

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

Director

June 20, 1969

BULLETIN 1863

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2. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 90 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

RALPH & JOHN'S TAVERN, INC.)
384 Monmouth Street)
Jersey City, N. J.)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-123, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City)

Licensee, by Ralph Faccone, President, Pro se
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on March 21, 1969 it sold four 12-ounce cans of beer for off-premises consumption during prohibited hours, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspensions of license by the Director (1) for thirty days effective January 9, 1956, for sale off the licensed premises and during hours prohibited by State Regulation No. 38 and local regulation; (2) for twenty days effective August 29, 1961, for permitting acceptance of numbers bets; (3) for ten days effective October 2, 1967; (4) for forty days effective January 4, 1968, and (5) for forty days effective August 28, 1968, all for sale in violation of State Regulation No. 38. Re Ralph & John's Tavern, Inc. Bulletin 1812, Item 12.

The prior record of suspensions for similar and dissimilar violations occurring, respectively, more than ten and five years ago disregarded, but the record of three suspensions for similar violation occurring within the past five years considered, the license will be suspended for ninety days, with remission of five days for the plea entered, leaving a net suspension of eighty-five days. Re Ja-Da, Inc., Bulletin 1717, Item 3.

In addition, the licensee is pointedly warned that any future similar violation may be deemed in callous disregard of the regulation and cause for outright revocation of the license.

Accordingly, it is, on this 28th day of April 1969,

ORDERED that Plenary Retail Consumption License C-123, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Ralph & John's Tavern, Inc., for premises 384 Monmouth Street, Jersey City, be and the same is hereby suspended for the balance of its term, viz., until midnight June 30, 1969, commencing at 2 a.m. Monday, May 5, 1969; 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, July 29, 1969.

JOSEPH M. KEEGAN
DIRECTOR

3. DISCIPLINARY PROCEEDINGS - LEWDNESS AND IMMORAL ACTIVITY (INDECENT ENTERTAINMENT AND CONDUCT) - LICENSE SUSPENDED FOR 75 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against CANTERBURY CATERER'S, INC. t/a Seymour's 582-584 Ridge Road North Arlington, N. J. Holder of Plenary Retail Consumption License C-12 issued by the Mayor and Council of the Borough of North Arlington

CONCLUSIONS AND ORDER

Edward F. Zampella, Esq., Attorney for Licensee Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on November 20, 1968, it permitted lewdness and immoral activity (indecent entertainment and foul, filthy and obscene conduct) on the licensed premises, in violation of Rule 5 of State Regulation No. 20.

Reports of investigation disclose that on the date alleged, a female entertainer, of the go-go type, performed in a suggestive and indecent manner, including the baring of her breasts and the engagement on the dancing platform in acts of simulated sexual intercourse with the male president and principal stockholder of the license corporation.

Absent prior record, the license will be suspended for seventy-five days, with remission of five days for the plea entered, leaving a net suspension of seventy days. Re Fletcher & Kiel, Bulletin 1750, Item 2; Re Pribula, Bulletin 1784, Item 3.

Accordingly, it is, on this 23d day of April, 1969,

ORDERED that Plenary Retail Consumption License C-12, issued by the Mayor and Council of the Borough of North Arlington to Canterbury Caterer's, Inc., t/a Seymour's, for premises 582-584 Ridge Road, North Arlington, be and the same is hereby suspended for the balance of its term, viz., until midnight, June 30, 1969, commencing at 2:00 a.m. Wednesday, April 30, 1969; and it is further

ORDERED that any renewal license that may be granted shall be and the same is hereby suspended until 2:00 a.m. Wednesday, July 9, 1969.

JOSEPH M. KEEGAN DIRECTOR

4.

RECAPITULATION OF ACTIVITY BY QUARTERLY PERIODS FROM JULY 1, 1968 THROUGH MARCH 31, 1969

| | 1st Quarter July Aug. Sept. | 2nd Quarter Oct. Nov. Dec. | 3rd Quarter Jan. Feb. March | Total |
|---|--------------------------------|-------------------------------|--------------------------------|-----------|
| ARRESTS: | | | | |
| Total number of persons arrested | 43 | 54 | 35 | 132 |
| Licensees and employees | 25 | 23 | 26 | 74 |
| Bootleggers | 18 | 30 | 9 | 57 |
| ABC Agent impersonator | - | 1 | - | 1 |
| SEIZURES: | | | | |
| Motor vehicles - cars | 4 | 2 | 1 | 7 |
| - trucks | - | 1 | - | 1 |
| Still - 50 gallons or under | 2 | - | 2 | 4 |
| Alcohol - gallons | 7.62 | 40.12 | .60 | 48.34 |
| Mash - gallons | 106.125 | - | 1,225 | 1,331.125 |
| Distilled alcoholic beverages - gallons | 38.51 | 402.25 | 11.28 | 452.04 |
| Wine - gallons | 34.88 | 340.13 | 10.297 | 385.307 |
| Brewed malt alcoholic beverages - gallons | 96.10 | 355.72 | 92.03 | 543.85 |
| RETAIL LICENSEES: | | | | |
| Premises inspected | 2,183 | 2,507 | 2,503 | 7,193 |
| Premises where alcoholic beverages were gauged | 1,792 | 1,920 | 2,051 | 5,763 |
| Bottles gauged | 28,200 | 30,950 | 33,038 | 92,188 |
| Premises where violations were found | 471 | 548 | 546 | 1,565 |
| Violations found | 616 | 804 | 801 | 2,221 |
| No Form E-141-A on premises | 275 | 344 | 262 | 881 |
| Unqualified employees | 213 | 220 | 155 | 588 |
| Application copy not available | 47 | 83 | 106 | 236 |
| Form E-141-A incomplete | - | - | 91 | 91 |
| Disposal permit necessary | 13 | 10 | 12 | 35 |
| Prohibited signs & practices | 6 | 5 | 5 | 16 |
| Other mercantile business | 4 | - | 3 | 7 |
| Other violations | 68 | 142 | 167 | 377 |
| STATE LICENSEES: | | | | |
| Premises inspected | 82 | 57 | 45 | 184 |
| License applications investigated | 25 | 21 | 27 | 73 |
| COMPLAINTS: | | | | |
| Complaints assigned for investigation | 1,187 | 1,223 | 1,290 | 3,700 |
| Investigations completed | 1,205 | 1,259 | 1,274 | 3,738 |
| Investigations pending | (227) | (230) | (198) | (198) |
| LABORATORY: | | | | |
| Analyses made | 211 | 363 | 388 | 962 |
| Refills from licensed premises - bottles | 112 | 213 | 252 | 577 |
| Bottles from unlicensed premises | 29 | 30 | 19 | 78 |
| IDENTIFICATION: | | | | |
| Criminal fingerprint identifications made | 24 | 19 | 9 | 52 |
| Persons fingerprinted for non-criminal purposes | 1,417 | 1,002 | 991 | 3,410 |
| Ident. contacts w/other enforcement agencies | 884 | 658 | 804 | 2,346 |
| MV identifications via NJ State Police teletype | 2 | 2 | 1 | 5 |
| DISCIPLINARY PROCEEDINGS: | | | | |
| Cases transmitted to municipalities | 22 | 14 | 13 | 49 |
| Violations involved | 24 | 14 | 14 | 52 |
| Sale to minors | 8 | 9 | 7 | 24 |
| Sale during prohibited hours | 12 | 5 | 6 | 23 |
| Failure to close prem. dur. prohibited hours | 2 | - | 1 | 3 |
| Sale to non-members by club | 1 | - | - | 1 |
| Fail. to afford view into prem. dur. proh. hrs. | 1 | - | - | 1 |
| Cases instituted at Division | 95* | 70* | 105* | 270* |
| Violations involved | 107 | 86 | 123 | 316 |
| Sale to minors | 17 | 10 | 23 | 50 |
| Possessing liquor not truly labeled | 13 | 8 | 21 | 42 |
| Beverage Tax Law non-compliance | 9 | 4 | 19 | 32 |
| Permitting lottery activity on premises | 13 | 7 | 10 | 30 |
| Sale during prohibited hours | 14 | 11 | 5 | 30 |
| Permitting immoral activity on premises | 3 | 5 | 6 | 14 |
| Fraud in application | 5 | 4 | 4 | 13 |
| Permitting misc. gambling on premises | 4 | 4 | 4 | 12 |
| Unqualified employees | 3 | 3 | 4 | 10 |
| Permitting lottery & bookmaking on premises | 4 | 5 | - | 9 |
| Sale below filed price | 1 | 3 | 4 | 8 |
| Hindering investigation | 3 | 2 | 3 | 8 |
| Fraud and front | 2 | 2 | 1 | 5 |
| Failure to close prem. dur. prohibited hours | 3 | 2 | - | 5 |
| Permitting hostess activity on premises | 2 | 2 | 2 | 6 |
| Permitting bookmaking on premises | 2 | - | 2 | 4 |
| Retailer-to-retailer sales | 4 | - | - | 4 |
| Purchase from improper source | 1 | 1 | 1 | 3 |
| Unauthorized transportation | - | 2 | 1 | 3 |
| Delivery w/o bona fide invoice | - | 2 | 1 | 3 |

*Includes seven cancellation proceedings - licenses improvidently issued by reason of conviction of licensees and officers of licensees of crimes involving moral turpitude.

| | 1st Quarter | | 2nd Quarter | | 3rd Quarter | | Total |
|--|-------------|------------|-------------|-----------|-------------|------------|--------|
| | July | Aug. Sept. | Oct. | Nov. Dec. | Jan. | Feb. March | |
| DISCIPLINARY PROCEEDINGS (CONTINUED) | | | | | | | |
| Cases instituted at Division (Continued) | | | | | | | |
| Permitting foul language on premises | 1 | | 1 | | - | | 2 |
| Perm. Bookmaking & "50-50 Club" on premises | - | | 1 | | - | | 1 |
| Perm. lottery, bookmaking & cards on prem. | - | | 1 | | - | | 1 |
| Single instance of other violations | 5 | | 6 | | 10 | | 21 |
| Cases brought by municipalities on own initiative and reported to Division | 43 | | 34** | | 61 | | 138* |
| Violations involved | 51 | | 38 | | 82 | | 171 |
| Sale to minors | 27 | | 17 | | 29 | | 73 |
| Sale during prohibited hours | 7 | | 2 | | 15 | | 24 |
| Permitting brawl, etc. on premises | 2 | | 7 | | 10 | | 19 |
| Failure to close premises dur. prohibited hours | 3 | | 1 | | 6 | | 10 |
| Conducting business as a nuisance | 3 | | 2 | | 2 | | 7 |
| Unqualified employees | 1 | | 1 | | 4 | | 6 |
| Permitting gambling on premises | - | | 3 | | 3 | | 6 |
| Hindering investigation | - | | - | | 4 | | 4 |
| Fraud and front | 1 | | 1 | | - | | 2 |
| Employer working while intoxicated | - | | 2 | | - | | 2 |
| Single instance of other violations | 7 | | 4 | | 7 | | 18 |
| HEARINGS HELD AT DIVISION: | | | | | | | |
| Total number of hearings held | 148 | | 116 | | 135 | | 399 |
| Appeals | 22 | | 21 | | 20 | | 63 |
| Disciplinary proceedings | 100 | | 57 | | 89 | | 246 |
| Eligibility | 17 | | 23 | | 10 | | 50 |
| Seizures | 4 | | 5 | | 6 | | 15 |
| Tax revocations | 2 | | 10 | | 10 | | 22 |
| Applications for license | 3 | | - | | - | | 3 |
| STATE LICENSES AND PERMITS ISSUED: | | | | | | | |
| Total number issued | 5,326 | | 5,241 | | 3,076 | | 13,643 |
| Licenses | 633 | | 7 | | 10 | | 650 |
| Solicitors' permits | 130 | | 93 | | 137 | | 360 |
| Employment permits | 1,448 | | 950 | | 798 | | 3,196 |
| Disposal permits | 213 | | 198 | | 143 | | 554 |
| Social affair permits | 1,243 | | 1,402 | | 1,039 | | 3,684 |
| Wine permits | 48 | | 694 | | 10 | | 752 |
| Miscellaneous permits | 795 | | 677 | | 468 | | 1,940 |
| Transit insignia | 705 | | 801 | | 336 | | 1,842 |
| Transit certificates | 111 | | 161 | | 135 | | 407 |
| OFFICE OF AMUSEMENT GAMES CONTROL: | | | | | | | |
| Licenses issued | 14 | | 67 | | 340 | | 421 |
| State Fair licenses issued | 176 | | - | | - | | 176 |
| Premises inspected | 1,265 | | - | | - | | 1,265 |
| Premises where violations were found | 72 | | - | | - | | 72 |
| Number of violations found | 96 | | - | | - | | 96 |
| Enforcement files established | 86 | | 55 | | 9 | | 150 |
| Disciplinary proceedings instituted | 1 | | - | | - | | 1 |
| Violations involved | 2 | | - | | - | | 2 |
| Operating controlled game | 1 | | - | | - | | 1 |
| Deceptive practice | 1 | | - | | - | | 1 |

JOSEPH M. KEEGAN
 Director of Alcoholic Beverage Control
 Commissioner of Amusement Games Control

Dated: April 25, 1969

**Includes one cancellation proceeding - license improvidently issued by Director.

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

In the Matter of Disciplinary Proceedings against)

G. & F. TAVERN CORPORATION)
t/a Brindis Bar)
5700 Hudson Avenue)
West New York, New Jersey)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-42 issued by the Board of Commissioners of the Town of West New York)

Robert Greenberg, Esq., Attorney for licensee
Louis F. Treole, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2) alleging that on December 31, 1968 and January 22 and 28, 1969, it permitted 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 days. Re Saunders, Bulletin 1842, Item 2.

Accordingly, it is, on this 24th day of April, 1969,

ORDERED that Plenary Retail Consumption License C-42, issued by the Board of Commissioners of the Town of West New York to G. & F. Tavern Corporation, t/a Brindis Bar, for premises 5700 Hudson Avenue, West New York, be and the same is hereby suspended for fifty-five (55) days, commencing at 3:00 a.m. Thursday, May 1, 1969, and terminating at 3:00 a.m. Wednesday, June 25, 1969.

JOSEPH M. KEEGAN
DIRECTOR

6. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY
LABELED - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

| | | |
|---|---|-----------------------|
| In the Matter of Disciplinary Proceedings against |) | |
| B.S. & R.C. CORPORATION |) | CONCLUSIONS AND ORDER |
| t/a Martell's Bar-Liquors |) | |
| 908 Main Street |) | |
| Asbury Park, New Jersey |) | |
| Holder of Plenary Retail Consumption License C-20 issued by the City Council of the City of Asbury Park |) | |

 J. George Smith, Esq., Attorney for Licensee
 Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on January 21, 1969, it possessed alcoholic beverages in seven 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 thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days. Re Club Riviera, Inc., Bulletin 1843, Item 7.

Accordingly, it is, on this 28th day of April, 1969,

ORDERED that Plenary Retail Consumption License C-20, issued by the City Council of the City of Asbury Park to B.S. & R.C. Corporation, t/a Martell's Bar-Liquors, for premises 908 Main Street, Asbury Park, be and the same is hereby suspended for twenty-five (25) days, commencing at 3:00 a.m. Monday, May 5, 1969, and terminating at 3:00 a.m. Friday, May 30, 1969.

JOSEPH M. KEEGAN
DIRECTOR

7. DISCIPLINARY PROCEEDINGS - SALE BEYOND SCOPE OF LICENSE (CONSIDERED AS SALE IN VIOLATION OF STATE REGULATION NO. 38 FOR PURPOSES OF PENALTY) - PRIOR SIMILAR RECORD - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

WILCOX CAFE, INC.)
349 Evesham Avenue)
Lawnside, N. J.)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-4 issued by the Mayor and Council of the Borough of Lawnside)

Licensee, by Geraldine Willingham, Secretary-Treasurer, Pro se
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on Sunday, March 30, 1969, it sold a pint of gin in other than the original container for off-premises consumption, in violation of R.S. 33:1-2.

Reports of investigation disclose that when Division agents sought to purchase a pint bottle of gin for off-premises consumption, they were informed by the bartender that the gin would have to be poured into a paper cup and it could be taken off-premises that way "because today was Sunday." Obviously, the purpose of the decanting was to circumvent the provision of State Regulation No. 38 prohibiting sale in original containers for off-premises consumption on Sundays. Hence, the penalty to be imposed will be the same as if the sale in the original container had been made.

Licensee has a previous record of suspension of license by the municipal issuing authority for ten days effective March 31, 1964, for sale in violation of State Regulation No. 38.

The prior record of suspension for similar (in effect) violation within the past five years considered, the license will be suspended for thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days. Cf. Re W. K. Inc., Bulletin 1824, Item 10.

Accordingly, it is, on this 5th day of May, 1969,

ORDERED that Plenary Retail Consumption License C-4, issued by the Mayor and Council of the Borough of Lawnside to Wilcox Cafe, Inc. for premises 349 Evesham Avenue, Lawnside, be and the same is hereby suspended for twenty-five (25) days, commencing at 3:00 a.m. Monday, May 12, 1969, and terminating at 3:00 a.m. Friday, June 6, 1969.

JOSEPH M. KEEGAN
DIRECTOR

8. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

| | | |
|--|---|-----------------------|
| In the Matter of Disciplinary Proceedings against |) | |
| |) | CONCLUSIONS AND ORDER |
| SAMJAC, INC. |) | |
| t/a Belmont Bar |) | |
| 169 Monticello Ave. |) | |
| Jersey City, N. J. |) | |
| Holder of Plenary Retail Consumption License C-182, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City |) | |

 Licensee, by Sam Tomassi, President, Pro se
 Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on February 28, 1969 it sold a pint bottle of gin for off-premises consumption during prohibited hours, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspension of license by the Director for sixty days effective March 6, 1967, for permitting acceptance of numbers bets. Re Samjac, Inc., Bulletin 1728, Item 2.

The prior record of suspension for dissimilar violation within the past five years considered, 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 Molozzi, Bulletin 1721, Item 3.

Accordingly, it is, on this 28th day of April 1969,

ORDERED that Plenary Retail Consumption License C-182, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Samjac, Inc., t/a Belmont Bar, for premises 169 Monticello Avenue, Jersey City, be and the same is hereby suspended for fifteen (15) days, commencing at 2 a.m. Monday, May 5, 1969, and terminating at 2 a.m. Tuesday, May 20, 1969.

JOSEPH M. KEEGAN
DIRECTOR

9. DISCIPLINARY PROCEEDINGS - ORDER LIFTING SUSPENSION UPON CORRECTION OF UNLAWFUL SITUATION.

In the Matter of Disciplinary Proceedings against)

JOSEPH DE ORIO)
t/a Tubby's Walk Inn Restaurant)
254 Walker Street)
Cliffside Park, N. J.)

SUPPLEMENTAL ORDER

Holder of Plenary Retail Consumption License C-34 issued by the Mayor and Borough Council of the Borough of Cliffside Park and transferred to)

ALBIE'S WALK INN, INC.)

Martino & Zweiman, Esqs., by John V. Martino, Esq., Attorneys for Licensee Joseph De Orio
V. Michael Rossi, Esq., Attorney for Licensee Albié's Walk Inn, Inc.
Louis F. Treole, Esq., Appearing for the Division

BY THE DIRECTOR:

On March 31, 1969, I entered Conclusions and Order herein suspending the license for the balance of its term, effective April 7, 1969, for undisclosed interests in the license, with leave to the licensee or any bona fide transferee of the license to petition for lifting of the suspension after it had been in effect for twenty-five days, viz., on or after May 2, 1969.

It now appears that the license has been transferred to Albie's Walk Inn, Inc. Since the unlawful situation has been corrected by transfer of the license, I shall grant the petition of the transferee for lifting of the suspension.

Accordingly, it is, on this 7th day of May, 1969,

ORDERED that the suspension heretofore imposed herein be and the same is terminated, effective immediately.

JOSEPH M. KEEGAN
DIRECTOR

10. STATUTORY AUTOMATIC SUSPENSION - ORDER LIFTING SUSPENSION.

| | | |
|-------------------------------------|---|-------------|
| Auto. Susp. #320 |) | |
| In the Matter of a Petition to Lift |) | |
| the Automatic Suspension of Plenary |) | ON PETITION |
| Retail Distribution License D-10 |) | ORDER |
| Issued by the Borough Council of |) | |
| the Borough of Palisades Park to |) | |
| |) | |
| B & P LIQUOR & DELICATESSEN CO. |) | |
| (A CORP.) |) | |
| 413-415 Broad Avenue |) | |
| Palisades Park, N. J. |) | |

Meyer Sugarman, Esq., Attorney for Petitioner

BY THE DIRECTOR:

It appears from the petition filed herein and the records of this Division that on March 19, 1969, Joseph F. Bajek, president of the licensee-petitioner, was fined \$50 and \$10 costs in the Palisades Park Municipal Court after being found guilty of a charge of sale of alcoholic beverages to a minor on February 14, 1969. The conviction resulted in the automatic suspension of the license for the balance of its term. R.S. 33:1-31.1. Because of the pendency of this proceeding, the statutory automatic suspension has not been effectuated.

It further appears that the municipal issuing authority has suspended the license for fifteen days effective April 7, 1969, after the licensee's plea of non vult to a charge in disciplinary proceedings alleging the same sale to the minor. It appearing that the municipal suspension has been served, I shall lift the statutory automatic suspension. Re Briamonte & DiCiancia, Bulletin 1774, Item 4.

Accordingly, it is, on this 8th day of May, 1969,

ORDERED that the statutory automatic suspension of said license D-10 be and the same is hereby lifted, effective immediately.

JOSEPH M. KEEGAN
DIRECTOR

11. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against
JAIME AVALO & PROVITA AVALO
t/a El Sombrero De Copa
259 Straight Street
Paterson, N. J.

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-259, issued by the Board of Alcoholic Beverage Control for the City of Paterson.

Raff & Passero, Esqs., by Donald L. Raff, Esq., Attorneys for Licensees
Walter H. Cleaver, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensees plead guilty to a charge alleging that on March 6, 1969 they possessed an alcoholic beverage in a bottle bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20.

Licensees have a previous record of suspension of license by the municipal issuing authority for fifteen days effective April 1, 1968, for failure to close licensed premises during prohibited hours.

The prior record of suspension for dissimilar violation within the past five years considered, 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 Hillman, Bulletin 1813, Item 7.

Accordingly, it is, on this 12th day of May 1969,

ORDERED that Plenary Retail Consumption License C-259, issued by the Board of Alcoholic Beverage Control for the City of Paterson to Jaime Avalo & Provita Avalo, t/a El Sombrero De Copa, for premises 259 Straight Street, Paterson, be and the same is hereby suspended for ten (10) days, commencing at 3 a.m. Monday, May 19, 1969, and terminating at 3 a.m. Thursday, May 29, 1969.

JOSEPH M. KEEGAN
DIRECTOR

12. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

PATRICIA FERRIS HARPER, EXECUTRIX)
ESTATE OF HELEN M. FERRIS)
t/a Union Hotel)
102-104 Sitgreaves Street)
Phillipsburg, N. J.)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-32 issued by the Board of Commissioners of the Town of Phillipsburg)

Herman N. Harms, Esq., Attorney for Licensee
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on January 24, 1969, she possessed an alcoholic beverage in a bottle bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20.

Absent prior record, the license will be suspended for ten days, with remission of five days for the plea entered, leaving a net suspension of five days. Re Juniewicz, Bulletin 1822, Item 13.

Accordingly, it is, on this 21st day of April, 1969,

ORDERED that Plenary Retail Consumption License C-32, issued by the Board of Commissioners of the Town of Phillipsburg to Patricia Ferris Harper, Executrix of the Estate of Helen M. Ferris, t/a Union Hotel, for premises 102-104 Sitgreaves Street, Phillipsburg, be and the same is hereby suspended for five (5) days, commencing at 7:00 a.m. Monday, April 28, 1969, and terminating at 7:00 a.m. Saturday, May 3, 1969.

JOSEPH M. KEEGAN
DIRECTOR

13. SEIZURE - FORFEITURE PROCEEDINGS - UNLAWFUL TRANSPORTATION OF ALCOHOLIC BEVERAGES ABSENT DELIVERY SLIPS AND INSIGNIA ON VEHICLE - ALCOHOLIC BEVERAGES ORDERED FORFEITED.

No. 12,125)
In the Matter of the Seizure)
on November 7, 1968 of 1462)
containers of alcoholic)
beverages on Route #46, East)
bound lane, Fort Lee, County of)
Bergen and State of New Jersey.)

ON HEARING
CONCLUSIONS
AND ORDER

-----)
No. 12,126)
In the Matter of the Seizure)
on November 8, 1968 of 2223)
containers of alcoholic)
beverages at Broad Avenue and)
Cleveland Street, Palisades)
Park, County of Bergen and State)
of New Jersey.)

-----)
Harry D. Gross, Esq., Appearing for Division.

BY THE DIRECTOR:

These matters come before me at a consolidated hearing pursuant to the provisions of Title 33, Chapter 1 of the Revised Statutes of New Jersey and State Regulation No. 28, to determine whether a quantity of alcoholic beverages, more particularly described in a schedule attached hereto, made part hereof and marked Schedule "A", seized on November 7, 1968 on Route #46, East bound lane, Fort Lee, Bergen County, (Seizure Case No. 12,125), and a quantity of alcoholic beverages, more particularly described in a schedule attached hereto, made part hereof and marked Schedule "B", seized on November 8, 1968 at Broad Avenue and Cleveland Street, Palisades Park, Bergen County, (Seizure Case No. 12,126) constitute unlawful property and should be forfeited.

When these matters came on for hearing pursuant to R.S. 33:1-66, no one appeared to oppose forfeiture of the said alcoholic beverages.

The file of this Division, with respect to Seizure Case No. 12,125, which was admitted into evidence at the hearing, established that ABC agents seized a motor vehicle owned and operated by Windom Wright which contained the alcoholic beverages set forth in Schedule "A" herein because the said alcoholic beverages were being unlawfully transported since Wright did not have the requisite accompanying delivery slips and the said vehicle did not bear any transit insignia, in violation of the Rules and Regulations of this Division.

With respect to Seizure Case No. 12,126 file of this Division which was admitted into evidence established that the property described in Schedule "B" was seized at Broad Avenue and Cleveland Street, Palisades Park, Bergen County because it was being transported by Windom Wright in a motor vehicle which did not have the requisite accompanying delivery slips, in violation of the above-cited law and the Regulations of this Division.

The said alcoholic beverages were possessed with the intent to be used in unlawful liquor activity in violation of of the Statute above referred to.

There was introduced into evidence with respect to Seizure Case No. 12,125 a one-pint sealed bottle of Seagram's whiskey, and with respect to Seizure Case No. 12,126 a pint sealed bottle of Johnny Walker Red Label Scotch Whiskey. The seized alcoholic beverages are illicit because they were used in unlawful liquor activity in violation of R.S. 33:1-2; R.S. 33:1-50 and R.S. 33:1-66.

Accordingly, it is on this 14th day of May, 1969

DETERMINED and ORDERED that the alcoholic beverages as set forth in Schedule "A" and Schedule "B" constitute unlawful property and the same be and hereby are forfeited in accordance with the provisions of R.S. 33:1-66 and the said alcoholic beverages shall be retained for the use of hospitals and State, county and municipal institutions, or destroyed, in whole, or in part, at the direction of the Director of the Division of Alcoholic Beverage Control.

JOSEPH M. KEEGAN
DIRECTOR

SCHEDULE "A" (Seizure Case No. 12,125)

1462 - containers of alcoholic beverages

SCHEDULE "B" (Seizure Case No. 12,126)

2223 - containers of alcoholic beverages

14. DISCIPLINARY PROCEEDINGS - GAMBLING (HORSE RACE AND NUMBERS BETS) - LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against JOSEPH & MARTHA FIASCO, SR., INC. t/a Village Inn 72 Haskell Avenue Wanaque, PO Haskell, N. J. Holder of Plenary Retail Consumption License C-13, issued by the Mayor and Council of the Borough of Wanaque.

CONCLUSIONS AND ORDER

George S. Grabow, Esq., Attorney for Licensee Louis F. Treole, Esq., Appearing for the Division

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2) alleging that on divers dates between February 1 and 19, 1969 it permitted acceptance of horse race and 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 days. Re Summer's End Lounge, Inc., Bulletin 1839, Item 4.

Accordingly, it is, on this 13th day of May 1969,

ORDERED that Plenary Retail Consumption License C-13, issued by the Mayor and Council of the Borough of Wanaque to Joseph & Martha Fiasco, Sr., Inc., t/a Village Inn, for premises 72 Haskell Avenue, Wanaque, be and the same is hereby suspended for the balance of its term, viz., until midnight June 30, 1969, commencing at 3 a.m. Tuesday, May 20, 1969; and it is further

ORDERED that any renewal license that may be granted shall be and the same is hereby suspended until 3 a.m. Monday, July 14, 1969.

Handwritten signature of Joseph M. Keegan and typed name Joseph M. Keegan Director