

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
NEWARK INTERNATIONAL PLAZA
U.S. Routes 1-9 (Southbound) Newark, N. J. 07114

BULLETIN 2313

February 28, 1979

TABLE OF CONTENTS

ITEM

1. APPELLATE DECISIONS - POLO CHEZ, INC. v. NEWARK.
2. APPELLATE DECISIONS - MIHI CORPORATION v. HOBOKEN.
3. APPELLATE DECISIONS - 461 BROADWAY, INC. v. PATERSON.
4. APPELLATE DECISIONS - 461 BROADWAY, INC. v. PATERSON.

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
NEWARK INTERNATIONAL PLAZA
U.S. Routes 1-9 (Southbound) Newark, N. J. 07114

BULLETIN 2313

February 28, 1979

1. APPELLATE DECISIONS - POLO CHEZ, INC. v. NEWARK.

Polo Chez, Inc.,
t/a Gary's Bar,

Appellant,

v.

Municipal Board of Alcoholic
Beverage Control of the City
of Newark,

Respondent.

.....
Friedman & D'Alessandro, Esq., by Edward G. D'Alessandro, Esq.,
Attorneys for Appellant.
Salvatore Perillo, Esq., by John C. Pidgeon, Esq., Attorneys
for Respondent.

ON APPEAL
CONCLUSIONS
AND
ORDER

BY THE DIRECTOR:

The Hearer has filed the following report herein:

HEARER'S REPORT

This is an appeal from the action of the Municipal Board of Alcoholic Beverage Control of the City of Newark (hereafter Board) which, by Amended Resolution dated March 16, 1978, suspended appellant's Plenary Retail Consumption Lic. 0714-33-617-001, for premises 488 Broad Street, Newark, for sixty days, upon a finding of guilt to charges alleging that, on February 22, 1977 and November 15, 1977, appellant permitted immoral activity upon the licensed premises by allowing solicitation for prostitution therein; and further, that it permitted gambling, in the form of pool playing for drinks and money, within the licensed premises, contrary to Rules 5 and 7, respectively, of State Regulation No. 20 (now N.J.A.C. 13:2-23.6 & .7).

Appellant contends in its Petition of Appeal that there was insufficient evidence to support the Board's finding. The Board responds in its Answer that the evidence upon which its findings were based was sufficient.

Upon the filing of the Petition of Appeal, the Director of this Division, by Order of March 2, 1978, stayed the effective dates of the suspension pending the determination of this appeal.

A de novo appeal was heard in this Division pursuant to N.J.A.C. 13:2-17.6 (formerly Rule 6 of State Regulation No. 15), with full opportunity afforded the parties to introduce evidence, and cross-examine witnesses. Additionally, in accordance with N.J.A.C. 13:2-17.8 (formerly Rule 8 of said Regulation), a transcript of the proceedings before the Board was submitted to the Division.

At the Division hearing, counsel for the parties waived their opportunity to present further evidence, and submitted on the transcript of the proceedings before the Board, and oral argument.

A review of the transcript of the proceedings before the Board indicates that Newark Police Officers Nicholas Theodos, Edward J. Adelman and Anthony Infante testified in support of the charges. The testimony of Officer Theodos related solely to his investigation of January 13, 1977, which charge was dismissed by the Board.

Officer Adelman described his visit to appellant's premises on February 22, 1977. While seated at the bar, a female patron motioned to him to approach her, and when he did so, she made an offer to provide a display of immoral activity. There was no testimony indicating that the appellant or his employees were aware of this conversation. Officer Adelman further indicated that he observed patrons exchanging money after playing games of pool. However, no testimony was offered which would indicate that the licensee was aware of such activity, if it was gambling.

Police Officer Infante testified concerning his observations of appellant's premises on October 15, 1977. From a point on the outside, he observed a female known to him to be a prostitute, leave the appellant's premises in the company of a male. Accompanied by his partner, he followed the female and her escort to a nearby hotel. He testified further that other women were charged and convicted of soliciting for prostitution, and that such women did their soliciting at or about appellant's premises.

Appellant's principal corporate stockholder, John Polo, testified that, although he wasn't in the subject premises on the evenings of February 22 or October 15th, he has experienced great difficulty with a number of known prostitutes who have attempted to ply their trade within his establishment. In response to the question pertaining to any attempt by him to rid his place of these prostitutes, he gave the following explanation:

Yes. On November 12, I called the Tactical Squad and asked for assistance to clear up the prostitution in front of my place. They gave me a meeting a week later and I was referred to Lieutenant Dougherty who told me he was going to help me but I've called three or four times, and he has the report, a good dozen times within the two weeks I've talked to him and nothing was done. They are still out there. They are still seducing my customers right in front of the place. They sent a car down. They checked and chased them away for a few minutes and they are right back again.

The facts in this matter remain uncontroverted. There is no question that a solicitation for an immoral act took place within appellant's premises. The number of prostitutes arrested and convicted, who were found outside appellant's premises, indicates that this tavern is a seat of prostitution activity. The appellant has a burden of conducting his licensed business in such a way that it not become a social evil.

Experience has firmly established that taverns where wine, women and song centralize should be conducted with circumspect respectibility. Such is a reasonable and justifiable demand of our social and moral welfare intelligently to be recognized by our licensed tavern proprietors in the maintenance and continuation of their individualized privilege and concession.

McFadden's Lounge v. Div. of Alcoholic Beverage Control, 33 N.J. Super. 61, 62 (App. Div. 1954).

It is well established that a licensee is responsible for conditions and incidents that exist both inside and outside the premises which are caused by its patrons. Mitchell's Cafe, Inc. v. Lambertville, Bulletin 1928, Item 1; Conte v. Princeton, Bulletin 139, Item 8; Kaplan and Buzak, Bulletin 1745, Item 1, aff'd id nom. App. Div. 1968, not officially reported, recorded in Bulletin 1790, Item 1, cert. den. 51 N.J. 464.

However, a review of the transcript of the proceedings before the Board fails to reveal that the violative activity, sub judice, was called to the attention of any agent or

employee of appellant, or was done in such manner that appellant's employees should have known of its occurrence.

Despite the vigorous argument of Board's counsel, the alleged permitting of solicitation for prostitution and the activity within appellant's premises, was described by the police officer out of earshot of any employee of the premises. No proof was offered that would clearly indicate the knowledge of such offer or activity by the appellant's employees.

While there is no set formula for determining the quantum of evidence required, each case being governed by its own circumstances, the verdict must be supported by substantial evidence. Hornauer v. Div. of Alcoholic Beverage Control, 40 N.J. Super. 501 (App. Div. 1956).

Although there is ample inference born of suspicion that the employees within appellant's establishment should have known that the parade of prostitutes around the area were obviously plying their trade there, there is no proof that the agents or employees of appellant knew or should have known that the illegal practices were being carried out within the premises itself. Miraph Enterprises, Inc. v. Paterson, Bulletin 2238, Item 2.

A similar lack of evidence pertains to the charge relating to gambling. Although the officer had a strong suspicion that the patrons were paying the winner of pool games with either money or drinks, there was a complete absence of direct proof to support such finding.

The remaining charge that on October 15, 1977 appellant permitted solicitation for prostitution upon the licensed premises was not proven at all. Merely the presence of prostitutes coming from the establishment in the company of male patrons was established. Not a scintilla of proof that appellant or its employees were aware and condoned such solicitation was offered.

On the basis of the record, it is quite apparent that the Board failed to substantiate its action by the production of any sufficiently competent evidence.

However, appellant should be pointedly warned that, although the charges directed to appellant could not be proven, the Board may consider the ample evidence of prostitution activity surrounding appellant's premises as a reason to deny renewal. The appellant, thus, should use far greater diligence in ridding itself and the area of this social evil.

I find that the appellant has met its burden of establishing that the action of the Board was erroneous and should be reversed, as required by N.J.A.C. 13:2-17.6 (formerly Rule 6 of State Regulation No. 15).

Accordingly, it is recommended that the action of the Board be reversed, and the charges be dismissed.

CONCLUSIONS AND ORDER

No written Exceptions to the Hearer's Report were filed pursuant to N.J.A.C. 13:2-17.14.

Having carefully considered the entire record herein, including the transcripts of the testimony, the exhibits and the Hearer's Report, I concur in the findings and recommendations of the Hearer, and adopt them as my conclusions herein.

Accordingly, it is, on this 7th day of December, 1978,

ORDERED that the action of the Municipal Board of Alcoholic Beverage Control of the City of Newark be and the same is hereby reversed, and the charges therein be and are hereby dismissed.

JOSEPH H. LERNER
DIRECTOR

2. APPELLATE DECISIONS - MIHI CORPORATION v. HOBOKEN.

Mihi Corporation, t/a Celebrity Lounge,)	
)	ON APPEAL
Appellant,)	CONCLUSIONS
vs.)	
)	AND
Board of Alcoholic Beverage Control of the City of Hoboken,)	ORDER
)	
Respondent.)	

John W. Yengo, Esq., by Arthur W. Vespignani, Esq., Attorney
for Appellant.
Norman J. Sweeten, Esq., Assistant, City Law Department, for
Respondent.

BY THE DIRECTOR:

The Hearer has filed the following report herein:

HEARER'S REPORT

This is an appeal from the action of the respondent, Board of Alcoholic Beverage Control of the City of Hoboken (Board), which by resolution dated December 27, 1977, found the appellant, Mihi Corporation, t/a Celebrity Lounge (Mihi), guilty of the following charges:

(1) At about 1:45 p.m., on Friday, October 28, 1977, it did have on the licensed premises Alequin Rivera of 200 Garden, Hoboken, New Jersey, who stated that he was employed by the licensee as a manager and bartender, in violation of a special condition of its license;

(2) At about 22:30 hours on Saturday, November 5, 1977, it did have on the licensed premises one Julio Rivera employed as a bartender and manager, and Fernanda Cedeno and Juanita Britt of 17 West 19th St., Bayonne, New Jersey as barmaids, in violation of a special condition of its license; and

(3) On divers days and dates between August 8 1977 and November 13, 1977, it did have live music as entertainment and did further play the juke box in such a loud manner as to disturb the peace and quiet of the

neighborhood;

and suspended its license for the balance of its term, effective January 6, 1978.

In its Petition of Appeal, appellant alleges that the action of the Board was arbitrary and unreasonable, not sustained by the testimony and, lastly, that the penalty imposed was excessive under the circumstances.

In its Answer, the Board denies the allegations.

Upon the filing of the appeal, the Director, by Order dated January 5, 1978, stayed the effective dates of the suspension pending determination of the appeal.

A de novo hearing was held in this Division pursuant to N.J. A.C. 13:2-17. 6 (formerly Rule 6 of State Regulation No. 15.)

- I -

Charges one and two are predicated upon the first of two special conditions imposed upon the subject license when it was renewed for the 1977-78 licensing period. The special condition provides:

. . . the renewal of said license is conditional upon the licensees Edna Walker and Judith Rivera to be the sole operators of said premises and that no employee or employees may be hired as managers for said license; . . .

I find that this special condition, although not appealed to the Director of this Division at the time of its imposition, is an undue restriction and beyond the scope of the Board's powers to impose upon any licensee. This condition did not survive the current renewal.

Charges one and two are, therefore predicated upon an improper condition and not consonant with N.J.S.A. 33:1-32, and therefore, the finding of guilty therein is reversed.

- II -

On behalf of the Respondent, the testimony of Raoul Soto,

Lucia Soto, Marco DeMichele, and to a lesser degree, Thomas Newman, was adduced to the effect that the sound of music, at high volume, emanated from appellant's premises into the early hours of morning, which prevented the neighbors living in the immediate vicinity from sleeping until after the tavern's closing. The continued assault upon them effected their mental, and, to some extent, physical health. The tenor of the testimony was so overwhelming that it would serve no useful purpose to refer verbatim to any of it in this report.

The houses on Garden Street, where appellant's premises are located, are constructed in the attached or row house manner, further exacerbating the situation. Additionally, there was no one in authority at the tavern to whom complaints could be addressed. The neighbors complained on countless occasions to the police, who effected momentary relief while they were present. However, upon their departure, the music returned to its previous (and unbearable) volume almost immediately.

Sergeant Frank Tortorella of the Hoboken Police Department testified as to the background leading to the two charges based upon the improper, special condition above discussed, as well as to the flow of complaints of noise emanating from appellant's premises by neighborhood residents unable to sleep.

There cannot be any doubt, from the testimony, that the irresponsible, even callous, manner in which this tavern was managed created a disturbance in the area.

I find, as a fact, that the appellant has failed to sustain the burden of establishing that the action of the respondent herein was erroneous as to the third charge.

I recommend that on the third charge the license be suspended for twenty days. During the interim, the license was transferred to new owners. Therefore, I further recommend that the Director consider acceptance of a fine in compromise in lieu of suspension, if the current licensee of the license makes such application.

CONCLUSIONS AND ORDER

No written Exceptions to the Hearer's Report were filed pursuant to N.J.A.C. 13:2-17.14.

Having carefully considered the entire record herein, including the transcript of the testimony, the exhibits and the Hearer's Report, I concur in the findings and recommendations of the Hearer and adopt them as my conclusions herein.

Accordingly, it is, on this 7th day of December, 1978,

ORDERED that the action of the Board of Alcoholic Beverage Control of the City of Hoboken, in finding appellant guilty of charges (1) and (2) concerning an alleged violation of a special condition, be and the same is hereby reversed and the charges therein be and are hereby dismissed; and it is further

ORDERED that the action of the Board, in finding appellant guilty of charge (3) concerning noise nuisances, be and the same is hereby affirmed and a license suspension of twenty (20) days will be imposed thereon; and it is further

ORDERED that my Order of January 5, 1978, staying the suspension pending determination of the appeal, be and the same is hereby vacated; and it is further

ORDERED that Plenary Retail Consumption License No. 0905-33-158-002, issued by the Board of Alcoholic Beverage Control of the City of Hoboken to Mihi Corporation for premises 88 Garden Street, Hoboken be and the same is hereby suspended for twenty (20) days commencing 2:00 a.m., Wednesday, January 3, 1979, and terminating 2:00 a.m., Tuesday, January 23, 1979.

JOSEPH H. LERNER
DIRECTOR

3. APPELLATE DECISIONS - 461 BROADWAY, INC. v. PATERSON.

#4211
461 Broadway, Inc.,
t/a El Colonial,

Appellant,

v.

Board of Alcoholic
Beverage Control of
the City of Paterson,

Respondent.

ON APPEAL

CONCLUSIONS

AND

ORDER

Cohn & Lifland, Esqs., by James M. Docherty, Esq., Attorneys for
Appellant,
Ralph L. DeLuccia, Jr., Esq., Assistant Corporation Counsel,
Attorney for Respondent.

BY THE DIRECTOR:

The Hearer has filed the following report herein:

HEARER'S REPORT

This is an appeal from the action of the Board of Alcoholic Beverage Control of the City of Paterson (hereafter Board) which, by Resolution dated March 8, 1978, imposed a forty-three (43) days suspension of appellant's Plenary Retail Consumption License 1608-33-116-001 for premises 461 Broadway, Paterson, in consequence of a non vult plea to charges alleging that (1) appellant permitted the sale of alcoholic beverages to a minor, in violation of Rule 1 of State Regulation No. 20 (now N.J.A.C. 13:2-23.1); (2) failed to have employees properly listed on a form available for inspection, in violation of Rule 16(c) of that Regulation (now N.J.A.C. 13:2-23.13); and (3) allowed the unlawful possession of narcotic drugs within licensed premises, in violation of Rule 4 of said Regulation (now N.J.A.C. 13:2-23.5).

Appellant's appeal is directed solely to the penalty imposed. It considers same overly severe in view of the social problems in the area, which imposes on the appellant and its employees a far heavier burden than upon similar establishments in other areas.

Appellant further contends that the violations were technical in that the minor produced an identification card containing his picture, hence, the effort of the bartender in serving him was not the result of a disregard of the regulations. The failure to have

the usual form up to date and available for inspection, it submits, is a minor infraction and, lastly, the presence of narcotics in the possession of a patron should not have been chargeable against the appellant.

The Board, in its Answer, denies that the penalty was excessive. It further denies appellant's contention that the offenses were minor and, in view of the difficulties that appellant premises has caused enforcement authorities, it asserts that the penalty was extremely modest.

A de novo appeal was heard in this Division pursuant to N.J.A.C. 13:2-17.6 with full opportunity afforded the parties to introduce evidence and to cross-examine witnesses. However, the parties waived that opportunity and relied upon the submission of transcripts of the hearings before the Board supplemented by written memoranda, pursuant to N.J.A.C. 13:2-17.8.

Upon the filing of the Petition of Appeal, the Director of this Division, by Order dated April 10, 1978, stayed the effective date of the suspension pending the disposition of this appeal.

Appellant maintains that, because the holder of all of the capital stock of appellant, its manager and corporate attorney have met with the Chief of Police of the City of Paterson in an effort to alleviate the problem concerning the prevalence of narcotic drugs, there should be little or no penalty resulting from this infraction. The Board however emphasized that such consultation occurred after the commission of the offense, not because of the ongoing problem outlined.

The crucial issue presented by this appeal is: Is the penalty of forty-three days excessive?

The burden of establishing that the Board acted erroneously and in an abuse of its discretion, is upon appellant. N.J.A.C. 13:2-17.6. The ultimate test in these matters is one of reasonableness on the part of the Board. Or, to put it another way: could the members of the Board, as reasonable men, acting reasonably, have come to their determination based upon the evidence presented? The Director should not reverse unless he finds as a fact that there was a clear abuse of discretion or unwarranted finding of fact or mistake of law by the Board. Lyons Farms Tavern, Inc. v. Newark, 55 N.J. 292, 303 (1970); Hudson Bergen County Retail Liquor Stores Ass'n v. Hoboken, 135 N.J.L. 502 (E.& A. 1947); Nordco, Inc. v. State, 43 N.J. Super. 277, 282 (App. Div. 1957).

The Division has, for several decades, adopted a penalty schedule indicating the customary minimum penalties imposed for many com-

mon offenses. That schedule, which is a guide for prospective penalties imposed by the Director on charges brought by agents of this Division, indicates that, on proof of sale or possession of narcotics within a licensed premises, a minimum suspension of thirty days would be imposed. On the sale to a fifteen year old minor, the minimum penalty imposed by the Director would be thirty-five days. A ten day penalty has been affirmed by the Director where there was an absence of a proper employee form (E141). See D & R Tierney's Tavern Corp. v. Jersey City, Bulletin 2287, Item 4.

Additionally, the Board has indicated that appellant has a prior record of a similar narcotics violation resulting in a suspension imposed on September 11, 1975. This would increase the thirty day suspension herein by an additional thirty days. Hence, had the charges been preferred by agents of this Division, there could well have been a penalty of one hundred and five (105) days with twenty-two days remission for the plea entered, leaving a net suspension of eighty-three days.

Additionally, it is an established principle that a suspension imposed in local disciplinary proceedings rests, in the first instance, within the sound discretion of the local issuing authority. The power of the Director to reduce the suspension on appeal is confined to cases where the suspension is manifestly unreasonable. Sventy and Wilson, Inc. v. Pt. Pleasant Beach, Bulletin 1930, Item 1; Pom Bon, Inc. v. Cliffside Park, Bulletin 1897, Item 1 and cases cited therein.

In consequence of the applicable law, I find that the appellant has failed to establish that the action of the Board was erroneous and the suspension imposed by the Board should be reduced.

It is, accordingly, recommended that an order be entered affirming the Board's action, dismissing the appeal and reimposing and setting effective dates for the suspension of license.

Conclusions and Order

No written Exceptions to the Hearer's Reports in Appeal No. 4211 and Appeal No. 4233, which are consolidated herein, were filed pursuant to N.J.A.C. 13:2-19.6.

Having carefully considered the entire records herein, including the transcripts of the testimony, the exhibits, the written summation of appellant, and the Hearer's Report, I concur in the findings and recommendations of the Hearers, and adopt them as my conclusions herein.

On Appeal No. 4211, the action of the Board will be affirmed and the forty-three (43) days suspension will be reimposed.

On Appeal No. 4233, the action of the Board will be affirmed and the thirty (30) days suspension will be reimposed. Thus, in consolidating these appeals, I shall reimpose the license suspension for a total of seventy-three (73) days.

Accordingly, it is, on this 7th day of December, 1978,

ORDERED that the actions of the Board of Alcoholic Beverage Control of the City of Paterson in suspending appellant's license for forty-three (43) days (Appeal No. 4211) and thirty (30) days (Appeal No. 4233), upon appellant's pleas of non vult to various charges set forth therein, be and the same are hereby affirmed, and the appeals be and are hereby dismissed; and it is further

ORDERED that my Orders of April 10, 1978 and June 21, 1978 staying the suspensions pending determination of the appeals, be and the same are hereby vacated; and it is further

ORDERED that Plenary Retail Consumption License No. 1608-33-116-001, issued by the Board of Alcoholic Beverage Control of the City of Paterson to 461 Broadway, Inc., t/a El Colonial for premises 461 Broadway, Paterson be and the same is hereby suspended for seventy-three (73) days commencing 3:00 A.M. Tuesday, January 2, 1979 and terminating 3:00 A.M. Friday, March 16, 1979.

JOSEPH H. LERNER
DIRECTOR

4. APPELLATE DECISIONS - 461 BROADWAY, INC. v. PATERSON.

#4233

461 Broadway, Inc.,
t/a El Colonial,

Appellant,

v.

Board of Alcoholic
Beverage Control of
the City of Paterson,

Respondent.

ON APPEAL

CONCLUSIONS

AND

ORDER

Cohn & Lifland, Esqs., by James M. Docherty, Esq., Attorneys
for Appellant.

Ralph L. DeLuccia, Jr., Esq., Assistant Corporation Counsel,
Attorney for Respondent.

BY THE DIRECTOR:

The The Hearer has filed the following report herein:

HEARER'S REPORT

This is an appeal from the action of the Board of Alcoholic Beverage Control of the City of Paterson which, by Resolution dated June 4, 1978, suspended appellant's plenary retail consumption license for thirty days upon appellant's plea of non vult to charges concerning the presence of narcotics on the licensed premises, in violation of N.J.A.C. 13:2-23.5.

The appellant contends in its Petition of Appeal that such suspension is unduly harsh and seeks to have the penalty reduced or converted to a fine in lieu of suspension.

The aforesaid suspension was to have commenced on June 19, 1978, but was stayed by Order of the Director of June 21, 1978, pending the determination of this appeal.

It must be noted, however, that the Board had previously imposed a forty-three days suspension for certain violations which included a similar charge. That suspension was similarly stayed by the Director of this Division pending appeal. It is while the stay was in force that the subject incident giving rise to this charge occurred. The thrust of the appeal in the prior pending matter and in this appeal are identical. It is asserted that the periods of suspension imposed are unduly harsh.

In the companion report considering the identical grounds for appeal as is herein stated, a review of the applicable law respecting the Director's function with regard to reduction of penalty is set forth. From a review of the pleadings and the transcript of testimony taken before the Board, sub judice, the same recommendation contained in the companion report is equally applicable herein.

Accordingly, it is recommended that the action of the Board in suspending appellant's plenary retail consumption license for thirty days (being a suspension of thirty-five days with remission of five days for the plea entered) be affirmed, and that the appeal be dismissed and the Director reimpose and set the effective dates of the suspension.

Conclusions and Order

No written Exceptions to the Hearer's Reports in Appeal No. 4211 and Appeal No. 4233, which are consolidated herein, were filed pursuant to N.J.A.C. 13:2-19.6.

Having carefully considered the entire records herein, including the transcripts of the testimony, the exhibits, the written summation of appellant, and the Hearer's Report, I concur in the findings and recommendations of the Hearers, and adopt them as my conclusions herein.

On Appeal No. 4211, the action of the Board will be affirmed and the forty-three (43) days suspension will be reimposed. On Appeal No. 4233, the action of the Board will be affirmed and the thirty (30) days suspension will be reimposed. Thus, in consolidating these appeals, I shall reimpose the license suspension for a total of seventy-three (73) days.

Accordingly, it is, on this 7th day of December, 1978,

ORDERED that the actions of the Board of Alcoholic Beverage Control of the City of Paterson in suspending appellant's license for forty-three (43) days (Appeal No. 4211) and thirty (30) days (Appeal No. 4233), upon appellant's pleas of non vult to various charges set forth therein, be and the same are hereby affirmed, and the appeals be and are hereby dismissed; and it is further

ORDERED that my Orders of April 10, 1978 and June 21, 1978 staying the suspensions pending determination of the appeals, be and the same are hereby vacated; and it is further

ORDERED that Plenary Retail Consumption License No. 1608-33-116-001, issued by the Board of Alcoholic Beverage Control of the City of Paterson to 461 Broadway, Inc., t/a El Colonial for premises 461 Broadway, Paterson be and the same is hereby suspended for seventy-three (73) days commencing 3:00 A.M. Tuesday, January 2, 1979 and terminating 3:00 A.M. Friday, March 16, 1979.



JOSEPH H. LERNER
DIRECTOR