



# OVER THE BAR Reporter

The Newsletter of the New Jersey Licensed Beverage Association

- Behind the Bar
- Legislative Report
- Golf Outing Registration

March/April 2007

Volume 29 Number 2

## MAY IS BAR AND TAVERN MONTH

For 54 consecutive years, May has been designated Bar and Tavern Month by legislatures throughout the country to pay homage to the many social and cultural contributions that the on-premise licensees make to society. Bars, taverns, restaurants, pubs, lounges and club owners are saluted for their hard work in providing hospitality, good food, good drinks and a proud heritage of being the heart of the alcohol beverage industry.

Bars and taverns provide millions of jobs, spend billions on goods and services for their businesses and contribute to public revenue by the payment of federal, state and local taxes. Tavern and bars owners generously support municipal sport teams and other community activities. From the beginning of history, taverns and bars have been the home away from home for travelers and locals to share common interests and to pursue common objectives. The bars and taverns have been the place where news is exchanged and viewpoints are discussed.

May is the time to reflect on hard work that is necessary to operate and maintain a safe haven for customers and to congratulate bar and tavern owners for their commitment in raising the service and responsibility level in their establishments. Bar and tavern owners have been part of the solution, by serving responsibly, to the steady decline in alcohol related accidents and deaths.

Take time this May to raise your glass in tribute to the bars and taverns of New Jersey, the "friendliest place in town".

*"Representing the on-premise licensed beverage retailers, the heart of the hospitality industry"*

*The original Tavern, Bar and Restaurant Association of New Jersey established 1933*

## BATTLE OF THE BARS GOLF OUTING

May 15th is the date and Shore Gate Golf Club in Ocean View, Cape May County is the place to be to participate in the Battle of the Bar Golf Outing.

Co-chairpersons, Kim Gansert and Jim Filler have planned a full day of fun activities. The day starts off with "eye opener" bloody Marys during registration which starts at 10:30 AM. A shot gun start is scheduled for noon. The format is four player scramble with a trophy being presented to the bar team with the lowest net.

A putting contest will be held after you complete your round of golf with cash prizes for anyone who makes the required putts. All four par 3 holes will award \$5,000.00 for a hole in one. Prizes will be awarded for the straightest drive, the longest drive and the closest to the pin on all par 3 holes. There is the chance for all players to win big.

Following the putting contest, a buffet dinner will be served along with an open bar. The awarding of prizes will complete the day.

Shore Gate Golf Club is among the top 10 new upscale courses as reported in Golf Digest located in the heart of Cape May County lies a par 72 premiere championship golf course, minutes from the Garden State Parkway. The inherent beauty of the golf course is highlighted by enchanting forest vistas, unspoiled by the encroachment or incursions from the outside world.

Reserve a place for your bar team today. Enjoy a day with your fellow licensees and industry representatives. Sponsorships are still available.

## PANDEMIC WOULD CRIPPLE JERSEY ECONOMY

New Jersey would be economically crippled by a modern-day pandemic on the order of the 1918 Spanish flu outbreak, according to a recently released report. The report estimates the potential financial loss as high as \$23.4 billion.

The State would experience a nearly 6 percent drop in its economy, which would make New Jersey the 35th hardest hit state in the nation if such an outbreak were to occur, according to the report authored by Trust for America's Health, a Washington, D.C. based nonprofit organization that focuses on disease prevention.

Key New Jersey industries including hotels and restaurants, transportation and manufacturing could take the greatest hits. The report, which presents a state by state assessment, examines the impact of the pandemic on twenty different industries as well as trade and worker productivity.

In modern terms, a flu outbreak as severe as the one in 1918, whose victims included many healthy, young adults, could result in nearly 90 million Americans becoming sick and 2.2 million dying. Governor Jon Corzine has stated that at least 30 percent of the state's population could be infected.

With estimates that the pandemic could last up to 18 months, with a series of waves lasting 6 to 8 weeks each, the reported state losses are based on what could possibly occur over the course of a year.

*continued on page 2*

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## Pandemic Would Cripple New Jersey

*continued from page 1*

A vaccine would not be widely available, at least initially, so predictions are that the pandemic would plunge the U.S. into the deepest recession since the Second World War.

New Jersey has a flu pandemic plan in place, addressing areas like vaccine stockpile and emergency response. Still State Health Commissioner Fred Jacobs said the “greatest” plan in the world would face significant challenge in the face of such a “daunting” public health disaster.

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An Official Publication of the  
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**Editor: Lewis B. Rothbart**  
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**The Battle of the Bars Golf Tournament  
Tuesday, May 15, 2007**

**TOURNAMENT  
FORMAT**

**Four Player Scramble  
Low Net**

**TOURNAMENT  
SCHEDULE**

**10:30 AM – 11:45 AM**

**Registration**

**12 Noon**

**Shotgun Start**

**5:30 PM – 8:30 PM**

**Buffet & Open Bar**

**6:30 PM**

**Awarding of Prizes**

**SPONSORSHIP**

**Entry deadline is  
May 11, 2007**

*Each sponsor will have a sign  
displayed at the outing.*

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- \_\_\_ Door Prize Sponsor  
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4 Golfers includes aces  
\$480.00
- \_\_\_ Tee Sponsor  
\$150.00
- \_\_\_ Green Sponsor  
\$100.00
- \_\_\_ Single Player plus aces  
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- \_\_\_ Door Prize

\_\_\_ Donation

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- Longest Drive
- Contest
- 4 Closest-To-The-Pin on all 4 par 3's

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**For All the Above Plus the Bonus  
of 1 Mulligan Per Side**

**PRIZES...  
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TODAY AS  
A TEE OR GREEN SPONSOR**

**SIGN UP  
YOUR BAR  
AS A SPONSOR TODAY!**



**TOURNAMENT  
RESERVATIONS**

**Entry deadline is  
Friday,  
May 11, 2007**

It is advised that you RSVP  
quickly as possible to  
ensure your position in the field

Foursome.....\$480

(Includes 4 Aces)

Golfers Names:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Individual Golfer(s).....\$120

(Includes 1 Ace)

Golfer(s) name(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Buffet.....\$40

Please reserve \_\_\_\_\_ places

For the buffet only.

Attending will be:

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# Behind the Bar

by David T. Kratt

## SAME OLD JOB, DIFFERENT DAY



Bartending becomes less and less of an effort. You're no longer as overwhelmed with how much you must still learn. With each shift you work, you're figuring out the recipe to becoming a good bartender. But, shift by shift, you're also finding out that bartending isn't quite, let's say, the thrill it once was and certain things do cause you to lose some of, let's say, your enthusiasm that once boiled over. In fact, trying to maintain your physical, mental and emotional well-being behind the bar one shift at a time – shift after shift – may be one ingredient you left out of that recipe.

Here are three things I thought of during one shift behind the bar:

### The usual aches and pains –

Eight – to ten-hour shifts, even pulling double shifts, are not unusual in our business. That's a long time to be bartending when your feet and legs hurt. The trick is finding as many ways as possible to conserve strength and fight fatigue. Invest in a

good pair of shoes. Find places to lean up against behind the bar during breaks in the action. If you can get out from behind the bar for a while, find a place to sit down and elevate your feet.

### Those other usual pains –

We were having a good conversation.


And then this other regular customer – an annoying know-it-all – blurted out, "I couldn't help but over hear ..." which really meant, "I couldn't help but put my two cents in.." And then he did.

Oh yes, that is one of my pet peeves. But no, I wasn't about to let it bother me. Those regular pains in the neck and regular annoying behaviors could wreck the few good moments you enjoy about bartending, if you let it. I simply excused myself and got caught up on some dirty glasses.

We picked back up on our conversation later.

*continued on page 9*

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# Legislative Affairs Report

NEW JERSEY LICENSED BEVERAGE ASSOCIATION

TRENTON, NEW JERSEY

by Barbara McConnell

The New Jersey Legislature continues to be in “budget recess” while the Budget and Appropriation Committee work out the details of Governor Corzine’s proposed \$33.3 billion budget. Committee’s are expected to resume their regular legislative work sometime in May 2007.

## Governor Signs Property Tax Bills

On March 15, Governor Corzine signed several bills designed to bring about property tax relief. Assembly Bill 2 establishes an Independent Office of State Comptroller, which will consolidate functions like fiscal audits, performance reviews and investigations in areas that might bring new efficiencies and identify waste and misuse in spending. S-14/A-20 provides for mandatory forfeiture of retirement benefits and mandatory imprisonment for public officers or employees convicted of certain crimes. If this legislation applies in the case of several recent indictments, New Jersey would stand to save several million dollars over the years in retirement benefits.

Other “relief” bills include various school district accountability measures, including examining all options for district insurance and selecting the most cost effective plans and other cost saving measures. A-15/S-12 would establish Local Unit Alignment, Reorganization and Consolidation Commission to deal with the argument that New Jersey has too many layers of government.

## “Smoke Free” Results

Recently, the New Jersey Restaurant Association published the results of a survey they conducted which proved, as NJLBA members know, that the smoking ban enacted a year ago is definitely hurting some businesses to the point that they have to close. According to the survey, hundreds of restaurants, bars and taverns have seen sales cut in half while others will be forced to close.

While the original law exempted casinos, a new law now forces the city’s casinos to make 75 percent of their gambling floors smoke-free.

## Video Lottery and Keno

According to a press article published in the Home News Tribune on April 5, 2007, the state is still considering video gambling at the Meadowlands and other race tracks. Senator

Paul Sarlo, D-Bergen, said “New Jersey has little choice but to put the machines at the North Jersey sports complex as nearby states expand and add gambling.” According to Senators Sarlo and Coniglio, they estimate that machines at the Meadowlands alone could generate \$300 million per year to help ease chronic budget woes.

The State Treasurer, Bradley Abelow said he didn’t know if those numbers were realistic, but said “*the department will hire a consultant to do a comprehensive study of how the terminals, if legalized would impact the state.*” **NJLBA has requested a meeting with Treasurer Abelow to discuss expanding video lottery to licensed beverage establishments, where the state could double their anticipated revenue to \$600 million a year. NJLBA has also asked for the opportunity to discuss Keno, which we understand is still on “the table” by the Corzine Administration.**

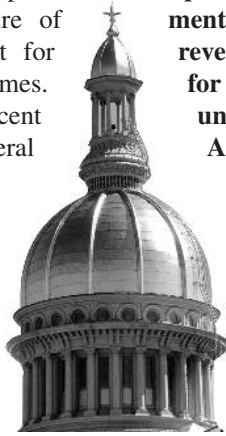
## Department Changes

Rumor has it that Commissioner of Community Affairs, Susan Bass Levine will be appointed to some high level position at the NJ/NY Port Authority. One name that has been mentioned to replace Levine at Community Affairs is Senator Bernard Kenny who announced that he will not be seeking re-election to the Senate.

Secretary Virginia S. Bauer, New Jersey Commerce Commission has been appointed to the Port Authority Board, while the Commerce Commission is rumored to be abolished and all of its functions moved to the Governor’s Office, and other relevant agencies of government.

## New Jersey’s Presidential Primary

Governor Corzine recently signed legislation moving New Jersey’s presidential primary election to the first Tuesday after the first Monday in February, moving the primary for the 2008 presidential election from February 26 to February 5. This action will move New Jersey to a position of greater importance in the primary “playoffs”, whereas for decades we were relegated to the sidelines in the presidential selection process. Thus far, most of New Jersey’s democratic leaders, including Governor Corzine, has endorse Senator Hillary Clinton. However, it is a long way to February 5, 2008.



# New Nightclub Fire Regulations

By Paul McGrath

On Monday, February 5, 2007 The State of New Jersey Department of Consumer Affairs, Division of Codes and Standards and the Division of Fire Safety adopted new amendments to the Uniform Fire Code for Nightclubs. These amendments address certain deficiencies in the current fire code for nightclubs. These new amendments have been adopted as a result of the tragic Rhode Island Station nightclub fire in February 2003 that took the life of 100 people and left over 200 more injured. The State of New Jersey has always been proactive when it comes to the fire safety of its residents and although we have been fortunate not to have had a nightclub fire of this magnitude, the State deems it necessary to take every step to prevent such a tragedy. This article will clarify the new amendments and answer any questions the reader might have about this new code.

## *What types of occupancy do these new rules cover?*

These new codes cover Nightclubs, as defined below. Nightclubs that meet or exceed the requirements of the BOCA 1990 Edition or later and possess a valid certificate of occupancy are not required to comply with these changes.

## *What is a "nightclub"?*

The amendment defines a nightclub, as "all buildings and places of public assembly designed for use as dance halls, eating and/or drinking establishments, and similar occupancies, in which the established maximum permitted occupant load exceeds the number of seats provided by more than 30 percent or which, affords less than 12 square feet net area per occupant."

An example of this would be a restaurant that removes some of their tables and chairs in order to accommodate a musical band, thus reducing the number of seats to a seat to occupancy ratio of less than 100:130.

## *How is this determined?*

The amendment states that **"for purposes of determining the net area per occupant, only the actual public assembly room or rooms shall be considered. For purposes of applying the requirements of this code, the nightclub shall include all rooms, lobbies and other spaces connected thereto with a common means of egress and entrance."**

Therefore, to determine if the net area per occupant is less than 12 square feet per person, only the public assembly areas are to be used in the calculation of the net area. However, the requirements of the fire code apply to the entire nightclub facility, including work areas.

## *What if my club can accommodate 100-299 people, what kind of fire protection system do I need to install?*

In order to be in compliance, all nightclubs that have an occupancy load of 100 or more need to have an automatic fire detection system installed throughout the nightclub. This fire alarm system will sound when activated by smoke detectors, the house lights will go on full and the performance sound system will be muted. The only exception would be if there is a fire sprinkler system in the building.

## *What if my club can accommodate 300 people, what do I have to do then?*

For nightclubs with occupancy of 300 or more, the code states that the nightclub must be equipped with an automatic fire sprinkler system that will be activated in the area of a fire, should one occur. Again, the house lights will go on full and the performance sound system will be muted.

## *Are there any other things that I will have to comply with?*

Yes, Egress is another area that has been addressed. The new rules are as follows: The code states that for Nightclubs that do not have an automatic fire sprinkler system, the main exit (entrance) and at least one other exit should be placed a distance apart equal to one-half the length of the maximum overall diagonal distance of the area being used in the building. For Nightclubs that have an automatic fire sprinkler system, the distance between exits should be one-third the length of the maximum overall diagonal distance.

If the Nightclub accommodates 100-299 people, the main exit must have an egress capacity of one-half the occupancy and the alternate exits must have an egress capacity of two-thirds of the occupancy.

If the Nightclub accommodates 300 or more persons, the main exit must have an egress capacity for at least two-thirds of the occupancy and the alternate exits must have an egress capacity for at least two-third of the occupancy.

## *When do I have to have this done by?*

The requirements state that all nightclubs must be in compliance by February 5, 2009.

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## New Nightclub Fire Regulations

*continued from page 6*

**PAUL MCGRATH** is president of City Fire Equipment Company, Inc., a full-service fire protection company specializing in the installation, maintenance, testing and inspection of all types of fire protection equipment, including portable fire extinguishers, fire alarm systems, fire sprinkler systems, kitchen fire suppression systems and kitchen hood cleaning. Paul can be reached at 973-560-1600 x 204 or via e-mail at [paul@cityfire.com](mailto:paul@cityfire.com). Please visit our website at [www.cityfire.com](http://www.cityfire.com).

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# TIPS TO HELP RESTAURANTS AND BARS SAVE MONEY ON MUSIC LICENSING

Restaurants and bars which depend on music to entertain customers can save money on music licensing fees by following simple tips provided by BMI, a non-profit-making company representing more than 300,000 songwriters and music publishers.

BMI grants businesses legal permission in the form of a music license to play copyrighted music. While the daily cost of a BMI license is about the same as a soft drink at most restaurants, the music tab increases in businesses which rely heavily on musical entertainment to generate profits. According to BMI, these tips will keep the sound of music easy on the bottom line and the ears of customers.

1. Join a restaurant or licensed beverage association. Many state associations and some national groups have agreements with BMI which can shave another 10% or more from the cost of your license. Call BMI at 1-800-925-8451, send them e-mail at [genlic@bmi.com](mailto:genlic@bmi.com), or go to <http://www.bmi.com/licensing/business/discount.asp> on the BMI website to get names of participating associations.
2. Report promptly to BMI any changes in the way you use music. The amount of your licensing fee may be affected by factors such as charging admission, providing live music, or offering karaoke nights. BMI's license for eating and drinking establishments provides for changing music policy up to three times per year by phone.
3. Pay music licensing fees promptly BMI gives eating and drinking establishments a 10% discount for timely payment.

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## Behind the Bar

*continued from page 4*

### Old Habits do die hard –

Because of its popularity, we decided a while back to move the Captain Morgan liquor bottle down with the well liquors from its back bar, top-shelf spot. To this day, I still reach for the bottle at its old spot before remembering that we moved it. It is weird.

And that got me thinking.

Over the years, I've worked with some seasoned bartenders who, I'm sure, forgot more about bartending than I knew back then. But it seemed like they were all seasoned, to some degree, with a "This is the way I do it and I'm not going to change" attitude. I also remember them being a little crusty around the edges. As a younger, half-baked bartender, it made me wonder, "And why do you still bartend?"

Now, I'm where they were and I don't want to be like that. Not learning, not improving and not enjoying bartending are bad habits to get into. I hope you will feel the same way.

Please send correspondence to [dtkratt@chartermi.net](mailto:dtkratt@chartermi.net) or P.O. Box 638, Grand Haven, Michigan 49417

4. If your business uses only customer-played music on a vendor-owned jukebox, the vendor may have already secured the necessary license. If you operate a traditional jukebox, you may qualify to save money by licensing through the Jukebox Licensing Office (JLO). Contact the JLO at 1-800-955-5853 or e-mail them at [information@jukeboxlicense.com](mailto:information@jukeboxlicense.com).
5. Provide accurate information to performing rights organizations about how you use music. Periodically confirm with them that your fees are appropriate for your music use, and thereby assure that you are not inadvertently paying too much.

A music license is a contract giving businesses the legal right to play copyrighted songs, either live or recorded, in public places such as restaurants, stores, hotels and stadiums. Without permission from a songwriter or the performing rights organization representing that songwriter, only the copyright owner can play a song lawfully in a public place. Most of the songs written in the last century are protected by copyright, regardless of the composer's nationality. BMI represents more than 300,000 songwriters, composers and music publishers with a catalog of more than 6.5 million songs, as well as musical works from around the world.

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## LOOKING AHEAD TO UPCOMING EVENTS

May 15, 2007 – Battle of the Bars Golf Outing,  
Shore Gate Golf Club, Ocean View, NJ

June 27, 2007 – Wellhofer/Wilinski  
Scholarship Foundation Picnic/Pool Party  
Oak Tree Lodge, Wall Township, NJ

October 8-10, 2007 – 75th Annual Alcohol Beverage  
Retailers' Diamond Convention, Tropicana Casino and  
Resort, Atlantic City, NJ

Monthly Board Meetings –  
2nd Wednesday of each month

Call the Office for meeting information –  
1.800.LBA.0076

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