

Sheet 1 28
Ambrose

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

BULLETIN 1850

April 24, 1969

TABLE OF CONTENTS

ITEM

1. COURT DECISIONS - ROMAN INN, INC. v. DIVISION OF ALCOHOLIC BEVERAGE CONTROL - DIRECTOR AFFIRMED.
2. DISCIPLINARY PROCEEDINGS (North Brunswick) - ORDER REIMPOSING SUSPENSION STAYED DURING APPEAL.
3. SEIZURE - FORFEITURE PROCEEDINGS - UNLAWFUL TRANSPORTATION AND SALE OF "MOONSHINE" WHISKEY - MOTOR VEHICLE AND ALCOHOLIC BEVERAGES ORDERED FORFEITED - CLAIM OF INNOCENT LIENOR RECOGNIZED.
4. DISCIPLINARY PROCEEDINGS (Cliffside Park) - SALE TO MINORS - POSSESSION OF INDECENT MATTER - LICENSE SUSPENDED FOR 35 DAYS, LESS 5 FOR PLEA.
5. DISCIPLINARY PROCEEDINGS (Matawan) - SALE TO NON-MEMBERS - SALE DURING PROHIBITED HOURS - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.
6. DISCIPLINARY PROCEEDINGS (Jersey City) - SALE IN VIOLATION OF STATE REGULATION NO. 38 - FALSE STATEMENT IN LICENSE APPLICATION - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.
7. DISCIPLINARY PROCEEDINGS (River Edge) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 10 DAYS.
8. DISCIPLINARY PROCEEDINGS (Newark) - GAMBLING (NUMBERS BETS) - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 65 DAYS, LESS 5 FOR PLEA.
9. DISCIPLINARY PROCEEDINGS (Deerfield Township) - SALE TO MINORS - UNQUALIFIED EMPLOYEES - FALSE STATEMENT IN LICENSE APPLICATION - LICENSE SUSPENDED FOR 35 DAYS, LESS 5 FOR PLEA.
10. DISCIPLINARY PROCEEDINGS (Newark) - SALE DURING PROHIBITED HOURS - FALSE STATEMENT IN LICENSE APPLICATION - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.
11. DISCIPLINARY PROCEEDINGS (Trenton) - SALE TO A MINOR - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.
12. DISCIPLINARY PROCEEDINGS (Egg Harbor Township) - SALE TO MINORS - PRIOR DISSIMILAR RECORD OF CORPORATE STOCKHOLDER - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.
13. DISCIPLINARY PROCEEDINGS (Passaic) - SALE TO MINORS - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.
14. DISCIPLINARY PROCEEDINGS (East Windsor Township) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.
15. STATE LICENSE - NEW APPLICATION FILED.

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

BULLETIN 1850

April 24, 1969

1. COURT DECISIONS - ROMAN INN, INC. v. DIVISION OF ALCOHOLIC BEVERAGE CONTROL - DIRECTOR AFFIRMED.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
A-128-68

ROMAN INN, INC.,
t/a ROMAN INN LAKE VU TAVERN,

defendant-appellant,

vs.

STATE OF NEW JERSEY DEPARTMENT OF
LAW AND PUBLIC SAFETY, DIVISION OF
ALCOHOLIC BEVERAGE CONTROL, and
JOSEPH M. KEEGAN, DIRECTOR OF THE
DIVISION OF ALCOHOLIC BEVERAGE CONTROL,

plaintiff-respondent.

Argued February 17, 1969 -- Decided February 24, 1969.

Before Judges Goldmann, Kolovsky and Carton.

On appeal from the Division of Alcoholic Beverage Control, Department of Law and Public Safety.

Mr. William F. McCloskey, Jr. argued the cause for appellant.

Mr. Thaddeus C. Raczkowski, Deputy Attorney General, argued the cause for respondent (Mr. Arthur J. Sills, Attorney General of New Jersey, attorney; Mr. Stephen Skillman Deputy Attorney General, of counsel; Mr. Joseph P. Schiappa, Deputy Attorney General, on the brief).

PER CURIAM

(Appeal from Director's decision in Re Roman Inn, Inc., Bulletin 1823, Item 3. Director affirmed. Opinion not approved for publication by the Court committee on opinions.)

2. DISCIPLINARY PROCEEDINGS - ORDER REIMPOSING SUSPENSION STAYED DURING APPEAL.

In the Matter of Disciplinary Proceedings against)

ROMAN INN, INC.)
t/a Roman Inn-Lake Vu Tavern)
Church Lane, Box 366)
North Brunswick, New Jersey)

SUPPLEMENTAL ORDER

Holder of Plenary Retail Consumption License C-4 issued by the Township Committee of the Township of North Brunswick)

William F. McCloskey, Jr., Esq., Attorney for Licensee
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

On September 23, 1968, I entered Conclusions and Order herein suspending the license for twenty-five days commencing September 30, 1968, for sale to a minor. Re Roman Inn, Inc., Bulletin 1823, Item 3.

Prior to the effectuation of the suspension, upon appeal filed, the Appellate Division of the Superior Court stayed the operation of the suspension until the outcome of the appeal.

The Court affirmed my action on February 24, 1969. Roman Inn, Inc. v. Division of Alcoholic Beverage Control (App. Div. 1969), not officially reported, recorded in Bulletin 1850, Item 1. Although mandate on affirmance has not yet been received, the licensee's attorney has advised that no further appeal will be taken and has requested prompt imposition of the penalty. Hence, the suspension may now be reimposed.

Accordingly, it is, on this 10th day of March, 1969,

ORDERED that the twenty-five day suspension heretofore imposed and stayed during the pendency of proceedings on appeal be reinstated against Plenary Retail Consumption License C-4, issued by the Township Committee of the Township of North Brunswick to Roman Inn, Inc., t/a Roman Inn-Lake Vu Tavern, for premises on Church Lane, North Brunswick, commencing at 2:00 a.m. Monday, March 17, 1969, and terminating at 2:00 a.m. Friday, April 11, 1969.

JOSEPH M. KEEGAN
DIRECTOR

3. SEIZURE - FORFEITURE PROCEEDINGS - UNLAWFUL TRANSPORTATION AND SALE OF "MOONSHINE" WHISKEY - MOTOR VEHICLE AND ALCOHOLIC BEVERAGES ORDERED FORFEITED - CLAIM OF INNOCENT LIENOR RECOGNIZED.

In the Matter of the Seizure on August 23, 1968 of a quantity of alcoholic beverages and a 1965 Chevrolet convertible on Hancock's Bridge Road, in the Township of Lower Alloway, County of Salem and State of New Jersey.)	Case No. 12,090
)	ON HEARING
)	CONCLUSIONS
)	AND ORDER

 Chivian & Chivian, Esqs., by Louis Chivian, Esq., appearing for General Motors Acceptance Corporation, claimant.
 I. Edward Amada, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

This matter comes before me pursuant to the provisions of Title 33, Chapter 1 of the Revised Statutes of New Jersey and State Regulation No. 28, to determine whether a quantity of alcoholic beverages and a 1965 Chevrolet convertible, more particularly described in a schedule attached hereto, made part hereof, and marked Schedule "A", seized on August 23, 1968 at Hancock's Bridge Road, Lower Alloway Township, New Jersey constitute unlawful property and should be forfeited.

When the matter came on for hearing General Motors Acceptance Corporation, represented by counsel, sought recognition of its lien claim against said motor vehicle. Forfeiture of the alcoholic beverages was unopposed.

Reports of ABC agents and other documents in the Division file presented in evidence with the consent of the claimant disclosed the following facts: On August 23, 1968 at about 5:30 p.m. the premises of Percy Watson on Silver Road, Canton, New Jersey, was under surveillance by State troopers, agents of this Division and agents of the Federal Alcohol Tax Unit, on information that "moonshine" whiskey was being bought and sold at the premises.

At about 9:40 p.m. Thomas White parked the aforementioned motor vehicle in front of Watson's premises, entered the same empty-handed and several minutes later, returned to the vehicle and drove off. At 9:45 p.m. State troopers halted the car, and ascertained that it was being operated by one Florence McCook, who was then accompanied by Thomas White. Upon the request of the troopers, White, who was the owner of the vehicle, voluntarily opened the trunk of the car which contained two one-half pints of "moonshine" whiskey wrapped in a pair of dungarees under the convertible boot in the trunk. They seized the "moonshine" whiskey and the vehicle which bore the New Jersey registration plate No. KWT 319 registered in the name of Thomas White of Lower Alloway Township.

White was, thereupon, arrested, charged with the possession and transportation of untaxed alcoholic beverages in violation of R.S. 33:1-2 and R.S. 33:1-50, and was held for arraignment in the Lower Alloway Creek Township Municipal Court.

On September 5, 1968 the contents of one of the one-half pint bottles was analyzed by the Division chemist whose report, as certified by the Director, established that it is an alcoholic beverage, fit for beverage purposes, with alcohol by volume of 48.25%.

The seized alcoholic beverages are illicit because of the absence of tax stamps on any of the containers. R.S. 33:1-1(i); R.S. 33:1-88. Such illicit alcoholic beverages and the motor vehicle in which they were transported and found constitute unlawful property and are subject to forfeiture. R.S. 33:1-1(y); R.S. 33:1-2; R.S. 33:1-66.

Albert C. Jones, the credit supervisor of the Camden office of the General Motors Acceptance Corporation testified that he was in charge of purchasing the account of Thomas White covering the seized motor vehicle herein. Before financing the said purchase by White of this vehicle, he made a complete background investigation of White through the Cumberland Credit Bureau.

It was learned that White was married, lived at 154 New Street, Quinton, N.J., was employed by Ernest W. Sabatino and Sons in Wilmington as a construction employee and had an income of \$450.00 a month. A further check was made with White's employer and his landlord, to establish that White had not been involved in any prior liquor law violations, and that he was a satisfactory credit risk. Further, he had no information which would indicate that this vehicle would be used illegally or in unlawful liquor activity. The witness stated that the present market value of this vehicle would be \$915.00 if the same is in good condition and there is now due to it the sum of \$718.92.

The account given by the claimant appears to be credible and forthright. I am satisfied from the evidence herein, that the claimant appears to have made a reasonable investigation of White, that it acted in good faith and did not know or have any reason to believe that White was or would be involved in the unlawful sale of illicit alcoholic beverages for which this motor vehicle would be used. Seizure Case No. 11,931, Bulletin 1787, Item 2; Seizure Case No. 10,975, Bulletin 1507, Item 3.

I am also satisfied that the appraised retail value of the said motor vehicle would not exceed the amount of the lien claim, the cost of seizure and storage. Hearer's Report has been expressly waived by this claimant.

Accordingly, it is DETERMINED and ORDERED that the lien claim of General Motors Acceptance Corporation upon the said Chevrolet convertible, more particularly set forth in Schedule "A" herein, be and the same is hereby recognized and that if on or before the 10th day of March, 1969 the General Motors Acceptance Corporation pays the costs of seizure and storage of the said Chevrolet convertible, such motor vehicle will be returned to it; and it further

DETERMINED and ORDERED that the alcoholic beverages as set forth in Schedule "A" constitute unlawful property and the same are hereby forfeited in accordance with the provisions of R.S. 33:1-66 and that they be retained for the use of hospitals and State, county or municipal institutions, or destroyed, in whole, or in part, at the direction of the Director of the Division of Alcoholic Beverage Control.

JOSEPH M. KEEGAN
DIRECTOR

Dated: February 26, 1969

SCHEDULE "A"

- 2 - containers of alcoholic beverages
- 1 - 1965 Chevrolet Convertible, Serial No. 11187,
Engine No. 16465Y211187; N.J. Registration KWT-319.

4. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - POSSESSION OF INDECENT MATTER - LICENSE SUSPENDED FOR 35 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)	
GEORGE OLMO & ANTHONY F. OLMO)	CONCLUSIONS
t/a Hitching Post)	AND ORDER
225 Palisade Ave.)	
Cliffside Park, N. J.)	

Holders of Plenary Retail Consumption License C-22 issued by the Mayor and Council of the Borough of Cliffside Park)
)

 Licensees, Pro se
 Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensees plead guilty to charges alleging that on January 10, 1969, they (1) sold mixed drinks of alcoholic beverages to three minors, two age 19 and one age 20, in violation of Rule 1 of State Regulation No. 20, and (2) possessed indecent matter on the licensed premises, in violation of Rule 17 of State Regulation No. 20.

With respect to the second charge, reports of investigation disclose that there was displayed on the back bar a cardboard psychedelic-type poster, twenty by twenty-five inches in size, comprising a drawing depicting a nude female in indecent, lewd and lascivious pose.

Absent prior record, the license will be suspended on the first charge for twenty days (Re Dunes Club, Inc., Bulletin 1596, Item 4) and on the second charge for fifteen days (Re Blue Chateau, Inc., Bulletin 1496, Item 4), 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 25th day of February, 1969,

ORDERED that Plenary Retail Consumption License C-22, issued by the Mayor and Council of the Borough of Cliffside Park to George Olmo and Anthony F. Olmo, t/a Hitching Post, for premises 225 Palisade Avenue, Cliffside Park, be and the same is hereby suspended for thirty (30) days, commencing at 3:00 a.m. Tuesday, March 4, 1969, and terminating at 3:00 a.m. Thursday, April 3, 1969.

JOSEPH M. KEEGAN
 DIRECTOR

5. DISCIPLINARY PROCEEDINGS - SALE TO NON-MEMBERS - SALE DURING PROHIBITED HOURS - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

THE AMERICAN LEGION, MATAWAN POST #176)
188 Main Street)
Matawan, N. J.)

CONCLUSIONS AND ORDER

Holder of Club License CB-1 issued by the Mayor and Council of the Borough of Matawan)

Licensee, by Joseph H. Compoly, Commander, Pro se
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to charge (1) alleging that on November 23, 1968, it sold drinks of alcoholic beverages to a non-member, in violation of Rule 8 of State Regulation No. 7, and guilty to charge (2) alleging that on the same date it sold alcoholic beverages after 2:00 a.m. during prohibited hours, in violation of local ordinance.

Absent prior record, the license will be suspended on charge (1) for fifteen days (Re Amalgamated Local #731, UAW, Bulletin 1736, Item 2), and on charge (2) for fifteen days (Re Kroll, Bulletin 1822, Item 11), or a total of thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days.

Accordingly, it is, on this 24th day of February, 1969,

ORDERED that Club License CB-1, issued by the Mayor and Council of the Borough of Matawan to The American Legion, Matawan Post #176, for premises 188 Main Street, Matawan, be and the same is hereby suspended for twenty-five (25) days, commencing at 2:00 a.m. Monday, March 3, 1969, and terminating * at 2:00 a.m. Friday, March 28, 1969.

JOSEPH M. KEEGAN
DIRECTOR

*By order dated March 6, 1969, the suspension was lifted for one day, viz., March 15, and the termination date was extended to 2:00 a.m. Saturday, March 29, 1969.

6. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - FALSE STATEMENT IN LICENSE APPLICATION - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

ANTHONY PRAWDZIK)
 t/a Anthony's Tavern)
 313 Henderson Street)
 Jersey City, N. J.)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-134 issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City)

 Licensee, Pro se
 Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that (1) on Sunday, November 24, 1968, he sold a pint bottle of wine for off-premises consumption in violation of Rule 1 of State Regulation No. 38, and (2) in his current application for license he failed to disclose his prior record of suspension of license, in violation of R.S. 33:1-25.

Licensee, then in partnership with Edmund Prawdzik, has a record of suspension of license by the Director for ten days effective September 3, 1957, for sale in violation of State Regulation No. 38 (Re Prawdzik, Bulletin 1190, Item 7), non-disclosure of which being the subject of the second charge.

The prior record of suspension of license for similar violation occurring more than ten years ago disregarded in admeasuring the penalty, the license will be suspended on the first charge for fifteen days (Re Alois, Bulletin 1825, Item 11) and on the second charge for ten days (Re The Chestnut, Bulletin 1836, Item 4), or a total of twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days.

Accordingly, it is, on this 25th day of February, 1969,

ORDERED that Plenary Retail Consumption License C-134, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Anthony Prawdzik, t/a Anthony's Tavern, for premises 313 Henderson Street, Jersey City, be and the same is hereby suspended for twenty (20) days, commencing at 2:00 a.m. Tuesday, March 4, 1969, and terminating at 2:00 a.m. Monday, March 24, 1969.

JOSEPH M. KEEGAN
 DIRECTOR

7. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY
LABLED - LICENSE SUSPENDED FOR 10 DAYS.

In the Matter of Disciplinary)
Proceedings against)

ROBERT E. and CHARLES C. THOMPSON)
t/a "VILLAGE INN")
Corner of Kinderkamack Road)
and Ackerson Street)
River Edge, N. J.)

CONCLUSIONS
AND ORDER

Holders of Plenary Retail Consumption)
License C-1, issued by the Mayor and)
Council of the Borough of River Edge.)

Francis X. Burke, Esq., Attorney for Licensees
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

Licensees pleaded not guilty to the following charge:

"On May 22, 1968, you possessed, had custody of
and allowed, permitted and suffered in and upon your
licensed premises an alcoholic beverage in a bottle
which bore a label which did not truly describe its
contents, viz.,

One 4/5 quart bottle labeled 'Mount
Vernon Straight Rye Whiskey, 100 proof';

in violation of Rule 27 of State Regulation No. 20."

Agent S testified that he visited the licensed premises
on a routine inspection for the purpose of gauging open bottles of
alcoholic beverages on May 22, 1968. He gauged eighty-one bottles
of open stock that were kept on a tiered table in the center of an
oval bar. He seized one bottle of Mount Vernon Straight Rye
whiskey which bore on the label "100 proof" for the reason that it
appeared to him to be low in proof. He sealed and brought the
bottle to the Division laboratory for testing by the Division
chemist.

John P. Brady, a graduate chemist and an expert in the
field of chemical analysis of alcoholic beverages, testified that
he either personally analyzed the contents of the bottle or the
analyses were made in his presence. The analyses were made on
June 11, 1968, in August 1968 and again in October 1968. He
personally made the second analysis. Brady opined that the
contents of the seized bottle were not genuine as labeled for
the reason that they were low in proof and acids. The proof was
89.9. The acids were slightly below the norm. He found the acids
to be 57.6 grams per 100 liters of solution, whereas the norm
varied from 58.8 to 69.6 grams.

Although Brady was subjected to an intensely exhaustive
cross examination by the licensees' attorney, his opinion
concerning the contents of the bottle did not waver.

In defense of the charge Robert E. Thompson (one of the licensees) testified that he has operated the licensed premises, which he characterized as a "family-style place" containing a restaurant and bar, for the past twenty-three years. He is on duty daily. The bottle of whiskey in question was purchased at least ten years previously. He did not recall anyone ordering Mount Vernon Straight Rye Whiskey during the past five or ten years.

On cross examination the witness testified that, in addition to his brother tending bar, the licensees employed others to tend bar.

The report of Dr. Charles J. Umberger, a toxicologist and biochemist of New York, was admitted in evidence. It indicated that the contents of the Mount Vernon bottle in question were slightly lower in proof than recited on the label.

The licensees' attorney argued that the licensees were innocent of any intentional wrongdoing and, further, that the lower proof found in the contents of the bottle was due solely to natural aging process.

Although the licensees were apparently sincere in their contentions, none the less, in adjudicating this matter, I find that the uncontradicted testimony of the Division chemist indicating that the bottle bore a label which did not truly describe its contents is determinative of that issue. Further, the report of Dr. Umberger also indicated that the contents of the bottle were below the proof specified on the label.

Knowledge on the part of the licensee that the contents of a bottle are not genuine as labeled is not a prerequisite to a finding of guilt. Vide, Cedar Restaurant & Cafe Co. v. Hock, 135 N.J.L. 156 (Sup.Ct. 1947).

My evaluation and consideration of the testimony lead me to the conclusion that the Division has established the truth of the charge herein by a fair preponderance of the credible evidence, and I recommend that the licensees be found guilty of said charge.

The licensees have no prior record of suspension of license. I further recommend that the license be suspended for ten days. Re Juniewicz, Bulletin 1822, Item 13.

Conclusions and Order

No exceptions to the Hearer's report were filed pursuant to Rule 6 of State Regulation No. 16.

Having carefully considered the entire record herein, including the transcript of the testimony, the exhibits, the argument of counsel and the Hearer's report, I concur in the findings and conclusion of the Hearer and adopt his recommendations.

Accordingly, it is, on this 25th day of February, 1969,

ORDERED that Plenary Retail Consumption License C-1, issued by the Mayor and Council of the Borough of River Edge to Robert E. and Charles C. Thompson, t/a Village Inn, for premises corner of Kinderkamack Road and Ackerson Street, River Edge, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. Tuesday, March 4, 1969, and terminating at 2:00 a.m. Friday, March 14, 1969.

JOSEPH M. KEEGAN
DIRECTOR

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

In the Matter of Disciplinary Proceedings against MARTIN SIERRA t/a Marty's Tavern 133 Pacific Street Newark, N. J.

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-313, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.

Norman Fischbein, Esq., Attorney for Licensee Louis F. Treole, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on October 24, 25 and 29, 1968 he accepted numbers bets on the licensed premises, in violation of Rule 6 and 7 of State Regulation No. 20.

Licensee has a previous record of suspension of license by the Director for five days effective March 20, 1967, for possession of an alcoholic beverage not truly labeled. Re Sierra, Bulletin 1727, Item 9.

The prior record of suspension of license for dissimilar violation within the past five years considered, the license will be suspended for sixty-five days, with remission of five days for the plea entered, leaving a net suspension of sixty days. Re Wall, Bulletin 1837, Item 5.

Accordingly, it is, on this 10th day of March 1969,

ORDERED that Plenary Retail Consumption License C-313, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Martin Sierra, t/a Marty's Tavern, for premises 133 Pacific Street, Newark, be and the same is hereby suspended for sixty (60) days, commencing at 2 a.m. Monday, March 17, 1969, and terminating at 2 a.m. Friday, May 16, 1969.

JOSEPH M. KEEGAN DIRECTOR

9. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - UNQUALIFIED EMPLOYEES - FALSE STATEMENT IN LICENSE APPLICATION - LICENSE SUSPENDED FOR 35 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

ALBINA BEVACQUA
t/a Jimmie's Inn
North side of Landis Ave.
Deerfield Township
PO RD #6, Bridgeton, N. J.

CONCLUSIONS
AND ORDER

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

Davidow & Sherman, Esqs., by Joshua v. Davidow, Esq., Attorneys for Licensee
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on January 19, 1969 she (1) sold drinks of beer to three minors, one age 17 and two age 18, in violation of Rule 1 of State Regulation No. 20; and (2) employed three minors as musicians on the licensed premises without requisite employment permits, in violation of Rule 3 of State Regulation No. 13; and (3) in her current application for license, failed to disclose her prior record of suspension of license, in violation of R.S. 33:1-25.

Licensee (then in partnership with Thomas Bevacqua) has a previous record of suspension of license by the municipal issuing authority for five days effective February 26, 1962, for sale during prohibited hours.

The prior record of suspension of license 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 days (cf. Re Meyers, Bulletin 1808, Item 7; Re Robinson, Bulletin 1630, Item 10), on the second charge for five days (Re Ray Russo, Inc., Bulletin 1808, Item 4) and on the third charge for ten days (Re The Chestnut, Bulletin 1836, Item 4), 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 10th day of March, 1969,

ORDERED that Plenary Retail Consumption License C-7, issued by the Township Committee of the Township of Deerfield to Albina Bevacqua, t/a Jimmie's Inn, for premises North side of Landis Avenue, Deerfield, be and the same is hereby suspended for thirty (30) days, commencing at 2 a.m. Monday, March 17, 1969, and terminating at 2 a.m. Wednesday, April 16, 1969.

JOSEPH M. KEEGAN
DIRECTOR

10. DISCIPLINARY PROCEEDINGS - SALE DURING PROHIBITED HOURS -
 FALSE STATEMENT IN LICENSE APPLICATION - PRIOR SIMILAR
 RECORD - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
 Proceedings against)

ANGELO GRANDE)
 28 Bloomfield Ave.)
 Newark, N. J.)

) CONCLUSIONS
 AND ORDER

Holder of Plenary Retail Consumption)
 License C-281 issued by the Municipal)
 Board of Alcoholic Beverage Control)
 of the City of Newark)

 Lum, Biunno & Tompkins, Esqs., by William B. McGuire, Esq.,
 Attorneys for licensee
 Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
 Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that (1) and (2) on Sunday, September 8, 1968, he sold alcoholic beverages before noon during prohibited hours, in violation of local ordinance, and (3) in his current application for license failed fully to disclose his record of prior license suspension, in violation of R.S. 33:1-25.

Licensee has a previous record of suspension of license (then held in partnership with Thomas DiGiacomo) by the Director for fifteen days effective February 23, 1959, for possession of alcoholic beverages not truly labeled (Re DiGiacomo & Grande, Bulletin 1269, Item 7), and by the municipal issuing authority for fifteen days effective March 13, 1961, for sale during prohibited hours in violation of State Regulation No. 38, non-disclosure of the latter being the subject of the third charge.

The prior record of suspension of license for dissimilar violation in 1959 occurring more than five years ago disregarded, but the record of suspension for similar violation in 1961, more than five but less than ten years ago, considered, the license will be suspended on the first and second charges for twenty days (cf. Re Kusy and Drag, Bulletin 1706, Item 5) and on the third charge for ten days (Re The Chestnut, Bulletin 1836, Item 4), or a total of thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days.

Accordingly, it is, on this 3d day of March, 1969,

ORDERED that Plenary Retail Consumption License C-281, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Angelo Grande for premises 28 Bloomfield Avenue, Newark, be and the same is hereby suspended for twenty-five (25) days, commencing at 2:00 a.m. Monday, March 10, 1969, and terminating at 2:00 a.m. Friday, April 4, 1969.

JOSEPH M. KEEGAN
 DIRECTOR

11. DISCIPLINARY PROCEEDINGS - SALE TO A MINOR - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

WILLIAM BROMILEY
t/a The Golden Slipper
841 Genesee Street
Trenton, New Jersey

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-34 issued by the City Council of the City of Trenton

Licensee, Pro se
Louis F. Treole, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on February 8, 1969, he sold two quart bottles of beer to a minor, age 18, in violation of Rule 1 of State Regulation No. 20.

Licensee has a previous record of suspension of license then held for premises 600 S. 6th Street, Camden, by the Director for ten days effective January 9, 1961, for sale in violation of State Regulation No. 38 (Re Bromiley, Bulletin 1374, Item 6), and by the municipal issuing authority for fifteen days effective June 15, 1964, for sale in violation of State Regulation No. 38 and sale to minors.

The prior record of suspension of license for dissimilar violation in 1961 occurring more than five years ago disregarded, but the prior record of suspension for similar violation in 1964 within the past five years considered, 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 D'Angelo, Bulletin 1804, Item 3.

Accordingly, it is, on this 4th day of March, 1969,

ORDERED that Plenary Retail Consumption License C-34, issued by the City Council of the City of Trenton to William Bromiley, t/a The Golden Slipper, for premises 841 Genesee Street, Trenton, be and the same is hereby suspended for twenty (20) days, commencing at 2:00 a.m. Tuesday, March 11, 1969, and terminating at 2:00 a.m. Monday, March 31, 1969.

JOSEPH M. KEEGAN
DIRECTOR

12. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - PRIOR DIS-
SIMILAR RECORD OF CORPORATE STOCKHOLDER - LICENSE SUSPENDED
FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

WILLIAM BOGATIN CORP.)
Norfolk & Verona Aves.)
Egg Harbor Township)
PO Pleasantville, N. J.)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption)
License C-5 issued by the Township)
Committee of the Township of Egg)
Harbor)

Frank J. Ferry, Esq., Attorney for Licensee
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
January 31, 1969, it sold drinks of alcoholic beverages to five
minors, three age 19 and two age 20, in violation of Rule 1 of
State Regulation No. 20.

Although the licensee corporation has no previous record
of suspension of license, the license then held by William
Bogatin (98 per cent stockholder of the licensee corporation)
for premises 102-104 South Main Street, Pleasantville, was sus-
pended by the Director for twenty days effective April 20, 1955,
for sale to a minor (Re Bogatin, Bulletin 1060, Item 8); the
license of First Circle Inn, Inc. (in which Bogatin was a 98 per
cent stockholder) for premises north side Admiral Wilson Blvd.,
Pennsauken, was suspended by the Director for seventy days
effective August 22, 1961, for permitting apparent homosexuals
on the licensed premises and sale in violation of State
Regulation No. 38 (Re First Circle Inn Inc., Bulletin 1413,
Item 2); and the license then held by Jane Bogatin (1 per cent
stockholder of the licensee corporation) for premises Germantown
and Verona Avenues, Egg Harbor Township, was suspended by the
Director for five days effective October 19, 1964, for possession
of an alcoholic beverage not truly labeled (Re Bogatin, Bulletin
1586, Item 6).

The prior record of suspensions of license in 1955 for
similar violation occurring more than ten years ago and in 1961 for
dissimilar violations occurring more than five years ago disregarded,
the license will be suspended for twenty days (cf. Re Per-Mac Corp.,
Bulletin 1546, Item 2; Re Wojascuk, Bulletin 1601, Item 12), to
which will be added five days by reason of the record of suspension
of stockholder Jane Bogatin (Re Ocean Club, Corporation, Bulletin
1835, Item 9) for dissimilar violation within the past five years
(Re Hi-De-Ho Corp., Bulletin 1832, Item 7), or a total of twenty-
five days, with remission of five days for the plea entered,
leaving a net suspension of twenty days.

Accordingly, it is, on this 11th day of March, 1969,

ORDERED that Plenary Retail Consumption License C-5,
issued by the Township Committee of the Township of Egg Harbor
to William Bogatin Corp. for premises Norfolk and Verona Avenues,
Egg Harbor Township, be and the same is hereby suspended for twenty
(20) days, commencing at 7:00 a.m. Tuesday, March 18, 1969, and
terminating at 7:00 a.m. Monday, April 7, 1969

JOSEPH M. KEEGAN
DIRECTOR

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

In the Matter of Disciplinary)
Proceedings against)

WALTER WOJCIK)
t/a Sonny's Bar & Grill)
290 Hope Avenue)
Passaic, N. J.)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption)
License C-62 issued by the Municipal)
Board of Alcoholic Beverage Control)
of the City of Passaic)

Licensee, Pro se
Louis F. Treole, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
February 15, 1969, he sold mixed drinks of alcoholic beverages to
two minors, one age 18 and one age 19, in violation of Rule 1 of
State Regulation No. 20.

Licensee has a previous record of suspension of license
by the municipal issuing authority for five days effective
June 21, 1960, for sale during prohibited hours.

The prior record of suspension of license for dis-
similar violation occurring more than five years ago disregarded,
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 Argonne Bar & Liquor Store, Inc., Bulletin 1826,
Item 12.

Accordingly, it is, on this 10th day of March, 1969,

ORDERED that Plenary Retail Consumption License C-62,
issued by the Municipal Board of Alcoholic Beverage Control of the
City of Passaic to Walter Wojcik, t/a Sonny's Bar & Grill, for
premises 290 Hope Avenue, Passaic, be and the same is hereby
suspended for ten (10) days, commencing at 3:00 a.m. Monday, March
17, 1969, and terminating at 3:00 a.m. Thursday, March 27, 1969.

JOSEPH M. KEEGAN
DIRECTOR

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

In the Matter of Disciplinary Proceedings against)

T V MOTEL, INC.)
t/a Leopard Lounge)
Route #33)
East Windsor Township)
PO Box 222, Hightstown, N. J.)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-5 issued by the Township Committee of the Township of East Windsor)

Licensee, by Eugene Lemieux, President, Pro se
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on January 9, 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 Cakerts Enterprises, Inc., Bulletin 1825, Item 10.

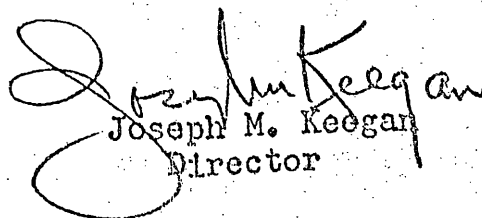
Accordingly, it is, on this 12th day of March, 1969,

ORDERED that Plenary Retail Consumption License C-5, issued by the Township Committee of the Township of East Windsor to T V Motel, Inc., t/a Leopard Lounge, for premises on Route #33, East Windsor, be and the same is hereby suspended for fifteen (15) days, commencing at 2:00 a.m. Monday, March 17, 1969, and terminating at 2:00 a.m. Tuesday, April 1, 1969.

JOSEPH M. KEEGAN
DIRECTOR

15. STATE LICENSE - NEW APPLICATION FILED

Samuel Klein, Inc. (A New Corporation)
905-907 Railroad Avenue
Asbury Park, New Jersey
Application filed April 21, 1969 for
person-to-person transfer of State
Beverage Distributor's License SBD-138,
from Samuel Klein, Inc. (Old Corporation).


Joseph M. Keegan
Director