

**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

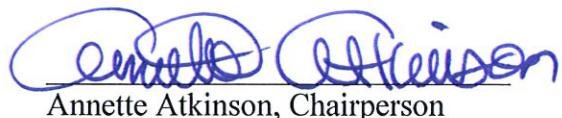
BE IT FURTHER RESOLVED that, the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania has held a Public Hearing to receive comments on the proposed liquor license transfer and, after consideration of the issues, finds that the transfer of Pennsylvania Liquor License R-12399 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.

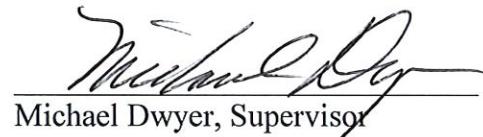
ADOPTED AND RESOLVED THIS 27th DAY OF MAY, 2021, BY THE BOARD OF SUPERVISORS OF MIDDLE SMITHFIELD TOWNSHIP AT A LAWFUL SESSION DULY ASSEMBLED.



Annette Atkinson, Chairperson

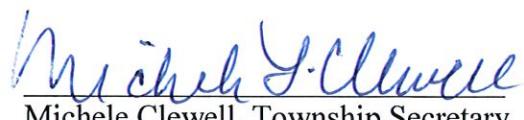


Mark Oney, Vice Chairperson



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.



(Township Seal)

A handwritten signature in blue ink that reads "Michele Y. Clewell".

Michele Clewell, Township Secretary
Township of Middle Smithfield



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

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

FJ

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 DRIVE

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 Lenox 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 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.

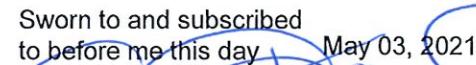
The public hearing is being held at the request of The Beer Express Corp ("Applicant"), which has requested approval from Middle Smithfield Township for the proposed transfer of Pennsylvania Liquor License No. R-12399, LID No. 87020, from outside the municipality to facilities within Middle Smithfield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



Kelli McFall

Commonwealth of Pennsylvania
County of Monroe

Sworn to and subscribed
to before me this day of  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

EXPIRE DATE	AD CAPTION	# TIMES	AMOUNT
<u>01/01/2021</u>	<u>PUBLICNOTICEMIDDLESMITHFIE</u>	<u>2</u>	<u>269.96</u>

START DATE 04/24/2021 END DATE 05/01/2021



MIDDLE SMITHFIELD TOWNSHIP
NOTICE OF PUBLIC HEARING

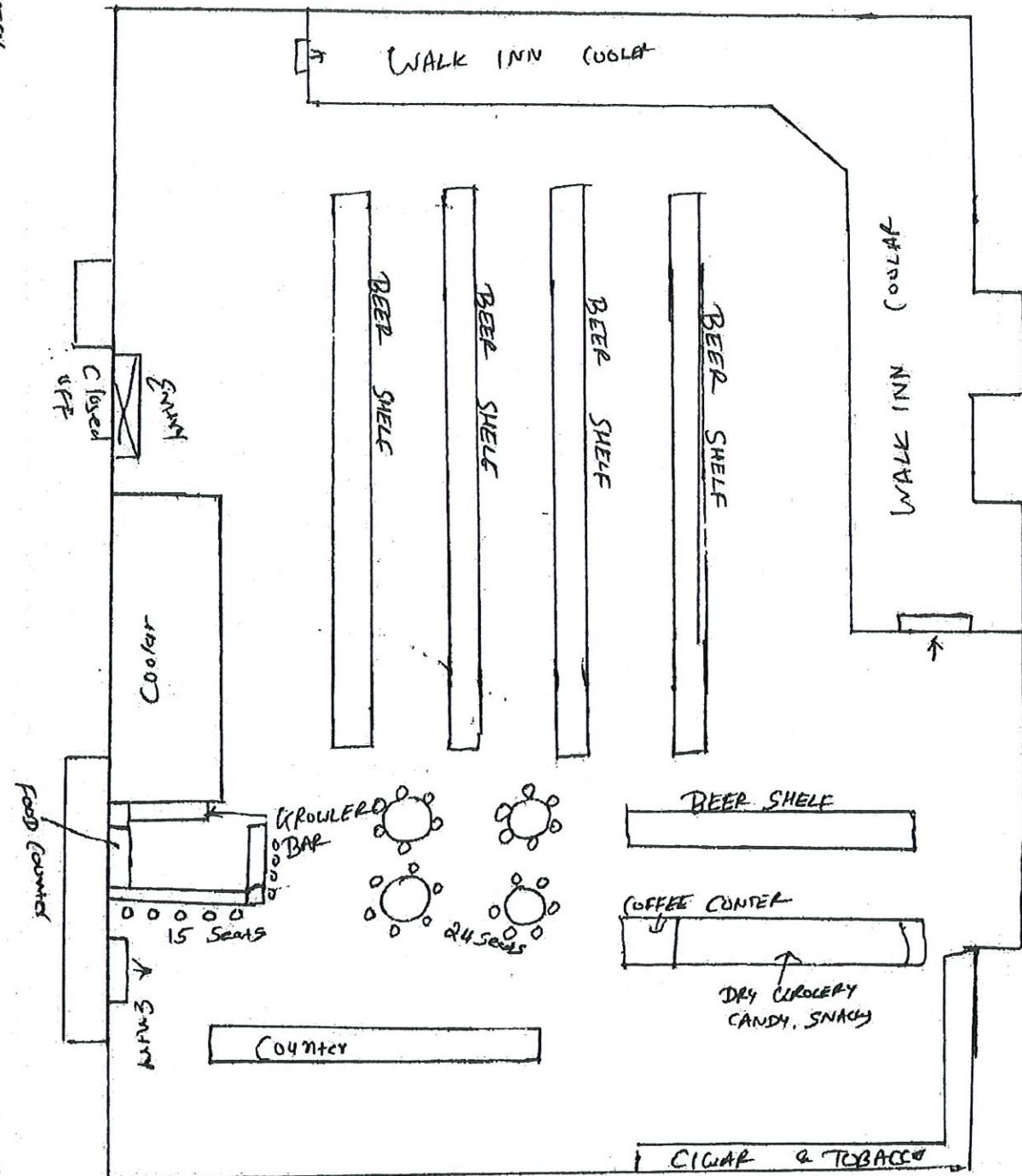
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The public hearing is being held at the request of The Beer Express Corp ("Applicant"), which has requested approval from Middle Smithfield Township for the proposed transfer of Pennsylvania Liquor License No. R-12399, LID No. 87020, from outside the 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. The approval or disapproval of the request by the Board of Supervisors will accompany the Applicant's Application for Transfer to the Pennsylvania Liquor Control Board. A complete copy of the proposed Resolution is available for examination without charge at the Middle Smithfield Township Building or may be obtained at the Township Building for the cost of reproduction.

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

**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,
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SMITHFIELD TOWNSHIP FROM HAMILTON TOWNSHIP,
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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)

May 27th/



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

David L. Horvath, Esq.
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,

A handwritten signature in blue ink, appearing to read 'David L. Horvath', is written over a blue ink flourish.

DLH/vs
Enclosure
Cc: Saumik Patel

NEWMAN, WILLIAMS, MISHKIN, CORVELEYN, WOLFE & FARERI

VENDOR:	Middle Smithfield Twp.	YOUR 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.v5

70040

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

70040

NEWMAN, WILLIAMS, MISHKIN, CORVELEYN, WOLFE & FARERI		Essa Bank & Trust East Stroudsburg, Pennsylvania 18301	SECURITY FEATURES INCLUDED	
A PROFESSIONAL CORPORATION		60-7224/2313	CHECK NO.	CHECK DATE
ATTORNEYS AT LAW			VENDOR NO.	
712 Monroe St. (570)421-9090		70040	04/19/2021	KMSMIT
Stroudsburg, PA 18360				
PAY				
Five hundred and NO/100				
TO THE				
ORDER				
OF				

[Signature] *[Signature]*

SECURITY FEATURES INCLUDED
Dots on back
Microprint
Red image disappears with heat
AUTHORIZED SIGNATURE
NP

0046002514810 137227210470072310070040