STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
NEWARK INTERNATIONAL PLAZA
P.O. BOX 2039
U.S. ROUTE 1-9 (SOUTHBOUND), NEWARK, N. J. 07114

BULLETIN 2283

TABLE OF CONTENTS

ITEM

1. COURT DECISIONS - HONDO, INC. v. DIVISION OF ALCOHOLIC BEVERAGE CONTROL.

2. APPELLATE DECISIONS - MAZYCK and TOWNSEND v. JERSEY CITY.

3. APPELLATE DECISIONS - MAZYCK and TOWNSEND v. JERSEY CITY - AMENDED ORDER.

4. APPELLATE DECISIONS - MAURER v. TEANECK.

5. SEIZURES - ENUMERATED MISCELLANEOUS SEIZURE CASES.

6. ELIGIBILITY PROCEEDINGS - FAILURE TO OBTAIN OCCUPATION TAX STAMP - FINE AND PROBATION - DISQUALIFICATION REMOVED.

7. APPELLATE DECISIONS - MY DAD'S STEAK HOUSE, INC. v. MT. EPHRAIM.

8. APPELLATE DECISIONS - FOX HOLLOW ENTERPRISES, INC . v. BRANCHBURG.

9. DISCIPLINARY PROCEEDINGS (Trenton) - FRONT - OBTAINING ALCOHOLIC BEVERAGES FROM IMPROPER SOURCE - OTHER CHARGES RELATING TO PERSON CRIMINALLY DISQUALIFIED HAVING INTEREST, DISMISSED - LICENSE SUSPENDED FOR 80 DAYS.

10. STATE LICENSES - NEW APPLICATION FILED.

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
NEWARK INTERNATIONAL PLAZA
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BULLETIN 2283

May 10, 1978

1. COURT DECISIONS - HONDO, INC. v. DIVISION OF ALCOHOLIC BEVERAGE CONTROL.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
A 1330-76

HONDO, INC., t/a THE PLACE

Appellant,

v.

DIVISION OF ALCOHOLIC BEVERAGE CONTROL, DEPARTMENT OF LAW AND PUBLIC SAFETY, STATE OF NEW JERSEY,

Respondent.

Argued December 6, 1977; Decided January 11, 1978

Before Judges Matthews, Crane and Antell

On appeal from Order of the Director of the Division of Alcoholic Beverage Control

Mr. Allan M. Goldstein argued the cause for appellant (Messrs. Sobel and Lyon, attorneys; Mr. Allan M. Goldstein on the brief).

Mr. Mart Vaarsi, Deputy Attorney General, argued the cause for respondent (Mr. William F. Hyland, Attorney General, attorney; Ms. Erminie L. Conley Deputy Attorney General, of counsel; Mr. Mart Vaarsi, Deputy Attorney General, on the brief).

PER CURIAM

(Appeal from the Director's decision in Re Hondo, Inc., Bulletin 2246, Item 3. Director affirmed. Opinion not approved for publication by Court Committee on Opinions).

2. APPELLATE DECISIONS - MAZYCK and TOWNSEND v. JERSEY CITY.

#4117

Daisy Mazyck and Cade Townsend, t/a C & M Tavern, Appellant, vs. Board of Alcoholic Beverage Control of the City of Jersey City, Respondent.	ON APPEAL CONCLUSIONS AND ORDER

Dennis M. Salerno, Esq., Attorney for Appellants.
Bernard Abrams, Assistant Corporation Counsel, Attorney for Respondent.

BY THE DIRECTOR:

The Hearer has filed the following report herein:

HEARER'S REPORT

This is an appeal from the action of the Board of Alcoholic Beverage Control of the City of Jersey City (hereinafter Board) which, on May 6, 1977, suspended appellant's plenary retail consumption license for twenty days, in consequence of appellant's plea of non vult to a charge alleging that on Friday, February 18, 1977, at 2230 hours (10:30 PM), you, through your agent, Rosetta Samll, failed to facilitate, hindered and prevented a police investigation by the Jersey City Police ABC Squad, by having the doors locked and refusing access to the licensed premises, while other persons remained inside; in violation of N.J.S.A. 33:1-35.

In their Petition of Appeal, the appellants request that the Director permit the withdraw of the plea of non vult to the aforesaid charge entered at the hearing before the Board of Alcoholic Beverage Control of the City of Jersey City. Alternatively, the appellants assert that, the penalty imposed was too severe and should be reduced, and lastly, request permission to pay a fine in compromise, in lieu of the suspension of license.

In its Answer, the Board submitted on its behalf, the following document dated February 22, 1977, signed by Cade Townsend, one of the appellants:

C & M TAVERN C-447

DAISY MAZYCK FEB. 22, 1977

CADE TOWNSEND

71-73 MARTIN LUTHER KING DRIVE

TO: BOARD OF ALCOHOLIC BEVERAGE CONTROL
ROOM 7, CITY HALL, GROVE STREET
JERSEY CITY, NEW JERSEY

Gentlemen:-

I have read the notice and a copy of the violations of the Alcoholic Beverage Control Laws which have been preferred against me/us:

Your entry of a plea of guilty or non-vult means that you do not wish to contest said charge or charges and will render unnecessary any hearing in this proceeding. Your case will then be presented to the Board of Alcoholic Beverage Control, together with any written matter you may wish to submit with your plea in alleged mitigation of penalty.

ENTER PLEA: /s/ (NON VULT)

Meeting Date: Guilt Non Vult Not Guilty
UNDETERMINED

Date of Plea:- /s/ 3/1/77

Witness:- /s/ Joseph J. Laccone, Sr.

/s/ Cade Townsend

Upon the filing of the appeal, the Director, by Order dated June 1, 1977, stayed the Order of Suspension of the Board pending determination of the appeal.

At a hearing held on March 15, 1977, the Board accepted appellants' plea of non vult to the subject charge and in its Resolution and Order of May 5, 1977 entered a suspension on the aforesaid charge of twenty(20) days, with a remission of five (5) days for the plea entered, plus an additional five (5) days for a dissimilar violation, occurring within the past five (5) years, leaving a net suspension of twenty (20) days.

The Board's attorney did not appear at the de novo hearing in this Division, but instead, relied upon the pleadings heretofore filed.

Appellant argues that, the two individuals who hold this license are uneducated and did not understand the ramifications of a plea of non vult; that no one explained the nature of the charges to them; and that they were not afforded an opportunity to submit anything in mitigation before the Board.

I

Rule 6 of State Regulation No. 15 provides as follows:

> All appeals shall be heard de novo, except as otherwise provided in Rule 8 hereof, and the parties may introduce oral testimony and documentary evidence, but the burden of establishing that the action of the respondent issuing authority was erroneous and should be reversed, shall rest with the appellant. (Emphasis added)

The subject occurrence is alleged to have taken place on February 18, 1977 and the non vult plea entered on March 1, 1977. Division records indicate that the license was subject to a charge of a similar violation alleged to have occurred on January 7, 1977, to which, a non vult plea was entered on January 25, 1977. In consequence thereof, their license was suspended for 10 days. Furthermore, upon application to the Director of this Division, a $500.00 fine was accepted in compromise, in lieu of a suspension of license.

Thus, in light of the prior proceedings and the clear unambiguous language of the February 22, 1977 plea request notice, I find the request to withdraw the plea to be utterly without merit. The appellants have failed to sustain the burden of establishing that the action of the board was erroneous, as required by the Rule 6 of State Regulation No. 15, and should be reversed.

II

With regard to the allegation that the penalty imposed, was too severe, I find it in conformance with precedent penalties imposed in matters originally heard in the Division, and it is not unduly harsh.

III

The appellant requests in the event of affirmance of the action of the Board that it be permitted to pay a fine in lieu of suspension of license. I make no recommendation thereon, but note that the appellant did pay a fine, in lieu of suspension, for a similar violation which occurred forty-five days prior to the charges herein.

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

Conclusions and Order

No written Exceptions to the Hearer's Report were filed pursuant to Rule 14 of State Regulation No. 15.

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

The licensee has a record for a prior similar offense, which preceded this violation by just forty-five days, and at which time, the licensee was permitted to pay a fine, in compromise, in lieu of suspension of license. I shall, therefore deny appellant's request to pay a fine, in lieu of suspension, on this second similar violation.

Accordingly, it is, on this 1st day of December, 1977,

ORDERED that the action of the Board in suspending appellant's plenary retail consumption license for twenty (20) days be and the same is hereby affirmed, and the appeal herein be and is hereby dismissed; and it is further

ORDERED that my Order dated June 1, 1977, staying the suspension imposed by the Board pending the determination of this appeal, be and the same is hereby vacated; and it is further

ORDERED that Plenary Retail Consumption License C-447, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Daisy Mazyck and Cade Townsend, t/a C & M Tavern, for premises 71-73 Martin Luther King Drive, Jersey City, be and the same is hereby suspended for twenty (20) days commencing 2:00 a.m. Wednesday, December 14, 1977 and terminating 2:00 a.m. Tuesday, January 3, 1978.

Joseph H. Lerner
Director

3. APPELLATE DECISIONS - MAZYCK and TOWNSEND v. JERSEY CITY - AMENDED ORDER.

#4117 Daisy Mazyck and Cade Townsend t/a C & M Tavern Appellant, v. Municipal Board of Alcoholic Beverage Control of the City of Jersey City, Respondent.	ON APPEAL AMENDED ORDER

Dennis M. Salerno, Esq., Attorney for Appellants.
Bernard Abrams, Assistant Corporation Counsel,
Attorney for Respondent.

BY THE DIRECTOR:

On December 1, 1977, Conclusions and Order were entered herein affirming the action of the respondent Board, which, by Resolution dated May 6, 1977, suspended appellant's license for twenty days upon appellant's plea of non vult to a charge alleging that it hindered a police investigation, in violation of N.J.S.A. 33:1-35; and reimposed the suspension, effective December 14, 1977.

By letter dated December 7, 1977, the appellants have requested that the commencement of the suspension be deferred until after January 3, 1978, in order to permit the licensee to honor certain commitments for private parties and affairs scheduled during this period. The respondent has no objections thereto.

Good cause appearing, I shall grant the request.

Accordingly, it is, on this 19th day of December 1977,

ORDERED that my Order dated December 1, 1977, be and the same is hereby amended as follows:

ORDERED that Plenary Retail Consumption License C-447 issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Daisy Mazyck and Cade Townsend, t/a C & M Tavern, for premises 71-73 Martin Luther King Drive, Jersey City, be and the same is hereby suspended for twenty (20) days commencing 2:00 a.m. Tuesday, January 3, 1978 and terminating at 2:00 a.m. on Monday, January 23, 1978.

Joseph H. Lerner
Director

4. APPELLATE DECISIONS - MAURER v. TEANECK.

George C. Maurer, t/a Enterprise Liquors, Appellant, v. Township Council of the Township of Teaneck, Respondent.	)	ON APPEAL SUPPLEMENTAL ORDER

Samuel J. Davidson, Esq., Attorney for Appellant.
Jacob Schneider, Esq., Attorney for Respondent.

BY THE DIRECTOR:

Conclusions and Order were entered herein on January 6, 1977, affirming the action of the respondent Township Council of the Township of Teaneck, which suspended appellant's license for four (4) days after finding appellant guilty of a sale of alcoholic beverages to a minor on November 21, 1975, and dismissing the appeal.

Prior to the effectuation of the Order of Suspension, on appeal filed, the Appellate Division of Superior Court stayed the operation of the said suspension pending the determination of the appeal.

On October 21, 1977, the action of the Director was affirmed by the Court. Maurer v. Division of Alcoholic Beverage Control and Township of Teaneck, (App. Div. Docket No. 1642-76), not officially reported, recorded in Bulletin , Item . The suspension may now be reimposed.

Accordingly, it is, on this 7th day of December, 1977,

ORDERED that Plenary Retail Distribution License D-2 issued by the Township Council of the Township of Teaneck to George C. Maurer, t/a Enterprise Liquor Shop, for premises 441 Cedar Lane, Teaneck, be and the same is hereby suspended for four (4) days commencing 2:00 a.m. on Tuesday, January 3, 1978 and terminating at 2:00 a.m. on Saturday, January 7, 1978.

Joseph H. Lerner
Director

5. SEIZURES - ENUMERATED MISCELLANEOUS SEIZURE CASES.

SEIZURE CASE NO. 13,554 - On June 24, 1977 at "Good Time Social Club" 235 Grove St., Jersey City, cash of $12.50, miscellaneous personalty, and sum of $250 posted by juke box owner recognized; $100 posted by owner of remaining personalty forfeited.

SEIZURE CASE NO. 13,527 - On March 26, 1977 at "La Dolce Vita Restaurant" Sunset Rd., Burlington, cash of $182 and sum of $500 posted by owner of personalty forfeited; sum of $3,300 posted by restauranteur recognized and returned.

SEIZURE CASE NO. 13,519 - On March 12, 1977 at "Pit Stop Social Club" 534 E. 18th St., Paterson, cash of $54.21, sums of $75 and $600 posted by claimants forfeited; sum of $500 of vending machine owner recognized and returned.

SEIZURE CASE NO. 13,513 - On February 13, 1977 at 164 Market St., Passaic, cash of $51.01, miscellaneous personalty and sum of $250 posted by owner forfeited; sum of $350 posted by vending machine owner recognized and returned.

SEIZURE CASE NO. 13,508 - On January 27, 1977 at "Tommy's Restaurant" 53 Main St., Toms River, by stipulation of sum of $5,000 posted, $1,500 returned to owner of premises and balance of $3,500 and $60.00 cash forfeited.

SEIZURE CASE NO. 13,499 - On November 12, 1976 at "Costa Rica Social Club" 612 River St., Paterson, 759 containers of alcoholic beverages seized ordered forfeited.

SEIZURE CASE NO. 13,496 - On November 21, 1976 at 25 William St., Montclair, cash of $172.50 and sum of $1,000 posted by owner of personalty, forfeited.

SEIZURE CASE NO. 13,492 - On November 7, 1976 at 932 Bergen St., Newark $81.50 cash and sum of $3,000 posted by owner forfeited.

SEIZURE CASE NO. 13,491 - On November 6, 1976 at "United Gents Social Club", 388-15th Ave., Newark, cash of $10.59 and sum of $500 posted by vending machine owner forfeited.

SEIZURE CASE NO. 13,488 - On October 31, 1976 at 1115 St. George Ave., Roselle, cash of $126.83 and sum of $1,900 posted by owner of car, forfeited.

SEIZURE CASE NO. 13,487 - On October 30, 1976 at 190 Parrow St., Orange, cash of $37.95 and miscellaneous personalty seized, forfeited.

SEIZURE CASE NO. 13,476 - On October 10, 1976 near 425 Orange St., Newark, cash of $44.51 and sum of $350 posted by owner of car, forfeited.

SEIZURE CASE NO. 13,470 - On September 26, 1976 at 199 Rose St., Newark, cash in sum of $1,107 and walkie-talkie radio forfeited.

SEIZURE CASE NO. 13,466 - On September 19, 1976 at "Antillas Social Club" 803 Main Ave., Passaic, cash in sum of $79 and $500 posted by owner of personalty forfeited.

SEIZURE CASE NO. 13,548 - On May 7, 1977 at "El Nogal Restaurant" 22 West St., Englewood, cash in sum of $55.65 and sum of $1,100 posted by owner, forfeited; sum of $500 posted by vending machine owner recognized and returned.

SEIZURE CASE NO. 13,524 - On March 27, 1977 at 125 Martin Luther King Drive, Jersey City, cash in sum of $39 and sums of $200 posted by vending machine owner and $1,500 posted by owner of personalty remaining, recognized and returned.

SEIZURE CASE NO. 13,534 - On April 2, 1977 at "Black Democratic Social Club" 131 E. 4th St., Lakewood, cash in sum of $172.92 and $200 posted by owner forfeited; $500 posted by vending machine owner recognized and returned.

SEIZURE CASE NO. 13,442 - On August 7, 1976 at "Enal Continental Social Club", 397 Bloomfield Ave., Newark, cash in sum of $234.38 and sums of $250 and $500 posted by vending machine owner and owner of remaining personalty, forfeited.

6. ELIGIBILITY PROCEEDINGS - FAILURE TO OBTAIN OCCUPATION TAX STAMP - FINE AND PROBATION - DISQUALIFICATION REMOVED.

In the Matter of an Application to Remove Disqualification because of a Conviction, Pursuant to N.J.S.A. 33:1-31.2.

Case No. 4042

CONCLUSIONS and ORDER

BY THE DIRECTOR:

Petitioner's criminal record discloses that in 1966 he was convicted of the crime of failure to obtain special occupation tax stamp in the Federal District Court in Newark and was sentenced to a $1,000,00 fine, and placed on probation for five years.

Since the crime of which petitioner was convicted involves the element of moral turpitude (Re Case No. 2330, Bulletin 1896, Item 9) he was thereby rendered ineligible to be engaged in the alcoholic beverage industry in this State. N.J.S.A. 33:1-25, 26.

At the hearing held herein, petitioner (age 65) testified that he is married; that for the past 60 years he has lived at the same address in Atlantic City, New Jersey.

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 1966, 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 saleslady, a retired sales clerk and a retired dock worker) 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 him self 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 3rd day of January, 1978

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 N.J.S.A. 33:1-31.2.

JOSEPH H. LERNER
DIRECTOR

7. APPELLATE DECISIONS - MY DAD'S STEAK HOUSE, INC. v. MT. EPHRAIM.

#4122 My Dad's Steak House, Inc. t/a Jacoby's Restaurant Appellant, v. Board of Commissioners of the Borough of Mt. Ephraim, Respondent.	ON APPEAL CONCLUSIONS AND ORDER

Novack & Trobman, Esqs., by David Novack, Esq., Attorneys for Appellant.
Lee Laskin, Esq., Attorney for Respondent.

BY THE DIRECTOR:

This is an appeal from the action of the respondent Board of Commissioners of the Borough of Mt. Ephraim which, by Resolution dated June 7, 1977, denied appellant's application to renew its plenary retail consumption license for premises 602 North Black Horse Pike, Mt. Ephraim, for the 1977-78 license term.

The sole basis for the denial of appellant's renewal application was its failure to pay delinquent real estate taxes assessed against the licensed premises for the first half of 1977. The Board of Commissioners considered said action valid and appropriate, and in accord with a Borough Ordinance adopted February 15, 1977, entitled "An Ordinance Requiring the Payment of Taxes Prior to the Issuance of Permits or Licenses".

Upon the filing of the within appeal, the Director entered an Order, dated June 17, 1977, to Show Cause why the subject license should not be extended for the 1977-78 license period pending determination of the appeal. At the same time, an ad interim extension of license was granted.

Prior to hearing in this Division, counsel for the appellant advised that, by Judgment dated December 12, 1977, the Superior Court of New Jersey, Law Division determined that the aforementioned Borough Ordinance was an invalid exercise of municipal police powers in that it invaded a field of legislation preempted by State statutes. (My Dad's Steak House, Inc., v. Board of Commissioners of the Borough of Mt. Ephraim, Docket No. L-31538-P.W.)

Since the basis for the action of the Board of Commissioners is now devoid of legal force or effect, the appellant's attorney, with the consent of the Board's attorney, requests that an Order be entered reversing the action of the Board of Commissioners.

Good cause appearing, I shall enter an Order consistent therewith.

Accordingly, it is, on this 6th day of January, 1978,

ORDERED that the action of the respondent Board of Commissioners of the Borough of Mt. Ephraim be and the same is hereby reversed; and it is further

ORDERED that the Board of Commissioners be and the same is hereby directed to grant the renewal of appellant's plenary retail consumption license for the 1977-78 license term in accordance with the application filed therefor.

JOSEPH H. LERNER
DIRECTOR

8. APPELLATE DECISIONS - FOX HOLLOW ENTERPRISES, INC. v. BRANCHBURG.

Fox Hollow Enterprises, Inc. Appellant, vs. Township Committee of the Township of Branchburg, Respondent.	ON APPEAL CONCLUSIONS AND ORDER

Piltzer & Piltzer, Esqs., by David S. Piltzer, Esq., Attorneys for Appellant.
Woolson, Guterl, Sutphen and Anderson, Esqs., by Mark S. Anderson, Esq., Attorneys for Respondent.

BY THE DIRECTOR:

This is an appeal from the action of the respondent Township Committee of the Township of Branchburg which, by Resolution dated September 20, 1977, denied appellant's application for a person-to-person and place-to-place transfer of Plenary Retail Consumption License C-4, from James Orecchio and Mildred Orecchio, t/a Brickhouse Inn for premises at Highway No. 202, Branchburg Township, to appellant for premises at 59 Fox Chase Run, Branchburg Township.

In its Answer to the Petition of Appeal, the respondent indicates that the basis for one of the negative votes on the transfer application was the uncertain extent of the Township's zoning ordinance as it applied to permissible uses in the area of the proposed place-to-place transfer situs.

By letter dated December 6, 1977, counsel for respondent Township Committee advises that a Declaratory Judgment proceeding in the Superior Court of New Jersey on this zoning issue has been amicably resolved. As part of the resolution of that action, the zoning ordinance of the Township has been amended, and the denial of the transfer application on that basis is now devoid of force and effect.

Accordingly, and with the consent of counsel for the appellant by letter dated December 7, 1977, respondent requests that an Order be entered reversing the action of the Township Committee and transferring the said license, effective January 30, 1978.

Good cause appearing, I shall grant the aforesaid request.

Accordingly, it is, on this 16th day of December, 1977,

ORDERED that the action of the respondent Township Committee of the Township of Branchburg be and the same is hereby reversed; and it is further

ORDERED that the Township Committee of the Township of Branchburg be and the same is hereby directed to grant appellant's application for a person-to-person and place-to-place transfer of Plenary Retail Consumption License C-4, in accordance with the application filed therefor, effective January 30, 1978.

JOSEPH H. LERNER
DIRECTOR

9. DISCIPLINARY PROCEEDINGS - FRONT - OBTAINING ALCOHOLIC BEVERAGES FROM IMPROPER SOURCE - OTHER CHARGES RELATING TO PERSON CRIMINALLY DISQUALIFIED HAVING INTEREST, DISMISSED - LICENSE SUSPENDED FOR 80 DAYS.

In the Matter of Disciplinary Proceedings against Pine Tavern, Inc., t/a Big Boy's Lounge 156 South Olden Avenue Trenton, N.J. 08609 Holder of Plenary Retail Consumption License C-179, issued by the City Council of the City of Trenton.	CONCLUSIONS and ORDER

Edward J. Phelan, Esq., Attorney for Licensee.
Mart Vaarsi, Deputy Attorney General, Appearing for Division.

BY THE DIRECTOR:

On the scheduled date of hearing in this proceeding, the licensee changed its "not guilty" plea to non vult to two charges alleging that (1) it failed to disclose on its license application dated June 7, 1976, that John Taylor had an interest in and was the real and beneficial owner of all of the stock of the corporate licensee, in violation of N.J.S.A. 33:1-25; and (2) on November 18, 1974 and divers other dates, it obtained alcoholic beverages from other than the holder of a New Jersey manufacturer's or wholesaler's license, in violation of Rule 15 of State Regulation No. 20.

At the same time, the balance of the charges against the licensee, which dealt with the undisclosed interest of John Taylor, as a criminally disqualified person, were moved for dismissal by the Deputy Attorney General representing this Division.

Contemporaneous with the aforesaid, it was stipulated by counsel for the licensee and the Division that, subject to the Director's approval, the penalty to be imposed would be the suspension of the subject license for sixty (60) days on Charge 1 and fifteen (15) days on Charge 10, to which would be added twenty-five (25) days by reason of prior dissimilar violations occurring within the past five years and prior similar violations occurring within the past ten years, for a total of one hundred (100) days, with remission of twenty (20) days for the pleas entered, leaving a net suspension of license of eighty (80) days.

Good cause appearing, I shall accept the non vult pleas entered, grant the motion to dismiss the balance of the charges, and impose a net suspension of license of eighty (80) days.

Accordingly, it is, on this 27th day of December, 1977,

ORDERED that the licensee's plea of non vult to charges alleging that, (1) it failed to disclose the unlawful interest of John Taylor in the license, in violation of N.J.S.A. 33:1-25; and (2) it obtained alcoholic beverages from an unauthorized source, in violation of Rule 15 of State Regulation No. 20 be and the same is hereby accepted; and it is further

ORDERED that the balance of the charges alleged herein be and the same are hereby dismissed; and it is further

ORDERED that Plenary Retail Consumption License C-179, issued by the City Council of the City of Trenton to Pine Tavern, Inc., t/a Big Boy's Lounge, for premises 156 South Olden Avenue, Trenton, be and the same is hereby suspended for the balance of its term, viz., midnight, June 30, 1978, effective 2:00 a.m. on Monday, January 9, 1978, and for the term of any renewal of said license which may be granted, with leave to the licensee or any bona fide transferee of the license, or of any renewal of the said license which may be granted, to apply to the Director, by verified petition, for the lifting of the suspension whenever the unlawful situation has been corrected; but, in no event, shall the lifting of said suspension be sooner than eighty (80) days from the commencement of the suspension herein.

Joseph H. Lerner
Director

10. STATE LICENSES - NEW APPLICATION FILED.

Seven Up Bottling Co. of Essex, Inc.
33 Roosevelt Avenue
Belleville, New Jersey
Application filed May 5, 1978
for limited wholesale license.

Joseph H. Lerner
Director