

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
NEWARK INTERNATIONAL PLAZA
U.S. Routes 1-9 (Southbound) Newark, N. J. 07114

BULLETIN 2363

August 8, 1980

TABLE OF CONTENTS

ITEM

1. APPELLATE DECISIONS - LYONS FUNDING, INC. v. EAST ORANGE.
2. APPELLATE DECISIONS - 1130 McBRIDE AVENUE, INC. v. PATERSON.
3. SPECIAL RULING - PURSUANT TO N.J.S.A. 33:1-12.39 - IN THE MATTER OF THE PETITION OF 4200 CORPORATION.

STATE OF NEW JERSEY
 Department of Law and Public Safety
 DIVISION OF ALCOHOLIC BEVERAGE CONTROL
 NEWARK INTERNATIONAL PLAZA
 U.S. Routes 1-9(Southbound) Newark, N. J. 07114

BULLETIN 2363

August 8, 1980

1. APPELLATE DECISIONS - LYONS FUNDING, INC. v. EAST ORANGE.

#4305	:	
Lyons Funding, Inc.,	:	
Appellant,	:	ON APPEAL
v.	:	CONCLUSIONS
Municipal Board of Alcoholic	:	AND
Beverage Control of the City	:	ORDER
of East Orange,	:	
Respondent.	:	
.....	:	

O. Gene Hurst, Esq., Attorney for Appellant.
 Greenwood, Weiss & Shain, Esqs., by Marguerite M. Schaeffer,
 Esq., Attorneys for Respondent.

BY THE DIRECTOR:

The Hearer has filed the following report herein:

HEARER'S REPORT

This is an appeal from the denial of renewal of appellant's Plenary Retail Consumption License No. 0705-33-021-001 for the 1978-79 license term issued by the Municipal Board of Alcoholic Beverage Control of the City of East Orange (Board), to KAV Food Corporation, later purchased by Lyons Funding, Inc. (Lyons) at an Internal Revenue bid sale held on May 24, 1978.

The resolution denying appellant's application for renewal, dated October 24, 1978, sets forth as its grounds the following:

- (1) Lyons has no interest, legal or otherwise, in the property to which the license was attached (88 Evergreen Place, East Orange);
- (2) First Federal Savings Service Corp., the successful bidder of said property at 88 Evergreen Place, in a sheriff's sale, entered vehement objections to the use of these premises (address) in the renewal or transfer of said license;
- (3) The appellant refused to accept the Board's offer of renewal conditioned upon a satisfactory

person-to-person and place-to-place transfer within a specific period of time.

Appellant contends, in its Petition of Appeal, that the action of the Board was arbitrary, capricious, an unreasonable exercise of its discretion, and without basis in fact or in law.

The Board, in its Answer, denies the substantive allegations contained in appellant's Petition of Appeal, asserting as an affirmative defense, the resolution's findings set forth hereinabove.

- I -

N.J.S.A. 33:1-12.13 authorizes the renewal of alcoholic beverage license, provided the renewed license "is of the same class and type as the expired or expiring license, covers the same premises, is issued to the holder of the expired or expiring license . . ." (emphasis added)

It is essential that the applicant for said renewal of license have possession, a right to possession or an interest in the premises sought to be licensed. Richwine v. Pennsauken, Bulletin 1045, Item 2, as cited with approval in Walter Czuback, t/a Walter's Liquor Store v. Mayor and Council of Franklin, et al., Bulletin 1808, Item 3.

Where it appears that, at the time renewal of a license is sought, the licensee had neither legal nor equitable interest in the premises, the (renewal of) license will be declared void. Czubak, etc., supra.

In the matter sub judice, the following facts were stipulated to by the attorneys:

The licensee in possession (KAV Corp.) was evicted for failure to pay rent and vacated the premises on March 7, 1978.

Pursuant to the eviction and escrow agreements, the ownership of KAV was acquired by the lessor who then, for all intents and purposes, had all rights vested in itself. However, the I.R.S. seized the property of the licensee for failure to remit withholding taxes, the effect of which was to divest the lessor of the interest it had acquired by eviction, etc.

The lessor corporation, operators of the building in which the subject license was sited, failed to meet its mortgage obligations and the mortgagor entered into possession.

The I.R.S. ultimately sold the license at bid-sale to the appellant.

At renewal time, the mortgagee in possession (Bank) entered objections to the renewal stating, among other things, that licensee had no right to claim it was active at 88 Evergreen Place, when, in fact, it had been evicted some months earlier.

The City of East Orange, by Resolution dated October 24, 1978, denied the renewal application for reasons set forth hereinabove.

- II -

Preliminarily, I observe that the critical and decisive issue is whether the action of the Board in denying renewal of appellant's license was reasonable under the circumstances presented to it. It is firmly established that the grant or denial of an alcoholic beverage license rests in the sound discretion of the Board in the first instance, and, in order to prevail on this appeal, appellant must show that the action of the Board was unreasonable and a clear abuse of its discretion. Blanck v. Mayor and Borough Council of Magnolia, 38 N.J. 484 (1962); Rajah Liquors v. Div. of Alcoholic Beverage Control, 33 N.J. Super. 598 (App. Div. 1955).

The burden of proof in these cases which involve discretion, falls upon the appellant to show manifest error or abuse of discretion by the issuing authority. Downie v. Somerdale, 44 N.J. Super. 84 (App. Div. 1957); Nordco, Inc. v. State, 43 N.J. Super. 277 (App. Div. 1957).

I find, as a fact, that the appellant did not have, as stated by the Board in its Resolution, any interest - legal or otherwise, in the property to which the license was attached.

I further find that the position of the mortgagee in possession clearly precludes the possibility of appellant obtaining a lease to the space formerly occupied by the license.

I do not find, as appellant alleges in its Petition, that the Board was arbitrary or capricious, nor did it unreasonably exercise its discretion.

Lastly, the Board's action was grounded upon the facts existing and the applicable law.

I find, as a fact, that the appellant has not met the burden of establishing that the Board acted erroneously,

pursuant to N.J.A.C. 13:2-17.6, and that its action be reversed.

I, therefore, recommend that the Board's action be affirmed and the within appeal be dismissed.

Conclusions and Order

No Exceptions to the Hearer's Report were filed by the parties, pursuant to N.J.A.C. 13:2-17.14.

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

Division records reflect that the subject license was not renewed for the 1979-80 license term, and, in consequence, the within Order shall be entered for record purposes.

Accordingly, it is, on this 18th day of December, 1979,

ORDERED that the action of the Municipal Board of Alcoholic Beverage Control of the City of East Orange in denying renewal of Plenary Retail Consumption License No. 0705-33-021-001 issued to KAV Food Corporation (subsequently acquired by appellant) for the 1978-79 license term be and the same is hereby affirmed, and the appeal be and is hereby dismissed.

JOSEPH H. LERNER
DIRECTOR

2. APPELLATE DECISIONS - 1130 McBRIDE AVENUE, INC. v. PATERSON.

#4356		
1130 McBride Avenue, Inc.,	}	ON APPEAL
t/a The Sting,	}	
		CONCLUSIONS
Appellant,		
v.	}	AND
Board of Alcoholic Beverage		ORDER
Control of the City of Paterson,		
Respondent.	}	

Browne & Galluccio, Esqs., by Harvey L. Browne, Esq.,
Attorneys for Appellant.
Henry Ramer, Esq., Corporation Counsel by Ralph L. Deluccia, Esq.,
Assistant Corporation Counsel, Attorney for Respondent.

Initial Decision Below

Hon. Joseph Rosa, Administrative Law Judge

Dated: November 21, 1979 - Received: November 28, 1979

BY THE DIRECTOR:

I have carefully considered the recommended Consent Order entered into by the parties hereto which represents the proposed agreement entered into by the parties. This proposed Consent Order which is set forth at length in the Initial Decision herein, was made expressly subject to review by the Director, who may either affirm, modify or reverse the proposed Consent Order, or any of its terms.

I have reviewed the said proposed Consent Order and shall generally affirm the same, expressly subject to the following:

1. I reject that part of the agreement which would allow the "conditional renewal" of appellant's Plenary Retail Consumption License subject to the special conditions set forth in the proposed Order. Conditional renewals of licenses are impermissible. If, however, by "conditional renewal"

the intention of the parties was that the renewal shall be made subject to the special conditions set forth in the proposed Order, such action would be statutorily authorized. N.J.S.A. 33:1-32.

Therefore, as modified, to grant the renewal of the said license subject to special conditions, such Order is hereby approved.

2. The proposed "special conditions" No. 1 and No. 2, refer to a "constable" who must be present at the times stipulated in those conditions. The appellation "constable" is too limited, and is unacceptable. The appropriate and proper term should be "special police officer." Therefore, with the term "special police officer" substituted for "constable", those special conditions are approved.

I shall also approve special conditions No. 3 and No. 4.

Accordingly, it is, on this 19th day of Decmeber, 1979,

ORDERED that the recommended Consent Order set forth in the Initial Decision herein, as hereinabove modified be and the same is hereby affirmed.

JOSEPH H. LERNER
DIRECTOR

Appendix

Initial Decision Below

In Re:

)

INITIAL DECISION

1130 McBRIDE AVENUE, INC.,)
 t/a THE STING v. MUNICIPAL)
 BOARD OF A.B.C. OF PATERSON)

Agency Dkt. #4356

O.A.L. DKT. # A.B.C. 2857-79

APPEARANCES:

Harvey R. Browne, Esq., for Appellant,
 1130 McBride Avenue, Inc.

Henry Ramer, Corporation Counsel of the City
 of Paterson

By: Ralph L. DeLuccia, Jr., Esq., attorney for
 the Respondent, Alcoholic Beverage Control
 Board of the City of Paterson

BEFORE THE HONORABLE JOSEPH ROSA, JR., A.L.J.:

This is an appeal from an action of the Board of Alcoholic Beverage Control of the City of Paterson (hereinafter Respondent), which by resolution and order dated June 27, 1979, denied the renewal of plenary retail consumption license 1608-33-265-002, issued to 1130 McBride Avenue, Inc., t/a The Sting, (hereinafter Appellant), for premises situated at 321 Preakness Avenue, Paterson, New Jersey. The Respondent denied the license renewal due to a finding of excessive and unreasonable noise and disturbances emanating from the licensed premises; and from activities, particularly those of a criminal nature, resulting from actions in the licensed premises.

On June 28, 1979, Appellant filed a Notice of Appeal with the Division of Alcoholic Beverage Control appealing the decision of the Board of Alcoholic Beverage Control of the City of Paterson. Appellant contended that the actions of Respondent were arbitrary and capricious and the determination not to renew Appellant's license was made without a sufficient and factual legal basis. On June 28, 1979, Joseph H. Lerner, Director of the Division of Alcoholic Beverage Control, issued an Order to Show Cause temporarily renewing the license, and setting the matter down for a de novo appeal pursuant to R.S. 33:1-22 and N.J.A.C. 13:2-17.6. The matter was then transmitted to the Office of

Administrative Law for determination as a contested case pursuant to N.J.S.A. 52:14F-1 et seq. A hearing was held on October 30, 1979, before Administrative Law Judge Joseph Rosa, Jr.

At the hearing, attorney for Respondent stated that an agreement had been reached between the Respondent and the Appellant. The agreement entered into would allow the conditional renewal of Appellant's plenary retail consumption license on the following conditions:

1. That a constable be present on Friday and Saturday evenings at the premises between the hours of 10 P.M. and 3 A.M.
2. That a constable also be present at any other times that the premises employ live entertainment.
3. At all times during the performance of live entertainment all doors, except for fire purposes shall remain closed.
4. That the Appellant by June 30, 1980, effectuate the sale of the premises and the liquor license to a bona fide purchaser in an arm's length transaction.

Also present at the hearing was Donald Tabatneck, President of 1130 McBride Avenue Corporation, who in answer to questioning by the Court stated that he was aware of the consequences of the agreement and further stated that he would comply with the terms thereof. A Consent Order, embodying the terms of the agreement was executed by both parties, and an original and two (2) copies thereof forwarded to the Office of Administrative Law, Honorable Joseph Rosa, Jr.

After a careful review of the record in this matter, and the Consent Order embodying the agreement of the parties, and the testimony of the President of the Appellant Corporation, I FIND:

1. On or about June 27, 1979, the Board of Alcoholic Beverage Control of the City of Paterson denied a renewal of plenary retail consumption license 1608-33-265-002, which had been issued to 1130 McBride Avenue, Inc., t/a The Sting, for premises situated at 321 Preakness Avenue, Paterson, New Jersey.
2. On June 28, 1979, an appeal was filed by the Appellant from this action, and on said date an Order was issued by the Director of the Division of Alcoholic Beverage Control, Joseph H. Lerner, temporarily restoring the plenary retail consumption license of the Appellant.

3. On October 30, 1979, the hearing was held on the Appellant's appeal at which time attorney for the Respondent stated that an agreement had been reached between the parties and a Consent Order would be entered into.
4. The Appellant is aware of all the potential consequences and duties imposed upon him by the terms of the Consent Order.
5. That the Appellant has been furnished a copy of the proposed Consent Order, a copy of which is attached hereto and made hereof, which provides for various conditions on his continued operation of premises situated at 321 Preakness Avenue, and requires him to effectuate the sale of the premises and plenary retail consumption license 1608-33-265-002, on or before June 30, 1980.
6. That the Appellant was aware that this Order may be modified, affirmed, or disapproved by the Director of the Division of Alcoholic Beverages and if such decision is modified or disapproved, he will be allowed to withdraw from this Consent Order.
7. That the Appellant has entered into the Consent Order freely and knowingly and without coercion.

In view of the foregoing, I CONCLUDE that the Consent Order restoring the plenary retail consumption license 1608-33-265-002, of the City of Paterson heretofore issued to 1130 McBride Avenue, Inc., t/a The Sting for premises situated at 321 Preakness Avenue, Paterson, New Jersey, attached hereto and made a part hereof, represents the agreement entered into by the parties hereto, and that same has been entered into, by both parties knowingly and without coercion.

I FURTHER CONCLUDE that the agreement reached by the terms of this Consent Order, whereby the Appellant's plenary retail consumption license will be renewed for the license year 1979-1980 is not inimical to the interests of the community, and same is HEREBY APPROVED as is set forth fully herein.

Then this action cannot be effected prior to the effective date of this Order, which is forty-five (45) days from the date of agency receipt of this Order, unless the agency head acts to affirm, modify or reverse during the forty-five (45) day period N.J.S.A. 52:14B-10.

I HEREBY FILE with the Director of the Division of Alcoholic Beverage Control, Joseph H. Lerner, my Initial Decision in this matter and the record in these proceedings.

3. SPECIAL RULING - PURSUANT TO N.J.S.A. 33:1-12.39 - IN THE MATTER OF THE PETITION OF 4200 CORPORATION.

In the Matter of the Petition of	:	
4200 Corporation	:	CONCLUSIONS
Holder of Plenary Retail Consumption	:	AND
License No. 0514-33-012-003 issued	:	ORDER
by the Board of Commissioners of the	:	
city of Wildwood.	:	
-----	:	
Piltzer and Piltzer, Esqs., by David S. Piltzer, Esq.,	:	
Attorney for Petitioner	:	

Initial Decision Below

Hon. Gerald T. Foley, Jr., Administrative Law Judge

Dated: October 25, 1979 - Received: October 30, 1979

BY THE DIRECTOR:

No written Exceptions to the Initial Decision Below were filed by the parties in reference to the within petition submitted pursuant to N.J.S.A. 33:1-12.39.

Having carefully considered the entire record herein, including the transcript of the testimony, the exhibits and the Initial Decision, I concur in the findings and recommendations of the Administrative Law Judge and adopt them as my conclusions herein.

Accordingly, it is, on this 10th day of December, 1979,

ORDERED that the within petition be and the same is hereby granted and, it is further,

ORDERED that the Board of Commissioners of the City of Wildwood be and are hereby authorized to consider petitioner's application for renewal of its license for the 1979-80 license term and to grant or deny same in the reasonable exercise of its discretion. If the application is approved and renewal thereof granted, the said action shall be made expressly subject to the special condition that the license must become operational during the 1979-80 license term; no further extensions will be authorized.

JOSEPH H. LERNER
DIRECTOR

Appendix - Initial Decision Below

IN RE:)
 PETITION OF 4200)
 CORPORATION FOR A)
 WAIVER TO RENEW ITS)
 LICENSE PURSUANT TO)
N.J.S.A. 33:1-12.39)

INITIAL DECISION
 OAL DKT. NO. A.B.C. 2833-79

APPEARANCES:

David S. Piltzer, Esq., Piltzer and Piltzer, Esqs.,
 for Petitioner

None for the Division of Alcoholic Beverage Control

BEFORE THE HONORABLE GERALD T. FOLEY, JR., A.L.J.:

On October 11, 1979 a hearing was held on the verified petition of the 4200 Corporation for authorization from the Director of the Division of Alcoholic Beverage Control to apply to the Mayor and Council of the Board of Commissioners of the City of Wildwood for renewal of its plenary retail consumption license number 0514-33-012-001 for the 1979/80 license term.

On July 11, 1979 a hearing was held at the Division on the petition. The hearer recommended that the petition be approved. The Director was not satisfied that good cause had been established and the matter was filed as a contested case on August 9, 1979.

At the hearing Carl Botzenhardt testified that he is the president and a principal stockholder of the 4200 Corporation which holds a plenary retail consumption license for premises at 301 East Baker Avenue, Wildwood, New Jersey.

In 1973 he bought the license and the property. He planned on putting a 300 unit, 18 story motel on the site. He has not done so because he has been unable to obtain financing despite, during the last several years, going to a few lending institutions and two or three brokers.

Additionally, his plans were adversely affected by CAFRA, a Federal agency, which had to study the area as far as sewerage, wet land, the blockage of view and the ocean are concerned before one can build over 24 units.

Finally, he spoke to the Mayor and the Wildwood Commissioners who advised him that they would not permit him to construct 300 units.

The witness stated that he found another location for the license at 201 West Spicer Avenue in Wildwood. His plan is to operate a bar at that location all year round. He indicated he could have the place operating in 30 days because it is essentially there.

He has applied to transfer the license to 201 West Spicer Avenue. His application is pending, being held in abeyance while the instant matter is decided.

The witness stated that the City of Wildwood has no problems with his moving and is very favorably disposed to renewal. He said the license, which cost him \$30,000, is now worth between \$125,000 and \$150,000.

He is prepared to immediately activate the license at 201 West Spicer Avenue. He indicated that once the corporation is allowed to use the license, it can be transferred to the new location.

The statute applicable to this matter reads, in pertinent part, that:

"No Class C license, as the same is defined in R.S. 33:1-12, shall be renewed if the same has not been actively used in connection with the operation of a licensed premises within a period of 2 years prior to the commencement date of the license period for which the renewal application is filed unless the director, for good cause and after a hearing, authorizes a further application for renewal;... ."

The Director has indicated that he will determine whether good cause has been established on a case by case basis. He will apply recognized judicial concepts associated with the term. He will also apply, in so far as they are applicable, prior decisions of the Division on the subject. Bulletin 2289, July 27, 1978, Dated April 14, 1978.

In Pines v. District Court in and for Woodbury County, 10 N.W.2d 574,583, 233 Iowa 1284 (Sup. Ct. 1943), the court stated that good cause means a substantial reason- one that affords a legal excuse. It said whether substantial reasons exist is for the court to determine under the facts and circumstances.

The court, in Wilson v. Morris, 369 S.W.2d 402, 407 (Mo. 1963), stated that good cause depends upon the circumstances of the individual case, and a finding of its existence lies largely in the discretion of the officer or court to which the decision is committed.

Finally, in Wray v. Folsom, 166 F. Supp.390,394 (U.S. D.C., W.D. Arkansas, 1958), good cause was conceived to be a relative and highly abstract term. Its meaning must be determined not only by the verbal context of the statute in which the term is employed, but also by the context of the action and procedures involved and the type of case presented.

I have observed Mr. Botzenhardt testify, have reviewed the verified petition and the transcript and have applied the applicable legal principles to the facts which I have set forth herein. I have also reviewed the three exhibits which Mr. Piltzer offered into evidence on his summation. These are P-1, the Director's Special Ruling dated May 30, 1978 in the matter of the application for extension of renewal of Harrison House of Peapack, Inc., P-2, Director's Special Ruling dated April 24, 1979 in Charmith Motels, Inc. and its attachments, and P-3, the Director's Conclusions and Order in Emersons, Ltd. of Cinnaminson, Inc., t/a Emersons, Ltd., v. Township Committee of the Township of Cinnaminson, Bulletin 2250, Page 7. I have concluded that the 4200 Corporation has established good cause for the Director to authorize a further application for renewal of its license and I therefore grant the petition and recommend to the Director of the Division of Alcoholic Beverage Control that he authorize the 4200 Corporation to apply to the Mayor and Council of the Board of Commissioners of the City of Wildwood for renewal of its plenary retail consumption license for the 1979/80 license term.

This action cannot be effected prior to the effective date of this order, which is forty-five (45) days from the date of agency receipt of this order, unless the agency head acts to affirm, modify or reverse during the forty-five (45) day period, N.J.S.A. 52:14B-10(c).

I HEREBY FILE with the Director of the Division of Alcoholic Beverage Control, Joseph H. Lerner, my Initial Decision in this matter and the record in these proceedings.

4. SEIZURES - ENUMERATED MISCELLANEOUS CASES

SEIZURE CASE # 13,459

On September 10, 1976 at unlicensed premises at 1103 South Broad Street, Newark, alcoholic beverages, miscellaneous personalty and \$26.29 in cash forfeited; \$600.00 and \$200.00 posted by clamiant also forfeited.

SEIZURE CASE # 13,565

On July 22, 1977 at unlicensed premises at 93 Garry Road, Closter, alcoholic beverages, miscellaneous property and \$515.57 in cash forfeited; also \$2,000.00 posted by them forfeited.

SEIZURE CASE # 13,622

On January 10, 1978 at unlicensed premises of a mini-supermarket located at 94 First St., Elizabeth, alcoholic beverages, miscellaneous property and \$347.00 in cash forfeited. The sum of \$3,000.00 posted by claimant also forfeited.

SEIZURE CASE # 13,666

On June 6, 1978 in the parking lot of Bechtel Construction Co., Lower Alloways Creek Township, Salem County, a quantity of alcoholic beverages, \$27.28 in cash forfeited; also \$1,200.00 forfeited for return of Dodge Pick-up truck.

SEIZURE CASE # 13,707

On September 9, 1978 at unlicensed premises in a one-story building at 660 Artisian Street, Trenton, alcoholic beverages, miscellaneous personalty and \$608.53 in cash forfeited; also \$1,400.00 posted by claimant forfeited.

SEIZURE CASE # 13,754

(See also Bulletin 2340, Item 5 for Conclusions and Order). Amended as follows on March 21, 1980: on the second floor of a two-story building at 9 Lackawanna Avenue, Newark, the sum of \$20.00, together with the sum of \$177.25, and the total of \$197.25 is forfeited.

SEIZURE CASE # 13,762

On April 24, 1979 at unlicensed premises at 829 Market St., Paterson, alcoholic beverages and \$89.82 in cash forfeited.

SEIZURE CASE # 13,777

On April 27, 1979, at the A. T. & T. Construction site, Knightsbridge Road, Piscataway, alcoholic beverages and \$182.00 in cash forfeited.

SEIZURE CASE # 13,797

On August 25, 1979 at "76" Truck Stop, North side Rte. 295, Paulsboro, alcoholic beverages and \$84.80 in cash forfeited; also \$200.00 posted by claimant forfeited.

SEIZURE CASE # 13,798

On September 27, 1979 at unlicensed premises in a Restaurant at 470 Main Street, Fort Lee, alcoholic beverages, miscellaneous personalty, and \$57.54 in cash forfeited; also \$1,000.00 in cash deposited by claimant forfeited.

SEIZURE CASE # 13,800

On November 15, 1979 at unlicensed premises in a Restaurant at 253 Midland Ave., Garfield, alcoholic beverages, miscellaneous personalty, and \$529.75 in cash forfeited; also \$5,000.00 in cash deposited by claimant is forfeited.

SEIZURE CASE # 13,805

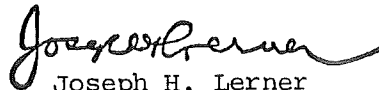
On October 20, 1979 at 20 Plus 5 Club, First Avenue, Manitou Park, Township of Berkeley, alcoholic beverages, personal property and \$317.43 in cash forfeited; also \$1,500.00 posted by claimant forfeited.

SEIZURE CASE # 13,823

On March 7, 1977 at or about Park and Graham Avenues, Paterson, alcoholic beverages forfeited.

SEIZURE CASE # 13,688

On July 29, 1978 at unlicensed premises known as La Canoa Social Club, 791 Main Street, Paterson, alcoholic beverages and the sum of \$900.00 posted by claimant is forfeited.



Joseph H. Lerner
Director