

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

BULLETIN 2050

JULY 11, 1972

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STATE OF NEW JERSEY
Department of Law and Public Safety
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BULLETIN 2050

JULY 11, 1972

1. COURT DECISIONS - BERNIE FELDMAN'S LIQUOR STORE, INC., et al. v. BAYONNE et al. -
DIRECTOR AFFIRMED.

BERNIE FELDMAN'S LIQUOR STORE, INC.,
and DIVISION OF ALCOHOLIC BEVERAGE CONTROL,
DEPARTMENT OF LAW AND PUBLIC SAFETY, STATE
OF NEW JERSEY,

Respondents,

v.

MUNICIPAL COUNCIL OF THE CITY OF BAYONNE,

Appellant,

HUDSON-BERGEN PACKAGE STORES ASSOCIATION,
a New Jersey corporation,

Appellant.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
A-2026-70 and A-2035-70

Argued May 8, 1972 - Decided May 19, 1972.

Before Judges Sullivan, Leonard and Carton.

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

Mr. Samuel J. Davidson argued the cause for appellant
Hudson-Bergen Package Stores Association (Mr. Myles
Daitzman on the brief).

Mr. Nathan Zinader, attorney for appellant Municipal
Council of the City of Bayonne.

Mr. William M. Feinberg argued the cause for respondent
Bernie Feldman's Liquor Store, Inc. (Messrs. Feinberg,
Dee & Feinberg, attorneys).

Mr. David Landau argued the cause for Various Licensees Trading as
Shop-Rite, amici curiae, (Messrs. Hellring, Lindeman & Landau,
attorneys).

Mr. George F. Kugler, Jr., Attorney General of New Jersey, attorney
for Director of the Division of Alcoholic Beverage Control, filed a State-
ment in Lieu of Brief (Mr. David S. Piltzer, Deputy Attorney General,
of counsel).

PER CURIAM

On this appeal appellant-Association's basic contention is that the
Wakefern Food Corporation, Shop-Rite, type of operation insofar as liquor licenses
are involved, is such that each franchisee of the Shop-Rite trademark has a
beneficial interest in each others plenary retail license contrary to N.J.S.A.
33:1-12.31.

We have reviewed the unnecessarily long record and conclude that the Director's findings and conclusions that the modus operandi was not repugnant to the statute are correct.

The Director also found that the licensee's renewal application did not contain false and misleading answers to questions. The evidence fully supports this finding.

Respondents assert that they are being subjected to expensive and vexatious litigation at the hands of appellant-Association and that its standing to participate in this kind of matter should be reconsidered. We decline to pass upon such contention at this time.

Affirmed.

2. APPELLATE DECISIONS - FYFE v. BLAIRSTOWN.

| | | |
|------------------------------|---|-----------|
| Walter L. Fyfe, Exec. of the |) | On Appeal |
| Estate of Gladys A. Sydrock, |) | |
| Appellant, |) | O R D E R |
| v. |) | |
| Township Committee of the |) | |
| Township of Blairstown, |) | |
| Respondent. |) | |

Schenck, Price, Smith & King, Esqs., by William R. Albrecht, Esq.,
Attorneys for Appellant

Robert J. Benbrook, Esq., Attorney for Respondent

BY THE DIRECTOR:

Appellant appeals from the action of respondent Township Committee of the Township of Blairstown which, by resolution dated February 9, 1972, revoked plenary retail consumption license C-5, formerly issued to the late Gladys Sydrock, for premises Rt. 94, Blairstown, then extended to Walter L. Fyfe, Executor of the Estate of Gladys Sydrock, on June 30, 1971, and thereafter renewed to said executor for the current licensing period, upon the following condition:

That the ... licensee obtain premises in which to locate said license and apply for approval by means of a "Transfer" by January 31, 1972.

The revocation was based upon the failure of the appellant herein to comply with the above condition.

On the adjourned date of the hearing on appeal herein the parties, through counsel, consented to and stipulated the following terms to be set forth in an order by the Director that the action of the respondent in revoking the license be reversed, but that the license be kept by the respondent and not actually issued until:

- (a) The appellant shall make application for transfer of the instant license to a bona fide transferee to the end that the license be conducted at a suitable location by said bona fide transferee. If and when the respondent, in its discretion, grants such transfer to a reputable person, at suitable premises, the license shall continue in full force and effect.
- (b) However, in the event no application for transfer is submitted on or before June 30, 1972 then the license shall expire and shall be rendered null and void.
- (c) Respondent does not waive its right to pass upon the merits of the application for transfer nor does appellant waive its right to appeal from any adverse action of respondent with respect to the transfer herein set forth.
- (d) Nothing herein shall be construed to deny to appellant the right to make application for the renewal of the instant license in the event the bona fide application, timely made, shall not be acted upon on or before June 30, 1972.

Good cause appearing, I shall enter such order.

Accordingly, it is, on this 3rd day of May 1972,

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

ORDERED that the Township Committee re-issue Plenary Retail Consumption License C-5, to Walter L. Fyfe, Executor of the Estate of Gladys Sydrock, which said license shall remain in the custody of the Township Committee and be actually delivered only upon compliance with the conditions hereinabove set forth and made part hereof.

Robert E. Bower
Director

3. DISCIPLINARY PROCEEDINGS - SALE TO A MINOR - PRIOR DISSIMILAR RECORD -
LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

P. & J. Lounge, A Corp.)
t/a Wagon Wheel)
e/s Delsea Drive, New Sharon,)
Deptford Township)
PO Sewell, N. J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption)
License C-8, issued by the Township)
Committee of the Township of Deptford.)
-----)

Licensee, Pro se
Peter E. Rhatican, Appearing for Division

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on
February 4, 1972 it sold alcoholic beverages to a minor, age
16, in violation of Rule 1 of State Regulation No. 20.

Licensee has a prior record of suspension of license
for seven days by the local issuing authority, effective
February 2, 1970, for sale in violation of local hours ordinance.

License will be suspended for twenty-five days on
the charge herein (Re Doyle, Bulletin 2013, Item 6), to which
will be added five days by reason of the dissimilar offense
occurring within the past five years, making a total of thirty
days, with remission of five days for the plea entered, leaving
a net suspension of twenty-five days.

Accordingly, it is, on this 4th day of May 1972,

ORDERED that plenary retail consumption license C-8,
issued by the Township Committee of the Township of Deptford
to P. & J. Lounge, A Corp., t/a Wagon Wheel, for premises
e/s Delsea Drive, New Sharon, Deptford Township, be and the same
is hereby suspended for twenty-five (25) days, commencing at
2 a.m. Thursday, May 18, 1972, and terminating at 2 a.m. Monday,
June 12, 1972.

Robert E. Bower,
Director.

4. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS) - PRIOR SIMILAR OFFENSE -
LICENSE SUSPENDED FOR 95 DAYS, LESS 19 FOR PLEA.

In the Matter of Disciplinary Proceedings against
Frank Gallipoli
t/a Frank's Tavern
328 Palisade Avenue
Jersey City, N. J.,
Holder of Plenary Retail Consumption License C-364, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.

CONCLUSIONS
and
ORDER

Malfitano, Claudat & Kealy, Esqs., by Anthony F. Malfitano, Esq.,
Attorneys for Licensee
Edward F. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on October 16, 23 and November 20, 1971, he permitted gambling, i.e., "numbers game", on the licensed premises, in violation of Rule 6 of State Regulation No. 20.

Licensee has a prior record of suspension for sixty days by the Director effective November 16, 1964, for permitting gambling activity (Re Gallipoli, Bulletin 1597, Item 4).

License will be suspended for ninety days, to which will be added five days by reason of the similar offense occurring within the past ten years, making a total of ninety-five days, with remission of nineteen days for the plea entered, leaving a net suspension of seventy-six days. Re XPY Corporation, Bulletin 2033, Item 2.

Accordingly, it is, on this 4th day of May 1972,

ORDERED that Plenary Retail Consumption License C-364, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Frank Gallipoli, t/a Frank's Tavern, for premises 328 Palisade Avenue, Jersey City, be and the same is hereby suspended for the balance of its term, viz., until midnight June 30, 1972, commencing at 2 a.m. Thursday, May 18, 1972; and it is further

ORDERED that any renewal license that may be granted shall be and the same is hereby suspended until 2 a.m. Tuesday, August 2, 1972.

Robert E. Bower,
Director.

5. DISCIPLINARY PROCEEDINGS - VIOLATION OF RULE 1 OF STATE REGULATION NO. 38 - FOUL LANGUAGE PERMITTED IN LICENSED PREMISES - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

W. Building Corporation)
t/a Two Ed's Tavern)
601 Grove Street)
Jersey City, N.J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption License C-258, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.)
-----)

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

BY THE DIRECTOR:

Licensee pleads non vult to two charges alleging that on January 19, 1972, it (1) sold alcoholic beverages in original containers for off-premises consumption in violation of Rule 1 of State Regulation No. 38, and (2) permitted foul language to be used in the licensed premises in violation of Rule 5 of State Regulation No. 20.

Absent prior record the license will be suspended for fifteen days on the first charge herein (Re McGraw, Bulletin 2038, Item 5); and for ten days on the second charge (Re Feeny, Bulletin 1936, Item 6), making a total of twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days.

Accordingly, it is, on this 4th day of May 1972,

ORDERED that Plenary Retail Consumption License C-258, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to W. Building Corporation, t/a Two Ed's Tavern for premises 601 Grove Street, Jersey City, be and the same is hereby suspended for twenty (20) days, commencing 2:00 a.m. on Thursday, May 18, 1972, and terminating 2:00 a.m. on Wednesday, June 7, 1972.

Robert E. Bower
Director

6. DISCIPLINARY PROCEEDINGS - VIOLATION OF RULE 1 OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Garden Deli, Inc.)
730 Anderson Avenue)
Cliffside Park, N.J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Distribution License D-3, issued by the Mayor and Borough Council of the Borough of Cliffside Park.)

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

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on Sunday, January 23, 1972, about 12:30 p.m., it sold an alcoholic beverage in its original container for off-premises consumption, 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 Kogut, Bulletin 2031, Item 4.

Accordingly, it is, on this 4th day of May 1972,

ORDERED that Plenary Retail Distribution License D-3, issued by the Mayor and Borough Council of the Borough of Cliffside Park, to Garden Deli, Inc., for premises 730 Anderson Avenue, Cliffside Park, be and the same is hereby suspended for ten (10) days, commencing 3:00 a.m. on Tuesday, May 16, 1972 and terminating 3:00 a.m. on Friday, May 26, 1972.

Robert E. Bower
Director

7. DISCIPLINARY PROCEEDINGS - VIOLATION OF RULE 1 OF STATE REGULATION NO. 38 - PRIOR SIMILAR AND DISSIMILAR RECORD - LICENSE SUSPENDED FOR 40 DAYS, LESS 8 FOR PLEA.

In the Matter of Disciplinary Proceedings against
 Augie's Tavern, Inc.
 640 - 61st Street
 West New York, N.J.,
 Holder of Plenary Retail Consumption License C-30, issued by the Board of Commissioners of the Town of West New York.

CONCLUSIONS and ORDER

 Licensee, Pro se.
 Peter E. Rhatigan, Appearing for Division

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on Tuesday, January 4, 1972, about 11:18 p.m., it sold alcoholic beverages in original containers for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Within the past five years, licensee has a prior record of suspension of license (1) for one hundred fifteen days by the Director, effective September 3, 1968, for permitting gambling on licensed premises; (2) for twenty-five days, effective November 10, 1969, for sale of alcoholic beverages to a person then intoxicated (Re Augie's Tavern, Inc., Bulletin 1819, Item 2, and Bulletin 1889, Item 4); and (3) by the municipal issuing authority for forty days, effective January 3, 1971, for after-hours sale.

The license will be suspended on the charge herein for fifteen days, to which will be added fifteen days by reason of the similar violation occurring within the past five years, and an additional ten days by reason of the two dissimilar violations occurring within the past five years (Re Thorne, Bulletin 2038, Item 6), making a total of forty days, with remission of eight days for the plea entered, leaving a net suspension of thirty-two days.

Accordingly, it is, on this 5th day of May 1972,

ORDERED that Plenary Retail Consumption License C-30, issued by the Board of Commissioners of the Town of West New York to Augie's Tavern, Inc., for premises 640 - 61st Street, West New York, be and the same is hereby suspended for thirty-two (32) days, commencing 3:00 a.m. on Thursday, May 18, 1972, and terminating 3:00 a.m. on Monday, June 19, 1972.

Robert E. Bower
Director

8. DISCIPLINARY PROCEEDINGS - LEWDNESS ON LICENSED PREMISES (INDECENT ENTERTAINMENT) - LICENSE SUSPENDED FOR 45 DAYS, LESS 9 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Dee Gee Tavern, Inc.)
424 - 45th Street)
Union City, N.J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption License C-137, issued by the Board of Commissioners of the City of Union City.)

Licensee, Pro se
Peter E. Rhatican, Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on March 3, 1972, it permitted lewdness on the licensed premises, viz., indecent entertainment in violation of Rule 5 of State Regulation No. 20.

Reports of investigation disclose that a "go-go" dancer performed using obscene gestures and included patron participation in her act, all of which was in vew of the agents of the licensee.

Absent prior record, the license will be suspended for forty-five days with remission of nine days for the plea entered, leaving a net suspension of thirty-six days. Re The Lamp Post (Corp.), Bulletin 2040, Item 11.

Accordingly, it is, on this 8th day of May 1972,

ORDERED that Plenary Retail Consumption License C-137, issued by the Board of Commissioners of the City of Union City, to Dee Gee Tavern, Inc., for premises 424 - 45th Street, Union City, be and the same is hereby suspended for thirty-six (36) days, commencing 3:00 a.m. on Monday, May 22, 1972, and terminating 3:00 a.m. on Tuesday, June 27, 1972.

Robert E. Bower
Director

9. DISCIPLINARY PROCEEDINGS - VIOLATION OF RULE 1 OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA - APPLICATION FOR IMPOSITION OF FINE IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary Proceedings against :

Stanley E. Zivicky & Sylvia Zivicky t/a Stanley's 9261 Kennedy Boulevard North Bergen, N.J. :

CONCLUSIONS and ORDER

Holder of Plenary Retail Consumption License C-55 issued by the Municipal Board of Alcoholic Beverage Control of the Township of North Bergen. :

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

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on January 19, 1972 about 10:30 P.M. they sold an alcoholic beverage in original container for off premises consumption in violation of Rule 1 of State Regulation No. 38.

Absent prior record the license would normally be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days (Re McGraw, Bulletin 2038, Item 5).

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

Having favorably considered the application in question, I have determined to accept an offer in compromise by the licensee to pay a fine of \$400.00 in lieu of suspension.

Accordingly, it is on this 8th day of May, 1972

ORDERED that the payment of a \$400.00 fine by the licensee is hereby accepted in lieu of the suspension of license for ten days.

Robert E. Bower, Director

- 10. DISCIPLINARY PROCEEDINGS - SALE TO MINOR - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA - APPLICATION FOR IMPOSITION OF FINE IN LIEU OF SUSPENSION GRANTED.

In the Matter of Disciplinary Proceedings against :

E & C American Hotel, Inc. :
 32 Main Street :
 High Bridge, N.J. :

CONCLUSIONS
 and
 ORDER

Holder of Plenary Retail Consumption License C-1 issued by the Common Council of the Borough of High Bridge. :

.....
 Handelman & Jacobs, Esqs., by Eugene W. Jacobs, Esq., Attorneys for Licensee.
 Dennis M. Brew, Appearing for Division.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on December 8, 1971 it sold an alcoholic beverage to a minor, age 20, in violation of Rule 1 of State Regulation No. 20.

Absent prior record, the license would normally be suspended for ten days, with remission of five days for the plea entered leaving a net suspension of five days. (Re Bound Brook Hideaway, Inc., Bulletin 2032, Item 7)

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

Having favorably considered the application in question, I have determined to accept an offer in compromise by the licensee to pay a fine of \$200.00 in lieu of suspension.

Accordingly, it is on 8th day of May, 1972

ORDERED that the payment of a \$200.00 fine by the licensee is hereby accepted in lieu of the suspension of license for five days.

Robert E. Bower,
 Director

11. DISCIPLINARY PROCEEDINGS - SALE OF CHILLED BEVERAGES BY LIMITED LICENSEE
IN VIOLATION OF RULE 21 OF STATE REGULATION NO. 20 - LICENSE SUSPENDED FOR
25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

Isabel G. Marrero)
4306 Kennedy Blvd.)
Union City, N.J.,)

CONCLUSIONS
and
ORDER

Holder of Limited Retail Distribution)
License DL-28, issued by the Board)
of Commissioners of the City of)
Union City.)

Leonard J. Altamura, Esq., Attorney for Licensee
Edward J. Ambrose, Esq., Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
January 27, 1972, she possessed and sold chilled malt alcoholic
beverages, in violation of Rule 21 of State Regulation No. 20,
and N.J.S.A. 33:1-2.

Absent prior record the license will be suspended for
twenty-five days with remission of five days for the plea
entered, leaving a net suspension of twenty days. Re Calanni,
Bulletin 2027, Item 3.

Accordingly, it is, on this 8th day of May 1972,

ORDERED that Plenary Retail Limited Retail Distribution
License DL-28, issued by the Board of Commissioners of the City
of Union City to Isabel G. Marrero for premises 4306 Kennedy
Blvd., Union City, be and the same is hereby suspended for twenty
(20) days, commencing 3:00 a.m. on Tuesday, May 23, 1972 and
terminating 3:00 a.m. on Monday, June 12, 1972.

Robert E. Bower
Director

In support of the petition, the licensees have submitted the affidavit of Rudy wherein he states:

"On the night of February 17, 1971, I went into the bar and saw that the bar was crowded and the bartenders were busy. I stepped behind the bar and served some drinks and made some sandwiches... I mentioned to the agent that I had seen this woman around Wrightstown on many occasions and believed her to be a prostitute.

"On the next evening I was again helping out behind the bar... Around midnight, he [agent De] began to leave and I off-handedly asked him if he was interested in sexual intercourse. He indicated he was. I pointed out Jeannie to him as she was sitting in the corner of the bar."

Preliminarily, it should be observed that:

"On motion ... the court may relieve a party ... from a final ... order ... for the following reasons... (b) newly discovered evidence which would probably alter the ... order ... and which by due diligence could not have been discovered in time to move for a new trial ... (f) any other reason justifying relief from the operation of the ... order. R. 4:50-3 and comments thereto." See also Re Bedrock, Inc. v. Elizabeth, Bulletin 1574, Item 2; Re Rigoletti v. Wayne, Bulletin 1487, Item 2; and Great Notch Villa v. Clifton, Bulletin 92, Item 14.

From the petition and supporting affidavit filed it is clear that Rudy did perform in furtherance of the licensed activity and during that performance did actively procure the female companion for the male patron for purposes of illicit sexual activity. It further appears that Rudy was available to testify at the hearing. Notwithstanding Rudy's reluctance to testify, the power of subpoena was available to the licensees and the transcript discloses that Leon Stefanoni, co-licensee, had seen Rudy on the date of the hearing. Since he could have been produced with due diligence at the time of the hearing herein, it cannot be reasonably contended that his testimony would be in the nature of newly-discovered evidence.

It is furthermore apparent that the alleged "newly-discovered evidence" is not of such character as would probably alter the outcome. On the contrary, it tends to buttress the Division's evidence.

With respect to the alleged discriminatory practice of suspending the instant license for one hundred eighty days, the following recent decisions involving similar charges are noted: (1) The Lark Lounge, Inc., Bulletin 1988, Item 2; and Rocky Birch, Inc., Bulletin 1857, Item 1, which resulted in suspension of one hundred eighty days for similar violations; and (2) Murphy's Bar and Lounge, Inc., Bulletin 1892, Item 2; New Glass Bar, Inc., Bulletin 1888, Item 3; Gail McCarthy, Bulletin 1870, Item 2; Galiccia Bar, Inc., Bulletin 1920, Item 2, which resulted in suspension of license for two hundred and ten days on similar charges.

Counsel for licensees seeks to equate the Trenton Motor Inn Corp., cited hereinabove, with the matter sub judice. However, there were facts and circumstances in that matter, which were clearly distinguishable from the present subject matter and the other cases noted herein, and which, in my judgment and discretion, warranted the disposition therein made.

After careful consideration of the facts and circumstances herein, and the applicable law, I find the petition lacking in merit. I shall therefore deny the petition.

Accordingly, it is, on this 8th day of May 1972,

ORDERED that the Petition for Re-hearing filed herein be and the same is hereby denied.

Robert E. Bower
Director

13. DISCIPLINARY PROCEEDINGS - SALE TO NON-MEMBERS - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Bordentown Yacht Club)
Farnsworth Avenue at)
Crosswicks Creek)
Bordentown, N.J.,)

CONCLUSIONS
and
ORDER

Holder of Club License CB-1, issued)
by the Board of Commissioners of the)
City of Bordentown.)

Maurice E. Gold, Esq., Attorney for Licensee
Peter E. Rhatican, Appearing for Division

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on April 12, 1972 it sold alcoholic beverages to other than bona fide members or their bona fide guests, in violation of Rule 8 of State Regulation No. 7.

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 Cape May Loyal Order of Moose #1054, Bulletin 2017, Item 4.

Accordingly, it is, on this 8th day of May 1972,

ORDERED that Club License CB-1, issued by the Board of Commissioners of the City of Bordentown to Bordentown Yacht Club for premises Farnsworth Avenue at Crosswicks Creek, Bordentown, be and the same is hereby suspended for ten (10) days, commencing 12:00 a.m. on Monday, May 22, 1972, and terminating 12:00 a.m. on Thursday, June 1, 1972.

Robert E. Bower
Director

14. DISCIPLINARY PROCEEDINGS - SALE TO A MINOR - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Lupan, Inc.)
t/a Colony Inn)
Carlton Road)
Lindenwold, N. J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption License C-8, issued by the Borough Council of the Borough of Lindenwold.)
-----)

Licensee, Pro se
Dennis M. Brew, Appearing for Division

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on April 8, 1972, it sold alcoholic beverages to a minor, age 17, in violation of Rule 1 of State Regulation No. 20.

Although there is no previous record against this corporate licensee, a license held by Bridgeboro Inn, Inc., for premises Route 130 and Bridgeton Street, Delran Township, connected with this licensee by a common stockholder (George Luciano), was suspended by the Director for seventy-two days, effective January 4, 1972 on gambling charges.

The license will be suspended for twenty days, to which will be added five days by reason of the above dissimilar violation occurring within the past five years, making a total of twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days. (Re Brand & Crosta, Bulletin 2041, Item 13.)

Accordingly, it is, on this 15th day of May 1972,

ORDERED that Plenary Retail Consumption License C-8, issued by the Borough Council of the Borough of Lindenwold, to Lupan, Inc., t/a Colony Inn for premises Carlton Road, Lindenwold, be and the same is hereby suspended for twenty (20) days, commencing 3:00 a.m. on Tuesday, May 30, 1972, and terminating 3:00 a.m. on Monday, June 19, 1972.

Robert E. Bower
Director

15. STATE LICENSES - NEW APPLICATION FILED.

Carling Distributors, Inc.
610 Lincoln Street
Waltham, Massachusetts

Application filed July 7, 1972 for limited wholesale license.

Robert E. Bower
Robert E. Bower
Director