

NJLBA GRANT FROM THE DEPARTMENT OF LABOR

The NJLBA has applied for and received a grant from the Department of Labor to conduct free training programs for our members. The programs that we have been approved for are Techniques of Alcohol Management (TAM), ServSafe, ServSafe Recertification, Social Networking to Enhance your Retail Business and New Business/Compliance Training.

The grant terms runs from November 4, 2011 through November 4, 2012. The courses will be offered on a first come basis until the grant funds are expended. The only requirement of the licensee is that you must pay your employees to attend the training and supply your Tax Id number to our office. However, you must be cleared by the Division of Taxation where they will check for tax clearance. If you are not cleared by Taxation you can not attend the class until you are. We must have your tax id number our office at least 5 days prior to the training date. *You no longer will need to complete the cumbersome financial form previously sent to as this has now been waived by Labor.* If you plan on taking any class at any time please contact the NJLBA so that we may put you in our data base and in the event you want to attend a future training. In addition, if anyone is interested in hosting training at your location please contact Anastasia at anastasianjlba@aol.com. As training dates and locations become available they will be posted on our website at www.njlba.org. Please call at 609- 394-6730 should you have any questions or require any further information. This is an excellent opportunity to get your training requirements up to date and protect your business. Classes currently being offered are:

Techniques of Alcohol Management (TAM) – 3 Hours

The course is structured to offer a variety of problem-solving techniques as they relate to businesses selling beverage alcohol for consumption on and off licensed premises. A TAM trained alcohol server is one who has learned to balance the responsible sale of beverage alcohol with the day-to-day service of his/her customers.

As a TAM participant you receive: comprehensive, pro-

fessionally administered seminar, work book to take home, personalized certification card for everyone obtaining a passing grade on the final test, official TAM certificate for participating establishments, and possible discount on insurance offered by certain companies.

ServSafe – 12 Hours and ServSafe Recertification – 8 Hours

New Jersey retail food rules (chapter 24, Sanitation in Retail Food Establishments and Food and Beverage Vending Machines) requires that if a food establishment is classified as a “Risk type 3 food establishments” there must be at least one certified food protection manager on site who is responsible for food safety operations. Through the ServSafe training program, food managers will become knowledgeable of the latest FDA Food Code and New Jersey’s food safety regulations. This comprehensive course will cover all of the required elements of safe food handling. The course will cover origins of food contamination, personal hygiene and overall employee involvement in safe food handling. Upon successful completion of the course, the managers will obtain food safety certification that is valid for three years. For those managers that have already taken the ServSafe class but need to be recertified we also have the ServSafe Recertification class available. Servsafe is also offered in Spanish.

Social Networking to Enhance Retail Businesses – 3 Hours

Aims to educate the business owner and/or selected employees on how to capitalize on the use of technology to increase their business. In many instances, social networking technologies such as Facebook, Twitter, Groupon and texting are becoming the social norm for driving incremental businesses, especially for small businesses. This type of technology is replacing costly media advertising such as radio, print, etc. and can offer a fairly inexpensive means of communicating with the public. Various uses of technology

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Legislative Affairs Report

News from Trenton- Attacks on Hospitality Sector Continue

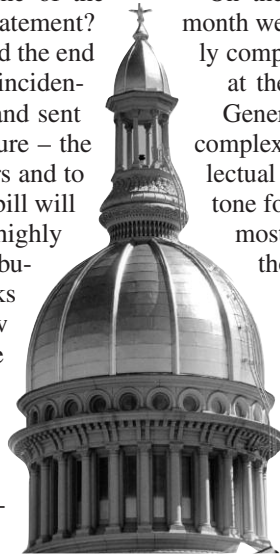
by Jeffrey A. Warsh, Esq.
Legislative Representative

For New Jersey's hospitality sector, 2011 was one of the toughest years on record since Prohibition. An overstatement? Unfortunately, it is accurate. January 9, 2012 witnessed the end of New Jersey's 214th Legislative Session and, not coincidentally, it also was the day that the Legislature passed and sent S2782 (Sweeney) to Governor Christie for his signature – the bill that permits wineries to direct ship to both retailers and to consumers. In the bigger picture, the direct shipment bill will cause significant long-term harm to New Jersey's highly efficient three-tier system of beverage alcohol distribution. Along with this harm to our industry piggybacks the attendant loss of tax revenue to the State of New Jersey. The Excise Taxes on all out-of-state wine shipped via the Internet will now remain – legally – with the state of origin (California mostly) and the Sales Tax collections, which due to a pronounced lack of enforcement is virtually voluntary, will also suffer.

With the 215th Legislature now sworn in, our beleaguered hospitality sector - already suffering from a historically weak economy where entertainment dollars are in short supply – face a disturbing gauntlet of further damaging legislation including, but not limited to, the following:

- Establishment of new Beer and Wine on-premise consumption licenses
- Elimination of the “Two License Limit” on distribution licenses
- Creation of a new Limited Religious Retail Distribution License – permitting kosher grocers to have full package store privileges through the issuance of new licenses to costs between \$31-\$61!!! No cap on numbers to be issued!!!
- Permitting towns and license holders to move pocket licenses from any town to any other town in New Jersey with simple governing body resolutions. Can be moved even if town is already over the population cap and even if licenses are readily available.

This is merely a small sampling of a host of very problematic legislation pending and seeing activity in Trenton. We need full NJLBA involvement to be successful.



On the Division of Alcoholic Beverage Control front, this month we bid farewell to Director Jerry Fischer after successfully completing an impressive, record-setting twelve-year tenure at the helm. Director Fischer has returned to the Attorney General's Office as an Assistant Attorney General managing complex litigation. Director Fischer's sage intelligence, intellectual curiosity, easy manner and open door policy set the tone for better than a decade's worth of deft management of a most difficult industry. Director Fischer will be missed. For those of you who would like to join the “Bon Voyage” to Director Fischer, it will be held on March 1, 2012 at Mercer Oaks and tickets can be purchased for \$50 from Debi Leckie at 609-984-2692. We hope to see many of you there.

I have had the opportunity to spend some time with newly installed Acting ABC Director Mike Halfacre. This former Mayor of Fair Haven (Monmouth County) has practiced law for over 25 years and brings to this critical post a sterling reputation for his intellect and diligence. We wish

Director Halfacre the very best as he assumes the helm of our industry at a time when we face so many serious challenges and we pledge our support to assist him in any way possible.

As you can all see with this brief report, now is the time to participate in all levels of the resurgent NJLBA. Please do your best to recruit new Members and to attend meetings both in Trenton and in meetings to be held in all 21 counties. Be prepared on short notice to come to Trenton on a Monday or a Thursday to make sure that your voice is heard as the legislative process proceeds.

See you in Trenton.....

Jeffrey A. Warsh, Esq., a former NJABC Staff Attorney, NJ State Assemblyman and Executive Director of NJ Transit, has been practicing ABC law for over 25 years. Warsh is Of Counsel to the law firm of Villani & DeLuca in Point Pleasant Beach, NJ and is a partner in MBI GluckShaw, New Jersey's largest lobbying firm, where, in addition to serving as Legislative Agent for the NJLBA, he serves as Executive Director and General Counsel to the NJ Wine & Spirits Wholesalers Association.

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Reporter

An Official Publication of the
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Representing the on-premise licensed beverage retailer “The heart of the hospitality industry”

Editor: Diane M. Weiss

Associate Editor: Anastasia Propescu

The appearance of any product or service advertisement does not necessarily mean that the New Jersey Licensed Beverage Assn. endorses, recommends or sponsors that product or service.

Benefit Solutions - New NJLBA Associate Member

President Obama enacted the Patient Protection and Affordable Care Act (PPACA) on March 23, 2010. There are many parts of the bill that have already gone into effect and will continue with timelines extending beyond tax years beginning after December 31, 2017. We have reached out to Gary V. Cupo, ChFC, President/CEO of Benefit Solutions (a health insurance wholesaler) to provide information to our members that will help you through the many changes that will occur concerning your individual and group health insurance needs. Gary began his career in 1973, specializing in health insurance and employee benefits. He was a broker/consultant for a number of Fortune

I would like to thank Diane Weiss and members of the board for this opportunity to be of service to you. Since the enactment of PPACA, there have been many parts of the bill that have already gone into effect. Below are a few of the most notable changes affecting your health insurance coverage for fully-insured and self-insured group and individual health plans:

- Plans are prohibited from having lifetime limits on the dollar value of benefits for any participant or beneficiary.
- Coverage of specific preventive services with no cost sharing of deductible and copays by the insured. This will affect many screening tests, such as mammography, colonoscopy and routine physical exams.
- Plans must now increase the age of a dependent to age 26. Dependents can be married. New Jersey has enacted certain plans to cover dependents to the age of 31.
- Plans will have to cover preexisting conditions for children 19 and under.

For a full summary of timelines and details, please email us at info@BenefitSolutions.com and ask for the "Timeline of Health Insurance Reforms. For a more detailed explanation of the coverage of specific preventive services, ask for "Preventive Services".

Many states have considered the individual mandates to this new law to be considered unconstitutional. At the end of June 2012, the Supreme Court will rule on its final outcome. With the upcoming Presidential election, it is unclear if parts of the bill or the entire bill will be overturned. However, everyone must move forward assuming there are no changes to come.

The law requires individual and group health insurance exchanges to be offered by each state. If the state waves their rights to offer a State Exchange, that state will become part of a Federal Exchange. A catastrophic-only policy

500 companies, state and national association plans and is considered one of New Jersey's leading authorities on Small Employer Health reform. As a featured speaker to many insurance industry associations, he has appeared on talk radio and was interviewed by the *New York Times*. Gary is a Past State President of the New Jersey Association of Health Underwriters and has represented his members in Trenton and Washington, D.C. on a number of occasions. We look forward to the many resources he will make available to our members.

Diane Weiss

would be available for those 30 and younger. In addition the states must create "Exchanges" to help small employers to purchase coverage. Coverage in the Exchange will only be offered on a pre-tax basis if it is purchased through an employer.

An employer does not have to offer coverage, but if they do not offer qualified coverage and employ more than 50 full-time equivalent employees (with an exception for seasonal workers) and one or more employees received a premium assistance tax credit to buy coverage through an exchange, the employer must pay a fine of \$2,000 per year times the number of full-time equivalent employees. An individual with family income up to 400% of (Federal poverty level) is eligible for a premium assistance tax credit if the actuarial value of the employer's coverage is less than 60% or the employer require the employee to contribute more than 9.5% of the employee's family income toward the cost of coverage.

Does anyone really expect the consumer to understand this maze of confusion? At first, the government expected the consumer to deal with "Navigators" that were not licensed in the field of health insurance. Through the efforts of NAHU (National Association of Health Underwriters), we were successful in lobbying that these "Navigators" can be licensed experienced health insurance professionals.

Let us help guide you with these changes. Become part of our blast email list to receive valuable information on timely matters. Our entire staff at Benefit Solutions looks forward to be of service to you, your employees and your dependents.

If anyone has specific needs or questions, or would like to be on our email list please feel free to email me at Gary@BenefitSolutions.com, or call toll free at 800-57-BENEFIT or direct at 973-305-0050 ext 215.

Wellhofer Scholarship

William G. Wellhofer of Atlantic City was one of the founders of the New Jersey Tavern Association, which later became the United Tavern Owner's Association of New Jersey which we now operate under the name of the New Jersey Licensed Beverage Association. In 1944, it was decided that a memorial be established in the memory of Mr. William Wellhofer for his foresight and drive in founding the association and ideals of the on-premise licensees in the State of New Jersey. Because Mr. Wellhofer was a college graduate and believed in higher education, it was decided to form the William G. Wellhofer Scholarship Foundation.

The Robert Wilinski Scholarship was established in 1991 as a lasting memorial to the late Robert Wilinski, who passed away in April of that year. Mr. Wilinski was an attorney and friend who represented the NJLBA for over thirty years. Mr. Wilinski joined the William T. Cahill law firm in 1951, later to become senior partner. He began attending NJLBA board meetings in the absence of the NJLBA's chief counsel, William T. Cahill, when he was elected to Congress in 1958.

The newly created scholarship was made part of the existing William G. Wellhofer Scholarship Foundation and was renamed the Wellhofer/Wilinski Scholarship Foundation. New guidelines were established as criterion for awarding the scholarship. The scholarships are reserved for the sons,

daughters and grandchildren of present dues paying members of the New Jersey Licensed Beverage Association and the sons, daughters and grandchildren of retired members who had paid their dues for at least five full years prior to their retirement.

Though there are limited guidelines, the applications are scored on a point system that includes the high school cumulative grade average, rank in class, activities and counselor's recommendations. The winners are selected from an anonymous list presented to the Wellhofer/Wilinski Committee. The two scholarships awarded annually are in the amount of \$10,000, \$2,500 per year, and is offered to a matriculated, full time undergraduate student attending any recognized degree granting university in the United States. Scholarship applications are due April 30th, 2012 and should be sent to the NJLBA office in Trenton. Contact the Association at 609-394-6730 for an application. The grant recipients will be notified in writing and the winners will also be announced at the Wellhofer/Wilinski Scholarship Picnic in June. The Wellhofer/Wilinski Scholarship picnic will be held this year on Wednesday June 27th from 2 PM to 7 PM at the Oak Tree Lodge, 1412 Schoolhouse Road, Wall Township, NJ. We look forward to seeing you all at the picnic again this year.

Wellhofer /Wilinski Scholarship Foundation Raffle

As you are already aware we are conducting a Harley Davidson Motor Cycle Raffle to benefit the Scholarship Foundation. We ask that all NJLBA members sell the 5 Motorcycle raffle tickets that were sent to you several months ago. The proceeds from the sale of the tickets go directly to the scholarship foundation to fund future education scholarships for NJLBA member's families. We are only selling 2500 tickets at \$25 a piece and ask that you sell the tickets and return the proceeds and ticket stubs to the NJLBA office at 206 West State Street, Trenton, NJ 08608 as soon as possible. Should you need additional tickets please contact Anastasia at 1.800.LBA-0076. The drawing date is June 27, 2012, at 5:00 pm at the Oak Tree Lodge in Wall Township we need all the sold ticket stubs no later than June 15, 2012. Please make all checks payable to The Wellhofer G. Scholarship Foundation". Thank you for your continued support.

William G. Wellhofer Scholarship Foundation Raffle

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2011 Harley Davidson Street Glide Motorcycle

Ticket Price \$25.00

To purchase tickets inquire within or call the NJLBA at 609-394-6730 or visit www.njlba.org for more info.

Drawing Date: June 27, 2012 at 5:00 p.m.
The Oak Tree Lodge in Wall Twp.

The William G. Wellhofer Scholarship Foundation will receive the entire proceeds of this raffle. No substitution of the offered prize may be made and no cash will be given in lieu of the prize. Good Luck!



JOE ARDIRE'S CORNER

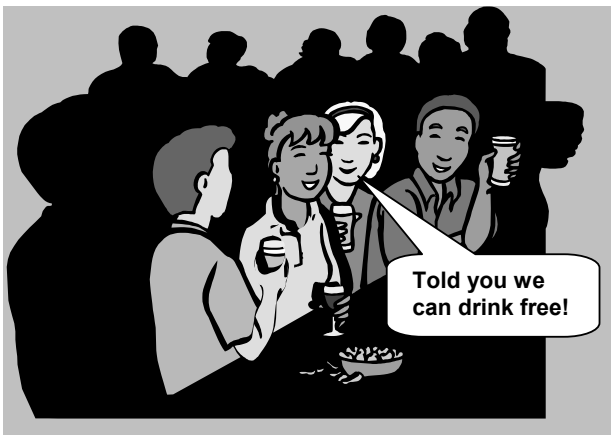
A 76-year-old woman arrested for shoplifting. Judge asks, "What did you steal?" She said, "A can of peaches". The judge asked, "How many peaches in a can?" She replied, "6". The judge said "I will give you one day in jail for every peach you stole". Her husband then asked the judge "Could I add something to the case?" The judge said, "Could you speak up." The husband said, "She also stole a can of peas".

Two Irish ladies met on the street and one said, "Mary I'm so sorry to hear about your husband, what happened?" Mary said, "My husband went fishing with the guys and had too much to drink and fell overboard and drowned". The friend said "that's awful but at least he didn't suffer, you should be thankful for that", "And I heard that he left you and your children in good financial condition, you should be thankful for that."

The wife replies, "I am, and I'm also thankful the SOB never learned to swim".

Joe Ardire is the owner of Krazy Kat Lounge located in Deptford New Jersey, he is a NJLBA Regional Director, former past President and has been a member of the NJLBA for over 30 years.

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NJLBA GRANT FROM THE DEPARTMENT OF LABOR

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can be a powerful tool in the hospitality industry. In this course participants will learn a variety of techniques to connect people to their business and learn to develop social media marketing plans that are designed to increase awareness of their establishment.

ABC Licensee and Management Bootcamp - 4 Hours

This is an essential seminar necessary to help a licensee navigate the strict and complex rules and regulations that govern the business of operating a liquor license. The comprehensive class will explain not only where the laws came from and define what they mean, but it will also educate you how to avoid violations and teach you what to do if you receive one. The material will be presented by an experienced alcoholic beverage control defense attorney and a retired member of law enforcement. This pairing of instructors will offer diverse approaches to surviving in this highly regulated business



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LOOKING AHEAD TO UPCOMING EVENTS

- June 27, 2012** **Welhoffer/Wilinski Scholarship Picnic**
Oak Tree Lodge, Wall Township
Motor Cycle Raffle Drawing
- Monthly Meetings** **2nd Wednesday of the Month or**
Call 1-800-LBA-0076
Or visit our Website at www.njlba.org
- NJLBA Golf Outing** **October 4, 2012**
Shore Gate Golf Club
Ocean View, NJ
- Convention** **TBD**

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