 13.

While licensee has no prior record of suspension against the license in her individual name, a license held by her in partnership with aforementioned Fred Krone, for the same premises, was suspended by the Director for fifty-five days effective July 16, 1968, for permitting acceptance of numbers bets on the licensed premises. Re Krone, Bulletin 1806, Item 11.

The license will be suspended for twenty days (Re Hall-Will, Inc., Bulletin 1909, Item 10), to which will be added five days by reason of the record of suspension of license for dissimilar violation occurring within the past five years (Re Harrington & Burns, Inc., Bulletin 1882, Item 5; cf. Re Mandel, Bulletin 1472, Item 2), or a total of twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days.

Accordingly, it is, on this 7th day of August, 1970,

ORDERED that Plenary Retail Consumption License C-155, issued by the Board of Commissioners of the City of Union City to Clara Krone for premises 102 - 36th Street, Union City, be and the same is hereby suspended for twenty (20) days, commencing at 3:00 a.m. Thursday, August 20, 1970, and terminating at 3:00 a.m. Wednesday, September 9, 1970.

RICHARD C. McDONOUGH  
DIRECTOR

7. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY  
 LABELED - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
 Proceedings against

WAYSIDE PALACE, INC.  
 419 E. 19th Street  
 Paterson, N. J.

CONCLUSIONS  
 AND ORDER

Holder of Plenary Retail Consumption  
 License C-145, issued by the Board of  
 Alcoholic Beverage Control for the City  
 of Paterson.

-----  
 Licensee by James Richardson, President and Ethel Richardson,  
 Secretary, Pro Se.

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

BY THE DIRECTOR:

Licensee pleads non vult to charge alleging that, on  
 April 15, 1970, it possessed alcoholic beverages in three 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 twenty days, with remission of five days for the plea entered,  
 leaving a net suspension of fifteen days. Re Gordon Compton's  
Surrey Inn, Inc., Bulletin 1896, Item 12.

Accordingly, it is, on this 6th day of August, 1970,

ORDERED that Plenary Retail Consumption License C-145,  
 issued by the Board of Alcoholic Beverage Control for the City  
 of Paterson to Wayside Palace, Inc., for premises 419 E. 19th  
 Street, Paterson, be and the same is hereby suspended for fifteen  
 (15) days, commencing at 3:00 a.m. Monday, August 24, 1970 and  
 terminating at 3:00 a.m. Tuesday, September 8, 1970.

RICHARD C. McDONOUGH  
 DIRECTOR

In the Matter of Disciplinary  
Proceedings against

## CONCLUSIONS AND ORDER

Licensee, Pro se.

BY THE DIRECTOR:

Licensee has a previous record of suspension of license by the municipal issuing authority (1) for one day, December 17, 1934, for alcoholic beverage activity on the licensed premises during prohibited hours on an Election Day and (2) for five days, effective July 20, 1936, for violation of Section 48 of the Alcoholic Beverage Control Act, non-disclosure of said suspensions being the subject matter of the second charge herein.

Accordingly, it is, on this 11th day of August 1970,

RICHARD C. McDONOUGH  
DIRECTOR

9. DISCIPLINARY PROCEEDINGS - AMENDED ORDER - CHANGE OF POLICY  
ON FAILURE TO DISCLOSE RECORD OF PRIOR LICENSE SUSPENSIONS  
IN APPLICATION.

In the Matter of Disciplinary  
Proceedings against

PATRICK J. McWEENEY  
t/a Paddy's Tavern  
548 Edgar Road  
Elizabeth, N. J.

AMENDED  
ORDER

Holder of Plenary Retail Consumption  
License C-226, issued by the City  
Council of the City of Elizabeth

-----  
Licensee, Pro se.

Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

On August 11, 1970 I entered an order suspending the subject license for twenty days upon his plea of non vult to charges alleging that (1) he sold alcoholic beverages for off-premises consumption in violation of Rule 1 of State Regulation No. 38 and (2) he failed to disclose a record of a prior license suspension in his application for his 1969-70 license in violation of R.S. 33:1-25.

The licensee has petitioned for reconsideration of the penalty imposed on the second charge.

It appears that the previous records of suspensions of license, non-disclosure of which was the subject matter on the second charge, occurred in 1934 and 1936. I have decided to change Division policy presently in force to the effect that henceforth if, absent willful non-disclosure or aggravating circumstances, information is omitted from a license application concerning a prior record which occurred more than ten years from the date of the present infraction, it will no longer serve as a basis for disciplinary proceedings.

In view of this change of policy, I am affording the licensee the benefit of this change in policy, particularly in view of the fact that the prior record occurred more than thirty years ago, and there is no evidence that the said licensee willfully failed to disclose his prior license suspensions.

Therefore, I shall vacate the penalty of license suspension on the second charge by amending the aforesaid order to provide for a suspension of ten days instead of twenty days.

Accordingly, it is on this 11th day of September, 1970

ORDERED that the order dated August 11, 1970 is hereby amended as follows:

ORDERED that Plenary Retail Consumption License C-226, issued by the City Council of the City of Elizabeth to Patrick J. McWeeney, t/a Paddy's Tavern, for premises 548 Edgar Road, Elizabeth, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. Tuesday, September 8, 1970, and terminating at 2:00 a.m. Friday, September 18, 1970.

RICHARD C. McDONOUGH  
DIRECTOR

10.

ACTIVITY REPORT FOR AUGUST 1970

## ARRESTS:

Total number of persons arrested	-----	16
Licensees and employees	7	
Bootleggers	9	

## SEIZURES:

Motor vehicles - cars	-----	1
Distilled alcoholic beverages - gallons	-----	22.58
Wine - gallons	-----	39.76
Brewed malt alcoholic beverages -gallons	-----	38.18

## RETAIL LICENSEES:

Premises inspected	-----	389	
Premises where alcoholic beverages were gauged	-----	327	
Bottles gauged	-----	5,445	
Premises where violations were found	-----	131	
Violations found	-----	210	
Unqualified employees	92	No disposal permit	2
No Form E-141-A on premises	44	Other mercantile business	2
Form E-141-A incomplete	26	Prohibited signs & practices	1
Application copy not available	11	Other violations	32

## STATE LICENSEES:

Premises inspected	-----	17
License applications investigated	-----	7

## COMPLAINTS:

Complaints assigned for investigation	-----	342
Investigations completed	-----	391
Investigations pending	-----	335

## LABORATORY:

Analyses made	-----	66
Refills from licensed premises - bottles	-----	44
Bottles from unlicensed premises	-----	6

## IDENTIFICATION:

Persons fingerprinted for non-criminal purposes	-----	460
Identification contacts made with other enforcement agencies	-----	283

## DISCIPLINARY PROCEEDINGS:

Cases transmitted to municipalities	-----	1	
Violations involved	-----	1	
Sale to minors	1		
Cases instituted at Division	-----	14	
Violations involved	-----	18	
Sale during prohibited hours	5	Permitting misc. gambling on prem.	1
Sale to minors	4	Sale outside scope of license	1
Permitting lottery acty. on premises	2	Permitting foul language on prem.	1
Fraud in application	2	Sale to non-members by club	1
Hindering investigation	1		
Cases brought by municipalities on own initiative and reported to Division	-----	21	
Violations involved	-----	22	
Sale to minors	8	Sale during prohibited hours	2
Permitting brawl on lic. prem.	4	Storage off licensed premises	1
Permitting gambling on premises	3	Permitting immoral acty. on prem.	1
Permitting minor on prem. unaccompan. by parent (local reg.)	2	Hindering investigation	1

## HEARINGS HELD AT DIVISION:

Total number of hearings held	-----	43	
Appeals	10	Eligibility	6
Disciplinary proceedings	25	Seizures	2

## STATE LICENSES AND PERMITS:

Total number issued	-----	1,467	
Licenses	11	Wine permits	15
Solicitors' permits	60	Miscellaneous permits	244
Employment permits	442	Transit insignia	173
Disposal permits	87	Transit certificates	14
Social affair permits	421		

## OFFICE OF AMUSEMENT GAMES CONTROL:

Licenses issued	3	Premises inspected	563
State Fair licenses issued	73	Premises where violations found	29
Enforcement files established	28	Number of violations found	36

RICHARD C. McDONOUGH  
 Director of Alcoholic Beverage Control  
 Commissioner of Amusement Games Control

Dated: September 10, 1970

11. DISCIPLINARY PROCEEDINGS - SALE BELOW FILED PRICE -  
LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary	)	
Proceedings against	)	
BERGENFIELD LIQUOR SHOP, INC.	)	CONCLUSIONS
8 South Washington Avenue	)	AND ORDER
Bergenfield, N. J.	)	
Holder of Plenary Retail Distribution	)	
License D-2, issued by the Borough	)	
Council of the Borough of Bergenfield	)	

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Licensee by Norman Freidman, Secretary, Pro se.  
Walter H. Cleaver, Esq., Appearing for Division.

BY THE DIRECTOR:

Licensee pleads non vult to charge alleging that on June 9, 1970, it sold twelve bottles of scotch whisky 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 January 14, 1952, for sale of alcoholic beverages below filed price.  
Re Bergenfield Liquor Shop, Inc., Bulletin 924, Item 7.

The prior record of suspension of license for similar violation occurring more than ten years ago disregarded, 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 Richard N. Musselman, Inc., Bulletin 1899, Item 14.

Accordingly, it is, on this 10th day of August 1970,

ORDERED that Plenary Retail Distribution License D-2, issued by the Borough Council of the Borough of Bergenfield to Bergenfield Liquor Shop, Inc., for premises 8 South Washington Avenue, Bergenfield, be and the same is hereby suspended for five (5) days, commencing at 9:00 a.m. Monday, August 24, 1970, and terminating at 9:00 a.m. Saturday, August 29, 1970.

RICHARD C. McDONOUGH  
DIRECTOR

12. DISCIPLINARY PROCEEDINGS - GAMBLING (WAGERING) - LICENSE  
SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

HEINZ KATMANN AND RITA CORWIN  
t/a Heinz & Rita's  
Route 12  
Kingwood, PO Frenchtown, N. J.

)  
) CONCLUSIONS  
) AND ORDER  
)  
)  
)  
)

Holder of Plenary Retail Consumption  
License C-2, issued by the Township  
Committee of Kingwood Township.

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Licensees, Pro Se.

Edward F. Ambrose, Esq., Appearing for the Division.

BY THE DIRECTOR:

Licensees plead non vult to charge alleging that on June 26, 1970, they permitted gambling (pool game for money stakes) on the licensed premises, in violation of Rule 7 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 Colony Inn, Inc., Bulletin 1846, Item 10.

Accordingly, it is on this 7th day of August, 1970,

ORDERED that Plenary Retail Consumption License C-2, issued by the Township Committee of Kingwood Township to Heinz Katmann and Rita Corwin, t/a Heinz & Rita's, for premises Route 12, Kingwood Township, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. Tuesday, August 25, 1970 and terminating at 2:00 a.m. Friday, September 4, 1970.

RICHARD C. McDONOUGH  
DIRECTOR

13. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF RULE 1 OF  
STATE REGULATION NO. 38 (SALE AT OTHER THAN LEGAL HOURS) -  
LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary )  
Proceedings against )

CLUB 31, INC. )  
28 Brunswick Street )  
Jersey City, N. J. )

CONCLUSIONS  
AND ORDER

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

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Licensee, by Carl Griffin, President, Pro se  
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on  
Sunday, June 14, 1970, it sold a pint bottle of gin for off-  
premises consumption, in violation of Rule 1 of State  
Regulation No. 38.

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 Glazer & King, Bulletin  
1906, Item 10.

Accordingly, it is, on this 7th day of August, 1970,

ORDERED that Plenary Retail Consumption License C-68,  
issued by the Municipal Board of Alcoholic Beverage Control of  
the City of Jersey City to Club 31, Inc. for premises 28  
Brunswick Street, Jersey City, be and the same is hereby  
suspended for ten (10) days, commencing at 2:00 a.m. Monday,  
August 24, 1970, and terminating at 2:00 a.m. Thursday,  
September 3, 1970.

RICHARD C. McDONOUGH  
DIRECTOR



14. DISCIPLINARY PROCEEDINGS - SALE TO NON-MEMBERS - HINDERING INVESTIGATION - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

GRAND DUKES CLUB (A CORPORATION)  
219 Iron St.  
Florence Township  
PO Florence, N. J.

CONCLUSIONS  
AND ORDER

Holder of Club License CB-8 (for the  
1969-70 and 1970-71 license periods),  
issued by the Township Committee of the  
Township of Florence.

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Powell, Davis, Dietz & Colsey, Esqs., by John A. Sweeney, Esq.,  
Attorneys for Licensee  
Walter H. Cleaver, Esq., Appearing for the Division

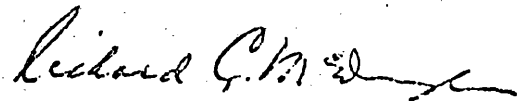
BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that (1) on April 17, 1970 it sold alcoholic beverages to non-members in violation of Rule 8 of State Regulation No. 7, and (2) hindered and failed to facilitate the investigation in violation of Rule 35 of State Regulation No. 20.

Absent prior record, the license will be suspended on the first charge for fifteen days (Re Cranbury Vikings & Sportsmen's Club, Inc., Bulletin 1893, Item 5), and on the second charge for ten days (Re Getcliffe, Inc., Bulletin 1911, Item 9), or a total of twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days.

Accordingly, it is, on this 17th day of August 1970,

ORDERED that Club License CB-8, issued by the Township Committee of the Township of Florence to Grand Dukes Club (a corporation), for premises 219 Iron Street, Florence Township, be and the same is hereby suspended for twenty (20) days, commencing at 2 a.m. Tuesday, September 1, 1970, and terminating at 2 a.m. Monday, September 21, 1970.



Richard C. McDonough  
Director