

BOROUGH OF RIVERDALE

RESOLUTION NO. 54-2009

**RESOLUTION IMPOSING A THIRTY (30) DAY LICENSE SUSPENSION
ON LIQUOR LICENSE NO. 1433-44-004-007 (CONVENIENCE LIQUORS
23, INC.)**

WHEREAS, Convenience Liquors 23, Inc. is the holder of liquor license 143-44-004-007 issued by the Borough of Riverdale; and

WHEREAS, Convenience Liquors 23, Inc. was served with Notice of Charges for the sale of alcohol to an underage person on March 30, 2009; and

WHEREAS, Convenience Liquors 23, Inc. was served with a Notice of Charges for the sale of alcohol to an underage person on May 1, 2009; and

WHEREAS, Convenience Liquors 23, Inc. had previously been served by the State Alcoholic Beverage Commission with a Notice of Charges for the sale of alcohol to an underage person and entered a plea of *non vult* to the charges; and

WHEREAS, Convenience Liquors 23, Inc. has agreed to plead *non vult* to the charge of serving an underage person on March 30, 2009 and the Borough Council has agreed to dismiss the charge of serving an underage person on May 1, 2009; and

WHEREAS, the March 30, 2009 offense is the second offense and the ABC guidelines suggest a penalty of a thirty day suspension for a second offense; and

WHEREAS, Convenience Liquors 23, Inc has agreed not to contest a penalty of a thirty day suspension.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Riverdale, in the County of Morris and State of New Jersey, that Liquor License 1433-44-

004-007, held by Convenience Liquors 23, Inc;, shall be suspended for a period of thirty (30) days beginning on September 14, 2009.

BE IT FURTHER RESOLVED THAT the licensee is prohibited from engaging in any alcoholic beverage activity in or upon the licensed premises. The licensee may not receive delivery of alcoholic beverages, sell, or permit the consumption of alcoholic beverages on the premises. Other business activities, as detailed on the license application, may lawfully continue while the license is under suspension. Storage of alcoholic beverages may also continue on the licensed premises during the period of suspension. (N.J.A.C. 13:2-23.27.)

BE IT FUTHER RESOLVED THAT the licensee may not advertise that the licensed premises are closed for any reason other than that the license has been suspended.

Adopted:

Carol Talerico, Borough Clerk

William Budesheim, Mayor

CERTIFICATION

I, Carol J. Talerico, Municipal Clerk of the Borough of Riverdale do hereby certify that the attached is a true copy of a Resolution duly adopted by the Mayor and Council of the Borough of Riverdale on June 15, 2009 at a regular meeting.

Carol J. Talerico, R.M.C.
Registered Municipal Clerk