

STATE OF NEW JERSEY Gossweiler
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
1100 Raymond Blvd. Newark 2, N. J.

BULLETIN 1526

September 3, 1963

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STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
1100 Raymond Blvd. Newark 2, N. J.

September 3, 1963.

BULLETIN 1526

1. DISCIPLINARY PROCEEDINGS - SOLICITOR AIDING AND ABETTING
SALE WITHOUT LICENSE - UNLAWFUL TRANSPORTATION - WASH SALES -
PERMIT SUSPENDED FOR 150 DAYS.

In the Matter of Disciplinary)
Proceedings against)

ALEXANDER DE RITO)
McLain & Edgewood Drive)
Franklin Heights)
Vineland, N. J.)

CONCLUSIONS
AND ORDER

Holder of Solicitor's Permit No.)
3324, issued by the Director of)
the Division of Alcoholic Beverage)
Control.)

Halpin and Bailey, Esqs., by Robert J. Halpin, Esq., Attorneys
for Permittee.

David S. Piltzer, Esq., Appearing for Division of Alcoholic
Beverage Control.

BY THE ACTING DIRECTOR:

Permittee pleads non vult to charges as follows:

- "1. On divers dates between March 22, 1961 and January 26, 1962, you knowingly aided and abetted your employer, Dealers' Liquor Company, holder of a plenary wholesale license, in the unwitting sale of alcoholic beverages to yourself, a person not a licensed retailer or wholesaler, contrary to and beyond the terms of your employer's license, as defined by R.S. 33:1-11(1), in that you purchased alcoholic beverages from your employer by misrepresenting that the alcoholic beverages had been ordered by a retail licensee; in violation of R.S. 33:1-52.
- "2. On the aforesaid dates, you knowingly purchased, received and procured illicit beverages from your above mentioned employer, a wholesale licensee, in that said alcoholic beverages were sold to you, a person not a licensed retailer or wholesaler, contrary to and beyond the terms of said wholesaler's license, as defined by R.S. 33:1-11(1), and in violation of R.S. 33:1-2; in violation of R.S. 33:1-49.
- "3. On the aforesaid dates, you transported alcoholic beverages not pursuant to and within the terms of a license, or as otherwise expressly authorized under the Alcoholic Beverage Law, contrary to R.S. 33:1-2; in violation of R.S. 33:1-50(a)."

Reports of investigation disclose that during the ten-month period covered by the charges, the permittee-solicitor purchased from his wholesaler-employer in thirty-two separate transactions a quantity of alcoholic beverages in the total amount of \$2,668.36, "washing" such sales by fictitious billing to a retail licensee by whom the merchandise was not ordered nor to whom was it delivered.

Although it may well be suspected that a substantial quantity of the alcoholic beverages involved may have been sold to consumers or other retailers in default, or used as free goods in promoting business, there is no evidence to establish any of these practices as a fact.

Absent prior record, and considering the plea entered, under all the circumstances the permit will be suspended for one hundred fifty days. Re Bodenweiser, Bulletin 1501, Item 1.

Accordingly, it is, on this 31st day of July 1963,

ORDERED that Solicitor's permit No. 3324, issued by the Director of the Division of Alcoholic Beverage Control to Alexander De Rito, McLain & Edgewood Drive, Franklin Heights, Vineland, be and the same is hereby suspended for one hundred fifty (150) days, commencing at 9 a.m. Wednesday, August 7, 1963, and terminating at 9 a.m. January 4, 1964.

EMERSON A. TSCHUPP
ACTING DIRECTOR

2. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 45 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

CHARLES McALISTER & MATILDA McALISTER
t/a CLUB BROADWAY BAR
130-130A Broadway
Paterson 3, N. J.

CONCLUSIONS
AND ORDER

Holders of Plenary Retail Consumption License C-208, issued by the Board of Alcoholic Beverage Control for the City of Paterson.

Licensees, Pro se.
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE ACTING DIRECTOR:

Licensees plead non vult to charges alleging that on May 24, 1963, they (1) sold drinks of alcoholic beverages to two minors, age 18 and 20 years respectively, in violation of Rule 1 of State Regulation No. 20, and (2) at 11:15 p.m. allowed an opened pint bottle of gin to be removed from the licensed premises in violation of Rule 1 of State Regulation No. 38.

Licensees have a previous record of suspension of license by the Director for ten days effective August 21, 1961, for sale of alcoholic beverages in violation of Rule 1 of State Regulation No. 38. Re McAlister, Bulletin 1413, Item 6.

The license will be suspended on the first charge for fifteen days (Re 2 Tony's, Inc., Bulletin 1512, Item 6) and, the previous similar violation considered, on the second charge for thirty days (Re Leona Corporation, Bulletin 1515, Item 5), or a total of forty-five days, with remission of five days for the plea entered, leaving a net suspension of forty days.

Accordingly, it is, on this 31st day of July 1963,

ORDERED that Plenary Retail Consumption License C-208, issued by the Board of Alcoholic Beverage Control for the City of Paterson to Charles McAlister & Matilda McAlister, t/a Club Broadway Bar, for premises 130-130A Broadway, Paterson, be and the same is hereby suspended for forty (40) days, commencing at 3 a.m. Wednesday, August 7, 1963, and terminating at 3 a.m. Monday, September 16, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

3. APPEAL CASES - JULY 1, 1962 THROUGH JUNE 30, 1963

Cases Undecided June 30, 1962	15	
Cases filed for period July 1, 1962, through June 30, 1963	<u>63</u>	
Total		78

Disposition

Affirmed.....	42	
Reversed.....	11	
Modified.....	2	
Remanded.....	2	
Withdrawn (after hearing).....	1	
Withdrawn (no hearing).....	7	
Undecided (8 cases heard).....		
(5 " not ").....	<u>13</u>	
		78

EMERSON A. TSCHUPP
DEPUTY DIRECTOR

Dated: August 9, 1963

4. DISCIPLINARY PROCEEDINGS - ACCEPTING ORDERS AT OTHER THAN LICENSED PREMISES - PEDDLING - DELIVERY WITHOUT INVOICE - TRANSPORTATION IN UNLICENSED VEHICLE - EMPLOYING A MINOR TO SELL ALCOHOLIC BEVERAGES - LICENSE SUSPENDED FOR 35 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

EUGENE J. McGOVERN AND GEORGIANA F. McGOVERN)
t/a McGOVERN'S LIQUOR STORE)
897 Broadway)
Bayonne, N. J.)

CONCLUSIONS AND ORDER

Holders of Plenary Retail Distribution License D-4, issued by the Municipal Council of the City of Bayonne.)

Licensees, by Eugene J. McGovern, Pro se.
Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control

BY THE ACTING DIRECTOR:

Licensees plead non vult to charges alleging that on May 18, 1963, they (1) accepted orders for alcoholic beverages off their licensed premises, in violation of R.S. 33:1-2, (2) solicited orders for alcoholic beverages from house to house, in violation of Rule 3 of State Regulation No. 20, (3) transported alcoholic beverages without requisite accompanying delivery slip, in violation of Rule 3 of State Regulation No. 17, (4) transported alcoholic beverages in a vehicle not bearing currently effective transit insignia, in violation of Rule 2 of State Regulation No. 17, and (5) employed a minor, age 16, to sell alcoholic beverages, in violation of Rule 2 of State Regulation No. 13.

Absent prior record, the license will be suspended on the related first, second, third and fourth charges for twenty-five days (cf. Re Alampi, Bulletin 1255, Item 8; Re Danyluk, Bulletin 1302, Item 9) and on the fifth charge for ten days (cf. Re Bella-Samsons Liquors, Bulletin 1505, Item 2) or a total of thirty-five days, with remission of five days for the plea entered, leaving a net suspension of thirty days.

Accordingly, it is, on this 1st day of July, 1963,

ORDERED that Plenary Retail Distribution License D-4, issued by the Municipal Council of the City of Bayonne to Eugene J. McGovern and Georgiana F. McGovern, t/a McGovern's Liquor Store, for premises 897 Broadway, Bayonne, be and the same is hereby suspended for thirty (30) days, commencing at 9:00 a.m. Monday, July 8, 1963, and terminating at 9:00 a.m. Wednesday, August 7, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

5. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against CITY GARDENS, INC. 33 Ellison Street Paterson 1, N. J. Holder of Plenary Retail Consumption License C-302, issued by the Board of Alcoholic Beverage Control for the City of Paterson.

CONCLUSIONS AND ORDER

Licensee, by Ralph Aquino, President, Pro se. Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE ACTING DIRECTOR:

Licensee pleads non vult to a charge alleging that on Sunday, May 19, 1963, it sold twelve cans of beer for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspension of license by the Director for ten days, effective April 4, 1960, for similar violation. Re City Gardens, Inc., Bulletin 1337, Item 10.

The prior record considered, the license will be suspended for thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days. Re Leona Corporation, Bulletin 1515, Item 5.

Accordingly, it is, on this 1st day of July, 1963,

ORDERED that Plenary Retail Consumption License C-302, issued by the Board of Alcoholic Beverage Control for the City of Paterson to City Gardens, Inc. for premises 33 Ellison Street, Paterson, be and the same is hereby suspended for twenty-five (25) days, commencing at 3:00 a.m. Monday, July 8, 1963, and terminating at 3:00 a.m. Friday, August 2, 1963.

EMERSON A. TSCHUPP ACTING DIRECTOR

6. STATUTORY AUTOMATIC SUSPENSION - ORDER LIFTING SUSPENSION.

Auto.Susp.#231)
 In the Matter of a Petition to Lift)
 the Automatic Suspension of Plenary)
 Retail Consumption License C-2,)
 issued by the Borough Council of) ON PETITION
 the Borough of Westwood to) ORDER
)
 E. JOSEPH CRESTA AND JOHN T. KRUPINSKI)
 t/a EXCEL BAR)
 57 Washington Avenue)
 Westwood, N. J.)

 Hart, Mandis & Rathe, Esqs., by Victor W. Hart, Esq., Attorneys
 for Petitioners.

BY THE ACTING DIRECTOR:

It appears from the petition filed herein and the records of this Division that on July 10, 1963, John Krupinski, one of the licensees-petitioners herein, was fined \$50 and \$10 costs in the Westwood Municipal Court after he had pleaded guilty to a charge alleging that he sold alcoholic beverages to a minor on April 16, 1963, in violation of R.S. 33:1-77. The conviction resulted in the automatic suspension of petitioners' 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 the municipal issuing authority has suspended the license for five days commencing at midnight, July 23, 1963, after confessional plea to a charge in disciplinary proceedings alleging the same sale to the minor. Hence, I shall lift the automatic suspension in anticipation of the service of the municipal suspension. Re Montagna, Bulletin 1516, Item 5.

Accordingly, it is, on this 18th day of July,
 1963,

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

EMERSON A. TSCHUPP
 ACTING DIRECTOR

7. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against LOU'S TAVERN, INC. t/a LOU'S TAVERN 292 Barrow Street Jersey City, N. J. Holder of Plenary Retail Consumption License C-29, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.

CONCLUSIONS AND ORDER

Rosen & Kanov, Esqs., by Leon M. Rosen, Esq., Attorneys for Licensee. Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE ACTING DIRECTOR:

Licensee pleads non vult to a charge alleging that on May 24, 1963, at 10:40 p.m., it sold six cans of beer for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspension of license by the Director for ten days effective February 3, 1958, for similar violation. Re Lou's Tavern, Inc., Bulletin 1209, Item 4.

The license will be suspended for the instant violation for fifteen days (Re Ruth & Middaugh, Bulletin 1504, Item 6), plus five days for the prior record (cf. Re Harbor Inn, Inc., Bulletin 1428, Item 3), making a total suspension of twenty days. Five days will be remitted for the plea entered, leaving a net suspension of fifteen days.

Accordingly, it is, on this 29th day of July 1963,

ORDERED that Plenary Retail Consumption License C-29, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Lou's Tavern, Inc., t/a Lou's Tavern, for premises 292 Barrow Street, Jersey City, be and the same is hereby suspended for fifteen (15) days, commencing at 2 a.m. Monday, August 5, 1963, and terminating at 2 a.m. Tuesday, August 20, 1963.

EMERSON A. TSCHUPP ACTING DIRECTOR

8. DISCIPLINARY PROCEEDINGS - PERMITTING CONSUMPTION BY MINORS -
LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

JIMMY'S BAR & GRILL, INC.)
t/a CLUB CHOO CHOO)
94 Passaic Street)
Garfield, N. J.)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption)
License C-18, issued by the Mayor)
and Council of the City of Garfield.)

Robert W. Wolfe, Esq., Attorney for Licensee
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE ACTING DIRECTOR:

Licensee pleads non vult to a charge alleging that
on June 8, 1963, it sold to and permitted the consumption of
drinks of alcoholic beverages by three minors, one age 19 and
two age 20, in violation of Rule 1 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 H. P. Bar
& Liquor, Inc.; Bulletin 1453, Item 5.

Accordingly, it is, on this 30th day of July 1963,

ORDERED that Plenary Retail Consumption License C-18,
issued by the Mayor and Council of the City of Garfield to
Jimmy's Bar & Grill, Inc., t/a Club Choo Choo, for premises
94 Passaic Street, Garfield, be and the same is hereby suspended
for fifteen (15) days, commencing at 3 a.m. Tuesday, August 6,
1963, and terminating at 3 a.m. Wednesday, August 21, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

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

In the Matter of Disciplinary)
Proceedings against)

THEODORE & CHARLES AFFLITTO)
t/a PRESS CLUB)
12-14 Beaver Street)
Newark 2, N. J.)

CONCLUSIONS
AND ORDER

-----)
Holders of Plenary Retail Consumption)
License C-12, issued by the Municipal)
Board of Alcoholic Beverage Control of)
the City of Newark.)

Joseph A. D'Alessio, Esq., Attorney for Licensees
David S. Piltzer, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE ACTING DIRECTOR:

Licensees plead non vult to a charge alleging that
on May 27, 1963, they possessed on the licensed premises
alcoholic beverages in four 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 the minimum period of twenty days, with remission of five
days for the plea entered, leaving a net suspension of fifteen
days, Re Driscoll, Bulletin 1482, Item 8.

Accordingly, it is, on this 30th day of July
1963,

ORDERED that Plenary Retail Consumption License C-12,
issued by the Municipal Board of Alcoholic Beverage Control of
the City of Newark to Theodore & Charles Afflitto, t/a Press
Club, for premises 12-14 Beaver Street, Newark, be and the
same is hereby suspended for fifteen (15) days, commencing at
2 a.m. Tuesday, August 6, 1963, and terminating at 2 a.m.
Wednesday, August 21, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

10. DISCIPLINARY PROCEEDINGS - GAMBLING (WAGERING UPON POOL GAMES AND CARD GAMES) - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

DOMINICK J. BUFFALINO & ELVIRA BUFFALINO

t/a JOHNNY LYON'S
15 Jackson Street
South River, N. J.

CONCLUSIONS AND ORDER

Holders of Plenary Retail Consumption License C-34, issued by the Borough Council of the Borough of South River.

Appleby and Appleby, Esqs., by Theodore Appleby, Esq., Attorneys for Licensees
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE ACTING DIRECTOR:

Licensees plead non vult to a charge alleging that on April 26 and May 9, 1963, they permitted gambling, viz., the playing of pool games and card games for stakes of money, in violation of Rule 7 of State Regulation No. 20.

Absent prior record, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Cf. Re Kropenski and Sudder, Bulletin 1425, Item 5; Re Garcia, Bulletin 1443, Item 4.

Accordingly, it is, on this 30th day of July 1963,

ORDERED that Plenary Retail Consumption License C-34, issued by the Borough Council of the Borough of South River to Dominick J. Buffalino & Elvira Buffalino, t/a Johnny Lyon's, for premises 15 Jackson Street, South River, be and the same is hereby suspended for ten (10) days, commencing at 2 a.m. Tuesday, August 6, 1963, and terminating at 2 a.m. Friday, August 16, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

- 11. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against
 HAROLD C. CAPELLI
 t/a HICKEY'S CAFE
 5-1/2 Zabriskie Street
 Jersey City, N. J.
 Holder of Plenary Retail Consumption License C-418, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.

CONCLUSIONS AND ORDER

 Licensee, Pro se.
 David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on June 13, 1963, he possessed an alcoholic beverage in one bottle bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20.

Licensee has a previous record of suspension of license by the Director for twenty-five days effective April 1, 1963, for an "hours" violation.

The prior record considered, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Hammerstedt, Bulletin 1510, Item 9.

Accordingly, it is, on this 30th day of July 1963,

ORDERED that Plenary Retail Consumption License C-418, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Harold C. Capelli, t/a Hickey's Cafe, for premises 5-1/2 Zabriskie Street, Jersey City, be and the same is hereby suspended for ten (10) days, commencing at 2 a.m. Tuesday, August 6, 1963, and terminating at 2 a.m. Friday, August 16, 1963.

EMERSON A. TSCHUPP
 ACTING DIRECTOR

12. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

AUGUST J. BECKERT)
126 Linden Avenue)
Jersey City 5, N. J.)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-520, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City)

Licensee, Pro se.
Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE ACTING DIRECTOR:

Licensee pleads guilty to a charge alleging that on Sunday, June 2, 1963, he sold six cans of beer for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspension of license by the municipal issuing authority for three days, effective February 19, 1940, for sale of alcoholic beverages during prohibited hours.

The prior similar record disregarded because it occurred more than ten years ago, 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 Ruth & Middaugh, Bulletin 1504, Item 6.

Accordingly, it is, on this 30th day of July, 1963

ORDERED that Plenary Retail Consumption License C-520, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to August J. Beckert for premises 126 Linden Avenue, Jersey City, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. Tuesday, August 6, 1963 and terminating at 2:00 a.m. Friday, August 16, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

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

In the Matter of Disciplinary)
Proceedings against)

GUIDO TUZI)
White Horse Pike)
Somerdale, N. J.)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption)
License C-8, issued by the Borough)
Council of the Borough of Somerdale.)

Licensee, Pro se.
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic
Beverage Control.

BY THE ACTING DIRECTOR:

Licensee pleads guilty to a charge alleging that on June 21, 1963, he sold twelve cans of beer and a pint of whiskey to two minors, one age 18 and one age 19, 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 Colonel Cooper, Inc., Bulletin 1491, Item 8.

Accordingly, it is, on this 30th day of July 1963,

ORDERED that Plenary Retail Consumption License C-8, issued by the Borough Council of the Borough of Somerdale to Guido Tuzi, for premises on White Horse Pike, Somerdale, be and the same is hereby suspended for ten (10) days, commencing at 3 a.m. Tuesday, August 6, 1963, and terminating at 3 a.m. Friday, August 16, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

14. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY
LABELED - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

CHRIS H. KIRCHHOFF)
t/a Old Ford Hotel)
301-307 Kings Highway)
Swedesboro, N. J.)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption)
License C-1, issued by the Borough)
Council of the Borough of Swedesboro.)

Licensee, Pro se.
David S. Piltzer, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE ACTING DIRECTOR:

Licensee pleads non vult to a charge alleging that
on May 9, 1963, he possessed an alcoholic beverage in one
bottle bearing a label which did not truly describe its
contents, in violation of Rule 27 of State Regulation No. 20.

Absent prior record, the license will be suspended
for ten days, with remission of five days for the plea
entered, leaving a net suspension of five days. Re Dolan,
Bulletin 1518, Item 5.

Accordingly, it is, on this 29th day of July 1963,

ORDERED that Plenary Retail Consumption License C-1,
issued by the Borough Council of the Borough of Swedesboro to
Chris H. Kirchhoff, t/a Old Ford Hotel, for premises 301-307
Kings Highway, Swedesboro, be and the same is hereby suspended
for five (5) days, commencing at 1 a.m. Monday, August 5, 1963,
and terminating at 1 a.m. Saturday, August 10, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

- 15. DISCIPLINARY PROCEEDINGS - FRONT - FALSE STATEMENTS IN APPLICATION FOR LICENSE - CRIMINALLY DISQUALIFIED EMPLOYEE - FAILURE TO NOTIFY OF CHANGES IN LICENSE APPLICATION - UNLAWFUL SITUATION CORRECTED - LICENSE SUSPENDED FOR 50 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against
 LU-ANNE, INC.
 t/a STAR-LITE TAVERN
 7137 Woodland Avenue
 Pennsauken, N. J.
 Holder of Plenary Retail Consumption License C-15, issued by the Township Committee of the Township of Pennsauken.

CONCLUSIONS AND ORDER

 Samuel L. Supnick, Esq., Attorney for Licensee.
 David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE ACTING DIRECTOR:

Licensee pleads non vult to the following charges:

- "1. In your application dated August 8, 1962, filed with the Pennsauken Township Committee, upon which you obtained your current plenary retail consumption license, in answer to Question No. 22, you listed Robert Strohmetz, J. Clark Gleeson and Richard A. Deighan, Sr., as the holders of 98%, 1% and 1%, respectively, of your issued and outstanding stock, and in answer to Question No. 23, you stated that no one other than these stockholders had any beneficial interest, directly or indirectly, in the stock of said stockholders, whereas in truth and fact Nancy Strohmetz had such an interest in that she was the real and beneficial owner of 50% of your issued and outstanding stock; said false statements, misrepresentations and evasion and suppression of material facts being in violation of R.S. 33:1-25.
- "2. In your aforesaid license application, you falsely stated 'No' in answer to Question No. 31 which asks: 'Have you agreed to pay (by way of rent, salary or otherwise) to any employee, or other person, any portion or percentage of the gross or net profits or income derived from the business to be conducted under the license applied for?', whereas in truth and fact you had agreed to permit Nancy Strohmetz to retain 50% of the profits and income derived from your licensed business; in violation of R.S. 33:1-25.
- "3. On or about December 28, 1962 and January 7, 1963, you employed and had connected with you in a business capacity Lewis A. Strohmetz, Jr., a person who had been convicted in the United States District Court, District of New Jersey, on March 9, 1956, of a crime involving moral turpitude, viz., bank robbery, assault and interstate transportation of

stolen property in violation of Title 18 USC Sec. 2113 (a), (b) and (d) and Title 18 USC Sec. 2114; in violation of Rule 1 of State Regulation No. 13.

- "4. You failed to file with the Pennsauken Township Committee, within 10 days after the occurrence thereof, written notice of a change of facts set forth in your answer to Question No. 32 of your aforesaid license application, such change being that on or about August 28, 1962 Benjamin Glazerman and Wanda Glazerman obtained a chattel mortgage on numerous chattels and fixtures in your licensed premises; in violation of R.S. 33:1-34."

The facts are sufficiently set forth in the quoted charges. The correction necessary with reference thereto has been made.

Absent prior record and considering the plea entered herein, the license will be suspended for twenty days on Charges 1 and 2 (Re The Kelly House, Bulletin 1499, Item 8); for twenty days on Charge 3 (Re Hub Bar, Bulletin 1423, Item 5) and for ten days on Charge 4 (Re Kolbek, Bulletin 1472, Item 3), or a total suspension of fifty days, with remission of five days for the plea entered, leaving a net suspension of forty-five days.

Accordingly, it is, on this 5th day of August 1963,

ORDERED that Plenary Retail Consumption License C-15, issued by the Township Committee of the Township of Pennsauken to Lu-Anne, Inc., t/a Star-Lite Tavern, for premises 7137 Woodland Avenue, Pennsauken, be and the same is hereby suspended for forty-five (45) days, commencing at 2 a.m. Monday, August 12, 1963, and terminating at 2 a.m. Thursday, September 26, 1963.

EMERSON A. TSCHUPP
ACTING DIRECTOR

16. STATE LICENSES - NEW APPLICATION FILED.

Joseph A. Ringenback
t/a Premium Beer Distributors
303 Rhode Island Avenue
East Orange, New Jersey

Application filed August 23, 1963 for place-to-place transfer of licensed warehouse from 154 Rear Parrow Street, Orange, New Jersey, to Foot of Centre Street, Newark, New Jersey.


Emerson A. Tschupp,
Acting Director.