

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

BULLETIN 2029

February 17, 1972

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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 2029

February 17, 1972

1. DISCIPLINARY PROCEEDINGS - IMMORAL ACTIVITY (Prostitution) -
PRIOR DISSIMILAR AND SIMILAR RECORD - LICENSE REVOKED.

In the Matter of Disciplinary)
Proceedings against)

Pete's Night Club, A Corp.)
t/a Pete's Night Club)
176 Paterson Street)
Paterson, N. J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption)
License C-242, issued by the Board
of Alcoholic Beverage Control for)
the City of Paterson.)
-----)

Mainardi and Mainardi, Esqs., by Andrew Mainardi, Sr., Esq., Attorneys
for Licensee

Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
October 20 and 21, 1971 it permitted immoral activity on the
licensed premises, viz., solicitation for prostitution, in vio-
lation of Rule 5 of State Regulation No. 20.

Licensee has a prior record of suspension of ten days
(application for a fine in lieu thereof having been accepted)
for permitting gambling on premises, effective June 9, 1971
(Re Pete's Night Club, A Corp., Bulletin 1989, Item 5). However,
Florence Tabatneck (holder of substantially all of the stock of
the corporate licensee) had individually held a prior license
which was revoked by the Director effective June 7, 1962, for
permitting solicitation for prostitution on the licensed premises
(Re Tabatneck, Bulletin 1463, Item 1). In addition, the license
held by Tabatneck has a prior record of suspensions, all by the
Director, (1) for thirty-five days effective March 5, 1956 for
permitting females to accept drinks and employing a criminally
disqualified person (Bulletin 1103, Item 5), (2) for seventy-five
days effective October 15, 1958 for sale to intoxicated persons
and permitting the same criminally disqualified person to be em-
ployed (Bulletin 1247, Item 2) and (3) for thirty days effective
September 28, 1959 for possessing alcoholic beverage in container
not truly labeled (Bulletin 1305, Item 4).

Reports of investigation disclose that, pursuant to
assignment to investigate complaint for solicitation for prosti-
tution, Division agents entered the premises in the afternoon
of October 20, 1971, and a female (Carrie ---) approached them
for prostitution purposes, and such arrangements were made with
the knowledge and acquiescence of the bartender. The then ar-
rangements proving abortive, the agents returned on the following
day where similar arrangements were made with the same female,

all with the knowledge of the bartender. The female was later arrested by the local police. While the investigation was being concluded, the local police arrested one Helen --- (a known prostitute) within the licensed premises after warnings had been given. The bartender acknowledged in writing that he knew Carrie --- to have solicited for prostitution in the licensed premises.

Deeming the charge aggravated by virtue of the prior revocation of license held by the holder of the majority of stock in this corporate licensee, which revocation was predicated upon identical charges occurring less than ten years ago, the only proper penalty is outright revocation of this license. Re Lemongelli, Bulletin 1960, Item 2.

Accordingly, it is, on this 13th day of January 1972,

ORDERED that Plenary Retail Consumption License C-242, issued by the Board of Alcoholic Beverage Control for the City of Paterson to Pete's Night Club, A Corp., t/a Pete's Night Club, for premises 176 Paterson Street, Paterson, be and the same is hereby revoked, effective immediately.

RICHARD C. McDONOUGH
DIRECTOR

2. COURT DECISIONS - SALEGNAV, INC. v. EAST PATERSON - DIRECTOR
AFFIRMED.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
A-789-70

SALEGNAV, INC.,

Appellant,

v.

MAYOR AND COUNCIL OF THE
BOROUGH OF EAST PATERSON, and
SMITH & MANN ENTERPRISES, INC.,

Respondents.

Submitted January 4, 1972 - Decided January 18, 1972.

Before Judges Lewis, Kolovsky and Halpern.

On appeal from the Division of Alcoholic Beverage Control.

Mr. Dennis J. Cummins, Jr., attorney for appellant.

Messrs. Mainardi & Mainardi, attorneys for respondent
Smith & Mann Enterprises, Inc.
(Mr. Andrew Mainardi, Jr., of counsel).

Mr. George F. Kugler, Jr., Attorney General,
attorney for State Division of Alcoholic Beverage Control,
submitted Statement in Lieu of Brief
(Mr. David S. Piltzer, Deputy Attorney General, of counsel).

PER CURIAM

(Appeal from decision Salegnav, Inc. v. East Paterson and Smith & Mann Enterprises, Inc., Bulletin 1951, Item 4, Director affirmed. Opinion not approved for publication by Court Committee on Opinions.)

3. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF LOCAL ORDINANCE -
HOURS - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA - APPLI-
CATION FOR FINE IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary)
Proceedings against)

Ann's Tavern)
t/a Bella Lane Tavern)
160 E. Browning Lane)
Bellmawr, N. J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption)
License C-5, issued by the Mayor and
Council of the Borough of Bellmawr.)

Licensee, by Joseph Scola, President, Pro se
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that
on Saturday, December 4, 1971 she permitted patrons to remain
on the licensed premises between 3:30 a.m. and 3:50 a.m., in
violation of local ordinance.

Absent prior record, the license would normally be
suspended for fifteen days, with remission of five days for
the plea entered, leaving a net suspension of ten days. Re
Joyce, Bulletin 1989, Item 4. However, the licensee has made
application for the imposition of a fine in lieu of suspension
in accordance with the provisions of Chapter 9 of the Laws of
1971.

Having favorably considered the application in ques-
tion, I have determined to accept an offer in compromise by
the licensee to pay a fine of \$640 in lieu of suspension.

Accordingly, it is, on this 18th day of January 1972,

ORDERED that the payment of a \$640 fine by the li-
censee is hereby accepted in lieu of a suspension of license
for ten (10) days.

Richard C. McDonough,
Director.

4. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA - APPLICATION FOR FINE IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary Proceedings against)

Thomas Ferraro)
t/a T. F.'s Lounge)
596-598 - 21st Avenue)
Paterson, N. J.,)

Holder of Plenary Retail Consumption License C-301, issued by the Board of Alcoholic Beverage Control for the City of Paterson, and transferred during the pendency of this proceeding to)

Leo Landi)
t/a Mr. Lucky's Lounge)

for the same premises.)

CONCLUSIONS
and
ORDER

Benjamin S. Goldstein, Esq., Attorney for Licensee
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on January 29, 1971 the licensee, then named in the license and now deceased, sold alcoholic beverages to three minors, ages 19, 20 and 20, in violation of Rule 1 of State Regulation No. 20.

Licensee as then named has a prior suspension of license for ten days effective June 8, 1970, by the Director, for sale to minors (Re Ferraro, Bulletin 1917, Item 7).

The prior record of suspension for similar offense occurring within the past five years considered, the license will be suspended for thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days. Re Gallia, Bulletin 1811, Item 8.

However, the licensee has made application for the imposition of a 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 licensee to pay a fine of \$1,000 in lieu of suspension.

Accordingly, it is, on this 18th day of January 1972,

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

Richard C. McDonough
Director

5. DISQUALIFICATION REMOVAL PROCEEDINGS - BREAKING AND ENTERING -
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)

Case No. 2616
- - - - -)

BY THE DIRECTOR:

Petitioner's criminal record discloses that in 1962 he was convicted of the crime of breaking and entering in the Hudson County Court and was sentenced to Bordentown, indeterminate, released in 1963.

Since the crime of which petitioner was convicted involves the element of moral turpitude (Re Case No. 1701, Bulletin 1470, Item 7) he 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 (35 years old) testified that he is single; that for the past five years he has lived at his present address.

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 1962, he has not been convicted of any crime.

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

Petitioner produced three character witnesses (a policeman, a supervisor and a housewife) 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.

Considering all the aforesaid facts and circumstances, I am satisfied that 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 18th day of January, 1972

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

Richard C. McDonough
Director

6. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF RULE 1 OF STATE REGULATION NO. 38 - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA - APPLICATION FOR FINE IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary
Proceedings against

Al's Cafe Bar, Inc.
138 New Street
New Brunswick, N. J.,

Holder of Plenary Retail Consumption
License C-10, issued by the City
Council of the City of New Brunswick.

CONCLUSIONS
and
ORDER

Licensee, by Jack Robbins, President, Pro se
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on Wednesday, October 20, 1971 it sold alcoholic beverages in original container for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Licensee has a prior record of two suspensions of license: (1) by the Director for fifteen days effective June 2, 1965 for possessing liquor not truly labeled and (2) by the Director for twenty-five days effective July 27, 1970 for sale to intoxicated person and permitting foul language on the licensed premises (Re Al's Cafe Bar, Inc., Bulletin 1625, Item 5; Bulletin 1929, Item 8).

The prior record of suspension for dissimilar violation in 1965 occurring more than five years ago disregarded for penalty purposes, but the prior record of suspension for dissimilar violation of July 27, 1970, occurring within the past five years considered, 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 Rocky & Joe's, Inc., Bulletin 1945, Item 8.

However, the licensee has made application for the imposition of a 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 licensee to pay a fine of \$900 in lieu of suspension.

Accordingly, it is, on this 17th day of January 1972,

ORDERED that the payment of a \$900 fine by the licensee is hereby accepted in lieu of a suspension of license for fifteen (15) days.

Richard C. McDonough,
Director.

7. STATUTORY AUTOMATIC SUSPENSION - ORDER STAYING SUSPENSION.

Auto. Susp. #345)	
In the Matter of a Petition to)	
Lift the Automatic Suspension of)	
Plenary Retail Distribution License)	
D-5, issued by the Municipal Board)	On Petition
of Alcoholic Beverage Control of)	
Camden to)	
)	O R D E R
Felicia H. Kidawa)	
t/a K & K Liquor Store)	
1289 Chase Street)	
Camden, N. J.)	

BY THE DIRECTOR:

It appears from the petition filed herein and the records of this Division that on December 9, 1971 the licensee-petitioner was fined \$100 plus \$10 court costs in the Camden City Municipal Court after being found guilty of the charge of sale of alcoholic beverages to a minor on November 19, 1971, in violation of R.S. 33:1-77. The conviction resulted in the automatic suspension of petitioner's license for the balance of its term. R.S. 33:1-31.1. Because of the pendency of this proceeding, the statutory automatic suspension has not been effectuated.

It further appears that disciplinary proceedings have been instituted by this Division against the licensee because of the said sale of alcoholic beverages to the minor. A supplemental petition to lift the automatic suspension may be filed with me by the petitioner after such disciplinary proceedings have been concluded. In fairness to petitioner, I conclude that at this time the effect of the automatic suspension should be temporarily stayed. Re Szczech, Bulletin 1525, Item 7.

Accordingly, it is, on this 17th day of January 1972,

ORDERED that the aforesaid automatic suspension of Plenary Retail Distribution License D-5, be stayed pending the entry of a further order herein.

Richard C. McDonough
Director

8. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY
LABELED - LICENSE SUSPENDED FOR 40 DAYS, LESS 8 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

Hoffman's Surf Club, Inc.)
t/a Hoffman's Surf Club)
1900 Ocean Avenue between)
6th and 7th Avenues)
Dover Township PO)
Seaside Heights, N. J.)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption)
License C-11, issued by the Township)
Committee of the Township of Dover.)

Novins, Novins & Farley, Esqs., by Robert J. Novins, Esq.,
Attorneys for Licensee
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on August 11, 1971, it possessed twelve bottles of alcoholic beverages, the labels of which did not truly describe their contents, in violation of Rule 27 of State Regulation No. 20.

Although the licensee corporation has no previous record of suspension of license, a license held by August C. Hoffman (one of the officers of the corporate licensee), was suspended by the Director for twenty-five days, effective June 1, 1959, for sale to minors and intoxicated persons, and for hindering investigations (Re Hoffman, Bulletin 1282, Item 2); and by the local issuing authority for thirty days, effective September 19, 1961 for sale to minors. The suspension against August Hoffman for dissimilar offenses occurring more than five years ago disregarded for penalty purposes, the license will be suspended for forty days, with remission of eight days for the plea entered, leaving a net suspension of thirty-two days. Re Hausner, Bulletin 1779, Item 10.

Accordingly, it is, on this 18th day of January 1972,

ORDERED that Plenary Retail Consumption License C-11, issued by the Township Committee of the Township of Dover to Hoffman's Surf Club, Inc., t/a Hoffman's Surf Club, for premises 1900 Ocean Avenue between 6th and 7th Avenues, Dover Township, be and the same is hereby suspended for thirty-two (32) days, commencing 2:00 a.m. on Tuesday, February 1, 1972, and terminating 2:00 a.m. on Saturday, March 4, 1972.

Richard C. McDonough
Director

9. NOTICE TO LICENSEES - PARTICIPATION IN WINE-TASTING -
APPLICABLE EXCEPTIONS MODIFIED.

NOTICE TO ALL LICENSEES:

I have recently received several requests from licensees and unlicensed non-profit organizations that this Division modify its long-standing position prohibiting licensees from participating in wine tastings. Heretofore, the Division has ruled that participation by licensed manufacturers or wholesalers in wine tastings involves promotional activity to foster sales of wine to members of the public, which sales by such licensees are prohibited by the terms of their licenses. Bulletin 1791, Item 6. Participation by retailers in wine tastings has also been disapproved in specific situations, particularly where the retailer has provided the wine. Applications for special permits to authorize licensees of any level of the industry to engage in this type of activity have generally been denied by the Division.

The underlying basis for the Division's position has been the assumption that licensees might utilize wine tastings to advance the sale of their own particular brands of wine under the appearance of engaging in educational activity. Consequently, I have caused a study to be made of this subject both in this State and in other states throughout the country and, as a result, I have concluded that non-commercial wine tastings do in fact have a legitimate educational basis to acquaint the public with the particular attributes of various wines. It is my belief that if they are conducted subject to certain controls they would not be in conflict with the New Jersey liquor control system.

Accordingly, I have determined to authorize licensed manufacturers and wholesalers to participate in wine tastings under the following conditions:

1. The wine tasting must be sponsored and conducted by an unlicensed bona fide non-profit organization, and not by a licensee.
2. Persons attending the wine tasting must be members or bona fide guests of members of the non-profit organization. No invitations may be extended to or advertising directed towards the general public to attend the tasting.
3. No retail licensee may participate in the wine tasting, although it may be held on retail consumption licensed premises.
4. The licensee may not donate the wine to the sponsoring organization. All wines used at the tasting must be purchased at retail licensed premises at minimum consumer resale prices.
5. The licensee may not solicit or receive at the tasting any orders for the purchase of any wine or other alcoholic beverages from anyone, nor may the licensee distribute any order blanks or other forms designed for such purpose.
6. No distribution of any wine or other alcoholic beverages may be permitted for consumption off the premises at which the wine tasting is conducted.
7. If the sponsoring organization is making a direct or indirect charge payable by the persons attending the tasting, such organization must obtain a special permit from this Division, and the licensee may not participate or share in the profits or receipts derived from the tasting.

8. If the sponsoring organization is not making such a charge, and therefore does not need and has not obtained such a special permit, the licensee must, at least five days prior to the tasting, give written notice to the Division of its intention to participate in the tasting.

This new policy is effective immediately. Licensees are cautioned that this Division will closely observe the activity to be authorized by the special permits and if any abuses should be found appropriate remedial action will be taken by the Division.

Richard C. McDonough
Director

Dated: January 26, 1972

10. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary
Proceedings against

Earl C. Peshek & Eleanor Peshek
t/a The Two E's
96 Avenue C
Newark, N. J.,

CONCLUSIONS
and
ORDER

Holders of Plenary Retail Consumption
License C-543, issued by the Municipal
Board of Alcoholic Beverage Control of
the City of Newark.

Frank J. Cavico, Esq., Attorney for Licensees
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensees plead non vult to a charge alleging that on September 29, 1971 they possessed three bottles of alcoholic beverages the labels of which did not truly describe their contents, in violation of Rule 27 of State Regulation No. 20.

Licensees have a prior record of suspension of license by the municipal issuing authority for ten days effective December 17, 1969, for sale to a minor.

The license will be suspended for twenty days on the charge herein, to which will be added five days by reason of the suspension for dissimilar violation occurring within the past five years, making a total of twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days. Re Bobo Bar, Inc., Bulletin 2003, Item 12.

Accordingly, it is, on this 20th day of January 1972,

ORDERED that plenary retail consumption license C-543, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Earl C. Peshek & Eleanor Peshek, t/a The Two E's, for premises 96 Avenue C, Newark, be and the same is hereby suspended for twenty (20) days, commencing at 2 a.m. Friday, February 4, 1972, and terminating at 2 a.m. Thursday, February 24, 1972.

Richard C. McDonough
Director

11. DISCIPLINARY PROCEEDINGS - SALE TO A MINOR - LICENSE
SUSPENDED FOR TEN DAYS LESS 5 FOR PLEA - APPLICATION FOR FINE
IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary)
Proceedings against)

Ivy Spirits, Inc.)
t/a Paradise Liquors)
75 Main Street)
Hackensack, N. J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Distribution)
License D-13, issued by the City
Council of the City of Hackensack.)

Licensee, by Louis Schwartz, Pro se
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on
September 17, 1971 it sold alcoholic beverages to a minor,
age 20, in violation of Rule 1 of State Regulation No. 20.

Although there is no prior adjudicated record
against this licensee-corporation, licenses held by Louis J.
Schwartz, a corporate stockholder of this licensee, in part-
nership with Rolly Beskin, were suspended by this Division
for fifteen days effective September 12, 1955 on a gambling
charge (Re Beskin & Schwartz, Bulletin 1080, Item 11); by this
Division for thirty days effective March 21, 1957 for sale to
minors and intoxicated persons (Bulletin 1164, Item 2). In
addition, licenses held by Elbar, Inc. (linked with this li-
censee by the same Louis J. Schwartz) were suspended by this
Division for forty-five days effective March 26, 1962 for two
separate "hours" violations and employing a non-resident with-
out employment permit (Re Elbar, Inc., Bulletin 1444, Items
8 and 9) and for sixty days effective May 20, 1963 for viola-
tion of Rule 1 of State Regulation No. 38 (Bulletin 1517,
Item 5).

The prior suspensions for dissimilar offenses occur-
ring more than five years ago disregarded for penalty purposes,
the license would normally be suspended for ten days, with re-
mission of five days for the plea entered, leaving a net sus-
pension of five days. Re Buckwald, Bulletin 1982, Item 8.

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

Having favorably considered the application in ques-
tion, I have determined to accept an offer in compromise by
the licensee to pay a fine of \$220 in lieu of suspension.

Accordingly, it is, on this 19th day of January
1972,

ORDERED that the payment of a \$220 fine by the
licensee is hereby accepted in lieu of a suspension of li-
cense for five days.

Richard C. McDonough
Director

12. DISQUALIFICATION REMOVAL PROCEEDINGS - SOLICITATION FOR
PROSTITUTION - 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. 2600
- - - - -)

BY THE DIRECTOR:

Petitioner's criminal record discloses that in 1960 she was convicted of the crime of soliciting for prostitution in the Trenton Magistrate's Court and was sentenced to a fine of \$250.00.

Since the crime of which petitioner was convicted involves the element of moral turpitude (Re Case No. 1993, Bulletin 1675, Item 5) she 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 she is married ; that for the past five years she has lived at her present address.

Petitioner further testified that she is asking for the removal of her disqualification to be free to engage in the alcoholic beverage industry in this State and that, ever since her conviction in 1960 , she has not been convicted of any crime.

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

Petitioner produced three character witnesses (a mechanic, a floor recorder and a millwright) who testified that they have known petitioner for more than five years last past and that, in their opinion, she is now an honest, law-abiding person with a good reputation.

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

Accordingly, it is, on this 19th day of January , 1972

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

Richard C. McDonough
Director

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

In the Matter of Disciplinary)
Proceedings against)

Herbert Nelson)
t/a Bergen Square Delicatessen)
877 Bergen Avenue)
Jersey City, N. J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Distribution)
License D-34, issued by the Municipal)
Board of Alcoholic Beverage Control)
of the City of Jersey City.)
-----)

Licensee, Pro se.
Walter H. Cleaver, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on October 9, 1971, he sold alcoholic beverages to two minors, ages 17 and 18, in violation of Rule 1 of State Regulation No. 20.

Licensee has a prior record of suspension of license by the Director for fifteen days effective February 23, 1965, for State and local "hours" violation when license was then in name of Sam Nelson and present licensee. Re Sam Nelson and Herbert Nelson, Bulletin 1606, Item 3.

Prior suspension of license for dissimilar violation occurring more than five years ago disregarded for penalty purposes, 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 LaRocco, Bulletin 1906, Item 9.

Accordingly, it is, on this 20th day of January 1972,

ORDERED that Plenary Retail Distribution License D-34, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Herbert Nelson, t/a Bergen Square Delicatessen, for premises 877 Bergen Avenue, Jersey City, be and the same is hereby suspended for fifteen (15) days, commencing 2:00 a.m. on Monday, February 7, 1972, and terminating 2:00 a.m. on Tuesday, February 22, 1972.

Richard C. McDonough
Director

- In the Matter of Disciplinary
Proceedings against

CONCLUSIONS and ORDER

Licensees, by John C. Shute, Pro se.
Walter H. Cleaver, Esq., Appearing for Division

ORDERED that Plenary Retail Consumption License C-125, issued by the Board of Commissioners of the City of Atlantic City to Robert E. Jones, John C. Shute & Richard Williams, t/a Chez Paree for premises 245-247 South New York Avenue, Atlantic City, be and the same is hereby suspended for twenty (20) days, commencing 7:00 a.m. on Friday, February 4, 1972 and terminating 7:00 a.m. on Thursday, February 24, 1972.

Richard C. McDonough
Director

- In the Matter of Disciplinary
Proceedings against

Jimmy McGriff's Golden Slipper of Newark, Inc.
t/a Golden Slipper
57 Branford Place
Newark, N. J.,

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption License C-6, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.

Licensee, Pro se.
Walter H. Cleaver, Esq., Appearing for Division

Licensee pleads non vult to a charge alleging that on August 13, 1971, it possessed six bottles of alcoholic beverages the labels of which did not truly describe their contents, in violation of Rule 27 of State Regulation No. 20.

The license will be suspended for twenty-five days (Re Bryers & Meis, Inc., Bulletin 1938, Item 12), to which will be added ten days by reason of the suspension for similar offense occurring more than five but less than ten years ago, making a total of thirty-five days, Re Tenth Avenue Liquors, A Corp., Bulletin 2005, Item 10, with remission of seven days for the plea entered, leaving a net suspension of twenty-eight days.

ORDERED that Plenary Retail Consumption License C-6, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Jimmy McGriff's Golden Slipper of Newark, Inc., t/a Golden Slipper, for premises 57 Branford Place, Newark, be and the same is hereby suspended for twenty-eight (28) days, commencing 2:00 a.m. on Monday, February 7, 1972, and terminating 2:00 a.m. on Monday, March 6, 1972.

Richard C. McDonough
Director

16. DISCIPLINARY PROCEEDINGS - SALE TO A MINOR - PRIOR SIMILAR
RECORD - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 DAYS FOR PLEA.

In the Matter of Disciplinary
Proceedings against

Triangle Inn, Inc.

t/a Triangle Inn

Livingston Avenue & U. S. Highway #1

North Brunswick, N.J.

CONCLUSIONS

and

ORDER

Holder of Plenary Retail Consumption

License C-9, issued by the Township

Committee of North Brunswick Town-

ship.

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Busch & Busch, Esqs., by Malcolm R. Busch, Esq., Attorneys for
Licensee.

Dennis M. Brew, appearing for the Division.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
Friday, October 15, 1971 it sold alcoholic beverages to a minor,
age 20, in violation of Rule 1 of State Regulation No. 20.

Licensee has a prior record of suspension by the Director
for thirty-five days, effective February 7, 1966 for conducting its
place of business as a nuisance. Re Triangle Inn, Inc., Bulletin
1662, Item 8; and by the local issuing authority for twenty
days, effective April 14, 1969 for sale to minors.

Prior suspension for dissimilar violation occurring in
1966, more than five years ago, disregarded for penalty purposes,
the license will be suspended for ten days to which will be added
ten days by reason of the similar offense occurring within the
past five years, making a total of twenty days, with remission of
five days for the plea entered, leaving a net suspension of fifteen
days. Re Erlich, Bulletin 1864, Item 5.

Accordingly, it is, on this 25th day of January, 1972,

ORDERED, that Plenary Retail Consumption License C-9 issued
by the Township Committee of North Brunswick Township to Triangle
Inn, Inc., t/a Triangle Inn for premises Livingston Avenue & U.S.
Highway #1, North Brunswick, be and the same is hereby suspended
for fifteen (15) days commencing 2:00 a.m. Thursday, February 10,
1972 and terminating 2:00 a.m. Friday, February 25, 1972.*

Richard C. McDonough
Director

*Amended Order dated January 27, 1972 suspends license of Arthur I. Dana,
t/a Triangle Inn, the transferee of the above-named license which was
transferred during the pendency of this proceeding. The effective dates
of suspension were amended to commence at 2:00 a.m. Thursday, February 3,
1972 and terminate 2:00 a.m. Friday, February 18, 1972.

17. STATE LICENSES - NEW APPLICATION FILED.

Peter G. Tobia, t/a Toby's Beverage Service

24 Port Monmouth Road, Keansburg, N. J.

Application filed February 16, 1972 for person-to-person
transfer of State Beverage Distributor's License SBD-47
from F & W Beverage Service, Inc.

Robert E. Bower
Director