STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
25 Commerce Drive Cranford, N.J. 07016

BULLETIN 2182 April 25, 1975

TABLE OF CONTENTS

ITEM

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
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1. NOTICE TO WHOLESALERS - DEFERMENT OF REQUIRED FILING OF PRICE LISTS DUE TO HOLIDAY.

TO ALL WHOLESALERS FILING WHOLESALE TO RETAIL PRICE LISTINGS:

This year the legal and religious holiday of "Good Friday" falls on March 28th. In consequence thereof many wholesale licensees have asked that I extend the period for deliveries of orders received before 5:00 P.M. Monday, March 31, 1975 of their reduced alcoholic beverage price listings (post-offs), filed for the month of March 1975 for sales to retailers, until 12 o'clock midnight, Tuesday, April 1, 1975.

It is contended that if the request is not granted, undue hardships will be incurred by both wholesale and retail licensees because wholesale licensees will be closed on the legal holiday resulting in a back-log of deliveries. The late date of the holiday in the month of March will not give wholesalers sufficient time to complete deliveries of "post-off" items.

The request seems reasonable and fair. Accordingly, pursuant to authority granted by R.S. 33:1-39 and State Regulation No. 34, for good cause shown, it is specially ruled that deliveries of orders received before 5:00 P.M. Monday, March 31, 1975 of all reduced alcoholic beverage price listings filed by wholesalers for sales to retailers for the month of March, 1975, pursuant to Rule 9 of State Regulation No. 34, are extended to 12 o'clock midnight Tuesday, April 1, 1975.

Leonard D. Ronco
Director

Dated: March 12, 1975

2. APPELLATE DECISIONS - CLINTON HILL LIQUORS, INC. v. NEWARK.

Clinton Hill Liquors, Inc., Appellant, v. Municipal Board of Alcoholic Beverage Control of the City of Newark, Respondent.	On Appeal CONCLUSIONS and ORDER

Margolis & Bergstein, Esqs., by Melvyn H. Bergstein, Esq., Attorneys for Appellant
Milton A. Buck, Esq., by John C. Pidgeon, Esq., Attorney for Respondent

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

Subsequent to the filing of a Hearer's report herein, but before its consideration by the Director, application was made by the attorney for respondent for a supplemental hearing for the reason hereinafter set forth.

The following chronological synopsis will provide a proper perspective of the matter involved herein.

Appellant had, heretofore, applied to the Municipal Board of Alcoholic Beverage Control of the City of Newark (Board) for a person-to-person and place-to-place transfer of a plenary retail distribution license from Neil Kleinberg, Assignee for Jayta, Inc., to appellant, and from premises 653 Clinton Avenue to premises 315 Lyons Avenue, Newark.

By resolution dated May 6, 1974, the Board denied the appellant's application, grounding its determination on the following reasons:

> "Whereas this Board deems such Person to Person and Place to Place Transfer not to be in the best interest of the public good and welfare of the community as voiced by the objectors; also due to the fact that this location is within 1,000 feet of two other licenses and more particularly for the reasons as contained in the Police recommendation and the full transcript of the hearing on said application does, therefore, vote to deny the same."

At the de novo hearing on appeal held herein, no testimony was submitted with respect to the alleged violation of the footage ordinance. The transcript of the proceeding before the Board is barren of any testimony concerning the footage ordinance or any alleged violation thereof.

Subsequent to the hearing in this Division, counsel for the Board informed the Division, by letter dated August 13, 1974, that it was abandoning its defense that the proposed transfer would be violative of the local distance ordinance for the reason that it did not apply to retail distribution licenses; and further asserted that it reserved its defense specifically to its contention that the proposed transfer would not be in the public interest.

Thereafter, this Hearer, who presided at the appeal hearing, filed a Hearer's report dated October 15, 1974, which set forth that the Board had informed the Division that it was abandoning its defense that the proposed transfer would be violative of the local distance ordinance for the reason that the ordinance did not apply to retail distribution licenses. The Hearer's report, after considering the facts presented, recommended that the Board's action be reversed and that the application for the transfer be granted.

Subsequent thereto, the attorney for the Board informed the Division that he had misinterpreted the distance ordinance; that in fact its provisions did specifically apply to distribution licenses.

As a result of this communication, the Director recommended to the parties the following alternate procedures: (1) that they stipulate the distances between the proposed location and other liquor licenses; (2) that the matter be set down for supplemental hearing in this Division for the purpose of receiving testimony with respect to the distance ordinance and its applicability herein.

Absent such stipulation, the Director set the matter down for supplemental hearing on December 9, 1974, for the limited purpose of receiving evidence with respect to the applicability of Newark Revised Ordinance 4:2-17.

At the supplemental hearing, testimony under oath was taken, and exhibits received in evidence.

I find, from the uncontradicted testimony of Detective Donald G. Harper, of the local police department, who was specifically assigned to measure the distances between the proposed transfer situs and liquor licensed premises in the vicinity thereof (which was substantiated by a diagram which he drew and was received in evidence) that Craig's Lounge, located at 284-286 Lyons Avenue, and Lyons Farm Tavern, located at Clinton Place and Lyons Avenue, (both being liquor licensed premises) were 396 feet and 515 feet respectively from the proposed transfer site, 315 Lyons Avenue, Newark.

It is apparent, from the witness' testimony and from the diagram that the measurements were taken in accordance with the approved method explained in Presbyterian Church of Livingston v. Division of Alcoholic Beverage Control, 53 N.J. Super. 271 (App. Div. 1958).

Revised Ordinance 4:2-17(b) of the City of Newark (which was received in evidence), provides, in its pertinent part, that no retail distribution license shall be transferred to other premises within a distance of 1,000 feet from any other liquor licensed premises; provided that the local issuing authority may, in its discretion, grant a transfer to the same licensee only, to other premises within 600 feet of the premises from which the transfer is made.

Obviously, the Board did not desire to accord appellant the privilege or the benefit appellant could derive by reason of this proviso, if, in fact, the proposed transfer from 653 Clinton Avenue to 315 Lyons Avenue was less than 600 feet. Parenthetically, it is noted that no testimony was presented with respect thereto. In any event, for the reason above stated, that measurement would not be essential to the ultimate determination of this matter on the merits.

Henry M. Baker, husband of Mary Baker, the holder of one hundred percent of the stock of the corporate appellant and who is assisting his wife in connection with the proposed liquor establishment, testified that he was informed that, in August 1974, the City waived the applicability of the 1,000 foot ordinance; that the City had not waived its defense based upon community opposition; and that relying upon the Hearer's report filed in October 1974, wherein the Hearer had recommended reversal of the Board's denial of the application for transfer, appellant exercised its option to purchase the site to which it was proposed to transfer the license because he was notified by the property owner that appellant's option to purchase was about to expire.

Appellant expended approximately $27,000. in order to convert the situs, an abandoned gasoline station, to a package store. In expending the money, he relied upon the Hearer's report, the fact that the building had to be completed prior to the license transfer, and because he was informed by a member of the Board that no appeal would be taken by the City.

The witness was aware that the Hearer's report contained a legend plainly stamped on the face of the report, as follows:

> "NOT FOR PUBLICATION
> Not a final decision unless and
> until approved by the Director
> pursuant to State Regulation".

Additionally, Baker conceded that the transfer situs would be within 1,000 feet of other licensed premises.

During the course of the hearing, appellant argued (1) that it had a right to rely upon the communication under date of

August 13, 1974, wherein the attorney for the Board stated that it was abandoning its defense that the proposed transfer would be violative of the distance ordinance; and (2) that it also relied upon the Hearer's report wherein the Hearer incorporated therein the aforesaid Board attorney's statement. Moreover, in consequence of its reliance thereon, appellant expended a large sum of money for improvements to the proposed situs.

Appellant stressed reliance upon the case of Hill v. Board of Adjustment of the Borough of Eatontown, 122 N.J. Super. 156 (App. Div. 1972). In Hill, a homeowner was issued a permit to build an addition to his residence by the building inspector, without fraud or lack of good faith. In reliance thereon, the homeowner spent over half of the anticipated cost, and the construction had proceeded approximately four months, before adjacent property owners alerted the building inspector that the addition violated side yard distance zoning requirements.

The homeowner then applied for and received a variance from the Board of Adjustment. The Appellate Division, in affirming the lower court's dismissal of the adjacent landowners' suit challenging the variance, held that the homeowner had a right to rely on the validity of the permit issued by the building inspector which was granted without fraud and did not violate a neighborhood scheme and further held that the equitable doctrines of estoppel, laches and relative hardship operated to bar relief.

I find a clear distinction between Hill and the matter sub judice. In the subject case, the Board did not, at any time, waive its defense that the transfer was contrary to the public interest and, as a matter of fact, it expressly reserved that defense. Additionally, it appears that appellant was aware of the fact that the proposed situs was within 1,000 feet of other liquor licensed premises.

In Hill, the homeowner was not aware of the side yard distance ordinance, whereas in the instant matter, appellant was made aware of the distance ordinance. Furthermore, a Hearer's report is not a final decision; a final decision is solely within the power, province and jurisdiction of the Director; the final paragraph in the Hearer's report states that it is merely a recommendation. Rule 14 of State Regulation No. 15 which defines the effect of the Hearer's report is referred to below the Hearer's signature. This rule specifically states that a Hearer's report shall not be binding upon the Director; a legend stamped on the front page of each Hearer's report so indicates. Not only is appellant charged with this knowledge but, the evidence indicates that appellant was aware of the lack of finality of a Hearer's report.

Appellant also contends that the "time for appeal had expired." No appeal can be taken from a Hearer's report. An appeal can be taken solely from the Director's decision.

Appellant's inference, during the course of the hearing, that the Board had, in the past, granted transfers of liquor licenses within 1,000 feet of other licenses is irrelevant and without merit. Biscamp v. Teaneck, 5 N.J. Super. 172, 175 (App. Div. 1949) wherein the court stated:

> "We find no merit in appellants' contention that the action of the governing body was a violation of section 1 of the Fourteenth Amendment. They argue that they 'cannot legally be denied a right which has been granted by the municipal authorities to others under substantially similar circumstances.' The record does not support any such alleged discrimination against appellants. Assuming, but not conceding, that other licenses were granted under somewhat similar circumstances, it does not follow that the governing body should further perpetuate earlier unwise action. In the case of Potts v. Board of Adjustment of Borough of Princeton, 133 N.J.L. 230 (Sup. Ct. 1945), Mr. Justice Heher, speaking for the Supreme Court, stated:
>
> > '***Ill-advised or illegal variances do not furnish grounds for a repetition of the wrong. If that were not so, one variation would sustain if it did not compel others, and thus the general regulation eventually would be nullified.'
>
> In the comparatively recent case of Greenway Homes v. Borough of River Edge, 137 N.J.L. 453 (Sup. Ct. 1948), Mr. Justice Jacobs stated:
>
> > 'The record before us does not in any sense establish that type of discriminatory municipal action aimed at prosecutor which might warrant voiding the ordinance as being in violation of the Constitution of the United States under the doctrine of Yick Wo v. Hopkins, 118 U.S. 356; 30 L. Ed. 220 (1886).'"

In Petrangeli v. Barrett, 33 N.J. Super. 378, 384-5 (App. Div. 1954) the court stated:

> "It has long been established that a local governing body has no jurisdiction to grant or transfer a license in violation of the terms of a local ordinance. Bachman v. Inhabitants of Town of Phillipsburg, 68 N.J.L. 552 (Sup. Ct. 1902). The rule is aptly stated in Tube Bar, Inc. v. Commuters Bar, Inc., supra (18 N.J. Super. at page 354):
>
> > 'When a commission, board, body or person is authorized by ordinance, passed under a delegation of legislative authority, to grant or deny a license or permit, the grant or denial thereof must be in conformity with the terms

of the ordinance authorizing such grant or denial. 9 McQuillen, Municipal Corporations (3d ed. 1950), § 26.73; Bohan v. Weehawken Tp., 65 N.J.L. 490, 493 (Sup. Ct. 1900). Nor can such commission, board, body or person set aside, disregard or suspend the terms of the ordinance, except in some manner prescribed by law. Public Service Ry. Co. v. Hackensack Imp. Comm. 6 N.J. Misc. 15 (Sup. Ct. 1927); 62 C.J.S., Municipal Corporations § 439.'"

I, therefore, conclude that the appellant has failed to sustain the burden of establishing that the action of the Board was erroneous and should be reversed, as required by Rule 6 of State Regulation No. 15.

It is, accordingly, recommended that the action of the Board be affirmed, and the appeal be dismissed.

Conclusions and Order

Written exceptions to the Supplemental Hearer's Report, with supportive argument, were filed by the attorneys for appellant, and answer to the said exceptions was filed by the attorney for the respondent, pursuant to Rule 14 of State Regulation No. 15.

Having carefully considered the entire record herein, including the transcripts of the testimony, the exhibits, the Supplemental Hearer's Report, and the exceptions thereto which I find have either been satisfactorily resolved in this report, or are lacking in merit, I concur in the findings and conclusions of the Hearer and adopt his recommendations.

Accordingly, it is, on this 27th day of February 1975,

ORDERED that the action of the respondent Municipal Board of Alcoholic Beverage Control of the City of Newark be and the same is hereby affirmed, and the appeal herein be and the same is hereby dismissed.

Leonard D. Ronco
Director

3. APPELLATE DECISIONS - WENZLER v. HILLSIDE.

Frederick Wenzler and Pauline Wenzler, t/a Blue Ribbon Inn,	)	
Appellants,	)	On Appeal
v.	)	CONCLUSIONS AND ORDER
Municipal Board of Alcoholic Beverage Control of the Township of Hillside,	)	
Respondent.	)	

David B. Zurav, Esq., Attorney for Appellants,
Jeffrey Gechtman, Esq., Attorney for Respondent.

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

This is an appeal from the action of the Municipal Board of Alcoholic Beverage Control of the Township of Hillside (hereinafter Board) which, on July 1, 1974, issued Plenary Retail Consumption License C-5, to appellants for premises 256 Hollywood Avenue, Hillside, subject to the following special conditions imposed thereon:

(1) There must be at least one special uniformed policeman present on each and every evening commencing at 7:30 p.m. and continuously until 2:30 a.m. whenever the crowd rises above fifty patrons.

(2) There must be clear posted signs within three feet on each side of the entrance indicating the location of and lawful accommodation of the parking area.

(3) There must be provided within thirty days of this renewal paved parking facilities sufficient to accommodate the patrons of the licensees in the prescribed ratio of one lined off-street parking spot per five patrons.

(4) There must be available upon request by appropriate authorities all permits, licenses, etc., for use of licensed premises.

(5) There must be continuous effort after 2:00 a.m. and after any and all shows to insure the quiet and good order of the local community.

(6) At no time shall there be permitted any gathering within the licensed premises in excess of the maximum specified in the certificate of occupancy.

(7) No alcoholic beverages nor any food shall be served, distributed, nor by any means allowed beyond the areas specially designated for sale, service, and distribution of alcoholic beverages and food as lawfully permitted.

(8) All outstanding Township and State statute violations must be rectified within thirty days of notice from reporting departments.

(9) In the event there are any reasonable grounds to believe conditions one through eight, in full or in part, are being violated, the Police Department of the Township of Hillside by single representative is empowered by the Municipal Board of Alcoholic Beverage Control of the Township of Hillside to immediately enter the licensed premises and make full and complete investigation and thereafter report directly to the Municipal Board of Alcoholic Beverage Control of the Township of Hillside.

Appellants contend that the imposition of these conditions upon their license is: (a) beyond the power and authority of the Board; (b) the result of a program of harassment instituted by the Township officials; and (c) did not result from any evidence presented to it.

The Board denied each of these contentions, and urged affirmance of its action based upon its findings that the conditions imposed were necessary to protect the public interests.

An appeal de novo was heard in this Division, with full opportunity afforded the parties to introduce evidence and to cross-examine witnesses, pursuant to Rule 6 of State Regulation No. 15. A transcript of the testimony taken at a hearing

before the Board, held on June 5, 1974, was introduced into evidence pursuant to Rule 8 of State Regulation No. 15. The parties agreed to rely upon such transcript in lieu of presenting further witnesses, but were afforded the opportunity to present oral argument in summation.

Addressing the contentions advanced by appellants, it is apparent that the Board has full right and power to impose conditions on the issuance of a license. N.J.S.A. 33:1-32. Greiner v. Hoboken, 68 N.J.L. 592; Cf. Belmar v. Div. of Alcoholic Beverage Control, 50 N.J. Super. 423. Such power is restricted to prior approval thereof by the Director, which approval may, upon determination of the issues, be granted nunc pro tunc, and be in compliance with such statutory mandate.

I find appellants' charge of "harassment" by the Township officials to be lacking in merit. If its contention has substance, an adequate remedy at law is available to it against "Township officials". Even a most cursory examination of the transcript of the hearing before the Board reveals that at a plenary hearing before it, there appeared several witnesses whose credible testimony rang with insistence that conditions they described be remedied. The Board's response cannot be characterized as harassment merely because its findings were adverse to appellants.

As has been held in Ward v. Scott, 16 N.J. 16 (1954):

> "Local officials who are thoroughly familiar with their community's characteristics and interest and are the proper representatives of its people, are undoubtedly the best equipped to pass initially on such applications for variance. And their determinations should not be approached with a general feeling of suspicion, for as Justice Holmes has properly admonished: 'Universal distrust creates universal imcompetence'. Graham v. United States, 231 U.S. 474, 480, 34 S. Ct. 148, 151, 58 L. Ed. 319, 324 (1913)..."

The crucial issue in this matter however is: are the conditions imposed, either individually or collectively, a proper and reasonable exercise of the Board's function. The determination of the reasonableness of the Board's action on an appeal therefrom rests within the sound discretion of the Director. Belmar v. Div. of Alcoholic Beverage Control, supra.

From a review of the transcript of the testimony taken before the Board, it appears that appellants' premises are located in a building once used as a theatre, and it fronts on an avenue along which parking is occasionally prohibited. For their patrons, there appears to be a twelve-car parking lot, which the Board considers sufficient for a maximum of sixty patrons.

However, on some occasions, it is noted that appellants offer a type of entertainment that generates a substantial increase in the number of patrons, to over three-hundred. It is at these times, particularly, that the on-street parking of a large volume of cars causes difficulty to the nearby residents.

The evidence shows that driveways become obstructed and patrons are noisy when departing from the premises in the early morning hours. These complaints gave rise to a petition of fifty-nine residents of the community who registered their objections to the renewal of appellants' license.

John Rab, Fire Inspector William Smith and Deputy Police Chief Arthur Seale testified that their interpretation of the local ordinance is to the effect that a limitation of sixty patrons is imposed, and it is violated when the attendance exceeded one hundred. Occupancy of more than two hundred persons had been observed, and this large patronage has resulted in unlawful exterior parking, traffic and noise problems.

Joseph Russo, Emanuel Cantor, Rose Milici, Rose Marks and Walter Alexander who reside in the neighborhood, also appeared before the Board and registered complaints concerning improper parking by appellants' patrons, as well as excessive noise continuing until three o'clock in the morning. Their testimony was uncontroverted.

Appellant Frederick Wenzler stated that he believed he had received oral permission from the Fire Department to have a maximum of three hundred patrons within his establishment. He also represented to the Board that all prior building violations or requirements were corrected or remedied.

It is basic that the action of the municipality must be reasonable in equating the public rights, which are paramount, with the rights of the licensee. Rajah Liquors v. Div. of Alcoholic Beverage Control, 33 N.J. Super. 598 (App. Div. 1955). A liquor license is a privilege, and there is no inherent right in a citizen to sell intoxicating liquor at retail. No licensee has a vested right to the license or its renewal. Zicherman v. Driscoll, 133 N.J.L. 586.

A licensee must keep his place and his patronage under control and is responsible for conditions both outside and inside his premises. Conte v. Princeton, Bulletin 139, Item 8; Galasso v. Bloomfield, Bulletin 1387, Item 1. In the area of licensing, as distinguished from disciplinary proceedings, the determinative consideration is the public interest in the creation or continuance of the licensed operation, not the fault or merit of the licensee. Blanck v. Magnolia, 38 N.J. 484 (1962).

In the matter of licensing, the responsibility of a local issuing authority is "high", its discretion is "wide" and its guide is the "public interest". Lubliner v. Paterson, 33 N.J. 428, 446 (1960).

It has been consistently held, in this Division, that a licensee is required to maintain order outside of the premises. Cf. Bayonne v. B & L Tavern, Inc., Bulletin 1509, Item 1; Kaplan v. Englewood, Bulletin 1745, Item 1; R.O.P.E. Inc. v. Fort Lee, Bulletin 1966, Item 1; The Caje, Inc. v. Passaic, Bulletin 2063, Item 2.

> "Common fairness to the licensee has been the basis for this policy [refusal to renew the license]. If undersirable conditions develop...the local authorities always have the power to institute disciplinary proceedings even before the renewed license period has expired." Stratford Inn, Inc. v. Avon-by-the-Sea, Bulletin 1775, Item 2.

Instead of outright denial of renewal of appellants' license, the Board endeavored to require amelioration of the conditions complained of.

Thus, so long as conditions imposed relate to the subject license (Blaniz v. East Newark, Bulletin 156, Item 1) and are concurrent with the issuance of the license (Alanwood Holding Company v. Atlantic City et als, Bulletin 1963, Item 1) and are reasonably required to serve the best interests of the community (Borko v. Mansfield Twp., Bulletin 1894, Item 3) the imposition of such conditions will be affirmed by the Director. In A's Inn, Inc. v. Deal, Bulletin 2139, Item 3, the Director cautioned, however, that such conditions as are imposed must be reasonable.

Scrutinizing the specific conditions imposed in the instant matter it is apparent that conditions (3), (4), (5), (6), (7), (8) and (9) are not proper conditions to be attached to a license because they are either encompassed

within the regulatory scope of the local issuing authority or are not within the statutory authority of the Board; they properly belong to some other authority or agency.

Condition (2), requiring guidance to patrons for proper parking is, however, a reasonable exercise of its discretion, because it relates to lawful operation of the licensed premises.

Condition (1) requiring the procurement of a uniformed police guard whenever the number of patrons within appellants' premises exceeds fifty may, in the exercise of the Board's discretionary authority be reasonable. However, the evidence herein fails to reveal valid criteria upon which any particular number could be predicated. This is the critical infirmity of this condition.

The municipal issuing authority may impose such reasonable conditions that will serve the best interests of the public. A's Inn, Inc. v. Deal, supra.

However, in order to determine whether there has been a fair and reasonable use of such authority, there must be some objective criteria upon which the imposed special conditions may be weighed. In the instant matter, I find an absence of such criteria.

I, thus, feel that this condition should be reconsidered by the Board. In articulating this condition, it is incumbent upon the Board to set reasonable standards of occupancy relative to appellants' premises. Therefore, it should first be submitted for approval from the Director of this Division pursuant to N.J.S.A. 33:1-32.

It is, therefore, recommended that the action of the Board be reversed respecting the impositions of conditions (3) through (9); and, that the action of the Board with respect to imposition of condition (2) be affirmed.

It is, further, recommended that the matter be remanded to the Board respecting the condition (1) imposed on appellants' license, and that it be directed to conduct an investigation of appellants' premises, and thereupon, formulate a special condition expressed in specific, clear and concise terms, based upon the facts and the ordinances applicable thereto.

Conclusions and Order

No exceptions to the Hearer's report were filed pursuant to Rule 14 of State Regulation No. 15.

Having carefully considered the entire record herein, including the transcript of testimony, the exhibits, the oral argument of the attorneys for the respective parties, and the Hearer's report, I concur in the findings and conclusions of the Hearer and adopt them as my conclusions herein.

Accordingly, it is, on this 25th day of February 1975,

ORDERED that the action of the Board respecting the imposition upon appellants' license of special conditions (3 through 9) as set forth hereinabove, be and the same is hereby reversed; and it is further

ORDERED that the action of the Board with respect to the imposition upon appellants' license of special condition (2) as set forth hereinabove, be and the same is hereby affirmed; and it is further

ORDERED that this matter is remanded to the Board with respect to the imposition upon appellants' license of special condition (1) as set forth hereinabove, and the Board is hereby directed, with respect to that condition, to conduct an investigation of appellants' premises and thereupon formulate a revised special condition, expressed in specific and concise terms, based upon the facts and ordinances applicable thereto.

Leonard D. Ronco
Director

4. STATE LICENSES - NEW APPLICATIONS FILED.

Lincolt Distributors, Inc.
Bldg. 7, Brookdale Shopping Center
Newman Springs Road,
Middletown Township
PO Lincroft, New Jersey

Application filed April 22, 1975 for person-to-person and place-to-place transfer of State Beverage Distributor's License SBD-47 from Peter G. Tobia, t/a Toby's Beverage Service, 218 Port Monmouth Road, Keansburg, New Jersey.

Everett S. Marino, Jr. and Earl P. Marino
t/a Franklin Bottling Co.
90 Cohansey Street
Bridgeton, New Jersey

Application filed April 23, 1975 for person-to-person transfer of State Beverage Distributor's License SBD-25 from Joseph Braunstein, t/a Franklin Bottling Co.

Leonard D. Ronco
Director