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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 1896

January 26, 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 1896

January 26, 1970

1. COURT DECISIONS - SMITH v. KEEGAN, HI-LITE TAVERN, INC. AND NEWARK - DIRECTOR AFFIRMED.

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
A-1506-68

WILLIAM J. SMITH, SR.,  
ROSE M. SMITH, REVEREND  
MINNIE STITH, MOUNT SINAI HOLY  
CHURCH OF AMERICA, INC., a religious  
corporation of Pennsylvania,  
CAROLYN KELLY, and JEWELL DANIELS,

Appellants,

v.

JOSEPH M. KEEGAN, Director,  
Division of Alcoholic Beverage  
Control, an agency of the  
State of New Jersey, HI-LITE  
TAVERN, INC., a New Jersey  
corporation, and MUNICIPAL BOARD  
OF ALCOHOLIC BEVERAGE CONTROL OF  
THE CITY OF NEWARK,

Respondents.

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Argued January 5, 1970 -- Decided January 13, 1970.

Before Judges Goldmann, Lewis and Matthews.

On Appeal from the Division of Alcoholic  
Beverage Control.

Mr. Norman A. Kurtz argued the cause for  
appellants (Messrs. Levy and Kraus, attorneys).

Mr. Charles S. Okin argued the cause for  
respondent Hi-Lite Tavern, Inc. (Messrs. Okin,  
Okin & Sondak, attorneys).

Mr. Arthur J. Sills, Attorney General, filed  
a statement in lieu of brief on behalf of  
respondent Keegan (Mr. Stephen Skillman, Assistant  
Attorney General, of counsel; Mr. Richard C. Camp,  
Deputy Attorney General, on the brief).

PER CURIAM

(Appeal from the Director's decision in Smith v. Newark and Hi-Lite Tavern, Inc., Bulletin 1864, Item 1. Director affirmed. Opinion not approved for publication by the court committee on opinions.)

2. APPELLATE DECISIONS - GOTTUSO v. PATERSON

Jean Gottuso, t/a Rose's Tavern,  
 Appellant,  
 v.  
 Board of Alcoholic Beverage Control for the City of Paterson,  
 Respondent.  
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On Appeal ORDER

Emil Weisser, Esq., Attorney for Appellant.  
 Joseph L. Conn, Esq., by Samuel K. Yucht, Esq., Attorney for Respondent.

BY THE DIRECTOR:

Appellant appeals from respondent's denial of her application for renewal of her plenary retail consumption license for premises 331 Grand Street, Paterson, for the license year 1969-70.

Prior to the hearing, respondent's attorney advised me by letter dated December 19, 1969, that the respondent has now decided to grant the said application for renewal of the said license, and that the attorneys have agreed that the said appeal be withdrawn and that an order for dismissal shall be entered.

Accordingly, it is, on this 31st day of December 1969,

ORDERED that the appeal herein be and the same is hereby dismissed.

Joseph M. Keegan  
 Director

3. DISCIPLINARY PROCEEDINGS - TRANSPORTATION WITHOUT DELIVERY SLIP - TRANSPORTATION WITHOUT TRANSIT INSIGNIA - PERMITTING OPEN CONTAINER ON DISTRIBUTION LICENSED PREMISES - ALCOHOLIC BEVERAGES NOT TRULY LABELED - UNQUALIFIED EMPLOYEE - LICENSE SUSPENDED FOR 75 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against  
 M.J. Corp.  
 t/a M.J. Liquor Store  
 251 Raritan Avenue  
 Waterford Township  
 PO Atco, N.J.  
 Holder of Plenary Retail Distribution License D-1 issued by the Township Committee of the Township of Waterford  
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CONCLUSIONS AND ORDER

Edward I. Feinberg, Esq., Attorney for Licensee  
 Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on April 25, 1969, it transported a quantity of alcoholic beverages in a vehicle (1) without accompanying requisite delivery slip, in violation of Rule 3 of State Regulation No. 17, and (2) such vehicle not bearing transit insignia, in violation of Rule 12 of State Regulation No. 17, and possessed on its distribution licensed premises (3) an opened container of wine, in violation of Rule 14 of State Regulation No. 20, and (4) a number of containers of wine bearing no label describing their contents, in violation of Rule 27 of State Regulation No. 20, and (5) employed a non-resident of New Jersey without requisite employment permit, in violation of Rule 4 of State Regulation No. 13.

Absent prior record, the license will be suspended on the first and second charges for forty-five days (Re Sabbia Liquor Corp., Inc., Bulletin 1880, Item 4), on the third charge for ten days (Re Sokol, Bulletin 1707, Item 3), on the fourth charge for fifteen days (cf. Re International Brotherhood of Pulp, Sulphite and Papermill Workers, Local #380, Bulletin 1841, Item 8) and on the fifth charge for five days (Re Agron, Inc., Bulletin 1840, Item 3), 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 29th day of December 1969,

ORDERED that Plenary Retail Distribution License D-1, issued by the Township Committee of the Township of Waterford to M.J. Corp. (A Corp. of N.J.), t/a M.J. Liquor Store, for premises 251 Raritan Avenue, Waterford, be and the same is hereby suspended for seventy (70) days commencing at 9:00 a. m. Monday, January 5, 1970, and terminating at 9:00 a. m. Monday, March 16, 1970.

Joseph M. Keegan,  
Director

4. DISCIPLINARY PROCEEDINGS - GAMBLING (FOOTBALL POOL TICKETS) - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 70 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

JEANETTE GOLDBERG )  
t/a Jewell Bar & Grill )  
10-12 Saddle River Avenue, )  
Garfield Park Section )  
South Hackensack )  
PO Garfield, N.J., )

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-7, issued by the Township Committee of the Township of South Hackensack. )  
----- )

Samuel J. Davidson, Esq., Attorney for Licensee.  
Louis F. Treole, Esq., Appearing for the Division.

BY THE DIRECTOR:

Licensee pleads non vult to charge alleging that on September 24, 1969 she possessed football pool tickets on the licensed premises, in violation of Rule 6 of State Regulation No. 20.

The tickets were of the kind used in commercial gambling activity, listing college and professional football games, with point spread for each, in which the players might bet any amount and select from four to sixteen games, winning varying numbers of "points" ranging from 10 to 1,000.

Licensee has a previous record of suspensions of license then held for premises 8 Outwater Lane, Garfield, by the Commissioner for twenty days, effective June 19, 1944, for bookmaking and employing an unqualified person, for twenty days, effective August 28, 1946, for possession of bagatelle machines and employing an unqualified person, by the Director for fifteen days, effective March 18, 1953, for permitting a female employed on the premises to accept beverages at the expense of or as a gift from customers (Re Goldberg, Bulletins 624, Item 1, 727, Item 6 and 962, Item 4); and for the present premises by the municipal license issuing authority for five days, effective March 22, 1965, for sale to a minor and for ten days, effective July 10, 1967, for sale in violation of State Regulation No. 38.

The prior record of suspensions of license for similar violation in 1944 occurring more than ten years ago and for dissimilar violations in 1946 and 1953 occurring more than five years ago disregarded, but the record of two suspensions for dissimilar violations within the past five years considered, the license will be suspended for seventy days, with remission of five days for the plea entered, leaving a net suspension of sixty-five days. Re Garwood House, Inc., Bulletin 1839, Item 2; Re McGuire Holiday Motel, Bulletin 1884, Item 1, cf. Re Mercurio, Bulletin 1798, Item 3.

Accordingly, it is, on this 23rd day of December, 1969,

ORDERED that Plenary Retail Consumption License C-7, issued by the Township Committee of the Township of South Hackensack to Jeanette Goldberg, t/a Jewell Bar & Grill, for premises 10-12 Saddle River Avenue, Garfield Park Section, South Hackensack, be and the same is hereby suspended for sixty-five (65) days, commencing at 2:00 a.m. Monday, January 5, 1970, and terminating at 2:00 a.m. Wednesday, March 11, 1970.

Joseph M. Keegan  
Director

5. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS BETS) - LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against 15 Howe Ave., Inc. t/a Office Cafe 15 Howe Avenue Passaic, N.J.,

CONCLUSIONS and ORDER

Holder of Plenary Retail Consumption License C-60, issued by the Municipal Board of Alcoholic Beverage Control of the City of Passaic.

Kronman and Osofsky, Esq., Attorneys for Licensee Louis F. Treole, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2) alleging that on August 6, 7, 19, 20 and 21, 1969 it permitted acceptance of numbers bets on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Absent prior record, the license will be suspended for sixty days, with remission of five days for the plea entered, leaving a net suspension of fifty-five days. Re Berpeg, Inc., Bulletin 1881, Item 9.

Accordingly, it is, on this 29th day of December 1969,

ORDERED that Plenary Retail Consumption License C-60, issued by the Municipal Board of Alcoholic Beverage Control of the City of Passaic to 15 Howe Ave., Inc., t/a Office Cafe, for premises 15 Howe Avenue, Passaic, be and the same is hereby suspended for fifty-five (55) days, commencing at 3 a.m. Wednesday, January 7, 1970, and terminating at 3 a.m. Tuesday, March 3, 1970.

Joseph M. Keegan, Director

6. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS BET) - LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against THOMAS DRAGANCHUCK & MICHAEL CHMELNYCKYJ 608 Paterson Pl. Rd. Union City, N.J.,

CONCLUSIONS AND ORDER

Holders of Plenary Retail Consumption License C-81, issued by the Board of Commissioners of the City of Union City.

Licensees, Pro se. Louis F. Treole, Esq., Appearing for the Division.

BY THE DIRECTOR:

Licensees plead guilty to charges (1) and (2) that on September 23, 30 and October 2, 1969 they permitted acceptance of

numbers bets on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Absent prior record, the license will be suspended for sixty days, with remission of five days for the plea entered, leaving a net suspension of fifty-five days. Re Zig E. Inc., Bulletin 1872, Item 4.

Accordingly, it is, on this 29th day of December, 1969,

ORDERED that Plenary Retail Consumption License C-81, issued by the Board of Commissioners of the City of Union City to Thomas Draganchuck & Michael Chmelnickyj, for premises 608 Paterson Pl. Rd., Union City, be and the same is hereby suspended for fifty-five (55) days, commencing at 3:00 a.m. Wednesday, January 7, 1970, and terminating at 3:00 a.m. Tuesday, March 3, 1970.

Joseph M. Keegan  
Director.

7. DISCIPLINARY PROCEEDINGS -SALE TO MINOR - SALE IN VIOLATION OF STATE REGULATION NO. 38 - FALSE STATEMENT IN LICENSE APPLICATION - LICENSE SUSPENDED FOR 50 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

Chip's Bar, Inc. )  
5315 Park Avenue )  
West New York, N.J., )

CONCLUSIONS  
and  
ORDER

Holder of Plenary Retail Consumption License C-1, issued by the Board of Commissioners of the Town of West New York. )  
----- )

Licensee, by Carmella Cippaghila, Secretary-Treasurer, Pro se  
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads guilty to charges alleging that on August 13, 1969 it (1) sold six cans of beer to a minor, age 16, in violation of Rule 1 of State Regulation No. 20, and (2) for off-premises consumption during prohibited hours, in violation of Rule 1 of State Regulation No. 38; and non vult to charge (3) alleging that in its current application for license it failed to disclose its record of prior license suspension, in violation of R.S. 33:1-25.

Licensee has a previous record of suspension of license by the Director for twenty-five days effective February 4, 1963 for permitting acceptance of numbers bets (Re Chip's Bar, Inc., Bulletin 1499, Item 3), non-disclosure of which being the subject of the third charge.

The prior record of suspension for dissimilar violation occurring more than five years ago disregarded in admeasuring the penalty, the license will be suspended on the first charge for twenty-five days (Re Roman Inn, Inc., Bulletin 1823, Item 3), on the second charge for fifteen days (Re Rios, Bulletin 1882, Item 8) and on the third charge for ten days (Re Culver, Bulletin 1874, Item 4), or a total of fifty days, with remission of five days for the pleas entered, leaving a net suspension of forty-five days.

Accordingly, it is, on this 29th day of December 1969,

ORDERED that Plenary Retail Consumption License C-1, issued by the Board of Commissioners of the Town of West New York to Chip's Bar, Inc., for premises 5315 Park Avenue, West New York, be and the same is hereby suspended for forty-five (45) days, commencing at 3 a.m. Monday, January 5, 1970, and terminating at 3 a.m. Thursday, February 19, 1970.

Joseph M. Keegan,  
Director.

8. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 AND LOCAL ORDINANCE - UNQUALIFIED EMPLOYEE - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 35 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against  
Orient Delicatessen & Liquor Store, Inc.  
t/a Orient Delicatessen & Liquor Store  
663 Ocean Avenue  
Jersey City, N.J.,

CONCLUSIONS  
and  
ORDER

Holder of Plenary Retail Distribution License D-66, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.

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Licensee, by Nicholas Vafiadis, Treasurer, Pro se  
Edward F. Ambrose, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on Sunday, December 21, 1969, it sold a pint bottle of whiskey (1) for off-premises consumption in violation of Rule 1 of State Regulation No. 38 and (2) during hours prohibited by municipal ordinance, and (3) employed a minor, age 20, to sell alcoholic beverages, in violation of Rule 2 of State Regulation No. 13.

Licensee has a previous record of suspension of license by the Director (1) for ten days, effective November 26, 1956, for sale of alcoholic beverages in original containers for off-premises consumption during prohibited hours in violation of Rule 1 of State Regulation No. 38 (Re Orient Delicatessen & Liquor Store, Inc., Bulletin 1146, Item 12) and (2) for thirty-five days, effective July 19, 1961, for sale of alcoholic beverages in original containers for off-premises consumption during prohibited hours in violation of Rule 1 of State Regulation No. 38 and municipal ordinance, similar to charges 1 and 2 herein (Re Orient Delicatessen & Liquor Store, Inc., Bulletin 1403, Item 6).

The prior record of suspension of license for similar violation of Rule 1 of State Regulation No. 38 in 1959 disregarded because occurring more than ten years ago but the record of suspension in 1961 for similar violation of Rule 1 of State Regulation No. 38 and municipal ordinance occurring more than five but less than ten years ago considered, the license will be suspended on the first and second charges for twenty-five days (Re Badyna, Bulletin 1683, Item 7), and on the third charge for ten days (Re Malone, Bulletin 1866, Item 2), 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 30th day of December 1969,

ORDERED that Plenary Retail Distribution License D-66, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Orient Delicatessen & Liquor Store, Inc., t/a Orient Delicatessen & Liquor Store, for premises 663 Ocean Avenue, Jersey City, be and the same is hereby suspended for thirty (30) days, commencing at 9 a.m. Monday, January 5, 1970, and terminating at 9 a.m. Wednesday, February 4, 1970.

Joseph M. Keegan,  
Director.

9. DISQUALIFICATION REMOVAL PROCEEDINGS - FAILURE TO PAY OCCUPATIONAL TAX (FEDERAL GAMBLING) - ORDER REMOVING DISQUALIFICATION.

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

Case No. 2330

CONCLUSION  
and  
ORDER

-----)  
BY THE DIRECTOR:

Petitioner's criminal record discloses that on June 26, 1964 he was convicted in the United States District Court of willful failure to pay occupational tax (federal gambling), willful failure to keep records and willful failure to register, sentenced to two years prison (suspended), probation two years and \$250 fine.

Since the crime of which petitioner was convicted involves the element of moral turpitude (Re Elig. #745, Bulletin 1645, Item 8), petitioner was thereby rendered ineligible to be engaged in the alcoholic beverage industry in this State. R.S. 33:1-25,26.

In 1968 the United States Supreme Court, in Marchetti v. United States, 390 U.S. 39, 88 Sup.Ct.Rep. 697 (generally believed to have held the wagering tax law unconstitutional) in fact held only that the wagering tax provisions of the Federal law are as such not impermissible but that those who properly assert their constitutional privilege against self crimination may not be criminally punished for failure to comply with their requirements. In view of the fact that petitioner's conviction antedated the Supreme Court's decision, the effects of the conviction (specifically its involvement of moral turpitude) still persist despite the declaration of the law's "unconstitutionality."

At the hearing held herein, petitioner (59 years old) testified that for the past five years he has resided in neighboring municipalities; that he is married, and has been a bartender since May 1969; from 1967 to May 1969 he was employed in a plumbing and heating business, and from 1963 to 1967 he was employed as a bartender.

Petitioner further testified that he is asking for the removal of his disqualification to be free to engage in the alcoholic beverage industry in this State and that ever since June 26, 1964 he has not been convicted of any crime or arrested.

The Police Department of the municipality wherein the petitioner resides reports that there are no complaints or investigations presently pending against petitioner.

Petitioner produced three character witnesses (a truck driver, a salesman and a building contractor), who testified that they have known petitioner for more than five years last past and that in their opinion he is now an honest, law-abiding person with a good reputation.

The only reservation I have in granting the relief sought herein is based on the fact that petitioner, although disqualified, worked as a bartender in licensed premises. I am, however, favorably influenced by three factors, viz., (a) testimony of his character witnesses, (b) the fact that his criminal record shows only one conviction of crime, and (c) his sworn testimony that he was unaware of his ineligibility to be associated with the liquor industry in this State. Knowledge of the law, moreover, is not a prerequisite to removal of disqualification in these proceedings. Re Case No. 1738, Bulletin 1510, Item 7.

Considering all the aforesaid facts and circumstances, I am satisfied that petitioner has conducted himself in a law-abiding manner for five years last past, and conclude that his association with the alcoholic beverage industry in this State will not be contrary to the public interest.

Accordingly, it is, on this 31st day of December, 1969,

ORDERED that petitioner's statutory disqualification because of the conviction described herein be and the same is hereby removed, in accordance with the provisions of R.S. 33:1-31.2.

Joseph M. Keegan  
Director

10.

ACTIVITY REPORT FOR DECEMBER 1969

<b>ARRESTS:</b>		
Total number of persons arrested - - - - -		8
Licensees and employees - - - - -	6	
Bootleggers - - - - -	2	
<b>SEIZURES:</b>		
Motor vehicles - cars - - - - -		1
Alcohol - gallons - - - - -		8.10
Distilled alcoholic beverages - gallons - - - - -		15.82
Wine - gallons - - - - -		6.24
Brewed malt alcoholic beverages - gallons - - - - -		34.79
<b>RETAIL LICENSEES:</b>		
Premises inspected - - - - -		709
Premises where alcoholic beverages were gauged - - - - -		568
Bottles gauged - - - - -		7,970
Premises where violations were found - - - - -		163
Violations found - - - - -		198
No Form E-141-A on premises - - - - -	77	No disposal permit - - - - - 2
Form E-141-A incomplete - - - - -	37	Prohibited signs - - - - - 1
Unqualified employees - - - - -	22	Other mercantile business - - - - - 1
Application copy not available - - - - -	16	Other violations - - - - - 42
<b>STATE LICENSEES:</b>		
Premises inspected - - - - -		17
License applications investigated - - - - -		6
<b>COMPLAINTS:</b>		
Complaints assigned for investigation - - - - -		385
Investigations completed - - - - -		413
Investigations pending - - - - -		201
<b>LABORATORY:</b>		
Analyses made - - - - -		56
Refills from licensed premises - bottles - - - - -		26
Bottles from unlicensed premises - - - - -		4
<b>IDENTIFICATION:</b>		
Criminal fingerprint identifications made - - - - -		1
Persons fingerprinted for non-criminal purposes - - - - -		348
Identification contacts made with other law enforcement agencies - - - - -		250
<b>DISCIPLINARY PROCEEDINGS:</b>		
Cases transmitted to municipalities - - - - -		4
Violations involved - - - - -		6
Sale during prohibited hours - - - - -	4	
Fail. to close prem. dur. proh. hrs. - - - - -	2	
Cases instituted at Division - - - - -		25
Violations involved - - - - -		32
Permitting lottery on premises - - - - -	5	Permitting immoral acty. on premises - - - - - 2
Sales to minors - - - - -	4	Perm. gambling apparatus on premises - - - - - 2
Possessing liquor not truly labeled - - - - -	3	Perm. foul language on premises - - - - - 1
Beverage Tax Law non-compliance - - - - -	2	Fraud in application - - - - - 1
Unqualified employees - - - - -	2	Permitting brawl on premises - - - - - 1
Fail. to close prem. during proh. hrs. - - - - -	2	Sale below filed price - - - - - 1
Permitting hostesses on premises - - - - -	2	Perm. lottery & bookmaking on prem. - - - - - 1
Sale during prohibited hours - - - - -	2	Perm. misc. gambling on premises - - - - - 1
Cases brought by municipalities on own initiative and reported to Division - - - - -		14
Violations involved - - - - -		18
Sales to minors - - - - -	5	Fail. to close prem. dur. prbh. hrs. - - - - - 3
Conducting business as a nuisance - - - - -	4	Sale during prohibited hours - - - - - 2
Permitting gambling on premises - - - - -	3	Permitting brawl on premises - - - - - 1
<b>HEARINGS HELD AT DIVISION:</b>		
Total number of hearings held - - - - -		42
Appeals - - - - -	12	Seizures - - - - - 2
Disciplinary proceedings - - - - -	14	Tax revocations - - - - - 1
Eligibility - - - - -	13	
<b>STATE LICENSES AND PERMITS:</b>		
Total number issued - - - - -		1,793
Licenses - - - - -	4	Wine permits - - - - - 38
Solicitors' permits - - - - -	184	Miscellaneous permits - - - - - 430
Employment permits - - - - -	342	Transit insignia - - - - - 218
Disposal permits - - - - -	83	Transit certificates - - - - - 77
Social affair permits - - - - -	417	
<b>OFFICE OF AMUSEMENT GAMES CONTROL:</b>		
Licenses issued - - - - -	40	
Enforcement files established - - - - -	1	

JOSEPH M. KEEGAN  
 Director of Alcoholic Beverage Control  
 Commissioner of Amusement Games Control

Dated: January 8, 1970

11. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - SALE BELOW FILED PRICE - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against Antonio V. Zambujo t/a Club 246 Bar & Restaurant 246 Second Street Elizabeth, N.J., Holder of Plenary Retail Consumption License C-119, issued by the City Council of the City of Elizabeth.

CONCLUSIONS and ORDER

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

BY THE DIRECTOR:

Licensee pleads guilty to charges alleging that on Wednesday, October 1, 1969, at about 11:40 p.m., he sold (1) twelve 12-ounce cans of Rheingold Extra Dry Lager Beer (Fast Top) for off-premises consumption, 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.

Absent prior record, the license will be suspended for twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days. Re Clover Bar, Inc., Bulletin 1504, Item 4.

Accordingly, it is, on this 29th day of December 1969,

ORDERED that Plenary Retail Consumption License C-119, issued by the City Council of the City of Elizabeth to Antonio V. Zambujo, t/a Club 246 Bar & Restaurant, for premises 246 Second Street, Elizabeth, be and the same is hereby suspended for twenty (20) days, commencing at 2 a.m. Tuesday, January 6, 1970, and terminating at 2 a.m. Monday, January 26, 1970.

Joseph M. Keegan, Director

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

In the Matter of Disciplinary )  
Proceedings against )

Gordon Compton's Surrey Inn, Inc. )  
7 MacArthur Blvd. )  
Haddon Township )  
PO Westmont, N.J., )

CONCLUSIONS  
and  
ORDER

Holder of Plenary Retail Consumption )  
License C-11, issued by the Board of )  
Commissioners of the Township of )  
Haddon. )  
----- )

Licensee, by Gordon A. Compton, President, Pro se  
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non-vult to a charge alleging that on  
July 28, 1969 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 Thuro's Tavern (a  
corporation), Bulletin 1862, Item 6.

Accordingly, it is on this 30th day of December 1969,

ORDERED that Plenary Retail Consumption License C-11,  
issued by the Board of Commissioners of the Township of Haddon  
to Gordon Compton's Surrey Inn, Inc., for premises 7 MacArthur  
Blvd., Township of Haddon, be and the same is hereby suspended  
for fifteen (15) days, commencing at 2 a.m. Monday, January 5,  
1970, and terminating at 2 a.m. Tuesday, January 20, 1970.

Joseph M. Keegan,  
Director.

13. DISCIPLINARY PROCEEDINGS - SALE BELOW FILED PRICE - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against Tube Bar, Inc. t/a Tube Bar 12 Tube Concourse Jersey City, New Jersey

CONCLUSIONS and ORDER

Holder of Plenary Retail Consumption License C-184, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.

Michael Halpern, Esq., Attorney for Licensee. Walter H. Cleaver, Esq., Appearing for Division.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on September 25, 1969 it sold two 4/5 quart bottles of gin 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 twenty-five days, effective March 14, 1960, for sale during prohibited hours in violation of State Regulation No. 38, failure to possess copy of license application, failure to have on file employees' identification cards in violation of local ordinance, and hindering investigation (Re Tube Bar, Inc., Bulletin 1292, Item 4; Bulletin 1334, Item 2); for sixty days, effective March 13, 1969, for permitting acceptance of numbers bets (Re Tube Bar, Inc., Bulletin 1852, Item 2), presently on appeal to the Appellate Division, pending and undetermined; and by the Director for fifteen days, effective May 27, 1969, for sale of alcoholic beverages during prohibited hours, in violation of local ordinance (Re Tube Bar, Inc., Bulletin 1866, Item 7).

The prior record of suspension in March 1969 disregarded because of the pendency of appeal therefrom (Re Cross Keys Hotel & Rest, Inc., Bulletin 1797, Item 3) and the prior record of suspension for dissimilar violation in 1960 occurring more than five years ago also disregarded, but the prior record of suspension of license for dissimilar violation, effective May 27, 1969, occurring within the past five years considered, 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 Caputo's Liquor Corp., Bulletin 1856, Item 9.

Accordingly, it is, on this 30th day of December, 1969,

ORDERED that Plenary Retail Consumption License C-184, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Tube Bar, Inc., t/a Tube Bar, for premises 12 Tube Concourse, Jersey City, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. Tuesday, January 6, 1970, and terminating at 2:00 a.m. Friday, January 16, 1970.

Joseph M. Keegan Director

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

In the Matter of Disciplinary )  
Proceedings against )

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

CONCLUSIONS  
AND ORDER

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

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Casimir E. Bugdal, Esq., Attorney for the licensee.  
Walter H. Cleaver, Esq., Appearing for the Division.

BY THE DIRECTOR:

Licensee pleads non vult to charge alleging that on  
October 10, 1969 it 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 Halde Corporation,  
Bulletin 1885, Item 7.

Accordingly, it is, on this 30th day of December, 1969,

ORDERED that Plenary Retail Consumption License C-61,  
issued by the City Council of the City of Trenton to Plain and  
Fancy Tavern (A Corp.), for premises 789 Chambers Street, Trenton,  
be and the same is hereby suspended for ten (10) days, commencing  
at 2:00 a.m. Monday, January 12, 1970, and terminating at 2:00  
a.m. Thursday, January 22, 1970.

Joseph M. Keegan  
Director

15. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 AND LOCAL ORDINANCE - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against )

York Tavern, A Corporation )  
t/a York Tavern )  
190 York Street )  
Jersey City, New Jersey, )

CONCLUSIONS  
and  
Order

Holder of Plenary Retail Consumption License C-218, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City. )  
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Suskind and Susskind, Esq., Attorneys for Licensee  
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads guilty to charges alleging that on Sunday, September 7, 1969, it sold a pint bottle of whiskey (1) for off-premises consumption in violation of Rule 1 of State Regulation No. 38, and (2) and (3) during hours prohibited by municipal ordinance.

Licensee has a previous record of suspension of license by the Director for ten days effective September 16, 1963 for sale of bottles of beer for off-premises consumption during prohibited hours in violation of Rule 1 of State Regulation No. 38. Re York Tavern, A Corporation, Bulletin 1532, Item 10.

The prior record of suspension of license for similar violation of Rule 1 of State Regulation No. 38, as alleged in the first charge, occurring more than five but less than ten years ago considered, the license will be suspended for twenty-five days (Re Grzybowski & Miesner, Bulletin 1503, Item 3 and Re Badyna, Bulletin 1683, Item 7), with remission of five days for the plea entered, leaving a net suspension of twenty days.

Accordingly, it is, on this 5th day of January 1970,

ORDERED that Plenary Retail Consumption License C-218, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to York Tavern, A Corporation, t/a York Tavern, for premises 190 York Street, Jersey City, be and the same is hereby suspended for twenty (20) days, commencing at 2 a.m. Tuesday, January 13, 1970, and terminating at 2 a. m. Monday, February 2, 1970.

Joseph M. Keegan,  
Director.

16. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - LICENSE  
SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

R. H. & H., INC.  
t/a Round Table Restaurant & Lounge  
6 Charles Street  
Lodi, N.J.

)  
)  
) CONCLUSIONS  
) AND ORDER  
)  
)

Holder of Plenary Retail Consumption  
License C-31, issued by the Mayor  
and Council of the Borough of Lodi.  
----- )

Licensee, by Richard Lagala, Secretary-Treasurer, Pro se.  
Walter H. Cleaver, Esq., Appearing for the Division.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on  
October 17, 1969 it sold drinks of alcoholic beverages to two  
minors, ages 18 and 20, in violation of Rule 1 of State Regulation  
No. 20.

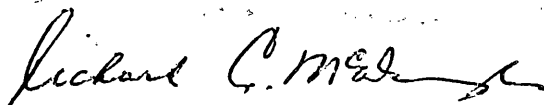
Absent prior record, the license will be suspended for  
fifteen days, with remission of five days for the plea entered,  
leaving a net suspension of ten days. Re Bradley Lanes, Inc.,  
Bulletin 1801, Item 3.

Accordingly, it is, on this 29th day of December, 1969,

ORDERED that Plenary Retail Consumption License C-31,  
issued by the Mayor and Council of the Borough of Lodi to R. H.  
& H., Inc., t/a Round Table Restaurant & Lounge, for premises 6  
Charles Street, Lodi, be and the same is hereby suspended for  
ten (10) days, commencing at 3:00 a.m. Tuesday, January 6, 1970,  
and terminating at 3:00 a.m. Friday, January 16, 1970.

Joseph M. Keegan  
Director

17. BULLETIN PUBLISHED UNDER NEW DIRECTOR, RICHARD C. McDONOUGH,  
WHO ASSUMED OFFICE JANUARY 22, 1970.



Richard C. McDonough  
Director