

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

BULLETIN 2170

January 8, 1975

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STATE OF NEW JERSEY  
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25 Commerce Drive Cranford, N.J. 07016

BULLETIN 2170

January 8, 1975

1. NOTICE - AMENDMENT TO STATE REGULATION NO. 20 RULE 30 - EMPLOYMENT OF SPECIAL POLICE OFFICERS BY LICENSEES - LIMITATIONS THEREOF.

Pursuant to authority of N.J.S.A. 33:1-39, Rule 30 of State Regulation No. 20 is hereby amended, effective immediately, to read as follows (new matter underscored):

13:2-21.30.

No license shall be held by any regular police officer, any peace officer or any other person whose powers or duties include the enforcement of the Alcoholic Beverage Law or Regulations, or by any profit corporation or association in which any such officer or person is interested, directly or indirectly, nor shall any licensee employ or have connected with him in any business capacity whatsoever any such officer or person, except that nothing herein shall prohibit a licensee from employing in a non-managerial capacity a special police officer who shall not sell, serve or deliver any alcoholic beverages.

LEONARD D. RONCO  
DIRECTOR

Effective: December 16, 1974

Filed with the Secretary of State (N.J.) December 16, 1974

2. NOTICE - AMENDMENT TO STATE REGULATION NO. 30, RULES 1 and 8 -  
DELETIONS OF SECOND PARAGRAPH OF RULE 1 AND ALL OF RULE 8.

Pursuant to authority of N.J.S.A. 33:1-39, State Regulation No. 30 is hereby amended, effective immediately, deleting the second paragraph of Rule 1 and all of Rule 8 as follows: (deletions in brackets [thus]):

13:2-31.1. (Second paragraph of Rule 1 of Division Regulation No. 30).

[A schedule of minimum consumer resale prices required to be filed for malt alcoholic beverages shall be filed separately for each recognized trading area established by Rule 8 hereof where it is to be sold or offered for sale.]

13:2-31.8. (All of Rule 8 of Division Regulation No. 30).

[The recognized trading areas for malt alcoholic beverages shall be known as Area A and Area B, respectively, and shall be as follows:

Area A consists of the counties of Bergen, Burlington (except the Township of Maple Shade), Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren.

Area B consists of the counties of Atlantic, Camden, Cape May, Cumberland, Gloucester, Salem and the Township of Maple Shade in the County of Burlington.]

LEONARD D. RONCO  
DIRECTOR

Effective: December 19, 1974

Filed with the Secretary of State (N.J.) December 19, 1974

3. APPELLATE DECISIONS - MARI V. LONG BRANCH ET AL.

William Mari,	)	
	)	
Appellant,	)	On Appeal
	)	
v.	)	CONCLUSIONS
	)	and
City Council of the City of	)	ORDER
Long Branch, and Court Liquors,	)	
Inc.,	)	
	)	
Respondents.	)	
-----)	)	
Norton and Kalac, Esqs., by James F. Norton, Esq., Attorneys for	)	
Appellant	)	
Joseph N. Dempsey, Esq., Attorney for Respondent City of Long Branch	)	
Morgan & Falvo, Esqs., by Peter S. Falvo, Jr., Esq., Attorneys for	)	
Respondent Court Liquors, Inc.	)	

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

This is an appeal from the action of the City Council of the City of Long Branch (hereinafter Council) which, on May 28, 1974, granted a person-to-person and place-to-place transfer of a plenary retail distribution license from Peter J. Pingatore to Court Liquors, Inc., and from 278 Chelsea Avenue to One West End Court, Long Branch.

Preliminarily, it is noted that the petition of appeal named Peter J. Pingatore, the transferor of the license as a party respondent. A transferor is neither a necessary nor a proper party to an appeal from the transfer. Barrasso v. Irvington, Bulletin 1319, Item 2; Essex County Retail Licuor Stores Association v. Orange et al., Bulletin 1376, Item 6.

The petition of appeal alleges that the resolution of the Council was invalid in that:

- (a) it violated the existing ordinance (Section 8-4.2 Revised Ordinance 1970) which prohibits a transfer of license within 1,000 feet of an existing licensed premises;
- (b) the proposed building to be erected as the situs for the licensed premises would be violative of safety requirements;

- (c) Public need and convenience is presently served by existing licensees in the area to which transfer was approved.

The Council and remaining respondents denied each of appellant's contentions.

An appeal de novo was conducted in this Division with full opportunity afforded the parties to introduce evidence and to cross-examine witnesses, pursuant to Rule 6 of State Regulation No. 15.

### I.

Addressing itself to the question of the distance requirement of the ordinance, respondent Court Liquors, Inc., introduced the testimony of Charles C. Widdis, a professional engineer and surveyor. He had prepared several area plan surveys which were admitted into evidence and upon which several alternative pedestrian routes from the nearest licensed premises to the proposed doorway of the proposed transferred location were outlined. Both his qualifications and the accuracy of his measurements were admitted. From his testimony and the presented sketches, certain conclusions were uncontroverted.

Calculating alternative distances a pedestrian could (not would) walk from a hypothetical point being the mid-sidewalk position of a person departing from an existing licensed premises (Brighton Tavern) to the doorway of the proposed structure, the total distances ranged from a minimum of 1002.52 feet to 1010.30 feet.

Having similar information before it, the Council reached the conclusion that:

"... the business is to be conducted and to be defined by the license as the licensed premises are more than 1,000 feet away from the nearest other licensed premises on the basis of the opinion of the engineers whose measurements were offered in evidence and appear from the examination of their calculations and measurements, to be correct."

The same conclusion would be inescapable if the directions measured by the engineer were the directions that a pedestrian would walk between the premises rather than those the pedestrian could walk. The engineer's directions embraced a normal mid-sidewalk path at proper street crossings, or normal street crossings, to and along a "way" leading to the proposed building. The distance

to that "way" or to several "ways" around or through a large parking area adjacent to a supermarket to which the proposed licensed premises is to be attached, is the essence of the controversy.

The calculation of distance limitations has presented a vexing problem from the earliest years following the passage of the Alcoholic Beverage Law. We are mindful of the imperative, as stated in Petrangeli v. Barrett, 33 N.J. Super. 378, 384 (App. Div. 1954):

"It has long been established that a local governing body has no jurisdiction to grant or transfer a license in violation of the terms of a local ordinance. Bachman v. Phillipsburg, 68 N.J.L. 552 (Sup. Ct. 1902). The rule is aptly stated in Tube Bar, Inc. v. Commuters Bar, Inc., 18 N.J. Super. at p. 354."

Hence, the present ordinance must be strictly construed in terms of judicially approved precedents.

The present ordinance refers to N.J.S.A. 33:1-76 as the standard of measurement. This statute provides that:

"...the two hundred feet shall be measured in the normal way that a pedestrian would properly walk from the nearest entrance of said church or school to the nearest entrance of the premises sought to be licensed."

Interpreting this statute, the court has in Hopkins v. Newark, 14 N.J. Super. 484, 487 (App. Div. 1949) held:

"The determination by the Municipal Board, in applying the aforesaid method of measurement, that the measurement should be made only to an intersection where the marked crosswalks or traffic signals exist has no support in law. The type of crosswalk ... has been declared by our courts to be lawful for pedestrian traffic."

However, in a subsequent matter Presbyterian Church of Livingston v. Div. of Alcoholic Beverage Control, 53 N.J. Super. 271, 279 (App. Div. 1958), Hopkins was clarified, to the following extent:

"The respondents' argument that under R.S. 33:1-76 the 'lawful' way is the only 'proper' way for pedestrians to walk evidently rests upon certain language in the Hopkins case, supra. But Hopkins addressed itself to the question whether a crosswalk was 'proper' although not as a through intersection; it did not hold that the legality of a

crosswalk for vehicular observance purposes necessarily governed in measuring the proximity of a church or school to a liquor license applicant's site."

Later, the court held that the shortest distance of a pedestrian route could be impermissible when considered in terms of pedestrian safety. Karam et al v. West Orange, 102 N.J. Super. 291 (App. Div. 1968).

These basic principles enunciated by the court in the foregoing matters have been equally applied in other jurisdictions: Cleary v. Cardullo's Inc., 198 N.E. 2nd 281 (Mass. 1964); Rizzo Liquor License Case, 174 Pa. Super. 143 (1953); Re Jack's Delicatessen Inc., 202 Pa. Super. 481 (1964); Cobb v. Liquor Control Com. 369 Mich. 505 (1963); Thacker v. Crow, 141 W.Va. 361 (1955).

Although the courts of New Jersey have not, as yet, been called upon to determine the proper measurements of distances across or through parking areas, similar basic principles have been interpreted by the Appellate Court in Florida. While affirming the established rationale that measurements were to be made in accordance with the well-recognized rules of the road governing pedestrian travel, and that the measurements would not include a route which assumed that the pedestrian would cross a public thoroughfare in a diagonal fashion rather than directly across, (State Beverage Dept. v. Brentwood Assembly of God Church, 149 So. 2nd 871 - Fla. App. 1963), nevertheless where one of the establishments was located in a shopping center, and could be reached only by crossing the asphalt parking lot and along the private walkway inside the lot, these ways were properly included in the measurements. This would apply even though this way involved a somewhat more extensive trip along the private way than would the alternative route suggested by the licensee. Albrecht v. Hollywood, 157 So. 2nd, 839 (Fla. App. 1963).

Thus, as the proofs manifest that a pedestrian walking other than diagonally, would cover more than 1,000 feet by walking properly from the nearest licensed premises to the proposed entranceway of the respondent premises (1,002.50 feet minimum), I find as a fact, that the distance ordinance has not been violated.

## II

As the ordinance appears to be valid and properly applied, the remaining questions concern the propriety of the Council's action respecting the proposed structure as planned by the respondent transferee, as well as need and convenience to be served by the grant of the transfer.

Although appellant contends that the plan of the proposed building indicated that the doorway and an adjacent stairway to a storage area above were in too close proximity to allow safe egress from the building in the event of disaster, no proof whatever was offered in support of this contention. In any event,

the question of building safety requirements are the proper province of the building officials of the municipality whose approval is a condition precedent to any building erection. Cf. Lubliner v. Paterson, 33 N.J. 428, 434 (1960).

### III

In respect to the need or necessity for another liquor outlet in that area of the municipality, the legal principle applicable to that aspect has long been established in Fanwood v. Rocco, 33 N.J. 404, 414 (1960) wherein the court stated:

"... The Director conducts a de novo hearing of the appeal and makes the necessary factual and legal determinations on the record before him... Under his settled practice, the Director abides by the municipality's grant or denial of the application so long as its exercise of judgment and discretion was reasonable...."

Appellant and two other persons connected with existing licensed premises testified that there was a saturation of licenses in the City, with a particular heavy concentration in the specific area served by appellant and proposed licensed premises.

The essential determination as to the question whether or not the public is better served by the grant of a transfer rests with the local municipal issuing authority and that determination, absent unreasonableness, must be affirmed by the Director regardless of his individual judgment. Lyons Farms Tavern Inc. v. Newark, 55 N.J. 292 (1970). Unless the act of the Council was "clearly against the logic and effect of the presented facts" the Director must affirm its action. Hudson Bergen County Retail Liquor Stores Ass'n. v. Hoboken, 135 N.J.L. 502 (E. & A. 1947).

The testimony of appellant and his witnesses did reveal that his business and the businesses of the other licensees in the area could be negatively affected by the transfer to the respondent. However, it is now axiomatic that neither the issuing authority nor the Director should give grave consideration to the financial detriment a competitor licensee might experience in determining the effect of such transfer. Only the total benefit to the public should be the test. Kelly v. Manalapan, Bulletin 531, Item 3; Forbes Liquors, Inc. v. Brick Township, et al., Bulletin 1641, Item 1.

In short, it has been consistently ruled that the number of licensed premises to be permitted in any particular area is a matter confided to the sound discretion of the Council. DiGioacchino v. Atlantic City, Bulletin 1030, Item 3.

IV

Appellant further contends that the proposed transfer was violative of the local ordinance (Section 8-4 (d)) which provides that:

"No plenary retail distribution license shall be granted for the sale of alcoholic beverages in or about or upon any premises whatsoever where any other business of any other kind, nature or description is carried on as permitted by R.S. 33:1-12 (3a)." (emphasis added)

In an extensive memorandum submitted in support of his contentions, appellant argues that the word "premises" as employed in the ordinance is inclusive of the supermarket located immediately adjacent to the proposed licensed premises. In support of this thesis, appellant cites No. Central Counties Retail Liquor Stores Association v. Edison Township, 68 N.J. Super. 351 (App. Div. 1961), which at p. 360 contains the following:

"Obviously, the term 'premises' as used in N.J.S.A. 33:1-12 (1) is potentially broader than the licensed 'premises' as defined in the definitional section of the act."

The extracted sentence above must, of course, be read in context with the entire decision which, in substance, does not hold as appellant believes. More apropos to the matter sub judice is the following at p. 362:

"The position is simply that the degree of physical separation of the respective different businesses, licensed and unlicensed, must be such that a patron of one cannot pass directly into the other."

In the instant matter there is no physical connection between the entrances to the supermarket and the entrance to the proposed licensed premises. To the contrary, the doorway of the proposed licensed premises is projected at the extreme end of its building away from the entrance to the supermarket. There is no comingling of patrons between the two. I, therefore, conclude that the appellant has failed to meet the burden of establishing that the action of the Council was erroneous and should be reversed, as required by Rule 6 of State Regulation No. 15. It is, accordingly, recommended that the action of the Council be affirmed and the appeal be dismissed.

However, it is further recommended that the license shall not be actually delivered to respondent, Court Liquors, Inc., until the Council approves the building to be constructed for use of the licensed premises, in accordance with the plans and specifications thereof heretofore filed with the Council.

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.

Accordingly, it is, on this 18th day of October, 1974,

ORDERED that the action of the respondent, City Council of the City of Long Branch, be and the same is hereby affirmed, and is expressly subject to the special condition that the respondent Council withhold actual delivery of said license to respondent Court Liquors, Inc., until the said Council approves the building being constructed for use of the licensed facility as being in accordance with the plans and specifications filed with the Council; and it is further

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

Leonard D. Ronco  
Director

4. NOTICE TO WHOLESALE LICENSEES - REMINDER OF APPLICABILITY OF RULE 4(a) and RULE 2(c) OF STATE REGULATION NO. 39 - RESTRICTION AGAINST "PRE-PAYS".

TO WHOLESALE LICENSEES:

Rule 4(a) of State Regulation No. 39 provides, in part, that:

"No manufacturer or wholesaler shall sell or deliver any alcoholic beverages except for payment in cash on delivery to any retail licensee who is at the time of delivery listed on the Default List,..."

Rule 2(c) of the Regulation defines payment in cash as:

"...full legal discharge of a debt by delivery of cash, money order, certified check, or a cashier's or treasurer's or similar bank officer's check. Ordinary checks may not be accepted as payment of a defaulted account, or as payment for any alcoholic beverages delivered to a retailer who is at time of delivery listed on the Default List."

Records disclose that there has been an increase in the practice engaged in by many wholesalers' solicitors who call the office of their employer requesting deliveries of alcoholic beverages be made to licensees on our official Default List alleging they are in receipt of the amount of the forthcoming invoice covering the delivery. These are commonly known as "Pre-pays".

In other instances, salesmen pick up alcoholic beverages and invoices for same at their employer's warehouse for delivery in their own vehicles to licensees on our official Default List (for which insignia has been issued to their employer) alleging they will pick up the payment in cash when they make the delivery.

Recent investigations disclose numerous instances in which salesmen have not received payment in cash prior to or at the time of the delivery. This, many times, has been borne out by dates of deposit of retailers' uncertified checks; dates indicated in the wholesalers' records showing receipt of alleged "pre-pay" or C.O.D. payments as late as three weeks and various other means.

There is no question in my mind that many alleged "pre-pays" or collections at the time of delivery by salesmen for alcoholic beverages delivered to retail licensees on the official Default List are subterfuges to evade compliance with State Regulation No. 39.

I will not tolerate the continuance, by many salesmen, of such illegal practices.

Hereafter, all monies collected by solicitors as "pre-pays" from licensees on the official Default List, and all monies collected by solicitors for deliveries they make to such licensees must be in the office of their employer no later than twenty-four hours subsequent to the date of delivery or must be mailed to their employer in an envelope bearing a postmark not later than twenty-four hours subsequent to the delivery. (If the twenty-four hour period ends on a Saturday, Sunday, or legal holiday, the next business day will suffice).

It is well to bring to your attention that in 1955, it was ruled and is still in effect that a salesman's check is not evidence of payment for a delivery made to a licensee on the official Default List. Transmission to the employer may be made by (1) personal delivery of the collection in the form received, or (2) by mail (registered if need be because of cash involved) postmarked within the specified period.

Wholesale licensees, their solicitors and retail licensees are herewith placed on notice that violations of the above will be considered violations of State Regulation No. 39 and may result in disciplinary proceedings leading to suspension or revocation of licenses or solicitor's permits.

If it is found that violations continue and disciplinary proceedings do not curb the practice, I will give serious consideration to prohibiting "pre-pays" or C.O.D. collection, by solicitors, to retail licensees on the official Default List.

Wholesale licensees are requested to furnish their solicitors with a copy of this directive.

  
Leonard D. Ronco  
Director

December 10, 1974

5. APPELLATE DECISIONS - FELDMAN v. IRVINGTON - SUPPLEMENTAL ORDER.

August Feldman and Anna )  
 Feldman, t/a Town Tavern, )  
 )  
 Appellants, )  
 v. )  
 Municipal Council of the )  
 Town of Irvington, )  
 )  
 Respondent. )

On Appeal  
 SUPPLEMENTAL  
 ORDER

Maurer & Maurer, Esqs., by Myron P. Maurer, Esq., Attorneys for Appellants.  
 Samuel J. Zucker, Esq., by Herman W. Kurtz, Esq., Attorney for Respondent.

BY THE DIRECTOR:

On February 27, 1974 Conclusions and Order were entered in the above matter affirming the action of respondent Municipal Council of the Town of Irvington, dismissing the appeal, vacating the Director's order dated September 28, 1973 which stayed the Council's Order of Revocation of the said license pending the determination of the said appeal, and reimposing the revocation, effective immediately.

The said revocation was based upon determination by the respondent that on April 12, 1973 the appellants permitted a brawl to occur on the licensed premises in violation of Rule 5 of State Regulation No. 20 and they hindered an investigation taking place with respect thereto, in violation of Rule 35 of State Regulation No. 20. Re Feldman v. Irvington, Bulletin 2143, Item 2.

Prior to the effectuation of the said reimposed revocation on appeal filed, the Appellate Division of the Superior Court, by order dated June 12, 1974 stayed the said revocation until the outcome of the appeal.

On October 16, 1974, the Appellate Division of the Superior Court affirmed the Division in the said appeal. Re August Feldman & Anna Feldman t/a Town Tavern v. Municipal Council of the Town of Irvington, Docket No. A-1814-73, not officially reported, recorded in Bulletin 2168, Item 1. The revocation may now be reimposed.

Accordingly, it is, on this 12th day of November 1974,

ORDERED that Plenary Retail Consumption License No. C-20 issued by the Municipal Council of the Town of Irvington to August Feldman and Anna Feldman, t/a Town Tavern for premises 982 Springfield Avenue and 16 Myrtle Avenue, Irvington, be and the same is hereby revoked, effective immediately.

Leonard D. Ronco  
Director

6. APPELLATE DECISIONS - ORDER DISMISSING APPEAL.

August Feldman and Anna  
Feldman, t/a Town Tavern, )  
 )  
Appellants, )  
 )  
v. )  
Municipal Council of the )  
Town of Irvington, )  
 )  
Respondent. )

ORDER  
DISMISSING  
APPEAL

-----  
Maurer & Maurer, Esqs., by Myron P. Maurer, Esq., Attorneys  
for Appellants.  
Samuel J. Zucker, Esq. by Herman W. Kurtz, Esq., Attorney for  
Respondent.

BY THE DIRECTOR:

Appellants appeal from the action of the respondent which, by resolution dated June 11th, 1974 denied their application for renewal of their plenary retail consumption license for the 1974-75 licensing period. This matter has been set down for hearing in this Division on October 29th, 1974.

It now appears that the said license was revoked, after hearing, by the respondent, for violation of Rules 5 and 35 of Regulation No. 20. The action was affirmed by the Director on appeal, and upon further appeal, was affirmed by the Appellate Division of the Superior Court of New Jersey on October 16, 1974 (Re Feldman v. Irvington, Docket No. A-1814-73).

Under these circumstances, I have determined that the present appeal herein is moot. I shall, therefore, on my own motion, enter an order dismissing the same.

Accordingly, it is, on this 12th day of November 1974,

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

Leonard D. Ronco  
Director

7. APPELLATE DECISIONS - CARINO v. JERSEY CITY.

Peter Carino,	)	
t/a The Inn Place,	)	
	)	On Appeal
Appellant,	)	
v.	)	CONCLUSIONS
	)	and
Municipal Board of Alcoholic	)	ORDER
Beverage Control of the City	)	
of Jersey City,	)	
	)	
Respondent.	)	

-----)  
 Miller, Hochman, Meyerson & Miller, Esqs., by Gerald D. Miller, Esq.,  
 Attorneys for Appellant  
 Dennis McGill, Esq., by Bernard Abrams, Esq., Attorney for Respondent

BY THE DIRECTOR:

This is an appeal from the action of the Municipal Board of Alcoholic Beverage Control of the City of Jersey City (hereinafter Board) which, on August 20, 1974, suspended appellant's Plenary Retail Consumption License C-105, for premises 105 Railroad Avenue, Jersey City, for sixty days, effective September 9, 1974, based upon two charges alleging that during 1973-74, he permitted, on the licensed premises, the possession and sale of narcotic drugs, i.e., controlled dangerous substances, in violation of Rule 4 of State Regulation No. 20.

In his petition of appeal, appellant alleges that the determination of the Board was not based on "substantial evidence on the entire record."

In its answer, the Board asserts that the testimony presented before it "conclusively" established appellant's guilt of the said charges.

Upon the filing of the appeal, the Board's action was stayed by the Director of this Division by order dated September 6, 1974, pending the determination of the appeal.

The matter was heard de novo pursuant to Rule 6 of State Regulation No. 15, with full opportunity afforded the parties hereto to introduce evidence and cross-examine witnesses.

Detective Luis Barker of the Jersey City Police Department, testifying on behalf of the Board, recounted a series of visits to appellant's premises, on August 22, September 15, September 28, September 30 and November 15, 1973. On each occasion, working undercover, he made purchases of narcotic drugs from various patrons. He described the transactions as being surreptitious, the drugs involved were slipped to him and he laid the money representing the purchase price on a window sill. He had no recollection concerning the identity of the bartenders, nor could he state that the bartenders or appellant had knowledge of or could have observed the aforementioned transactions he described.

At the conclusion of the officer's testimony, the Board rested. Whereupon, appellant moved for a reversal of the Board's action, contending that there was a complete lack of proof that the appellant had allowed, permitted or suffered the offending transactions to occur. It was noted, moreover, that the Board had been undoubtedly aware of the reports of the officer and, nonetheless, had renewed appellant's license without comment or special condition imposed on the said license.

The Board argued that the premises were a seat of constant narcotics activity of which appellant should have been aware because of the high volume of such activity in the area, and that, despite its inability to prove appellant's knowledge of the specific transactions enumerated, the Board's action should be affirmed.

At the conclusion of the hearing, counsel for the parties waived the Hearer's report and requested immediate determination by the Director.

From the direct testimony of the officer and the only evidence offered by the Board, it is readily apparent that the Board did not have before it a preponderance of the credible evidence required to support the charge. Butler Oak Tavern v. Div. of Alcoholic Beverage Control, 20 N.J. 373 (1956).

Obviously, the high volume of narcotics activity in the area, even if proved as a fact, does not ipso facto establish appellant's culpability or guilt of these charges.

I find that the appellant has sustained his burden of establishing that the action of the Board was erroneous and should be reversed, as required by Rule 6 of State Regulation No. 15.


Accordingly, it is, on this 15th day of November 1974,

ORDERED that the action of respondent Board in finding appellant guilty of charges preferred herein be and the same is hereby reversed, and the charges be and the same are hereby dismissed.

Leonard D. Ronco  
Director

8. STATE LICENSES - NEW APPLICATION FILED.

Merchants' Wine & Liquor Company  
901 Pleasant Valley Avenue  
Mt. Laurel, New Jersey  
Application filed January 6, 1975  
for place-to-place transfer of  
Plenary Wholesale License W-6  
from 4415 Marlton Pike, Pennsauken,  
New Jersey.

  
Leonard D. Ronco  
Director