

Kremer

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

BULLETIN 1695

October 10, 1966

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

BULLETIN 1695

October 10, 1966

COURT DECISIONS - ONE ELEVEN WINES & LIQUORS, INC. v. DIVISION OF ALCOHOLIC BEVERAGE CONTROL and LORDI, DIRECTOR - DIRECTOR AFFIRMED.

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-374-65

ONE ELEVEN WINES & LIQUORS,  
INC., a New Jersey corporation,

Appellant,

vs.

DIVISION OF ALCOHOLIC BEVERAGE  
CONTROL and JOSEPH P. LORDI,  
Director, etc.,

Respondents.

---

Argued May 16, 1966 -- Decided August 9, 1966

Before Judges Goldmann, Foley and Collester.

On appeal from the Division of Alcoholic Beverage Control.

Mr. Theodore S. Meth argued the cause for appellant  
(Messrs. Busch & Busch, attorneys).

Mr. Michael C. Rudolph, Deputy Attorney General, argued  
the cause for respondents (Mr. Arthur J. Sills, Attorney  
General, attorney).

The opinion of the court was delivered by

COLLESTER, J. A. D.

Appeal from Director's decision in Re One Eleven Wines  
& Liquors, Inc., Bulletin 1656, Item 5. Director affirmed. Opinion  
disapproved for publication.

2. DISCIPLINARY PROCEEDINGS - ORDER REIMPOSING SUSPENSION STAYED DURING APPEAL TO APPELLATE DIVISION.

In the Matter of Disciplinary Proceedings against )

One Eleven Wines & Liquors, Inc. )  
111-113 Albany Street )  
New Brunswick, N. J., )

SUPPLEMENTAL ORDER

Holder of Plenary Retail Consumption License C-8, issued by the Board of Commissioners of the City of New Brunswick. )

-----  
Busch & Busch, Esqs., by Malcolm R. Busch, Esq., Attorneys for Licensee  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

On December 27, 1965 I entered Conclusions and Order herein suspending the license for sixty days for permitting congregation of apparent homosexuals on the licensed premises. Re One Eleven Wines & Liquors, Inc., Bulletin 1656, Item 5.

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 August 9, 1966. One Eleven Wines & Liquors, Inc. v. Division of Alcoholic Beverage Control and Lordi, Director (App.Div. 1966), not officially reported, recorded in Bulletin 1695, Item 1. Mandate on affirmance having now been received, the suspension may be reimposed.

Accordingly, it is, on this 2nd day of September, 1966,

ORDERED that the sixty-day suspension heretofore imposed and stayed during the pendency of proceedings on appeal be reinstated against Plenary Retail Consumption License C-8, issued by the Board of Commissioners of the City of New Brunswick to One Eleven Wines & Liquors, Inc., for premises 111-113 Albany Street, New Brunswick, commencing at 2 a.m. Monday, September 12, 1966, and terminating at 2 a.m. Friday, November 11, 1966.

JOSEPH P. LORDI,  
DIRECTOR

3. PLENARY RETAIL CONSUMPTION LICENSEES - NOTICE RE REPORTING TO POLICE PICK-UPS OF FEMALE PATRONS BY STRANGERS.

September 2, 1966

NOTICE TO ALL RETAIL CONSUMPTION LICENSEES:

A series of unsolved female homicides has recently occurred in the Central New Jersey area. I am informed that in at least one of the homicides, the female victim left a tavern with a male stranger shortly before her death.

Accordingly, I am requesting all retail consumption licensees and their employees to take particular note of any possible pickup meetings on licensed premises in order to warn female patrons against leaving the premises with unknown patrons. Should any such happenings nevertheless occur, licensees or their employees should promptly report them to local or state police.

Your cooperation in this concerted effort is appreciated.

JOSEPH P. LORDI,  
DIRECTOR

4. APPELLATE DECISIONS - NEW MILFORD JEWISH CENTER v. NEW MILFORD AND NAJARIAN.

New Milford Jewish Center, )

Appellant, )

v. )

On Appeal

Mayor and Council of the )  
Borough of New Milford, and )  
Stephen Najarian, )

O R D E R

Respondents. )

----- )  
Parisi, Evers & Greenfield, Esqs., by Irving C. Evers, Esq.,  
Attorneys for Appellant

Mario R. La Barbera, Esq., Attorney for Respondent Mayor and  
Council

Andora and Baron, Esqs., by Anthony D. Andora, Esq., Attorneys  
for Respondent Stephen Najarian

BY THE DIRECTOR:

Appellant appeals from grant by respondent Mayor and Council on June 27, 1966 of transfer of plenary retail consumption license from Helen and William Waskoskie, t/a Helen & Bill's Tavern, to respondent Stephen Najarian and from premises 271 Boulevard to premises 401 River Road, New Milford.

Prior to the hearing of the appeal, appellant's attorneys advised me by letter dated August 25th that the appeal was withdrawn. No reason appearing to the contrary,

It is, on this 29th day of August 1966,

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

JOSEPH P. LORDI,  
DIRECTOR

## 5. DISCRIMINATION AGAINST WHOLESALER - PETITION DISMISSED.

Frank J. Bartletta, individually, )  
 and trading as Husex Beverage Co., )

Petitioner, )

On Petition

v. )

O R D E R

G. Heileman Brewing Company, Inc., )  
 successor to Fox Head Brewing )  
 Company, )

Respondent. )

----- )  
 Kanis & Grossi, Esqs., by Samuel F. Kanis, Esq., Attorneys for  
 Petitioner

Harrison and Jacobs, Esqs., by Jack B. Kirsten, Esq., Attorneys  
 for Respondent.

BY THE DIRECTOR:

Petitioner seeks relief under R.S. 33:1-93.1 et seq.  
 (since repealed by P.L. 1966, ch. 59, sec. 6 effective June 2,  
 1966) from respondent's alleged discriminatory refusal to sell  
 to petitioner a quantity of respondent's alcoholic beverages.

Notwithstanding repeal of the jurisdictional statu-  
 tory basis for the petition, petitioner has neither withdrawn  
 the petition nor requested that date be fixed for hearing  
 thereon as was suggested be done. No reason appearing to the  
 contrary,

It is, on this 24th day of August 1966,

ORDERED that the petition herein be and the same is  
 hereby dismissed for lack of prosecution.

JOSEPH P. LORDI,  
 DIRECTOR

WHOLESALE LICENSE - OBJECTION TO ISSUANCE HELD TO BE WITHOUT MERIT.

In the Matter of Objections to an )  
Application for a Plenary Wholesale )  
License by )

CONCLUSIONS

Beer Import Company (a corporation) )  
2536 Springfield Ave., )  
Union, New Jersey. )

Beer Import Company, by Hans Bischoff, President, Applicant,  
Pro se

N.J. Wine & Spirit Wholesalers Association, by Milton H. Cooper,  
Executive Director, an Objector

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

The applicant (a present holder of a limited wholesale license) has filed an application for a plenary wholesale license for its premises at 2536 Springfield Avenue, Union. A written objection to the issuance thereof having been filed by the objector herein, a hearing was held thereon pursuant to Rule 12 of State Regulation No. 1.

At the hearing the attorney for N.J. Wine & Spirit Wholesalers Association, who is also its Executive Director, appeared on its behalf. No witnesses were called by the said objector.

The objections as set forth in a letter addressed to this Division by the said Association and argued orally at this hearing are grounded upon the following contentions:

"1. There is no definite public need or necessity for the issuance of such license.

"2. The issuance of such license will cause an economic impact upon the distribution of alcoholic beverages which may well result in a serious control problem thus adversely affecting the public interest."

The applicant, which has held its present license for a number of years, intends to surrender the said license if and when it obtains a plenary wholesale license.

Hans Bischoff, president of the corporate applicant, testified that the applicant is engaged in a highly specialized operation, selling only German beer and wine to a predominantly "German" market. It has received frequent inquiries from its customers for German specialties which are presently not available in New Jersey and which the applicant is unable to distribute under its present license. The witness further stated that there is only one well known German brandy available in New Jersey as compared to a great number of similar products imported from other countries such as France. He added that the primary concern of

the applicant is to meet the requirements of its customers, and that the distribution of such products would serve a definite public convenience. The applicant presently services about three hundred accounts, most of which are restaurants which cater to persons who have requested the specific German brandies, cordials and sparkling wines. The witness particularly mentioned such products as DuJardine brandy and Mercedes liqueur, which he believes would find a wide acceptance with his clientele. Further, the applicant has received assurances from suppliers that it will be authorized to handle and distribute their products in this State if the said license is issued. Finally he submitted that the issuance of this license would not cause an economic impact upon the distribution of alcoholic beverages nor would it create any serious control problems because his company has, during the past twenty-seven years as a licensee, not resorted to post-offs, "wheeling and dealing" or any other practices which are inimical to legitimate and fair business practices.

The practical answer to the contention of the objector that no definite need or necessity has been demonstrated for the issuance of this license is that this applicant is not seeking a new license. It has held a license for the past twenty-seven years and is merely seeking the privilege of selling other alcoholic beverages in addition to the wines which it now sells. There is a clear testimonial inference that the grant of this license is necessary in order to assure the profitable continuation of the applicant in this business. While such license is not generally issuable merely to subserve a private or individual interest, I believe that the evidence herein is sufficient to establish a public convenience for the license applied for by the applicant. Re Western Grape Products (a corp.), Bulletin 1668, Item 5; Re Admiral Wine Co., Inc., Bulletin 1460, Item 7.

I reject as evidentially unsubstantiated or sustained the contention that the grant of this application would result in serious control problems and would adversely affect the public interest. Obviously, since no evidence was introduced by the objector, no factual support for this contention was presented. In the present economic state of the industry, it is inconceivable that the grant of a right to sell the type of products within the distributive framework as described by the applicant's witness would act in such an adverse manner. I am persuaded that approval of this application will thus not materially disrupt the present market or seriously affect the competitive position of other wholesalers. Therefore, in the present posture of the wholesale market there appears to be no substantial reason for the denial of said application. Cf. Re Admiral Wine Co., Inc., supra.

As pointed out hereinabove, the grant of this application would merely extend an existing license issued to an experienced and reputable distributor. In fact, the attorney for the objector has forthrightly acknowledged that this applicant has had a good record during the twenty-seven years in which it has been a licensee and deserves to be in this business.

I conclude that the objections raised in the challenge of this application lack substantial merit. Accordingly, it is my determination that the preponderant evidence herein is sufficient to establish a public convenience and advantage for the license applied for by the applicant and its issuance under the circumstances would not be detrimental to the public interest. I therefore recommend that the said license be issued upon compliance

with all procedural requirements. Re Duggan's Distillers Products Corporation, Bulletin 1244, Item 9; Re Joeli Wine Distributors, Inc., Bulletin 1390, Item 10.

### Conclusions

No exceptions to the Hearer's report were filed by the objector to this application.

After carefully considering the testimony herein and the Hearer's report, I agree with the conclusions and recommendation in the Hearer's report and adopt them as my conclusions herein.

Accordingly, it is my determination that the application for plenary wholesale license be granted if and when all procedural requirements are completed, and upon the surrender of the applicant's limited wholesale license.

JOSEPH P. LORDI,  
DIRECTOR

Dated: August 18, 1966.

### 7. STATUTORY AUTOMATIC SUSPENSION - ORDER LIFTING SUSPENSION.

Auto. Susp. #290 )  
In the Matter of a Petition to Lift )  
the Automatic Suspension of Plenary )  
Retail Distribution License D-6, )  
issued by the Common Council of the )  
City of South Amboy to )  
Michael Dudik 3rd and Elizabeth V. )  
Dudik, t/a Main Liquor Store, )  
533 Main Street, )  
South Amboy, N. J. )

SUPPLEMENTAL ORDER

George G. Kress, Esq., Attorney for Petitioners

BY THE DIRECTOR:

On August 12, 1966 an order was entered herein temporarily staying a statutory automatic suspension of license of licensees-petitioners pending determination of disciplinary proceedings against them.

It now appears that in disciplinary proceedings conducted by the municipal issuing authority the license was suspended for fifteen days effective 9 a.m. September 12, 1966 and terminating at 9 a.m. September 27, 1966, on a charge alleging sale of alcoholic beverages to the same minor, which sale was the subject of the previous criminal conviction. Hence I shall lift the automatic suspension in anticipation of the service of the municipal suspension. Re Pardey, Bulletin 1683, Item 11.

Accordingly, it is, on this 19th day of August 1966,

ORDERED that the statutory automatic suspension of said License D-6 be and the same is hereby lifted, effective 3 a.m. Tuesday, September 27, 1966.

JOSEPH P. LORDI,  
DIRECTOR



8. SEIZURE - FORFEITURE PROCEEDINGS - SUPPLEMENTAL ORDER - APPLICATION FOR RETURN OF SEIZED PROPERTY DENIED FOR FAILURE TO ESTABLISH CLAIM - ALCOHOLIC BEVERAGES ORDERED FORFEITED.

In the Matter of the Seizure )  
 on March 14, 1965, of a quantity )  
 of alcoholic beverages in a dwelling )  
 at 51 Herbert Place, in the City of )  
 Newark, County of Essex and State of )  
 New Jersey. )  
 ----- )

Case No. 11,593

SUPPLEMENTAL ORDER

Arthur J. Breitkopf, Esq., appearing for Gerald Donnerstag.  
 David S. Piltzer, Esq., appearing for the Division of Alcoholic  
 Beverage Control.

BY THE DIRECTOR:

In Conclusions and Order dated June 13, 1966, I directed that if, on or before the 18th day of July, 1966 the claimant, Gerald Donnerstag, filed an affidavit in the manner set forth in the Conclusions and Order establishing his title to certain claimed property, the same would be returned to him.

The Order required that the claimant should submit an affidavit setting forth;

- (a) That he was the tenant and proprietor of the premises in question on March 14, 1965;
- (b) That he purchased, with his own funds, and is the owner of the said property;
- (c) That he particularly and specifically identify and itemize the alcoholic beverages which he claims belong to him;
- (d) That he set forth the place or places and persons from whom he purchased the said alcoholic beverages, the dates on which the same were purchased, and the sums paid therefor.
- (e) Such other facts which might help to establish his affirmative claim of title to the said property.

By letter dated August 2, 1966, the attorney for the claimant requested an extension of time within which to file the said affidavit, which was accordingly granted.

On August 15, 1966, the attorney for the claimant submitted an affidavit, which, in its substantive part, states:

1. I (Gerald Donnerstag) bought liquor from retail store and took it to 51 Herbert Place for my own use and that of my invited guests.
2. On March 14, 1965, all of the various liquor at Herbert Place was mine and had been purchased by me on different days prior to March 14, 1965.

The affidavit clearly does not comply with the terms of the order of June 13, 1966 and substantially fails to meet the directive contained therein. Therefore, the claim for the return of the said property is denied.

Accordingly, it is on this 19th day of August, 1966,

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

JOSEPH P. LORDI,  
DIRECTOR

SCHEDULE "A"

14 - containers of alcoholic beverages

2. DISQUALIFICATION REMOVAL PROCEEDINGS - RIOT AND CONSPIRACY TO RIOT - ORDER REMOVING DISQUALIFICATION.

In the Matter of an Application )  
to Remove Disqualification be- )  
cause of a Conviction, Pursuant )  
to R.S. 33:1-31.2. )

CONCLUSIONS  
AND  
ORDER

Case No. 2025  
----- )

BY THE DIRECTOR:

Petitioner's criminal record discloses that on June 23, 1955 he was convicted in Pennsylvania on indictments for riot and conspiracy to riot and, as a result thereof, was sentenced to serve from six to eighteen months in a county prison.

Aforesaid convictions, in my opinion, involve the element of moral turpitude and petitioner was thereby rendered ineligible to be engaged in the alcoholic beverage industry in this State. R.S. 33:1-25, 26.

At the hearing held herein, petitioner (33 years old) testified that he is married and living with his wife and six minor children; that he is a resident of Pennsylvania and has lived all his life in the same municipality where he presently resides; that subsequent to aforesaid convictions he had been employed in said state as a bartender and waiter (1957 to 1964); that he has obtained employment as a waiter in licensed premises in this State; that, in connection therewith, he has filed an application for an employment permit in which he set forth a conviction of crime and that, until recently when notified by this Division, he had no knowledge of his ineligibility for employment in licensed premises in this State.

Petitioner further testified that he is asking for the removal of his disqualification to be free to engage in the alcoholic beverage industry in this State and that, ever since his conviction in 1955, he has not been convicted of any crime.

Petitioner produced three character witnesses (a paper slitter, a bartender and a maintenance man) who testified that

they have known petitioner for more than five years last past and that, in their opinion, he is now an honest, law-abiding person with a good reputation.

The Police Department of the municipality wherein the petitioner resides reports there are no complaints or investigations presently pending against the petitioner.

The only hesitation I have in granting the relief sought herein is based on the fact that the petitioner, although disqualified, worked on licensed premises in this State. I am, however, favorably influenced by three factors, viz.: (a) the testimony of his character witnesses, (b) petitioner has not been convicted of any crime since 1955, and (c) his sworn testimony that he was unaware of his ineligibility to be employed by a licensee. Knowledge of the law, moreover, is not a prerequisite to removal of disqualification in these proceedings. Re Case No. 1738, Bulletin 1510, Item 7.

Considering all of the aforesaid facts and circumstances I am satisfied that the petitioner has conducted himself in a law-abiding manner for five years last past and that his association with the alcoholic beverage industry in this State will not be contrary to the public interest.

Accordingly, it is, on this 29th day of August, 1966,

ORDERED that petitioner's statutory disqualification, because of the convictions described herein, be and the same is hereby removed in accordance with the provisions of R.S. 33:1-31.2.

JOSEPH P. LORDI,  
DIRECTOR

10.

ACTIVITY REPORT FOR AUGUST 1966

## ARRESTS:

Total number of persons arrested	-----	16
Licensees and employees	7	
Bootleggers	9	

## SEIZURES:

Motor vehicles - cars	-----	1
Stillis - 50 gallons or under	-----	1
Alcohol - gallons	-----	32
Mash - gallons	-----	100
Distilled alcoholic beverages - gallons	-----	3.88
Wine - gallons	-----	.93
Brewed malt alcoholic beverages - gallons	-----	16.53

## RETAIL LICENSEES:

Premises inspected	-----	687	
Premises where alcoholic beverages were gauged	-----	566	
Bottles gauged	-----	9,183	
Premises where violations were found	-----	90	
Violations found	-----	160	
Unqualified employees	97	Prohibited signs	6
Reg. #38 sign not posted	14	Disposal permit necessary	5
Application copy not available	13	Other violations	18
Other mercantile business	7		

## STATE LICENSEES:

Premises inspected	-----	36
License applications investigated	-----	14

## COMPLAINTS:

Complaints assigned for investigation	-----	384
Investigations completed	-----	334
Investigations pending	-----	279

## LABORATORY:

Analyses made	-----	57
Refills from licensed premises - bottles	-----	23
Bottles from unlicensed premises	-----	4

## IDENTIFICATION:

Criminal fingerprint identifications made	-----	10
Persons fingerprinted for non-criminal purposes	-----	497
Identification contacts made with other enforcement agencies	-----	334

## DISCIPLINARY PROCEEDINGS:

Cases transmitted to municipalities	-----	6	
Violations involved	-----	6	
Sale during prohibited hours	3		
Sale to minors	3		
Cases instituted at Division	-----	10	
Violations involved	-----	11	
Sale to minors	3	Opened container on D premises	1
Possessing liquor not truly labeled	2	Sale to intoxicated persons	1
Beverage Tax Law non-compliance	1	Permitting foul lang. on premises	1
Permitting brawl on premises	1	Sale during prohibited hours	1
Cases brought by municipalities on own initiative and reported to Division	-----	22	
Violations involved	-----	28	
Sale to minors	14	Permitting foul lang. on premises	1
Unqualified employees	2	Act of violence	1
Permitting persons of ill repute on prem.	3	Sale during prohibited hours	1
Permitting bookmaking on premises	2	Conducting business as a nuisance	1
Employment w/o ident. card (local reg.)	1	Permitting lottery acty. on prem.	1
Permitting brawl on premises	1		

## HEARINGS HELD AT DIVISION:

Total number of hearings held	-----	39	
Appeals	7	Eligibility	13
Disciplinary proceedings	19		

## STATE LICENSES AND PERMITS ISSUED:

Total number issued	-----	1,626	
Licenses	21	Social affair permits	476
Solicitors' permits	62	Miscellaneous permits	191
Employment permits	517	Transit insignia	245
Disposal permits	79	Transit certificates	31
Wine permits	4		

## OFFICE OF AMUSEMENT GAMES CONTROL:

Licenses issued	2	Premises where viol. were found	15
State Fair Licenses issued	85	Number of violations found	20
Premises inspected	580	Disciplinary proceedings instituted	2
Enforcement files established	12	Violations involved	2
		Redemption of prize for money	2

JOSEPH P. BORDI  
Director of Alcoholic Beverage Control  
Commissioner of Amusement Games Control

Dated: September 12, 1966

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

In the Matter of Disciplinary )  
 Proceedings against )

Bilow, Inc., )  
 Route 35 )  
 Eatontown, N. J., )

CONCLUSIONS  
 and  
 ORDER

Holder of Plenary Retail Consumption )  
 License C-3, issued by the Borough )  
 Council of the Borough of Eatontown. )  
 ----- )

Schapira, Steiner & Walder, Esqs., by Justin P. Walder, Esq.,  
 Attorneys for Licensee  
 Edward F. Ambrose, Esq., Appearing for Division of Alcoholic  
 Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on  
 May 7, 1966 it sold a six-pack and a quart bottle 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  
 for premises 64 Monmouth Street, Red Bank, by the Director for  
 ten days effective May 6, 1963, for sale to a minor. Re Bilow,  
Inc., Bulletin 1514, Item 4.

The previous record of suspension of license for similar  
 violation 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 Shore Wines & Liquors, Inc., Bulletin 1499, Item 5.

Accordingly, it is, on this 30th day of August 1966,

ORDERED that Plenary Retail Consumption License C-3,  
 issued by the Borough Council of the Borough of Eatontown to  
 Bilow, Inc., for premises on Route 35, Eatontown, be and the  
 same is hereby suspended for twenty (20) days, commencing at  
 2 a.m. Tuesday, September 6, 1966, and terminating at 2 a.m.  
 Monday, September 26, 1966.

JOSEPH P. LORDI,  
 DIRECTOR

2. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary )  
 Proceedings against )

Karamac Kamp, Inc. )

t/a Karamac )

River Road )

Pahaquarry Township )

P.O. Columbia, N. J. )

Holder of Seasonal Retail Consumption )

License CS-1, issued by the Township )

Committee of the Township of Pahaquarry. )

CONCLUSIONS  
 AND  
 ORDER

-----  
 Thomas C. Swick, Esq., Attorney for Licensee

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

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on July 23, 1966 it sold drinks of alcoholic beverages to three minors, all age 18, 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 Amadeo, Bulletin 1415, Item 2.

Accordingly, it is, on this 24th day of August, 1966,

ORDERED that Seasonal Retail Consumption License CS-1, issued by the Township Committee of the Township of Pahaquarry to Karamac Kamp, Inc., t/a Karamac, for premises River Road, Pahaquarry Township, be and the same is hereby suspended for fifteen (15) days, commencing at 7 a.m. Monday, August 29, 1966, and terminating at 7 a.m. Tuesday, September 13, 1966.

JOSEPH P. LORDI,  
 DIRECTOR

## 13. DISCIPLINARY PROCEEDINGS - ORDER REIMPOSING SUSPENSION AFTER DISMISSAL OF APPEAL TO APPELLATE DIVISION.

In the Matter of Disciplinary  
Proceedings against

Town Tavern of Bound Brook, Inc.  
13 Hamilton Street  
Bound Brook, New Jersey,

AMENDED ORDER

Holder of Plenary Retail Consumption  
License C-16, issued by the Borough  
Council of the Borough of Bound Brook.

McDonough & Sullivan, Esqs., by Edward A. Ryan, Esq., Attorneys  
for Licensee  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic  
Beverage Control.  
BY THE DIRECTOR:

On May 5, 1966 I entered Conclusions and Order herein  
suspending the license for fifteen days for permitting the  
playing of a pool game for money stakes. Re Town Tavern of  
Bound Brook, Inc., Bulletin 1680, Item 4.

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

On August 22, 1966 the appeal was dismissed on the  
court's own motion. The suspension may now be reimposed.

Accordingly, it is, on this 25th day of August, 1966,

ORDERED that Plenary Retail Consumption License C-16,  
issued by the Borough Council of the Borough of Bound Brook to  
Town Tavern of Bound Brook, Inc., for premises 13 Hamilton  
Street, Bound Brook, be and the same is hereby suspended for  
fifteen (15) days, commencing at 2 a.m. Tuesday, August 30,  
1966, and terminating at 2 a.m. Wednesday, September 14, 1966.

JOSEPH P. LORDI,  
DIRECTOR

4. DISCIPLINARY PROCEEDINGS - SALE TO INTOXICATED PERSON - FOUL LANGUAGE -  
 LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary )  
 Proceedings against )

Rudy & Frank, Inc. )  
 t/a B. & B. Bar )  
 223 Smith Street )  
 Perth Amboy, New Jersey, )

CONCLUSIONS  
 AND  
 ORDER

Holder of Plenary Retail Consumption )  
 License C-95, issued by the Board of )  
 Commissioners of the City of Perth )  
 Amboy. )

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 Kovacs, Anderson, Horowitz & Rader, Esqs., by Joseph A. Horowitz,  
 Esq., Attorneys for Licensee  
 Edward F. Ambrose, Esq., Appearing for Division of Alcoholic  
 Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on  
 July 8-9, 1966 it (1) sold drinks of alcoholic beverages to an  
 intoxicated patron, in violation of Rule 1 of State Regulation  
 No. 20, and (2) permitted foul and filthy language by patrons on  
 the licensed premises, in violation of Rule 5 of State Regulation  
 No. 20.

Absent prior record, the license will be suspended on  
 the first charge for twenty days (Re Synakowski, Bulletin 1671,  
 Item 8) and on the second charge for ten days (Re Zukas, Bulletin  
 1675, Item 3) 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 2nd day of September 1966,

ORDERED that Plenary Retail Consumption License C-95,  
 issued by the Board of Commissioners of the City of Perth Amboy  
 to Rudy & Frank, Inc., t/a B. & B. Bar, for premises 223 Smith  
 Street, Perth Amboy, be and the same is hereby suspended for  
 twenty-five (25) days, commencing at 2 a.m. Monday, September 12,  
 1966, and terminating at 2 a.m. Friday, October 7, 1966.

JOSEPH P. LORDI,  
 DIRECTOR



15. DISCIPLINARY PROCEEDINGS - SALE TO MINOR - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against )

John's Diner & Mabel's Dinette, Inc.  
t/a Ben's Wines & Liquors )  
Vineyard Road & Johnstone Street )  
Edison Township, N. J., )

CONCLUSIONS  
AND  
ORDER

Holder of Plenary Retail Consumption )  
License C-4, issued by the Municipal )  
Council of the Township of Edison. )

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Wilentz, Goldman & Spitzer, Esqs., by Morris Brown, Esq.,  
Attorneys for Licensee  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic  
Beverage Control.

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on May 15, 1966 it sold a quart container of beer to a minor, age 20, 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 four days effective November 27, 1944 for sale during prohibited hours, and by the Director for five days effective January 18, 1960 for possessing an alcoholic beverage not truly labeled. Re John's Diner & Mabel's Dinette, Inc., Bulletin 1323, Item 12.

The prior record of suspensions of license for dissimilar violation occurring more than five years ago disregarded, 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 Tropical Gardens, Inc., Bulletin 1684, Item 3.

Accordingly, it is, on this 2nd day of September, 1966,

ORDERED that Plenary Retail Consumption License C-4, issued by the Municipal Council of the Township of Edison to John's Diner & Mabel's Dinette, Inc., t/a Ben's Wines & Liquors, for premises Vineyard Road & Johnstone Street, Edison Township, be and the same is hereby suspended for five (5) days, commencing at 2 a.m. Monday, September 12, 1966, and terminating at 2 a.m. Saturday, September 17, 1966.

JOSEPH P. LORDI  
DIRECTOR

16. STATE LICENSES - NEW APPLICATION FILED.

The Distillers Company, Limited  
800-840 Edgar Road, Linden, N. J.

Application filed October 7, 1966 for person-to-person transfer of Plenary Wholesale License W-28 from Gordon's Dry Gin Company Limited.

*Joseph P. Lordi*  
Joseph P. Lordi  
Director

New Jersey State Library