

RESOLUTION NO. 2017- 380

A RESOLUTION ACCEPTING THE NON VULT PLEA OF LMG LIQUOR, INC. T/A CHARLIE'S LIQUOR STORE, 1038 GHEYSEN'S AVENUE, THE HOLDER OF PLENARY RETAIL DISTRIBUTION LICENSE NO. 0614-44-031-007, RELATING TO CHARGES FROM JANUARY 1, 2016 THROUGH OCTOBER 31, 2016

WHEREAS, charges have been heretofore served upon the named licensee, LMG Liquor, Inc. t/a/ Charlie's Liquor Store (Licensee), for the premises located at 1038 Gheysen's Avenue, Vineland, New Jersey, the holder of plenary retail distribution license no. 0614-44-031-007, charging that during a period of time from January 1, 2016 through October 31, 2016, the said Licensee allowed, permitted and/or suffered their licensed place of business to be conducted in such a manner as to become a nuisance adversely affecting the quality of life of the residents of the City of Vineland in which the license is sited, in violation of N.J.A.C. 13:2-23.6(b); and

WHEREAS, further charges have been heretofore served upon the named Licensee charging that during a period of time from January 1, 2016 through October 31, 2016, the said Licensee allowed, permitted and/or suffered their licensed place of business to be conducted in such a manner as to become a nuisance, requiring Police intervention, or adversely affecting the public safety or rights of the public; and

WHEREAS, the Licensee having had an opportunity to appear and give testimony, entered a plea of non vult to the said charges by and through the legal representative of the Licensee pursuant to correspondence attached hereto and made a part hereof; and

WHEREAS, the Council of the City of Vineland has determined that during a period of time from January 1, 2016 through October 31, 2016, that by and through its legal representative, this Licensee entered a plea of non vult to the charges that the said Licensee allowed, permitted and/or suffered their licensed place of business to be conducted in such a manner as to become a nuisance adversely affecting the quality of life of the residents of the City of Vineland in which the license is situated and further, during the aforementioned period of time allowed, permitted and/or suffered their licensed place of business to be conducted in such a manner as to become a nuisance, requiring Police intervention or adversely affecting the public safety or rights of the public in violation of N.J.A.C. 13:2-23.6(b); and

WHEREAS, the Council of the City of Vineland is aware that the Licensee is in the process of transferring the license from person to person which is being taken into consideration in accepting the non vult plea and issuing a penalty.

NOW THEREFORE, BE IT RESOLVED, that Plenary Retail Distribution License No. 0614-44-031-007, heretofore issued by the City of Vineland to LMG Liquor, Inc. t/a Charlie's Liquor Store, for premises located at 1038 Gheysen's Avenue, City of Vineland, County of Cumberland and State of New Jersey be suspended for a period of 1 (one) day, to be served on or before September 30, 2017 commencing 2:00 a.m. and ending 2: a.m. the following day.

BE IT FURTHER RESOLVED that the Council of the City of Vineland does not object to the Licensee paying a fine in lieu of suspension, if the said Licensee makes application to the Director of the New Jersey Division of Alcoholic Beverage Control.

Adopted:

President of City Council

ATTEST:

City Clerk

Law Offices
Lipman, Antonelli, Batt,
Gilson, Rothman & Capasso
A Professional Corporation
Founded 1931

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REPLY TO:
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August 16, 2017

Richard P. Tonetta, Solicitor
City of Vineland City Hall
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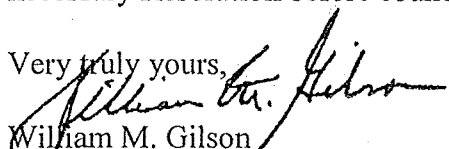
Via email: rtonetta@vinelandcity.org

RE: **CHARLIE'S LIQUORS**
LGM Liquors, Inc., a New Jersey Corporation and
JNL Real Estate, LLC, a New Jersey Corporation (Sellers) and
Sangeeta Liquors, LLC and Urvi, LLC (Buyers) – Asset Purchase Agreement
Our File No. 47,234-17

Dear Mr. Tonetta:

On behalf of Latish Menghani, I am forwarding this letter to you as it relates to Charlie's Liquors. My client has indicated that he is willing to accept either the one-day suspension or the payment of the fine. In order to cause the least amount of interference with the business of the purchaser of Charlie's Liquors, I have contacted Robert Greenberg and asked Mr. Greenberg if his client has a preference. With this in mind, I am indicating to you that the client (Latish Menghani) has authorized the entry of a nonvult plea. I would further ask that you prepare the necessary Resolution before council. Thank you.

Very truly yours,


William M. Gilson
WMG/ts

CC: Robert Greenberg, Esq.

via email

CC: Latish Menghani

via email