

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

BULLETIN 2010

November 16, 1971

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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

November 16, 1971

BULLETIN 2010

1. DISCIPLINARY PROCEEDINGS - LEWDNESS - INDECENT ACTIVITY
(STRIPTease) - PRIOR SIMILAR AND DISSIMILAR RECORD - LICENSE
SUSPENDED FOR 70 DAYS, LESS 14 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)
) S-8841 /
) X-37,402-T
)
Jeanne's Enterprises, Inc.)
t/a Le Bistro) CONCLUSIONS
2201 Pacific Avenue) and
Atlantic City, N. J.,) ORDER
)
Holder of Plenary Retail Consumption)
License C-191, issued by the Board)
of Commissioners of the City of)
Atlantic City.)
-----)
Fitzsimons & Baylinson, Esqs., by Roy Baylinson, Esq., Attorneys
for Licensee
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to the following charge:

"On June 24, 1971, you allowed, permitted and suffered lewdness and immoral activity in and upon your licensed premises, viz., in that you allowed, permitted and suffered female persons to perform on your licensed premises for the entertainment of your customers and patrons in a lewd, indecent and immoral manner (so-called 'strip-tease' performances); in violation of Rule 5 of State Regulation No. 20."

Licensee has a previous adjudicated record of suspension of license by the Director for fifty-five days effective October 18, 1961 for permitting indecent entertainment on the licensed premises (Re Jeanne's Enterprises, Inc., Bulletin 1422, Item 2; by the municipal issuing authority for ten days effective April 19, 1962 for hostess activity; for ten days effective December 13, 1963 for hostess activity; by the Director for one hundred thirty days effective June 16, 1967 for permitting indecent entertainment on the licensed premises (Re Jeanne's Enterprises, Inc., Bulletin 1621, Item 1; 1714, Items 1, 2 and 3), and by the Director for sixty days effective November 20, 1967 for hostess activity (Re Jeanne's Enterprises, Inc., Bulletin 1766, Item 9).

The license will be suspended for thirty days (Re Caprio, Bulletin 1974, Item 5), to which will be added thirty days by reason of a prior similar violation occurring within the past five years (Re Lanin Corporation, Bulletin 1601, Item 1); five days by reason of a similar violation occurring more than five but within the past ten years, and an additional five days by reason of a dissimilar violation occurring within the past five years, making a total of seventy days, with remission of fourteen days for the plea entered, leaving a net suspension of fifty-six days.

Accordingly, it is, on this 20th day of September 1971,

ORDERED that Plenary Retail Consumption License C-191,

issued by the Board of Commissioners of the City of Atlantic City to Jeanne's Enterprises, Inc., t/a Le Bistro, for premises 2201 Pacific Avenue, Atlantic City, be and the same is hereby suspended for fifty-six days, commencing at 7 a.m. Friday, October 1, 1971, and terminating at 7 a.m. Friday, November 26, 1971.

Richard C. McDonough
Director

2. DISCIPLINARY PROCEEDINGS - AMENDED ORDER.

In the Matter of Disciplinary)
Proceedings against)
)
Jeanne's Enterprises, Inc.)
t/a Le Bistro)
2201 Pacific Avenue)
Atlantic City, N. J.,)

AMENDED ORDER

Holder of Plenary Retail Consumption)
License C-191, issued by the Board)
of Commissioners of the City of)
Atlantic City.)
-----)

Fitzsimons & Baylinson, Esqs., by Roy Baylinson, Esq., Attorneys
for Licensee
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

On September 20, 1971 I entered an order suspending the subject license for fifty-six days commencing October 1, 1971 upon licensee's plea of non vult to a charge alleging that it permitted and suffered lewdness and immoral activity upon its licensed premises, in violation of Rule 5 of State Regulation No. 20.

By letter dated September 23, 1971, the attorney for licensee has requested that the said order be amended to provide that the commencement of the suspension be deferred until November 15, 1971 in order to permit the licensee to honor employee contracts and affairs booked during this period. Good cause appearing, I shall grant the request.

Accordingly, it is, on this 28th day of September 1971,

ORDERED that Plenary Retail Consumption License C-191, issued by the Board of Commissioners of the City of Atlantic City to Jeanne's Enterprises, Inc., t/a Le Bistro, for premises 2201 Pacific Avenue, Atlantic City, be and the same is hereby suspended for fifty-six (56) days, commencing at 7 a.m. Monday, November 15, 1971, and terminating at 7 a.m. Monday, January 10, 1972.

Richard C. McDonough,
Director.

3.

ACTIVITY REPORT FOR SEPTEMBER 1971

ARRESTS:		
Total number of persons arrested - - - - -		41
Licensees and employees - - - - -	15	
Bootleggers - - - - -	5	
Minors - - - - -	20	
Disorderly person - - - - -	1	
SEIZURES:		
Still - 50 gallons or under - - - - -		1
Alcohol - gallons - - - - -		50
Mash - gallons - - - - -		825
Distilled alcoholic beverages - gallons - - - - -		14.15
Wine - gallons - - - - -		8.10
Brewed malt alcoholic beverages - gallons - - - - -		102.74
RETAIL LICENSEES:		
Premises inspected - - - - -		423
Premises where alcoholic beverages were gauged - - - - -		352
Bottles gauged - - - - -		5,913
Premises where violations were found - - - - -		132
Violations found - - - - -		212
Unqualified employees - - - - -	61	Disposal permit necessary - - - - - 17
No Form E-141-A on premises - - - - -	38	Prohibited sign & practice - - - - - 1
Application copy not available - - - - -	33	Other violations - - - - - 37
Form E-141-A incomplete - - - - -	27	
STATE LICENSEES:		
Premises inspected - - - - -		12
License applications investigated - - - - -		5
COMPLAINTS:		
Complaints assigned for investigation - - - - -		318
Investigations completed - - - - -		326
Investigations pending - - - - -		320
Number of visits made on assigned investigations - - - - -		1,125
Contacts made with other law enforcement agencies - - - - -		243
LABORATORY:		
Analyses made - - - - -		82
Refills from licensed premises - bottles - - - - -		70
IDENTIFICATION:		
Criminal fingerprint identifications made - - - - -		39
Persons fingerprinted for non-criminal purposes - - - - -		397
Identification contacts made with other enforcement agencies - - - - -		274
Motor vehicle identifications via NJ State Police teletype - - - - -		1
DISCIPLINARY PROCEEDINGS:		
Cases transmitted to municipalities - - - - -		2
Violations involved - - - - -		2
Sale to minors - - - - -	1	
Sale during prohibited hours - - - - -	1	
Cases instituted at Division - - - - -		30
Violations involved - - - - -		36
Sale to minors - - - - -	8	Purchase from improper source - - - - - 1
Sale during prohibited hours - - - - -	4	Beverage Tax Law non-compliance - - - - - 1
Permitting immoral act on prem. - - - - -	4	Possessing liquor not truly labeled - - - - - 1
Sale to non-members by club - - - - -	2	Fraud in application - - - - - 1
Lottery activity on premises - - - - -	2	Poss. contraceptives on prem. - - - - - 1
Misc. gambling on premises - - - - -	3	Possessing indecent matter - - - - - 1
Perm. bookmaking on premises - - - - -	1	Perm. hostess acty. on premises - - - - - 1
Perm. lottery & bookmaking on prem. - - - - -	1	Unqualified employees - - - - - 1
Lottery, bkmkg. & misc. gamb. on prem. - - - - -	1	Fail. to close prem. dur. proh. hrs. - - - - - 1
Cases brought by municipalities on own initiative and reported to Division - - - - -		25
Violations involved - - - - -		28
Sale to minors - - - - -	13	Hindering investigation - - - - - 1
Permitting brawl on prem. - - - - -	4	Fail. to close prem. dur. proh. hrs. -- 1
Sale during prohibited hours - - - - -	2	Sale outside scope of license - - - - - 1
Conducting business as a nuisance - - - - -	2	Perm. loitering by minors unaccomp. by adults (local reg.) - - - - - 1
Acts of violence - - - - -	2	
Unqualified employee - - - - -	1	
HEARINGS HELD AT DIVISION:		
Total number of hearings held - - - - -		43
Appeals - - - - -	16	Seizures - - - - - 2
Disciplinary proceedings - - - - -	22	Tax revocations - - - - - 1
Eligibility - - - - -	2	
STATE LICENSES AND PERMITS:		
Total number issued - - - - -		1,529
Licenses - - - - -	6	Wine permits - - - - - 54
Solicitors' permits - - - - -	43	Miscellaneous permits - - - - - 237
Employment permits - - - - -	391	Transit insignia - - - - - 134
Disposal permits - - - - -	80	Transit certificates - - - - - 84
Social affair permits - - - - -	500	
OFFICE OF AMUSEMENT GAMES CONTROL:		
State Fair licenses issued - - - - -	44	Premises where violations were found - - - - - 6
Enforcement files established - - - - -	22	Number of violations found - - - - - 6
Premises inspected - - - - -	135	

Dated: October 7, 1971

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

- 4. DISCIPLINARY PROCEEDINGS - SALE TO MINOR - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA - APPLICATION FOR FINE IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary Proceedings against
 Island Liquors, Inc.
 S/w Corner of 24th Street & Boulevard
 Ship Bottom, N. J.
 Holder of Plenary Retail Distribution License D-1, issued by the Borough Council of the Borough of Ship Bottom.

CONCLUSIONS
 AND
 ORDER

 Parker, McCay and Criscuolo, Esqs., by David A. Parker, 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 May 12, 1970 it sold alcoholic beverages to a minor, age 17, in violation of Rule 1 of State Regulation No. 20.

Absent prior record the license would normally be suspended for 20 days, with remission of 5 days for the plea entered, leaving a net suspension of 15 days. Re Bembas, Bulletin 1984, Item 10. However, the licensee has made application for the imposition of a fine in lieu of suspension in accordance with the provisions of Chapter 9 of the Laws of 1971.

Having favorably considered the application in question, I have determined to accept an offer in compromise by the licensee to pay a fine of \$900 in lieu of suspension.

Accordingly, it is, on this 28th day of September, 1971,

ORDERED that the payment of a \$900 fine by the licensee is hereby accepted in lieu of a suspension of license for 15 days.

Richard C. McDonough
 Director

5. STATUTORY AUTOMATIC SUSPENSION - ORDER LIFTING SUSPENSION.

Auto. Susp. #342)
 In the Matter of a Petition to)
 Lift the Automatic Suspension)
 of Plenary Retail Distribution)
 License D-2, issued by the Board)
 of Commissioners of the City of)
 Wildwood to)
)
 Irwin Green)
 t/a Green's Liquor Store)
 3418-3420 Pacific &)
 153 E. Cedar Avenue)
 Wildwood, N. J.)

On Petition

ORDER

Licensee, Pro'se

BY THE DIRECTOR:

On April 22, 1971 licensee was fined \$200 plus \$10 court costs in the Wildwood Municipal Court upon his conviction of a charge that he sold alcoholic beverages to a minor on March 6, 1971, in violation of R.S. 33:1-77. The conviction resulted in the automatic suspension of the license for the balance of its term. R.S. 33:1-31.1.

By order dated July 2, 1971, I imposed a fine in the sum of \$450 in lieu of suspension of the said license for ten days, in disciplinary proceedings involving a charge alleging that the licensee sold alcoholic beverages to the said minor. Re Irwin Green, Bulletin 1995, Item 8.

Under the circumstances, the fine in lieu of suspension having been paid, I shall on my own motion, enter an order lifting the statutory automatic suspension.

Accordingly, it is, on this 23rd day of September 1971,

ORDERED that the statutory automatic suspension of said license D-2 be and the same is hereby lifted, effective immediately.

Richard C. McDonough
Director

6. STATUTORY AUTOMATIC SUSPENSION - ORDER LIFTING SUSPENSION.

Auto. Susp. #343)	
In the Matter of a Petition to)	
Lift the Automatic Suspension of)	
Plenary Retail Distribution License)	
D-3, issued by the Board of Commis-)	
sioners of the City of Wildwood to)	On Petition
)	
Dominick & Mary Cartolano &)	
S. Paul & Carmela T. Cappelle)	ORDER
t/a Seashore Family Liquor Store)	
3311 Pacific Avenue)	
Wildwood, New Jersey)	

Licensee, Pro se.

BY THE DIRECTOR:

On September 14, 1971, Dominick Cartolano, a co-licensee herein, was convicted in the Wildwood Municipal Court on a charge of sale of alcoholic beverages to a minor on June 16, 1971, in violation of R.S. 33:1-77. The conviction resulted in the automatic suspension of the said license for the balance of its term. R.S. 33:1-31.1. Because of the pendency of the proceedings the statutory automatic suspension has not been effectuated.

It further appears that the licensee pleaded non vult to a charge of sale to the same minor, in violation of Rule 1 of State Regulation No. 20, in disciplinary proceedings instituted in this Division against the said licensee. I thereupon suspended the license for fifteen days, to commence on September 27, 1971. Hence, I shall lift the automatic suspension in anticipation of the service of the aforesaid suspension. Re Kotlarz, Bulletin, 1968, Item 4.

Accordingly, it is, on this 27th day of September 1971,

ORDERED that statutory automatic suspension of License D-3 be and the same is hereby lifted, effective 9:00 a.m., Tuesday, October 12, 1971.

Richard C. McDonough
Director

7. APPELLATE DECISIONS - KELLY v. HARRISON - ORDER DISMISSING APPEAL.

John E. Kelly,)
 Appellant,)
 v.)
 Town Council of the Town of)
 Harrison,)
 Respondent.)

ORDER

-----)
 Joseph F. McCarthy, Esq., Attorney for Appellant
 Walter H. Michaelson, Esq., by John M. O'Neill, Esq., Attorney for Respondent
 Lum, Biunno & Tompkins, Esqs., by Richard A. Graddock, Esq.,
 Attorneys for Objectors

BY THE DIRECTOR:

Appellant appeals from the action of respondent Town Council of the Town of Harrison whereby on June 22, 1971 it denied appellant's application for renewal of his plenary retail consumption license for the 1971-72 licensing period for premises 209 John Street, Harrison.

It appears that after partial hearing of the appeal before this Division, the appellant produced a Contract of Sale for the proposed premises and it was stipulated by all counsel that the matter would be referred back to the respondent for its reconsideration.

It now appears that on September 7, 1971, respondent adopted a resolution approving the transfer of the subject license from the appellant to another, and renewed the said license nunc pro tunc for the current licensing period. Pursuant to the aforementioned stipulation, the attorneys for all parties and for the objectors have consented to a dismissal of the appeal filed herein.

Accordingly, it is, on this 27th day of September 1971,

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

Richard C. McDonough
 Director

8. STATUTORY AUTOMATIC SUSPENSION - ORDER LIFTING SUSPENSION.

Auto. Susp. #341)
 In the Matter of a Petition to)
 Lift the Automatic Suspension of)
 Plenary Retail Consumption License)
 C-41, issued by the Municipal)
 Board of Alcoholic Beverage Control)
 of the City of Camden to) On Petition

Walter & Frances A. Bembas) ORDER /
 t/a Walt's Cafe)
 1197 Lansdowne Avenue)
 Camden, New Jersey)

Licensee, Pro, se.

BY THE DIRECTOR:

On September 2, 1971, Walter Bembas, a co-licensee herein, was fined \$50 and \$10 court costs upon his conviction in the Camden Municipal Court, of a charge that he sold alcoholic beverages to a minor on February 5, 1971, in violation of R.S. 33:1-77. The conviction resulted in the automatic suspension of the license for the balance of its term. R. S. 33:1-31.1.

By order dated May 18, 1971, I suspended the license for fifteen days commencing June 2, 1971 and terminating on June 17, 1971, in disciplinary proceedings involving a charge alleging that the licensee sold alcoholic beverages to the said minor. Re Bembas, Bulletin 1984, Item 10.

Under the circumstances, the suspension having been served I shall, on my own motion, enter an order lifting the statutory automatic suspension. Re Hillside Bowling, Inc., Bulletin 1813, Item 9.

Accordingly, it is, on this 27th day of September 1971

ORDERED that the statutory automatic suspension of said license C-41, be and the same is hereby lifted effective immediately.

Richard C. McDonough
Director

9. DISCIPLINARY PROCEEDINGS - SUPPLEMENTAL ORDER - APPLICATION FOR FINE IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary Proceedings against)	
)	
Madonna Liquors, Inc.)	Supplemental
t/a Madonna Liquors)	
817 Springwood Avenue)	Conclusions
Asbury Park, New Jersey)	and
)	Order/
Holder of Plenary Retail Consumption License C-17, issued by the City Council of the City of Asbury Park.)	

 Sisselman and Nitti, Esqs., by Louis J. Nitti, Esq., Attorneys
 for Licensee
 Edward F. Ambrose, Esq., Appearing for the Division

BY THE DIRECTOR:

On September 15, 1971, Conclusions and Order were entered in the matter suspending the license of the licensee for twenty-five days commencing September 30, 1971 following a hearing on charges that licensee (1) sold alcoholic beverages for off-premises consumption after hours, in violation of Rule 1 of State Regulation No. 38 and (2) hindered the investigation of that offense, in violation of Rule 35 of State Regulation No. 20. Re Madonna Liquors, Inc., Bulletin _____ Item ____.

Prior to the effective date of the suspension therein, licensee applied for the imposition of a fine in lieu of the suspension, in accordance with the provisions of Chapter 9 of the Laws of 1971.

Having favorably considered the application in question, I have determined to accept an offer in compromise by the licensee to pay a fine of \$2,450 in lieu of the suspension.

Accordingly, it is on this 28th day of September 1971,

ORDERED that the order entered in this matter on September 15, 1971 suspending the license in question for twenty-five days is hereby rescinded, and the payment of a \$2,450 fine by the licensee is hereby accepted in lieu of such suspension.

Richard C. McDonough
Director

10. DISCIPLINARY PROCEEDINGS - SALE TO MINOR - PRIOR SIMILAR AND DISSIMILAR RECORD - LICENSE SUSPENDED FOR 35 DAYS, LESS 7 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Leffler's Hob N Nob Tavern, Inc. #206, Southampton Township PO Vincentown, N.J.,)

CONCLUSIONS and ORDER /

Holder of Plenary Retail Consumption License C-3, issued by the Township Committee of Southampton.)

-----)

James Logan, Jr., Esq., Attorney for Licensee Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on June 8, 1971, it sold alcoholic beverages to a minor, age 16, in violation of Rule 1 of State Regulation No. 20.

Licensee has a prior record of suspension of license by this Division for twenty-five days, effective January 28, 1971, on two charges (1) for local "hours" violation and (2) for sale to minors. Re Leffler Hob N Nob Tavern, Inc. Bulletin 1958, Item 3.

The license will be suspended for twenty-five days, to which will be added ten days in consideration of the prior suspension for similar and dissimilar violations occurring within the past five years, making a total of thirty-five days, with remission of seven days for the plea entered, leaving a net suspension of twenty-eight days. Re J.B.T. Inc., Bulletin 1996, Item 7; Re Forest Inn, Inc., Bulletin 1963, Item 6.

Accordingly, it is, on this 28th day of September 1971,

ORDERED that Plenary Retail Consumption License C-3, issued by the Township Committee of Southampton to Leffler's Hob N Nob Tavern, Inc., for premises #206, Southampton, be and the same is hereby suspended for twenty-eight (28) days, commencing 2:00 a.m. on Saturday, October 2, 1971, and terminating 2:00 a.m. on Saturday, October 30, 1971.

Richard C. McDonough Director

11. DISCIPLINARY PROCEEDINGS - SALE TO NON-MEMBERS - LICENSE
SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
 Proceedings against)
)
 Trenton Post No. 2 Italian-)
 American War Veterans of the)
 U. S., Inc.,)
 344 Hamilton Avenue)
 Trenton, N. J.,)
)
 Holder of Club License CB-12, issued)
 by the City Council of the City of)
 Trenton.)
 -----)

CONCLUSIONS
and
ORDER

Licensee, by George Pecci, Commander, Pro se
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on September 4, 1971 it sold alcoholic beverages to persons not bona fide members of its club or bona fide guests of such members, in violation of Rule 8 of State Regulation No. 7.

Licensee has a prior record of suspension by the municipal issuing authority for five days effective January 5, 1948 for possession of slot machines on the premises.

Previous suspension for dissimilar violation occurring more than ten years ago disregarded for penalty purposes, 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 Memorial Post 6763 V.F.W., Bulletin 1998, Item 5.

Accordingly, it is, on this 28th day of September 1971,

ORDERED that Club License CB-12, issued by the City Council of the City of Trenton to Trenton Post No. 2 Italian-American War Veterans of the U. S., Inc., for premises 344 Hamilton Avenue, Trenton, be and the same is hereby suspended for ten (10) days, commencing at 2 a.m. Wednesday, October 13, 1971, and terminating at 2 a.m. Saturday, October 23, 1971.

Richard C. McDonough,
Director.

12. DISCIPLINARY PROCEEDINGS - SALE TO MINOR - PERMITTING UNACCOMPANIED MINOR ON PREMISES IN VIOLATION OF LOCAL ORDINANCE - LICENSE SUSPENDED FOR 10 DAYS - APPLICATION FOR FINE IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary Proceedings against Andrew Charles Wrobel t/a Sprotsmen Inn 192 Whitehead Avenue South River, N. J. Holder of Plenary Retail Consumption License C-29, issued by the Mayor and Council of the Borough of South River.

CONCLUSIONS and ORDER

Licensee, Pro se. Edward F. Ambrose, Esq., Appearing for the Division.

BY THE DIRECTOR:

Licensee pleaded non vult before the municipal issuing authority to charges that he sold alcoholic beverages to a minor, in violation of Rule 1 of State Regulation No. 20, and permitted a minor, unaccompanied by a parent in a barroom, in violation of the local ordinance, whereupon his license was suspended for ten days. The effective date thereof was deferred pending determination of licensee's application to the Director to pay a fine in lieu of suspension, in accordance with the provisions of Chapter 9 of the Laws of 1971.

Having favorably considered the application in question, I have determined to accept an offer in compromise by the licensee to pay a fine of Four Hundred dollars (\$400.00) in lieu of suspension.

Accordingly, it is, on this 28th day of September, 1971,

ORDERED that the payment of a fine of Four Hundred Dollars (\$400.00) by the licensee, is hereby accepted in lieu of a suspension for ten (10) days.

Richard C. McDonough Director

13. DISCIPLINARY PROCEEDINGS - AMENDED ORDER - DEFERRED SUSPENSION.

In the Matter of Disciplinary Proceedings against)

Kiefer's Tavern, Inc.)
215-217 Broad Avenue)
Palisades Park, N. J.,)

AMENDED ORDER

Holder of Plenary Retail Consumption License C-4, issued by the Mayor and Council of the Borough of Palisades Park.)

Frederick Klaessig, Esq., Attorney for Licensee
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

On September 16, 1971 I entered an order suspending the subject license for ninety days commencing September 30, 1971, after finding the licensee guilty of charges alleging that it allowed, permitted and suffered immoral activity on its licensed premises, in violation of Rule 5 of State Regulation No. 20, and possessed and caused to be distributed obscene matter, i.e., motion pictures, in violation of Rule 17 of State Regulation No. 20.

The attorney for the licensee has requested that the commencement of the suspension be deferred for three months because of the financial difficulties in which the licensee finds itself. Upon consideration of the record, I have decided to defer the commencement of said suspension until October 28, 1971.

Accordingly, it is, on this 29th day of September 1971,

ORDERED that Plenary Retail Consumption License C-4, issued by the Mayor and Council of the Borough of Palisades Park to Kiefer's Tavern, Inc., for premises 215-217 Broad Avenue, Palisades Park, be and the same is hereby suspended for ninety (90) days, commencing at 3 a.m. Thursday, October 28, 1971, and terminating at 3 a.m. Wednesday, January 26, 1972.

Richard C. McDonough,
Director.

14. DISCIPLINARY PROCEEDINGS - SALE TO MINOR - LICENSE
SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

Vincent A. Pomorski)
t/a Frontier Wines & Liquors)
487 Hudson Street)
Hackensack, N. J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Distribution)
License D-10, issued by the City)
Council of the City of Hackensack.)

Licensee, Pro se
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on August 5, 1971, he sold alcoholic beverages to a minor, age 18, 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 Ridge, Bulletin 1990, Item 12.

Accordingly, it is, on this 30th day of September 1971,

ORDERED that Plenary Retail Distribution License D-10, issued by the City Council of the City of Hackensack to Vincent A. Pomorski, t/a Frontier Wines & Liquors for premises 487 Hudson Street, Hackensack, be and the same is hereby suspended for ten (10) days, commencing 2:00 a.m. on Monday, October 18, 1971, and terminating 2:00 a.m. on Thursday, October 28, 1971.

Richard C. McDonough
Director

15. STATUTORY AUTOMATIC SUSPENSION - ORDER STAYING SUSPENSION.

Auto.Susp. #344)
 In the Matter of a Petition to)
 Lift Automatic Suspension of)
 Plenary Retail Distribution License)
 D-10 issued by the City Council of)
 the City of Hackensack to) On Petition
)
 Vincent A. Pomorski)
 t/a Frontier Wines & Liquors) O R D E R
 487 Hudson Street)
 Hackensack, N. J.)

Licensee, Pro se

BY THE DIRECTOR:

It appears from the records of this Division that on September 22, 1971 the above named licensee was fined \$200 and \$10 court cost in the Hackensack Municipal Court upon his conviction of a charge of sale of alcoholic beverages to a minor on August 5, 1971, in violation of R.S. 33:1-77. The conviction resulted in the automatic suspension of the license for the balance of its term. R.S. 33:1-31.1.

Because of the pendency of this proceeding the statutory automatic suspension has not been effectuated.

It further appears that disciplinary proceedings are presently pending in this Division against the licensee because of the said sale of alcoholic beverages to the minor (S-8878).

A supplemental petition to lift the automatic suspension may be filed with me by the licensee after such disciplinary proceedings have been concluded. In fairness to the licensee I conclude that at this time the effect of the automatic suspension should be temporarily stayed. Re Della Rodolfa, Bulletin 1986, Item 8.

Accordingly, it is, on this 1st day of October 1971,

ORDERED that the aforesaid automatic suspension of Plenary Retail Distribution License D-10 be and the same is hereby stayed pending the entry of a further order herein.

Richard C. McDonough,
Director.

16. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS) - LICENSE
SUSPENDED FOR 60 DAYS, LESS 12 FOR PLEA.

In the Matter of Disciplinary Proceedings against
 Village Tap Room, Inc.
 442 Valley Road,
 West Orange, N. J.,
 Holder of Plenary Retail Consumption License C-11, issued by the Municipal Board of Alcoholic Beverage Control of the Town of West Orange.

CONCLUSIONS
 and
 ORDER

 Mintz and Gold, Esqs., by Jack Gold, Esq., Attorneys for Licensee
 Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

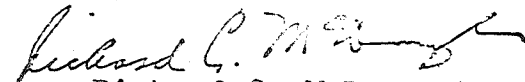
Licensee pleads non vult to a charge alleging that on March 11, 12 and 15, 1971 it permitted the acceptance of numbers bets on licensed premises, in violation of Rule 6 of State Regulation No. 20.

Licensee has prior record of suspension by Director for balance of term, with leave to lift after ninety days, effective March 3, 1964, for undisclosed interest in license and employment of a criminally disqualified person on the licensed premises. Re Village Tap Room, Inc., Bulletin 1570, Item 8.

The prior record of suspension for dissimilar violation occurring more than five years ago disregarded for penalty purposes, the license will be suspended for sixty days (see Re Arnone, Bulletin 1971, Item 3 (the offenses here occurring prior to March 23, 1971)), with remission of twelve days for the plea entered, leaving a net suspension of forty-eight days.

Accordingly, it is, on this 7th day of October 1971,

ORDERED that Plenary Retail Consumption License C-11, issued by the Municipal Board of Alcoholic Beverage Control of the Town of West Orange to Village Tap Room, Inc., for premises 442 Valley Road, West Orange, be and the same is hereby suspended for forty-eight (48) days, commencing at 2 a.m. Tuesday, October 19, 1971, and terminating at 2 a.m. Monday, December 6, 1971.


 Richard C. McDonough,
 Director.