

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

BULLETIN 2025

January 20, 1972

TABLE OF CONTENTS

ITEM

1. APPELLATE DECISIONS - LINCROFT INN, INC. v. MIDDLETOWN - SUPPLEMENTAL ORDER REIMPOSING SUSPENSION.
2. DISCIPLINARY PROCEEDINGS (Camden) - GAMBLING (NUMBERS) - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 185 DAYS, LESS 37 FOR PLEA.
3. DISCIPLINARY PROCEEDINGS (Newark) - SUPPLEMENTAL ORDER REINSTATING SUSPENSION.
4. DISCIPLINARY PROCEEDINGS (Camden) - GAMBLING (NUMBERS - FIFTY-FIFTY CLUB) - LICENSE SUSPENDED FOR 90 DAYS, LESS 18 FOR PLEA.
5. DISCIPLINARY PROCEEDINGS (Cliffside Park) - GAMBLING (NUMBERS) - LICENSE SUSPENDED FOR 90 DAYS, LESS 18 FOR PLEA.
6. DISCIPLINARY PROCEEDINGS (Lodi) - LEWDNESS AND IMMORAL ACTIVITY (INDECENT ENTERTAINMENT) - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 80 DAYS, LESS 16 FOR PLEA.
7. DISCIPLINARY PROCEEDINGS (West Orange) - ORDER DEFERRING SUSPENSION.
8. DISCIPLINARY PROCEEDINGS (Orange) - GAMBLING (NUMBERS) - LICENSE SUSPENDED FOR 60 DAYS, LESS 12 FOR PLEA.
9. DISCIPLINARY PROCEEDINGS (Linden) - ORDER DEFERRING SUSPENSION.
10. DISCIPLINARY PROCEEDINGS (Penns Grove) - LEWDNESS AND IMMORAL ACTIVITY - FALSE STATEMENT IN APPLICATION - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 45 DAYS, LESS 9 FOR PLEA.
11. DISCIPLINARY PROCEEDINGS (Lakewood) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 55 DAYS, LESS 11 FOR PLEA.
12. DISCIPLINARY PROCEEDINGS (Long Branch) - SALES TO NON-MEMBERS - GAMBLING (CARDS) - LICENSE SUSPENDED FOR 30 DAYS.
13. DISCIPLINARY PROCEEDINGS (Elizabeth) - LEWDNESS AND IMMORAL ACTIVITY (INDECENT ENTERTAINMENT) - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA - APPLICATION FOR FINE IN LIEU OF SUSPENSION GRANTED.
14. DISCIPLINARY PROCEEDINGS (Orange) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

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

BULLETIN 2025

January 20, 1972

1. APPELLATE DECISIONS - LINCROFT INN, INC. v. MIDDLETOWN -  
SUPPLEMENTAL ORDER REIMPOSING SUSPENSION.

Lincroft Inn, Inc., t/a	)	
Lincroft Inn, Inc.,	)	
	)	
Appellant,	)	On Appeal
v.	)	
Township Committee of the	)	SUPPLEMENTAL ORDER
Township of Middletown,	)	
	)	
Respondent.	)	
-----	)	

Rosen & Kanov, Esqs., by Leon M. Rosen, Esq., Attorneys for  
Appellant  
Whitney Crowell, Esq., by Robert H. Otten, Esq., Attorney for  
Respondent

BY THE DIRECTOR:

On November 10, 1970 Conclusions and Order were entered herein affirming the action of respondent, dismissing the appeal and reimposing suspension of twenty days commencing November 25, 1970. Lincroft Inn, Inc. v. Middletown, Bulletin 1947, Item 1.

Upon appeal filed, an order was entered on December 10, 1970 by the Appellate Division of the Superior Court staying the said suspension pending determination of the said appeal. On November 11, 1971 the said court affirmed the action of the Director and remanded the matter to this Division for reimposition of the penalty. Lincroft Inn v. Twp. of Middletown (App. Div. 1970), not officially reported, recorded in Bulletin 2015, Item 4. The suspension may now be reimposed.

Accordingly, it is, on this 15th day of December 1971,

ORDERED that the twenty-day suspension heretofore imposed and stayed during the pendency of the proceedings on appeal be reinstated against Plenary Retail Consumption License C-11, issued by the Township Committee of the Township of Middletown to Lincroft Inn, Inc., t/a Lincroft Inn, Inc., for premises 700 Newman Springs Road, Middletown, commencing at 2 a.m. Wednesday, January 5, 1972, and terminating at 2 a.m. Tuesday, January 25, 1972.

Richard C. McDonough,  
Director.

2. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS) - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 185 DAYS, LESS 37 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

Ada Bond  
t/a Bond's Bar  
538 Kaighn Ave.  
Camden, N. J.,

CONCLUSIONS  
and  
ORDER

Holder of Plenary Retail Consumption  
License C-115, issued by the Municipal  
Board of Alcoholic Beverage Control of  
the City of Camden.

-----  
Weinberg and Fishman, Esqs., by Barry M. Weinberg, Esq.,  
Attorneys for Licensee  
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on August 12 and 19, 1971 she permitted the acceptance of numbers bets on the licensed premises, in violation of Rule 6 of State Regulation No. 20.

Licensee has a prior record of suspensions on similar charges: by the Director for fifty-five days effective April 1, 1965, and for sixty-five days effective July 22, 1970 (Re Bond, Bulletin 1613, Item 3; Bulletin 1925, Item 4).

Considering the prior record of suspension on similar charge occurring within the past five years, the minimum penalty of ninety days (Re Fessler, Bulletin 2005, Item 5) will be doubled to a suspension for one hundred eighty days (Re Golebiewski and Wizimirski's, Bulletin 1793, Item 2), to which will be added five days by reason of the similar offense occurring within the past ten years, making a total penalty of one hundred eighty-five days, with remission of thirty-seven days for the plea entered, leaving a net suspension of one hundred forty-eight days.

Accordingly, it is, on this 16th day of December 1971,

ORDERED that Plenary Retail Consumption License C-115, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden to Ada Bond, t/a Bond's Bar, for premises 538 Kaighn Avenue, Camden, be and the same is hereby suspended for one hundred forty-eight (148) days, commencing at 2 a.m. Tuesday, January 4, 1972, and terminating at 2 a.m. Wednesday, May 31, 1972.

Richard C. McDonough,  
Director.

3. DISCIPLINARY PROCEEDINGS - SUPPLEMENTAL ORDER REINSTATING  
SUSPENSION.

In the Matter of Disciplinary )  
Proceedings against )

Polo Chez, Inc. )  
t/a Gary's Bar )  
488 Broad Street )  
Newark, New Jersey, )

Holder of Plenary Retail Consumption )  
License C-220, issued by the Municipal )  
Board of Alcoholic Beverage Control of )  
the City of Newark. )

SUPPLEMENTAL  
ORDER

----- )  
Friedman & D'Alessandro, Esqs., by Edward G. D'Alessandro, Esq.,  
Attorneys for Licensee  
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

On November 10, 1970 Conclusions and Order were entered herein suspending the license for eighty days commencing November 24, 1970, for permitting lewd and immoral activity and obscene conduct on the licensed premises. Re Polo Chez, Inc., Bulletin 1947, Item 2. Prior to the effectuation of the order of suspension, on appeal filed the Appellate Division of the Superior Court on November 20, 1970 stayed the operation of the suspension until the outcome of the appeal.

The court affirmed the Director's action on November 4, 1971 (Division of Alcoholic Beverage Control etc. v. Polo Chez, Inc. (App.Div. 1970)), not officially reported, recorded in Bulletin 2015, Item 2). The suspension may now be reimposed.

Accordingly, it is, on this 15th day of December 1971,

ORDERED that the eighty-day suspension heretofore imposed and stayed during the pendency of the proceedings on appeal be reinstated against Plenary Retail Consumption License C-220, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Polo Chez, Inc., t/a Gary's Bar, for premises 488 Broad Street, Newark, commencing at 2 a.m. Tuesday, January 4, 1972, and terminating at 2 a.m. Friday, March 24, 1972.

Richard C. McDonough,  
Director.

4. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS - FIFTY-FIFTY CLUB) - LICENSE SUSPENDED FOR 90 DAYS, LESS 18 FOR PLEA.

In the Matter of Disciplinary )  
Proceedings against )  
Michael Guglielmi )  
t/a U-Needa Cafe )  
2224 Federal Street )  
Camden, N. J., )

CONCLUSIONS  
and  
ORDER

Holder of Plenary Retail Consumption )  
License C-64, issued by the Municipal )  
Board of Alcoholic Beverage Control )  
of the City of Camden. )  
----- )

Piarulli and Vittori, Esqs., by Frank E. Vittori, Esq., Attorneys  
for Licensee  
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that  
on February 6, 1971 he possessed lottery slips in what is com-  
monly known as a "numbers game" and what is known as a "Fifty-  
Fifty Club" on his licensed premises, in violation of Rules 6  
and 7 of State Regulation No. 20.

Absent prior record, the license will be suspended  
for ninety days, with remission of eighteen days for the plea  
entered, leaving a net suspension of seventy-two days. Re  
Fessler, Bulletin 2005, Item 5.

Accordingly, it is, on this 16th day of December 1971,

ORDERED that Plenary Retail Consumption License C-64,  
issued by the Municipal Board of Alcoholic Beverage Control of  
the City of Camden to Michael Guglielmi, t/a U-Needa Cafe, for  
premises 2224 Federal Street, Camden, be and the same is hereby  
suspended for seventy-two days, commencing at 2 a.m. Tuesday,  
January 4, 1972, and terminating at 2 a.m. Thursday, March 16,  
1972.

Richard C. McDonough,  
Director.

5. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS) - LICENSE  
SUSPENDED FOR 90 DAYS, LESS 18 FOR PLEA.

In the Matter of Disciplinary Proceedings against  
Leo Saluto  
t/a Leo's Canopy Bar  
339 Palisades Avenue  
Cliffside Park, N.J.,  
Holder of Plenary Retail Consumption License C-21, issued by the Mayor and Council of the Borough of Cliffside Park.  
- - - - -  
Edwin C. Eastwood, Jr., Esq., Attorney for Licensee  
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on August 17, 21 and 25, 1971, he permitted the sale of lottery tickets, commonly known as the "numbers game" and possessed such tickets on his licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Absent prior record the license will be suspended for ninety days, with remission of eighteen days for the plea entered, leaving a net suspension of seventy-two days. Re Fessler, Bulletin 2005, Item 5.

Accordingly, it is, on this 16th day of December 1971,

ORDERED that Plenary Retail Consumption License C-21, issued by the Mayor and Council of the Borough of Cliffside Park to Leo Saluto, t/a Leo's Canopy Bar for premises 339 Palisades Avenue, Cliffside Park, be and the same is hereby suspended for seventy-two (72) days, commencing at 3:00 a.m. on Tuesday, January 4, 1972, and terminating at 3:00 a.m. on Thursday, March 16, 1972.

Richard C. McDonough  
Director

6. DISCIPLINARY PROCEEDINGS - LEWDNESS AND IMMORAL ACTIVITY  
(INDECENT ENTERTAINMENT) - PRIOR DISSIMILAR RECORD - LICENSE  
SUSPENDED FOR 80 DAYS, LESS 16 FOR PLEA.

In the Matter of Disciplinary )  
Proceedings against )

R. H. & H., Inc.  
6 Charles Street  
Lodi, N.J. )

CONCLUSIONS  
and  
ORDER

Holder of Plenary Retail Con- )  
sumption License C-31 issued )  
by the Mayor and Council of the )  
Borough of Lodi. )

-----  
Licensee, Pro Se.

Edward F. Ambrose, Esq., appearing for the Division.

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on June 25, 1971, it permitted lewd and immoral activity on the licensed premises (indecent entertainment) in violation of Rule 5 of State Regulation No. 20.

Investigation reports disclose that both a go-go girl and a female patron performed a lewd and disgusting dance, both on a platform and among the male patrons, who were encouraged to insert currency in the scanty attire of each, all of which was participated in by the agent of the licensee. It would serve no useful purpose here to recount the minutiae of these disgusting performances.

Licensee, then trading as Round Table Restaurant, has a prior record of suspension of license for ten days by the Director for a dissimilar offense effective January 6, 1970. Re R. H. & H., Inc., Bulletin 1896, Item 16.

The prior record of suspension for dissimilar offense occurring within the past five years considered, the license will be suspended for seventy-five days. Re Polo Chez, Inc., Bulletin 1947, Item 2, with five days added, making a total of eighty days, with remission of sixteen days for the plea entered, leaving a net suspension of sixty-four days.

Accordingly, it is, on this 15th day of December, 1971,

ORDERED that Plenary Retail Consumption License C-31 issued by the Mayor and Council of the Borough of Lodi to R. H. & H., Inc. for premises 6 Charles Street, Lodi, N.J. be and the same is hereby suspended for sixty-four (64) days commencing 2:00 a.m. on Tuesday, January 4, 1972 and terminating 2:00 a.m. on Wednesday, March 8, 1972.

Richard C. McDonough,  
Director

## 7. DISCIPLINARY PROCEEDINGS - ORDER DEFERRING SUSPENSION.

In the Matter of Disciplinary )  
Proceedings against )

Marie R. Connolly )  
t/a Ye Olde Town Tavern )  
8 Main Street )  
West Orange, N. J., )

AMENDED ORDER

Holder of Plenary Retail Consumption )  
License C-42, issued by the Municipal )  
Board of Alcoholic Beverage Control )  
of the Town of West Orange. )  
----- )

Judge, Sheeran, Mascia and Dowd, Esqs., by Charles M. Judge,  
Esq., Attorneys for Licensee.  
Edward F. Ambrose, Esq., Appearing for Division.

BY THE DIRECTOR:

On November 3, 1971 I entered an order suspending the subject license for sixty days commencing November 18, 1971 after finding licensee guilty of a charge alleging that she permitted numbers bets to be placed in the licensed premises, in violation of Rule 6 of State Regulation No. 20. Re Connolly, Bulletin 2020, Item 2.

The attorney for the licensee has requested that the commencement of the suspension be deferred until after the "holiday season" because of certain parties which she has scheduled during December. I shall grant said request and shall defer the commencement of said suspension until January 3, 1972.

Accordingly, it is, on this 15th day of December 1971,

ORDERED that the order dated November 3, 1971, be and the same is hereby amended as follows:

ORDERED that Plenary Retail Consumption License C-42, issued by the Municipal Board of Alcoholic Beverage Control of the Town of West Orange to Marie R. Connolly, t/a Ye Olde Town Tavern, for premises 8 Main Street, West Orange, be and the same is hereby suspended for sixty (60) days, commencing at 2 a.m. Monday, January 3, 1972, and terminating at 2 a.m. Friday, March 3, 1972.

Richard C. McDonough,  
Director.



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

In the Matter of Disciplinary  
Proceedings against

Gilda Tarantino, Ex. Est. A. Tarantino  
& Victor Tarantino  
t/a Tarantino's Tavern & Rest.  
314-316 Washington St.  
Orange, N.J.,

CONCLUSIONS  
and  
ORDER

Holder of Plenary Retail Consumption  
License C-19, issued by the Municipal  
Board of Alcoholic Beverage Control  
of the City of Orange.

Felix J. Verlangieri, Esq., Attorney for Licensee  
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on  
March 9, 11, 12 and 17, 1971, they permitted the sale of lottery  
tickets commonly known as the "numbers game" on their licensed  
premises, in violation of Rule 6 of State Regulation No. 20.

Absent prior record and the offenses having occurred  
prior to March 23, 1971 (when a new policy increasing the  
penalty for such violation was established: Re Arnone, Bulletin  
1971, Item 3) the license will be suspended for sixty days (Re  
DeAngelo & Merlino, Bulletin 2000, Item 4), with remission  
of twelve days for the plea entered, leaving a net suspension  
of forty-eight days.

Accordingly, it is, on this 15th day of December 1971,

ORDERED that Plenary Retail Consumption License C-19,  
issued by the Municipal Board of Alcoholic Beverage Control of  
the City of Orange to Gilda Tarantino, Ex. Est. A. Tarantino &  
Victor Tarantino, t/a Tarantino's Tavern & Rest., for premises  
314-316 Washington Street, Orange, be and the same is hereby  
suspended for forty-eight (48) days, commencing 2:00 a.m. on  
Tuesday, January 4, 1972, and terminating 2:00 a.m. on Monday,  
February 21, 1972.

Richard C. McDonough  
Director

9. DISCIPLINARY PROCEEDINGS - ORDER DEFERRING SUSPENSION.

In the Matter of Disciplinary )  
Proceedings against )  
Tremley Point Center, Inc. )  
t/a Tremley Point Center )  
3001-3003-3005 Tremley Point Road ) AMENDED ORDER  
Linden, N. J., )  
Holder of Plenary Retail Consumption )  
License C-57, issued by the Municipal )  
Board of Alcoholic Beverage Control )  
of the City of Linden. )  
----- )  
Licensee, by Ralph Notarmaso, President, Pro se  
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

On November 19, 1971 I entered an order suspending the subject license for forty days commencing December 3, 1971, after finding licensee guilty of a charge alleging that on June 24, 1971 it permitted lewdness on the licensed premises (indecent entertainment), in violation of Rule 5 of State Regulation No. 20. Re: Tremley Point Center, Inc., Bulletin 2020, Item 7.

The attorney for the licensee has requested that commencement of the suspension be deferred until after the holiday season because certain "bookings" have been arranged during the month of December. I shall grant said request and shall defer the commencement of the suspension until January 3, 1972.

Accordingly, it is, on this 15th day of December 1971,

ORDERED that the order dated November 19, 1971, be amended as follows:

ORDERED that Plenary Retail Consumption License C-57, issued by the Municipal Board of Alcoholic Beverage Control of the City of Linden to Tremley Point Center, Inc., t/a Tremley Point Center, for premises 3001-3003-3005 Tremley Point Road, Linden, be and the same is hereby suspended for forty (40) days, commencing at 6 a.m. Monday, January 3, 1972, and terminating at 6 a.m. Saturday, February 12, 1972.

Richard C. McDonough,  
Director.

10. DISCIPLINARY PROCEEDINGS - LEWDNESS AND IMMORAL ACTIVITY -  
 FALSE STATEMENT IN APPLICATION - PRIOR DISSIMILAR RECORD -  
 LICENSE SUSPENDED FOR 45 DAYS, LESS 9 FOR PLEA.

In the Matter of Disciplinary )  
 Proceedings against )

Driftwood Inn, Inc. )  
 t/a Driftwood Inn )  
 207-209 West Main Street )  
 Penns Grove, N. J. )

CONCLUSIONS  
 AND  
 ORDER

Holder of Plenary Retail Consumption )  
 License C-6 issued by the Borough )  
 Council of the Borough of Penns Grove. )

-----  
 McGuire and Green, Esqs., by Peter P. Green, Esq., Attorneys  
 for the Licensee  
 Edward F. Ambrose, Esq., Appearing for Division.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that  
 (1) on September 3, 1971 it permitted lewdness and immoral  
 activity upon the licensed premises by allowing a female  
 entertainer to dance "top-less", i.e., without adequate physical  
 covering, in violation of Rule 5 of State Regulation No. 20; and  
 (2) in its application for renewal of its license for the  
 current period, it failed to reveal a prior suspension of a  
 companion license held by a common stockholder in its corpora-  
 tion, in violation of N.J.S.A. 33:1-25.

Investigation revealed that a go-go dancer was un-  
 attired from the waist up during her dance, her performance  
 being advertised by a sign within the licensed premises  
 indicating that "top-less" dancers would perform.

Although there is no prior record against this  
 licensee corporation, license held by Nic-Ano, Inc., t/a 1100  
 Bar, for premises 1100 Delaware Street, Paulsboro, connected  
 with this licensee corporation by reason of a common stock-  
 holder (Nicola Pompeano), was suspended by the Director for  
 55 days effective July 14, 1970 on a gambling charge. Re  
Nic-Ano, Inc., Bulletin 1925, Item 7.

License will be suspended for thirty days on the  
 first charge, (Re Caprio, Bulletin 1974, Item 5) and on the  
 second charge for ten days (Re Heide's Tavern, Inc., Bulletin  
 1944, Item 4) to which will be added five days for the prior  
 dissimilar violation occurring within the past five years,  
 making a total of forty-five days, with remission of nine days  
 for the plea entered, leaving a net suspension of license of  
 thirty-six days.

Accordingly, it is, on this 16th day of December 1971,

ORDERED that Plenary Retail Consumption License C-6  
 issued by the Borough Council of the Borough of Penns Grove  
 to Driftwood Inn, Inc., t/a Driftwood Inn, for premises 207-  
 209 West Main Street, Penns Grove, be and the same is hereby  
 suspended for thirty-six (36) days commencing at 2:00 a.m.  
 Tuesday, January 4, 1972 and terminating at 2:00 a.m. on  
 Wednesday, February 9, 1972.

Richard C. McDonough  
 Director

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

In the Matter of Disciplinary )  
Proceedings against )

Murray H. Post )  
t/a Capitol Hotel & Motel )  
325 - 7th Street )  
Lakewood, N. J. )

CONCLUSIONS  
AND  
ORDER

Holder of Plenary Retail Consumption )  
License C-28, issued by the Township  
Committee of the Township of Lakewood.)

-----  
Licensee, Pro Se.  
Walter H. Cleaver, Esq., Appearing for Division.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that  
on June 3, 1971, he possessed sixteen bottles of alcoholic  
beverages the labels of which did not truly describe their  
contents, in violation of Rule 27 of State Regulation No. 20.

Licensee has a prior record of suspension for five  
days effective April 17, 1967 for possessing a pin-ball  
machine on licensed premises. Re Post, Bulletin 1732, Item 8.

The prior record of suspension of license for dis-  
similar violation considered, the license will be suspended  
for fifty-five days with remission of eleven days for the plea  
entered, leaving a net suspension of forty-four days.  
Re A.C. & Son, Inc., Bulletin 1718, Item 3.

Accordingly, it is, on this 16th day of December  
1971,

ORDERED that Plenary Retail Consumption License C-28,  
issued by the Township Committee of the Township of Lakewood  
to Murray H. Post, t/a Capitol Hotel & Motel, for premises  
325 - 7th Street, Lakewood, be and the same is hereby sus-  
pended for forty-four (44) days, commencing at 2 a.m. on  
Tuesday, January 4, 1972 and terminating at 2 a.m. Thursday,  
February 17, 1972.

Richard C. McDonough  
Director

12. DISCIPLINARY PROCEEDINGS - SALES TO NON-MEMBERS - GAMBLING  
(CARDS) - LICENSE SUSPENDED FOR 30 DAYS.

In the Matter of Disciplinary )  
Proceedings against )

Long Branch Lodge #742 )  
B.P.O. Elks )  
150 Garfield Avenue )  
Long Branch, N. J., )

CONCLUSIONS  
and  
ORDER

Holder of Club License CB-2, )  
issued by the City Council of )  
the City of Long Branch. )

-----  
Anshelewitz, Barr, Ansell & Bonello, Esqs., by Richard L.  
Bonello, Esq., Attorneys for Licensee  
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

Licensee pleaded not guilty to the following charges:

- "1. On Tuesday, December 29, 1970, you sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages to persons not bona fide members of your club or bona fide guests of any such member; in violation of Rule 8 of State Regulation No. 7.
2. On Tuesday, December 29, 1970, you allowed, permitted and suffered gambling in and upon your licensed premises, viz., the playing of a card game for stakes of money; in violation of Rule 7 of State Regulation No. 20."

On behalf of the Division, agent Ba testified that pursuant to a specific assignment, on December 29, 1970 at approximately 2:30 p.m. accompanied by agent Bo, they entered through the main entrance of the licensed premises and proceeded to the bar and ordered drinks.

They were refused service by the bartender. However, at the suggestion of a member seated at the bar, the agents were subsequently served by the bartender, later identified as George Hussey. Two subsequent drinks were served by a relief bartender. The second drink was bought for the agents by a member of the licensee; a portion of the third drink was retained by the agents for evidential purposes.

The agents identified themselves to the bartender and other members of the club and thereupon conducted a complete inspection of the premises.

On the second floor, (part of the licensed premises) the agents discovered five elderly gentlemen engaged in a card game. Approximately \$22 was found on the table and the participants admitted being engaged in a game of "knock rummy". "It was apparent that all the persons there were retired or senior citizens of the community."

On cross examination, agent Ba testified that he was admitted entrance through a locked door, entered a foyer, passed through a second door into the bar area, and that there was evidence that some new construction was being conducted in the area. The agents later learned that the member who advised Hussey to serve the agents was a trustee of the club. He suggested that the service be made to the (agent) non-member in the spirit of the Christmas Season; this member volunteered the information that a card game was taking place on the second floor. The ages of the card players were sixty-nine, fifty-five, seventy-three, seventy-one and seventy-three. He concluded that no alcoholic beverages were being served or consumed on the second floor and a large sign clearly indicated that no drinking was permitted on the second floor.

Agent Bo testified and corroborated the testimony of agent Ba.

The defense for the licensee was presented through the testimony of George A. Hussey, a club member who was tending bar when the agents entered, and Charles M. Rockhill, secretary of the Lodge.

On the afternoon of December 29, 1970, the agents were permitted entrance by a new member who was not familiar with the complete membership. The agents requested a drink and Hussey refused service because they were not members. A second member advised them similarly. Shortly thereafter, during conversation between the agents and a third member, that member suggested to Hussey that because of the cold weather and in the holiday spirit, that he should give the agents a drink. Hussey assumed that the member would pay and thereupon served the agents. When payment from the member was not forthcoming he accepted payment from the agents. The agents were treated to a drink by a member, and, thereafter purchased a third drink.

With respect to the gambling violation, no alcoholic beverages have been permitted on the second floor for at least five years and large signs to this effect are prominently displayed. The first floor was used as USO headquarters during World War II. The members, therefore, moved their bar to the second floor. At the close of World War II, the USO facility was abandoned and the bar was returned to the first floor. No service of alcoholic beverages has been permitted on the second floor since that time. The application for renewal of license each year, nonetheless, continued to include the second floor as part of the licensed premises.

The testimony of the agents has not been refuted by that of the licensee. Indeed, the witnesses for the licensee have admitted the commission of the prohibited acts. The thrust of the defense appears to be a plea in mitigation on the grounds that the licensee, although it acted unwisely, nonetheless acted in good faith. The licensee suggests that if he is penalized, he will have been penalized for engaging too fervently in the spirit of Christmas, and for having permitted retired senior citizens to engage in a harmless game of "knock rummy" to while away the time which, so often, hangs heavily on the hands. Such acts, it is argued, are not such as call for penalty.

The answer is, of course, that such acts are prohibited on licensed premises. It is the duty of every licensee to strictly adhere to the rules and regulations of the Division at all times. Re Steinweiss, Bulletin 1401, Item 7.

Notwithstanding the testimony of the licensee as set forth herein, and the further statement of the effect a suspension of the license will have on the charitable enterprise engaged in by this licensee, I have no alternative but to recommend that the licensee be found guilty of the charges herein.

Licensee has a prior adjudicated record of suspension for five days, effective April 25, 1955 by the local issuing authority for a local "hours" violation.

The prior record of dissimilar violation which took place more than five years ago disregarded, it is further recommended that an order be entered suspending the license for the established minimum period, namely, fifteen days for Charge No. 1, and for fifteen days for Charge No. 2, or a total of thirty days. Re Polish American Citizens' Club, Bulletin 1689, Item 7.

#### Conclusions and Order

Written exceptions to the Hearer's report, with supportive argument, were filed by the attorney for the licensee pursuant to Rule 6 of State Regulation No. 16.

I have fully considered the matters contained in the said exceptions and find that these matters have either been properly considered by the Hearer in his report or are without merit.

Having carefully considered the entire record herein, including transcript of the testimony, the Hearer's report and the exceptions filed with reference thereto, I concur in the findings and recommendation of the Hearer and adopt them as my conclusions herein.

Accordingly, it is, on this 16th day of December 1971,

ORDERED that Club License CB-2, issued by the City Council of the City of Long Branch to Long Branch Lodge #742 B.P.O. Elks, for premises 150 Garfield Avenue, Long Branch, be and the same is hereby suspended for thirty (30) days, commencing at 2 a.m. Tuesday, January 4, 1972, and terminating at 2 a.m. Thursday, February 3, 1972.

Richard C. McDonough,  
Director.

13. DISCIPLINARY PROCEEDINGS - LEWDNESS AND IMMORAL ACTIVITY  
(INDECENT ENTERTAINMENT) - LICENSE SUSPENDED FOR 30 DAYS,  
LESS 5 FOR PLEA - APPLICATION FOR FINE IN LIEU OF SUSPENSION  
GRANTED.

In the Matter of Disciplinary )  
Proceedings against )

Peter Moriello and Carmine Moriello )  
t/a Bazaar Room )  
701-703-705 Elizabeth Avenue )  
Elizabeth, N. J., )

CONCLUSIONS  
and  
ORDER

Holders of Plenary Retail Consumption)  
License C-126, issued by the City  
Council of the City of Elizabeth. )

-----  
Rinaldo and Rinaldo, Esqs., by Anthony D. Rinaldo, Esq.,  
Attorneys for Licensees  
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensees plead non vult to a charge alleging that  
on August 16, 1971 they permitted lewdness and immoral activ-  
ity upon the licensed premises (indecent entertainment), in  
violation of Rule 5 of State Regulation No. 20.

Reports of investigation disclose that a female  
patron, while being auditioned as a go-go dancer, did a dance  
with lewd and obscene gestures without being interrupted by  
one of the licensees then observing her dance.

Absent record of prior suspension of license, the  
license would normally be suspended for thirty days, with re-  
mission of five days for the plea entered, leaving a net sus-  
pension of twenty-five days. Re Caprio, Bulletin 1974, Item 5;  
Re Rodrigues, Bulletin 1739, Item 3; Re Ask Inc., Bulletin  
1709, Item 2; Re Tropical Gardens Inc., Bulletin 1694, Item 3.

However, the licensees have made application for the  
imposition of fine in lieu of suspension in accordance with  
the provisions of Chapter 9 of the Laws of 1971.

Having favorably considered the application in  
question, I have determined to accept an offer in compromise  
by the licensees to pay a fine of \$1,000 in lieu of suspension.

Accordingly, it is, on this 15th day of December 1971,

ORDERED that the payment of a \$1,000 fine by the  
licensees is hereby accepted in lieu of a suspension of li-  
cense for twenty-five days.

Richard C. McDonough,  
Director.



14. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY  
Labeled - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary	)	
Proceedings against	)	
Forest Villa, Inc.	)	
t/a La Stella Restaurant	)	CONCLUSIONS
666 Forest Street	)	and
Orange, N.J.,	)	ORDER
Holder of Plenary Retail Consumption	)	
License C-54, issued by the Municipal	)	
Board of Alcoholic Beverage Control of	)	
the City of Orange.	)	
-----)		
Sam Magnes, Esq., Attorney for Licensee		
Walter H. Cleaver, Esq., Appearing for Division		

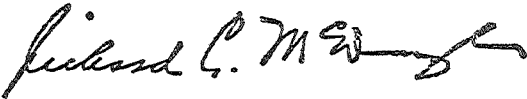
BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on March 23, 1971, it possessed seven bottles of alcoholic beverages the labels of 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 thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days. Re J. Trombetta, Inc., Bulletin 1909, Item 12.

Accordingly, it is, on this 16th day of December 1971,

ORDERED that Plenary Retail Consumption License C-54, issued by the Municipal Board of Alcoholic Beverage Control of the City of Orange to Forest Villa, Inc., t/a La Stella Restaurant for premises 666 Forest Street, Orange, be and the same is hereby suspended for twenty-five (25) days, commencing at 2:00 a.m. on Thursday, January 7, 1972 and terminating at 2:00 a.m. on Monday, February 1, 1972.



Richard C. McDonough  
Director