

**RESOLUTION OF THE BOARD OF SUPERVISORS OF  
MIDDLE SMITHFIELD TOWNSHIP, PENNSYLVANIA**

**RESOLUTION #** 05-2021-2

**A RESOLUTION OF THE BOARD OF SUPERVISORS, MIDDLE SMITHFIELD  
TOWNSHIP, COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA,  
APPROVING THE TRANSFER OF PLCB LICENSE NO. R-12399 INTO MIDDLE  
SMITHFIELD TOWNSHIP FROM HAMILTON TOWNSHIP,  
MONROE COUNTY, PENNSYLVANIA**

**WHEREAS**, Act 141 of 2000, hereinafter the "Act", which amends the Commonwealth of Pennsylvania's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county, regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in Middle Smithfield Township, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

**WHEREAS**, the Act requires the receiving municipality to issue a resolution approving the inter-municipal transfer of the liquor license from outside the receiving township to within its borders prior to submission of an application for such transfer to the Pennsylvania Liquor Control Board; and

**WHEREAS**, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one (1) hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of the liquor license into the receiving municipality; and

**WHEREAS**, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of the liquor license into the municipality.

**NOW, THEREFORE, BE IT RESOLVED** that, The Beer Express Corp, has properly requested the approval of the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania for the proposed transfer of Pennsylvania Liquor License Number R-12399, LID No. 87020, by The Beer Express Corp, to facilities within Middle Smithfield Township to be located at 5160 Milford Road, East Stroudsburg, Middle Smithfield Township, Monroe County, Pennsylvania from 6162 Route 209, Stroudsburg, Hamilton Township, Monroe County, Pennsylvania; and


**BE IT FURTHER RESOLVED** that, the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania has held a Public Hearing to receive comments on the proposed liquor license transfer and, after consideration of the issues, finds that the transfer of Pennsylvania Liquor License R-12399 into Middle Smithfield Township by The Beer Express Corp, will result in job creation and revenue enhancement for the residents of Middle Smithfield Township, all of which will substantially benefit the local economy and residents; and

**BE IT FURTHER RESOLVED** that, the Board of Supervisors of Middle Smithfield Township, approves, by adoption of and for the reason stated in this Resolution, the proposed transfer of Pennsylvania Liquor License No: R-12399 into Middle Smithfield Township by The Beer Express Corp; and


**BE IT FURTHER RESOLVED** that, transfers, designations, and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

**BE IT FURTHER RESOLVED** that, this approval is conditioned upon final approval of the transfer application of The Beer Express Corp by the Pennsylvania Liquor Control Board.


ADOPTED AND RESOLVED THIS 27th DAY OF MAY, 2021, BY THE BOARD OF SUPERVISORS OF MIDDLE SMITHFIELD TOWNSHIP AT A LAWFUL SESSION DULY ASSEMBLED.

  
Annette Atkinson, Chairperson

  
Mark Oney, Vice Chairperson

  
Michael Dwyer, Supervisor

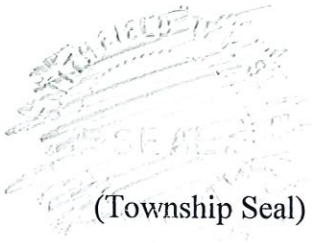
ATTEST:

  
Michele Clewell, Township Secretary



## CERTIFICATE OF ADOPTION

**I HEREBY CERTIFY** that I am the duly appointed Township Secretary for the Township of Middle Smithfield, Monroe County, Pennsylvania, and that the foregoing Resolution was adopted by the Board of Supervisors of Middle Smithfield Township at its Public Meeting held on May 27, 2021.

  
*Michele Y. Clewell*  
Michele Clewell, Township Secretary  
Township of Middle Smithfield

(Township Seal)





# Newman Williams, P.C.

ATTORNEYS AT LAW

A Professional Corporation

P. O. Box 511  
712 Monroe Street  
Stroudsburg, PA 18360  
570.421.9090

[www.newmanwilliams.com](http://www.newmanwilliams.com)

400 Northampton Street  
Suite 404  
Easton, PA 18042

May 5, 2021

King Spry Herman Freund & Faul  
Attn: Ryan K. Fields  
1 West Broad St., Suite 700  
Bethlehem, PA 18018

**Re: The Beer Express – Middle Smithfield Township  
Intermunicipal Liquor License Transfer**

Dear Mr. Fields:

I am following up on our recent communications relating to my client, The Beer Express Corp. I am formerly requesting a hearing before the Middle Smithfield supervisors to consider my client's request for an intermunicipal liquor license transfer. This correspondence is meant to confirm my initial informal request of April 19, 2021.

Please call my office immediately if you have any questions or require any further information in order to schedule this hearing.

Very truly yours,

David L. Horvath

FI

Your home. Your neighbors. Your news.

# POCONO RECORD

www.poconorecord.com

511 Lenox Street - Stroudsburg, PA 18360

(570) 421-3000

MIDDLE SMITHFIELD TOWNSHIP SUPERVISORS  
147 MUNICIPAL DR IVE

ACCOUNT # 400002100

EAST STROUDSBURG, PA 18302

## Proof of Publication Notice in the Pocono Record

Kelli McFall, Advertising Manager of the Pocono Record having been duly sworn according to law, deposes and says the Pocono Record is a Newspaper of general circulation published at 511 Lenc Street, Stroudsburg, Monroe County, Pa. The Pocono Record was established on April 2, 1894 and has been regularly published and issued in Monroe County since that time. The printed notice attached to this affidavit is exactly the same as was printed and published in the regular editions and issues of the Pocono Record on the dates listed below the bottom of this notice. I certify that I am duly authorized to verify this statement under oath and am not interested in the subject matter of the attached notice or advertisement. All allegations in this affidavit as to time, place, and character of publication are true.

### Copy of notice

**PUBLIC NOTICE  
MIDDLE SMITHFIELD  
TOWNSHIP  
PUBLIC HEARING**

The Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, hereby gives public notice of its intention to conduct a public hearing on a Resolution at a meeting of the Board of Supervisors on May 27, 2021, at 7 p.m., to be held at the Township Municipal Building, 147 Municipal Drive, East Stroudsburg, Pennsylvania.

The hearing will be held to consider for adoption a proposed Resolution Approving the Transfer of PLCB Liquor License No. R-12399, LID No. 87020, into Middle Smithfield Township from Hamilton Township, Monroe County, Pennsylvania.

All interested persons are hereby given notice to attend the hearing and to offer public comment in relation to the proposed Resolution as they may desire.

The public hearing is being held at the request of The Beer Express Corp ("Applicant"), which has requested approval from Middle Smithfield Township for the proposed transfer of Pennsylvania Liquor License No. R-12399, LID No. 87020, from outside the municipality to facilities within Middle Smithfield Township to be located at 5160 Milford Road, East Stroudsburg, Middle Smithfield Township, Monroe County, Pennsylvania 18032.

The purpose of the public hearing is to receive comments and recommendations of interested individuals residing in the Middle Smithfield Township concerning the Applicant's intention to transfer said liquor license from Hamilton Township into Middle Smithfield Township.



Kelli McFall

Commonwealth of Pennsylvania  
County of Monroe

Sworn to and subscribed  
to before me this day May 03, 2021



Lois A. Kirkwood  
Notary Public

Commonwealth of Pennsylvania - Notary Seal  
Lois A. Kirkwood, Notary Public  
Monroe County  
My commission expires March 2, 2023  
Commission number 1085876  
Member, Pennsylvania Association of Notaries

PUBLIC  
PI  
OF

PIRE DATE  
/01/2021

AD CAPTION  
PUBLICNOTICEMIDDLESMITHFIE

# TIMES  
2

AMOUNT  
269.96

START DATE 04/24/2021

END DATE 05/01/2021

T-2



**MIDDLE SMITHFIELD TOWNSHIP  
NOTICE OF PUBLIC HEARING**

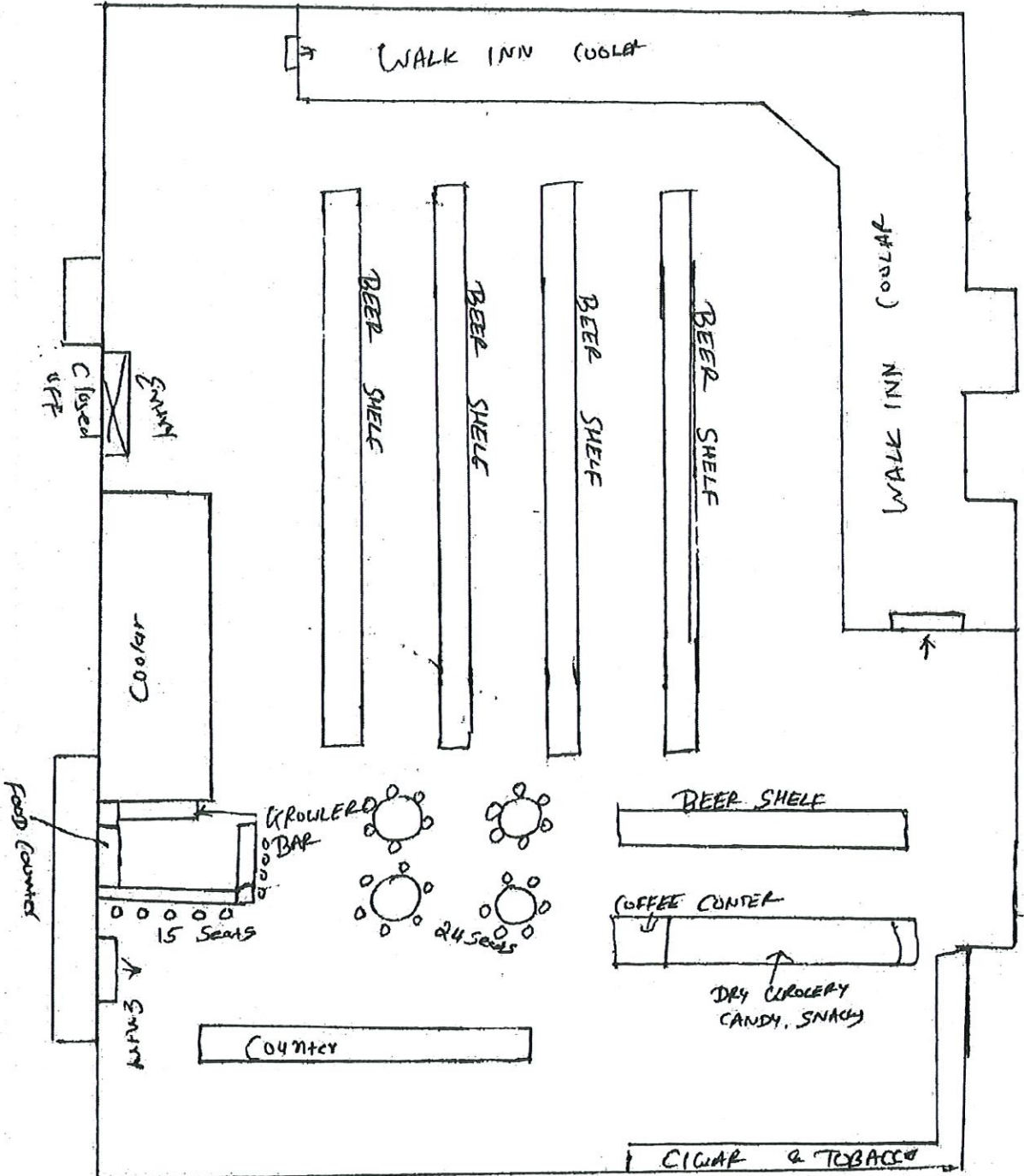
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KING, SPRY, HERMAN, FREUND & FAUL LLC  
Attorneys and Counselors  
One West Broad Street, Suite 700  
Bethlehem, PA 18018  
By: Michael A. Gaul, Esquire  
Solicitor-Township of Middle Smithfield

5/26/2021

FLOOR PLAN SKETCH



5160. Millard Rd.  
E. Stroudsburg, PA - 18302

T-4



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MIDDLE SMITHFIELD TOWNSHIP, PENNSYLVANIA**

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## **CERTIFICATE OF ADOPTION**

**I HEREBY CERTIFY** that I am the duly appointed Township Secretary for the Township of Middle Smithfield, Monroe County, Pennsylvania, and that the foregoing Resolution was adopted by the Board of Supervisors of Middle Smithfield Township at its Public Meeting held on May 27, 2021.

\_\_\_\_\_  
Michele Clewell, Township Secretary  
Township of Middle Smithfield

(Township Seal)



# Newman Williams, P.C.

ATTORNEYS AT LAW

A Professional Corporation

May 27th/

P. O. Box 511  
712 Monroe Street  
Stroudsburg, PA 18360  
570.421.9090

[www.newmanwilliams.com](http://www.newmanwilliams.com)

David L. Horvath, Esq.  
[dhorvath@newmanwilliams.com](mailto:dhorvath@newmanwilliams.com)

400 Northampton Street  
Suite 404  
Easton, PA 18042

April 20, 2021

Middle Smithfield Township  
147 Municipal Drive  
East Stroudsburg, PA 18302  
Attn.: Michele Clewell

RE: THE BEER EXPRESS CORP.  
INTERMUNICIPAL LIQUOR LICENSE TRANSFER  
5160 MILFORD ROAD, EAST STROUDSBURG

Dear Michele,

Following up on our recent telephone conversation, I am enclosing a check payable to "Middle Smithfield Township" in the amount of \$500.00 to cover the cost of the public hearing for my clients intermunicipal liquor license transfer.

Please let me know if any additional information is required to add this matter to the next meeting of the Board of Township Supervisors.

Thank you.

Very truly yours,

David L. Horvath

DLH/vs  
Enclosure  
Cc: Saumik Patel

70040

NEWMAN, WILLIAMS, MISHKIN, CORVELEYN, WOLFE & FARERI

VENDOR: Middle Smithfield Twp.

OUR REF. NO.	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	CHECK NO:	DISCOUNT TAKEN
	04192021	04/19/2021	500.00	500.00	70040	0.00

Patel - 56178 - Middle Smithfield Township - Hearing Expenses - DLH.vs

70040

NEWMAN, WILLIAMS, MISHKIN,  
CORVELEYN, WOLFE & FARERI

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
712 MONROE ST. (570)421-9090  
STROUDSBURG, PA 18360

ESSA BANK & TRUST  
EAST STROUDSBURG, PENNSYLVANIA 18301

60-7224/2313

CHECK NO. 70040 CHECK DATE 04/19/2021 VENDOR NO. KMSMIT

PAY

CHECK AMOUNT \$500.00

Five hundred and NO/100

TO THE  
ORDER  
OF

Middle Smithfield Twp.



AUTHORIZED SIGNATURE

*[Handwritten Signature]*

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE. RED IMAGE DISAPPEARS WITH HEAT.

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Details on back



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