

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

BULLETIN 1939

November 6, 1970

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STATE OF NEW JERSEY
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November 6, 1970

1. DISCIPLINARY PROCEEDINGS - UNLIMITED SOLICITOR'S PERMIT
SUSPENDED FOR BALANCE OF TERM.

In the Matter of Disciplinary)
Proceedings against)

STANLEY VOGEL)
1180 Midland Avenue)
Bronxville, N. Y.)

CONCLUSIONS
AND ORDER

Holder of Unlimited Solicitor's)
Permit #3036 for 1969-70 licensing)
period and Unlimited Solicitor's)
Permit #3572 for 1970-71 licensing)
period, issued by the Director of the)
Division of Alcoholic Beverage Control.)

Alexander A. Abramson, Esq., Attorney for Permittee.
Louis F. Treole, Esq., Appearing for Division.

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

Permittee pleaded not guilty to the following charge:

"On March 13, 1969, you, the holder of an Unlimited Solicitor's Permit issued to you by the Director of the Division of Alcoholic Beverage Control of the Department of Law and Public Safety of the State of New Jersey for employment by Garden State Liquor Wholesalers Inc. and Crown Ltd., directly or indirectly, failed to facilitate and hindered, delayed and caused the hindrance and delay of an investigation being conducted by an Investigator of said Division of Alcoholic Beverage Control; in violation of Rule 35 of State Regulation No. 20."

The issue to be resolved in this matter is whether the holder of a solicitor's permit may invoke his privilege against self-incrimination, guaranteed to him under the Fifth Amendment of the United States Constitution, while being interrogated by an agent of the Division in the course of an investigation relative to his activities involving a possible violation of the Alcoholic Beverage Law of New Jersey and the rules and regulations of this Division.

The facts in this case disclose that on March 13, 1969 Stanley Vogel was the holder of Unlimited Solicitor's Permit #3036, authorizing him to be employed as a liquor salesman for a wholesaler; that in September 1968 the Division received a memorandum from the State Liquor Authority of New York advising that on September 21, 1968 Vogel was observed by police officers unloading alcoholic beverages for delivery to a retail licensee in New York City from a motor vehicle registered in the name of Abe Wilsker of Eastchester, Bronx, Vogel's father-in-law; that

Vogel was placed under arrest and charged with failure to have a solicitor's permit and failure to have a trucking permit in violation of the liquor laws of New York; upon receipt of the memorandum, Inspector B was assigned to make an investigation of Vogel's activities relative to his solicitor's permit; that pursuant thereto he summoned Vogel to appear at the Division's office for questioning relative to his investigation and that on March 13, 1969, Vogel unaccompanied, appeared as requested.

Inspector B, after some preliminary questions and answers thereto, informed Vogel that the Division had received the aforesaid memorandum and read to him that part of the same which referred to his delivery on September 21, 1968 of alcoholic beverages to a retail licensee in New York City in a motor vehicle registered in the name of Abe Wilsker as aforesaid. Continuing the examination the agent asked:

"Q Will you explain?

A On advice of counsel I am not at liberty to discuss anything which may hinder my trial in the criminal court of New York on April 17, 1969."

Upon refusal by Vogel to explain his activities as hereinabove referred to, Inspector B stated:

"I am advising you that failure to answer any and all questions asked of you with regard to your activity as a solicitor in the State of New Jersey will subject your solicitor's permit to suspension or revocation as set forth in New Jersey Regulation 33:1-35."

It further appears that a representative of the New York State Liquor Authority was present during the examination; that the Division knew that criminal charges were pending against Vogel in New York resulting from his unauthorized delivery of alcoholic beverages as aforesaid; that Vogel expressed his willingness to cooperate with the Division subsequent to his trial on aforesaid charges in New York City scheduled for April 17, 1969.

At the conclusion of the hearing and in his memorandum filed with me, Vogel's attorney urges that the charge be dismissed on the following grounds:

(1) That the examination of Vogel was in the presence of a representative of the State Liquor Authority of New York where criminal charges were pending against him;

(2) That Vogel's answers were complete and were given without hesitation;

(3) That it was only when the question bearing upon the alleged violation of the New York Law was propounded that Vogel declined to answer, upon advice of counsel, which he had received prior to the hearing in question;

(4) That the privilege against self-incrimination accorded to all who claim it in any proceeding -- criminal, civil, administrative, judicial, investigatory or adjudicatory -- and that the privilege against self-incrimination protects any disclosures which a witness may reasonably apprehend could be used in

criminal prosecution or which could lead to other evidence that might be so used, citing U. S. v. Goldsmith, (D.C. New York 1967), 272 F. Supp. 924.

In adjudicating this matter, I find that the Goldsmith case deals with an Internal Revenue examiner's examination of a taxpayer's wife to determine whether any of her property was obtained from her husband.

However, the case sub judice, unlike U.S. v. Goldsmith, supra, concerns itself with a permittee who, when obtaining his solicitor's permit to be employed by a wholesaler, has waived his right to assert the privileges granted under the Fifth Amendment of the Constitution of the United States in connection with any alcoholic beverage activities with respect to his permit. See R.S. 33:1-35 which provides in pertinent part:

"Every applicant for a license, and every licensee ... and employee of every licensee, shall, on demand, exhibit to the director ... or to his ... investigators, or inspectors or agents all of the matters and things which the director of the division ... is hereby authorized or empowered to investigate, inspect or examine, and to facilitate, as far as may be in their power so to do, in any such investigation, examination ... and they shall not in any way hinder or delay or cause the hindrance or delay of same, in any manner whatsoever"

Cf. State v. Zurawski, 89 N.J. Super. 488 (App. Div. 1965) aff'd 47 N.J. 160 (1966).

I find that the statute above quoted and Rule 35 of State Regulation No. 20 are applicable to the permittee and required him to answer the Division agent's inquiry concerning his alcoholic beverage activities in order that it may be ascertained whether any violation of the New Jersey Alcoholic Beverage Law or regulations had occurred; for example, whether the alcoholic beverages in question had been wrongfully "washed" (billed by false invoices) through a New Jersey retailer or transported from New Jersey in an unlicensed vehicle. Failure of the permittee to answer such inquiry constitutes a violation of Rule 35 of State Regulation No. 20, as charged herein.

As to any possible attack on the constitutionality of the statute in question, the law is well established that the question of the validity of the statute is not justiciable before an administrative tribunal. Cf. Blanck v. Magnolia, 73 N.J. Super. 306 (App. Div. 1962), reprinted in Bulletin 1443, Item 1. It is clear that, in a similar case involving the State Board of Tax Appeals, the court expressed the basic principle that no administrative agency has the right to pass on constitutional questions. Schwartz v. Essex County Board of Taxation, 129 N.J.L. 129 (Sup. Ct. 1942), aff'd 130 N.J.L. 177 (E. & A. 1943); Duke Power Co. v. Hillsborough Township, 20 N.J. Misc. Rep. 240, 243; Hillsborough Township v. Cromwell, 326 U.S. 620, 625 (U.S. Sup. Ct. 1946). In the Schwartz case, the Supreme Court used the following language (at pg. 132):

"It is indisputable that the determination of the constitutionality of an act of the legislature rests with a judicial body; not with a quasi-judicial body"

and administrative tribunals must

"...accept a legislative act as constitutional until such time as it has been declared to be unconstitutional by a qualified judicial body." (pg. 132)

Cf. Abbott v. Beth Israel Cemetery Ass'n. of Woodbridge, 13 N.J. 528, 546 (1953); State Highway Commission v. Dey, 110 N.J.L. 197, 198 (E. & A. 1932). Such matter can only be adjudicated by a plenary court action and a judicial ruling made as to the validity of the said statute. Accordingly, for the purposes of determination of these issues, R.S. 33:1-35 must be considered as constitutional, valid and binding upon the permittee.

I therefore find that the grounds urged by the permittee in seeking a dismissal of the charge are without merit.

After reviewing the evidence and the legal principles involved, I conclude that the Division has established the truth of the charge by a fair preponderance of the believable evidence, and I recommend a finding of guilt thereon.

Permittee has no prior adjudicated record. Upon considering the nature of the offense, I further recommend that his solicitor's permit be suspended for a period of thirty days.

Conclusions and Order

Written exceptions to the Hearer's report and argument thereto were filed by both the prosecuting attorney for the Division (who excepted to the recommended duration of suspension) and by the attorney for the permittee (who took exception to the recommended finding of guilt).

I find that matters contained in the exceptions filed by the attorney for the permittee have either been considered in detail by the Hearer in his report or are without merit and I concur in the Hearer's finding and recommendation of guilt herein. However, I deem the penalty recommended by the Hearer is inadequate under the circumstances.

Accordingly, it is, on this 15th day of September 1970,

ORDERED that Unlimited Solicitor's Permit #3572, issued by the Director of the Division of Alcoholic Beverage Control to Stanley Vogel, 1180 Midland Avenue, Bronxville, New York, be and the same is hereby suspended for the balance of its term, effective 12:01 a.m. Thursday, September 24, 1970; with leave for permittee to petition for the lifting of suspension after he has presented himself and has fully and satisfactorily answered every and all questions pertinent to an investigation being conducted by the investigating agents of this Division.

RICHARD C. McDONOUGH
DIRECTOR

2. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS BETS) -
PRIOR DISSIMILAR RECORD - FALSE STATEMENT IN APPLICATION -
LICENSE SUSPENDED FOR 75 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

JULE'S BAR, INC.)
100 North Avenue)
Dunellen, N. J.)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-10, issued by the Borough Council of the Borough of Dunellen.)

Abrams, Kestenbaum, Hendricks & Reina, Esqs., by Norman J. Abrams, Esq., Attorneys for Licensee Edward F. Ambrose, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that (1) and (2) on June 8, 13, 18 and 20, 1970 it permitted acceptance of numbers bets on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20, and (3) in its application for license for the 1969-70 period concealed its record of prior license suspension, in violation of R.S. 33:1-25.

Licensee has a previous record of suspension of license by the Director for twenty days effective July 19, 1967 for permitting (a) wagering (conduct of pools and pool games) and (b) foul and filthy language by patrons on the licensed premises (Re Jule's Bar, Inc., Bulletin 1752, Item 5), non-disclosure of which being the subject of the third charge.

The license will be suspended on the first and second charges for sixty days (Re Marinaccio, Bulletin 1831, Item 2), to which will be added five days by reason of the record of the suspension for dissimilar violation occurring within the past five years (Re Gajewski, Bulletin 1742, Item 4), and on the third charge for ten days (Re Marcella Bar, Inc., Bulletin 1892, Item 4), or a total of seventy-five days, with remission of five days for the plea entered, leaving a net suspension of seventy days.

Licensee's attorney advises that the business closed down on August 10, 1970 and that no business has been conducted under the license from that date to the present. Thus no effective penalty can be imposed at this time. Hence the effective dates for the suspension will be fixed by the entry of a further order herein after the operation of the licensed premises has been fully resumed on a substantial basis by the licensee or any transferee of the license (cf. Re Ernie's Nest, Inc., Bulletin 1911, Item 6).

Accordingly, it is, on this 18th day of September 1970,

ORDERED that Plenary Retail Consumption License C-10, issued by the Borough Council of the Borough of Dunellen to Jule's Bar, Inc., for premises 100 North Avenue, Dunellen, be and the same is hereby suspended for seventy (70) days, the effective dates of such suspension to be fixed by further order as aforesaid.

RICHARD C. McDONOUGH
DIRECTOR

4. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS BETS) - LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

ROSE & JEREMIAH O'GRADY)
t/a O'GRADY'S TAVERN)
1010 1/2 South Orange Avenue)
Newark, New Jersey)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-317, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark)

Thomas E. Durkin, Jr., Esq., Attorney for the Licensee
Edward F. Ambrose, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2) alleging that on divers days between March 10 and 24, 1970, they permitted the acceptance of numbers bets on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Absent prior record, the license will be suspended for sixty days with remission of five days for the plea entered, leaving a net suspension of fifty-five (55) days. Re Lorello and Schulkes, Bulletin 1919, Item 9.

Accordingly, it is, on this 21st day of September, 1970,

ORDERED that Plenary Retail Consumption License C-317, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Rose & Jeremiah O'Grady, t/a O'Grady's Tavern, for premises 1010 1/2 South Orange Avenue, Newark, be and the same is hereby suspended for fifty-five (55) days, commencing at 2:00 a.m. Tuesday, October 6, 1970 and terminating at 2:00 a.m. Monday, November 30, 1970.

RICHARD C. McDONOUGH
DIRECTOR

5. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR SIMILAR RECORDS OF LICENSEE CORPORATION AND OF SOLE STOCKHOLDER OF LICENSEE CORPORATION - LICENSE SUSPENDED FOR 45 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

OCEAN CLUB CORPORATION
521 Ocean Avenue
Jersey City, N. J.

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-127, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City

Licensee, by Monola Goodman, President, Pro se
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that it sold a pint bottle of gin on Sunday, July 19, 1970 and a one-half pint bottle of liqueur and six 12-ounce cans of beer after 10 p.m. on Saturday, July 25, 1970, for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Licensee corporation has a previous record of suspension of license by the Director for thirty days effective January 6, 1969 for similar violation of Rule 1 of State Regulation No. 38. Re Ocean Club, Corporation, Bulletin 1835, Item 9. In addition, a license held by Monola Goodman, t/a G M Tavern, for premises 341 Johnston Avenue, Jersey City (sole stockholder of the licensee corporation) was suspended by the Director for ten days effective October 18, 1966, also for similar violation of Rule 1 of State Regulation No. 38. Re Goodman, Bulletin 1702, Item 5.

The prior record of two suspensions for similar violation within the past five years (the one by the licensee corporation in 1969 and the other by Monola Goodman in 1966 (Re C & M Club, Inc., Bulletin 1839, Item 5)) considered, the license will be suspended for forty-five days, with remission of five days for the plea entered, leaving a net suspension of forty days. Re Rosenbauer, Bulletin 1880, Item 9.

Accordingly, it is, on this 16th day of September 1970,

ORDERED that Plenary Retail Consumption License C-127, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Ocean Club Corporation, for premises 521 Ocean Avenue, Jersey City, be and the same is hereby suspended for forty (40) days, commencing at 2 a.m. Thursday, October 1, 1970, and terminating at 2 a.m. Tuesday, November 10, 1970.

RICHARD C. McDONOUGH
DIRECTOR

6. DISCIPLINARY PROCEEDINGS - SALE TO A MINOR - LICENSE
SUSPENDED FOR 25 DAYS.

In the Matter of Disciplinary
Proceedings against

MONO EDGE, INC. (A Corp. of N.J.)
t/a Atco Liquor Store
319 White Horse Pike
Waterford Township
PO Atco, N. J.

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Distribution
License D-2 (for 1969-70 and 1970-71
license periods), issued by the Township
Committee of the Township of Waterford.

Epstein, Fluharty, Freeman & Gerstein, Esqs., by E. Stevenson
Fluharty, Esq., Attorneys for Licensee
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

Licensee pleaded not guilty to the following charge:

"On March 30, 1970, you sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages, directly or indirectly, to a person under the age of twenty-one (21) years, viz., Charles ---, age 16; in violation of Rule 1 of State Regulation No. 20."

The investigation in this matter had its genesis in a complaint made to the local police by the father of one of a group of minors who allegedly consumed beer purchased at the licensed premises. Following the investigation by the local police and an agent of this Division, the licensee was charged as aforesaid.

At the hearing herein Charles --- (age 16 on date alleged herein) gave the following account: On March 30, 1970 he was riding in an automobile driven by a friend of his. During the course of the afternoon four other minors joined them and it was decided that they should purchase beer. Charles had in his possession a wallet which he said he found and which contained identification items (a certification of birth record and a New Jersey driver's license change-of-address card) which would indicate that the holder was above the age of twenty-one. The car was then driven to the licensed premises. Charles entered the premises and asked the clerk (later identified as Adam Gudas) for a case of 12-ounce Rolling Rock beer. He was asked for some identification and he displayed those cards. However, he was not asked to make any written representation of his age. He purchased the beer, gave Gudas a \$5 bill and returned to the automobile where his friends were awaiting him. They then drove to a gravel pit in that community and consumed the beer. When he revisited the premises with ABC Agent D, he made a positive identification of the clerk who sold him the beer and the premises

wherein the sale took place. His testimony was corroborated by two of the minors who accompanied him to the licensed premises. They each testified that they saw him enter the licensed premises empty-handed and return within five minutes with a case of beer, after which they drove to the gravel pit and consumed the same. It was about a week after this incident that all of these minors were contacted upon complaint to the local police by the father of one of the boys who told the local police captain that his boy came home drunk on that day and told him what had occurred.

ABC Agent D testified that about a week after this incident he was contacted by Captain William O'Rourke of the Winslow Township police and, as a result thereof, undertook an investigation of this alleged incident. After obtaining written statements from several of the minors, he then proceeded with Charles to the licensed premises. He was given a description of the clerk who allegedly sold him the beer and the agent then entered the premises and questioned Gudas.

Gudas denied selling the beer to the minor although he was positively identified by the minor as the one who actually sold the beer to him.

Adam Gudas (the corporate president of the licensee and a major stockholder) categorically denied having sold the beer to Charles on the date alleged herein or at any other time. He insisted that he not only frequently refuses to sell to persons whose age he questions, but he often requires that they make a written representation of their statutory maturity.

On cross examination he admitted that the facility does sell Rolling Rock beer.

Dorothy Gudas (his wife) testified that she was also on duty on March 30, 1970 and did not see the minor enter the premises.

I have had the opportunity to carefully observe the demeanor of the witnesses as they testified before me and I was impressed with the forthrightness and credibility of Charles' testimony. He gave a straightforward and unequivocal account of what transpired and his testimony was unshaken under vigorous cross examination. While it has been the policy of this Division to carefully scrutinize the testimony of minors, I find that Charles' testimony was fortified by the corroborative testimony of the other minors who accompanied him. Of course, the licensee was the victim of false identification. Nevertheless, the testimony has the ring of truth and leaves no doubt in my mind that a sale was made to this minor on the date alleged herein.

Since the licensee denied the sale, there is no need to refer to the provisions of the statute and the rules of this Division with respect to the requirements for a complete defense to the sale to minors.

The prevention of sales of intoxicating liquors to minors not only justifies but necessitates the most rigid control. Hudson Bergen County Retail Liquor Stores Association et al. v. Hoboken et al., 135 N.J.L. 502 (1947); In re Schneider, 12 N.J. Super. 449, 456.

I find that the Division has established this charge by a preponderance of the believable evidence -- indeed, by substantial evidence. Accordingly it is recommended that licensee be found guilty of the said charge.

Licensee has no prior adjudicated record. It is further recommended that its license be suspended for twenty-five days. Re Chip's Bar, Inc., Bulletin 1896, Item 7.

Conclusions and Order

No exceptions to the Hearer's report were filed pursuant to Rule 6 of State Regulation No. 16.

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

Accordingly, it is on this 18th day of September 1970

ORDERED that Plenary Retail Distribution License D-2 as renewed for the 1970-1971 licensing period, issued by the Township Committee of the Township of Waterford to Mono Edge, Inc. (a Corp. of N.J.), t/a Atco Liquor Store, 319 White Horse Pike, Waterford Township, PO Atco, be and the same is hereby suspended for twenty-five (25) days, commencing at 9:00 a.m. Monday, October 5, 1970 and terminating at 9:00 a.m. Friday, October 30, 1970.

RICHARD C. McDONOUGH
DIRECTOR

7. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

BURNWOOD DEN, INC.)
Bloomfield Avenue and Route 46)
Montville)
PO Pine Brook, N. J.)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-11 (for 1969-70 and 1970-71 license periods), issued by the Township Committee of the Township of Montville.)

Kanengiser & Goodkin, Esqs., by Robert Kremsdorf, Esq., Attorneys for Licensee
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on March 13, 1970 it possessed alcoholic beverages in three bottles bearing labels which did not truly describe their contents, in violation of Rule 27 of State Regulation No. 20.

Absent prior record, the license will be suspended for twenty days, with remission of five days for the plea entered, leaving a net suspension of fifteen days. Re Mario's, Inc., Bulletin 1919, Item 8.

Accordingly, it is, on this 21st day of September 1970,

9. DISCIPLINARY PROCEEDINGS - GAMBLING (WAGERING) - PRIOR
DISSIMILAR RECORD - LICENSE SUSPENDED FOR 20 DAYS, LESS
5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)
)
GEO. F. NEVIUS, INC.)
t/a Jomar Cafe)
238 Essex Street)
Gloucester City, N. J.)
)
Holder of Plenary Retail Consumption)
License C-25, issued by the Mayor and)
Council of the City of Gloucester City.)

CONCLUSIONS
AND ORDER

Licensee, by George F. Nevius, Secretary, Pro se
Francis P. Meehan, Jr., Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on July 14, 1970 it permitted gambling (pool game for money stakes) on the licensed premises, in violation of Rule 7 of State Regulation No. 20.

Licensee has a previous record of suspension of license by the Director for forty days effective June 2, 1969 for permitting immoral activity (indecent entertainment) on the licensed premises. Re Geo. F. Nevius, Inc., Bulletin 1868, Item 5.

The license will be suspended for fifteen days (Re Garbil Corporation, Bulletin 1870, Item 4), to which will be added five days by reason of the record of suspension of license for dissimilar violation within the past five years (Re Harrington & Burns, Inc., Bulletin 1882, Item 5), or a total of twenty days, with remission of five days for the plea entered, leaving a net suspension of fifteen days.

Accordingly, it is, on this 18th day of September 1970,

ORDERED that Plenary Retail Consumption License C-25, issued by the Mayor and Council of the City of Gloucester City to Geo. F. Nevius, Inc., t/a Jomar Cafe, for premises 238 Essex Street, Gloucester City, be and the same is hereby suspended for fifteen (15) days, commencing at 2 a.m. Monday, October 5, 1970, and terminating at 2 a.m. Tuesday, October 20, 1970.

RICHARD C. McDONOUGH
DIRECTOR

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

In the Matter of Disciplinary Proceedings against)

H.W.J. TAVERN CORPORATION)
t/a Avalon Bar)
1176 Van Hook Street)
Camden, N. J.)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-129, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden.)

Frank M. Lario, Esq., Attorney for Licensee
Francis P. Meehan, Jr., Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on August 15, 1970 it sold two six-packs of beer to a minor, age 18, in violation of Rule 1 of State Regulation No. 20.

Absent prior record, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Pall's New Bar, Inc., Bulletin 1882, Item 9.

Accordingly, it is, on this 17th day of September 1970,

ORDERED that Plenary Retail Consumption License C-129, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden to H.W.J. Tavern Corporation, t/a Avalon Bar, for premises 1176 Van Hook Street, Camden, be and the same is hereby suspended for ten (10) days, commencing at 2 a.m. Monday, October 5, 1970, and terminating at 2 a.m. Thursday, October 15, 1970.

RICHARD C. McDONOUGH
DIRECTOR

11. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

LOUIS L. SATINOVER)
t/a HERMAN'S BAR)
All of N.E. corner of Maryland & Arctic Aves.)
Atlantic City, N. J.)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-76, issued by the Board of Commissioners of the City of Atlantic City.)

Licensee, Pro se
Francis P. Meehan, Jr., Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on Friday, August 14, 1970 he sold a pint bottle of gin for off-premises consumption during prohibited hours, in violation of Rule 1 of State Regulation No. 38.

Absent prior record, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Strenger & Greenberg Tavern, A Corporation, Bulletin 1913, Item 5.

Accordingly, it is, on this 17th day of September 1970,

ORDERED That Plenary Retail Consumption License C-76, issued by the Board of Commissioners of the City of Atlantic City to Louis L. Satinover, t/a Herman's Bar, for premises All of N.E. corner of Maryland & Arctic Aves., Atlantic City, be and the same is hereby suspended for ten (10) days, commencing at 7 a.m. Monday, October 5, 1970, and terminating at 7 a.m. Thursday, October 15, 1970.

RICHARD C. McDONOUGH
DIRECTOR

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

In the Matter of Disciplinary Proceedings against)

MARTHA G. NAEGELE)
t/a Solly's Bar)
219 No. Burlington St.)
Gloucester City, N. J.)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-21, issued by the Common Council of the City of Gloucester City)

Licensee Pro se.
Francis P. Meehan, Jr., Esq., Appearing for the Division.

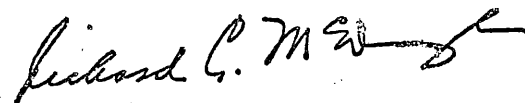
BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that, on August 22, 1970 she sold drinks of beer to two minors, both age 17, in violation of Rule 1 of State Regulation No. 20.

Absent prior record, the license will be suspended for twenty days, with remission of five days for the plea entered, leaving a net suspension of fifteen days. Re Wisniewski, Bulletin 1812, Item 8.

Accordingly, it is, on this 21st day of September 1970,

ORDERED that Plenary Retail Consumption License C-21, issued by the Common Council of the City of Gloucester City to Martha G. Naegele, t/a Solly's Bar, for premises 219 No. Burlington St., Gloucester City, be and the same is hereby suspended for fifteen (15) days, commencing at 2:00 a.m. Tuesday, October 6, 1970, and terminating at 2:00 a.m. Wednesday, October 21, 1970.


Richard C. McDonough
Director