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cc J. Reiss

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RECEIVED  
JAN 05 2018

January 3, 2018

Honorable Anne Lamberton  
Chairman  
Tobyhanna Township Board of Supervisors  
Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, PA 18350

RECEIVED  
JAN 3 1 2018  
BY: Professional Svcs. Contract  
+ \$1500<sup>00</sup> fees  
received 1/31/18

Dear Chairman Lamberton:

Please be advised that this office represents Malwa Ventures, LLC who has successfully bid on a Monroe County liquor license, License R-21217, presently being held by the Pennsylvania Liquor Control Board. Malwa respectfully requests the opportunity to use said license at their property located at 100 Commercial Boulevard, Blakeslee, Pennsylvania, which is the soon to be opened convenience store.

We would respectfully request that the Township hold a hearing as is required by the Pennsylvania Liquor Code to allow the transfer of the license.

Very truly yours,

ROBERT J. GILLESPIE, JR.

RJGjr:isw

**TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF TOBYHANNA TOWNSHIP, MONROE COUNTY, PENNSYLVANIA APPROVING THE REQUEST TO APPROVE THE INTERMUNICIPAL TRANSFER OF LIQUOR LICENSE NUMBER R-21217 INTO TOBYHANNA TOWNSHIP FROM MIDDLE SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA**

**SUBJECT: INTERMUNICIPAL TRANSFER OF A LIQUOR LICENSE**

**RESOLUTION 2018-0 12**

*WHEREAS*, the Board of Supervisors is authorized, pursuant to Act 141 of 2000, to approve the inter-municipal transfer of liquor licenses; and

*WHEREAS*, Applicant, Malwa Ventures LLC requested that the Board of Supervisors approve the transfer of Restaurant Liquor License R-21217, previously located in Middle Smithfield Township, Monroe County, that it acquired at public auction number 177 from the Pennsylvania Liquor Control Board, to a location known as 100 Commercial Boulevard, Tobyhanna Township, Monroe County, Pennsylvania; and

*WHEREAS*, a public hearing was held on the Applicant's request on March 6, 2018; and

*WHEREAS*, the public hearing was duly advertised; and

*WHEREAS*, at the hearing the Board of Supervisors determined that the Applicant is the lessee of the premises; and

*WHEREAS*, at the aforesaid public hearing, the Board of Supervisors received comments and recommendations of interested individuals residing within the municipality concerning the Applicant's intent to transfer a license into Tobyhanna Township; and

*WHEREAS*, the Applicant, presented evidence/testimony about the operation of the restaurant by the Applicant; and

*WHEREAS*, after considering all of the testimony and evidence presented at the hearing, the Board conditionally approves the requested transfer.

***NOW, THEREFORE, BE IT RESOLVED*** by the Board of Supervisors that the request of Malwa Ventures LLC, trading as Blakeslee Beer Express, to transfer Restaurant Liquor License R-21217 from Middle Smithfield Township to 100 Commercial Boulevard, Tobyhanna Township, Monroe County, Pennsylvania, is approved subject to the following conditions:

1. Compliance with the Township's Zoning Ordinance.

2. Prohibition of outdoor dining and/or outdoor music.
3. Hours of operation limitation until 11 p.m.
4. All conditions of this liquor license transfer approval shall be attached as additional conditions to any zoning permit approved by the Township for the site or any other location within the Township unless modified by the Board of Supervisors.

**BE IT FURTHER RESOLVED** that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

**RESOLVED**, at a duly convened meeting of the Board of Supervisors conducted on this 6th day of March, A.D., 2018.

**TOBYHANNA TOWNSHIP  
BOARD OF SUPERVISORS**

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Anne Lamberton, Chairperson

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John J. Holahan, III, Vice Chairman

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Heidi A. Pickard

ATTEST:

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Brendon J.E. Carroll

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Julia Heilakka, Township  
Secretary

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David Carbone

**TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS**

**A RESOLUTION OF THE BOARD OF SUPERVISORS TOBYHANNA TOWNSHIP, MONROE COUNTY, PENNSYLVANIA TO DENY THE INTERMUNICIPAL TRANSFER OF A LIQUOR LICENSE REQUEST**

**SUBJECT: INTERMUNICIPAL TRANSFER OF A LIQUOR LICENSE**

**RESOLUTION 2018-0 12**

*WHEREAS*, the Board of Supervisors is authorized, pursuant to Act 141 of 2000, to deny the inter-municipal transfer of liquor licenses; and

*WHEREAS*, Applicant, Malwa Ventures LLC requested that the Board of Supervisors approve the transfer of Restaurant Liquor License R-21217 previously located in Middle Smithfield Township, Monroe County, that it acquired at public auction number 177 from the Pennsylvania Liquor Control Board, to a location known as 100 Commercial Boulevard, Tobyhanna Township, Monroe County, Pennsylvania; and

*WHEREAS*, a public hearing was held on Applicant's request on March 6, 2018; and

*WHEREAS*, the public hearing was duly advertised; and

*WHEREAS*, at the hearing the Board of Supervisors determined that the Applicant is the lessee of the premises; and

*WHEREAS*, at the aforesaid public hearing, the Board of Supervisors received comments and recommendations of interested individuals residing within the municipality concerning the Applicant's intent to transfer a license into Tobyhanna Township; and

*WHEREAS*, after considering all of the testimony and evidence presented at the hearing, the Board finds that the requested transfer is to a location not properly suited for such use and will be detrimental to the health, safety and welfare of the Township and its residents.

***NOW, THEREFORE, BE IT RESOLVED*** by the Board of Supervisors, as follows:

The Board of Supervisors of Tobyhanna Township, Monroe County, Pennsylvania, hereby denies the request of Malwa Ventures LLC, trading as Blakeslee Beer Express, to transfer Restaurant Liquor License R-21217 from Middle Smithfield Township to 100 Commercial Boulevard, Tobyhanna Township, Monroe County, Pennsylvania.

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**RESOLVED**, at a duly convened meeting of the Board of Supervisors conducted on this 6th day of March, A.D., 2018.

**TOBYHANNA TOWNSHIP  
BOARD OF SUPERVISORS**

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Anne Lamberton, Chairperson

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John J. Holahan, III, Vice Chairman

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Heidi A. Pickard

ATTEST:

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Brendon J.E. Carroll

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Julia Heilakka, Township  
Secretary

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David Carbone