



CAPUTO LAW OFFICE

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April 17, 2023

VIA EMAIL TO: secretary@milfordpa.org

Milford Borough
500 Broad Street
Milford, PA 18337
ATTENTION: Joseph Dooley, Council President

**RE: FOREST HALL, INC.; Request for Inter-Municipal
transfer of PLCB license: R-16922**

Dear Mr. Dooley:

We represent Forest Hall, Inc., a Pennsylvania corporation who is seeking an inter-municipal transfer of Pennsylvania Restaurant Liquor License No. R-16922 from Shohola Township to its proposed business location at 401 Broad Street, Milford, PA 18337. The license is currently owned by TVM, Inc., and is currently approved for use at 231 Rt. 590, Greeley, PA 18425.

Pursuant to Section 461(b.3) of the Pennsylvania Liquor Code, we must first get the approval from Milford Borough before filing an application with the Pennsylvania Liquor Control Board ("PLCB") to transfer the liquor license from Shohola Township to Milford Borough. The Liquor Code requires us to request a public hearing before the Milford Borough Council for the purpose of taking public comments from residents of the Borough on the proposed transfer.

In accordance with the above referenced section of the Liquor Code, notice of the requested hearing must be published once each week for two weeks prior to the hearing in a newspaper of general circulation. Further, the first notice cannot be more than thirty days and the second notice cannot be less than seven days from the hearing date. Accordingly, we are respectfully requesting a public hearing before the Milford Borough Council to request approval of the transfer of Pennsylvania Restaurant Liquor License No. R-16922 from 231 Rte. 590, Greeley, PA 18425 to 401 Broad Street, Milford, PA 18337.

We would appreciate if you would schedule the public hearing as soon as possible, as my client is anxious to obtain approval from the PLCB of the license transfer. The process of transferring a liquor license with the PLCB takes approximately 8 to 12 weeks and the Resolution from the receiving municipality approving the transfer is required to be attached to the application for transfer.

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I have enclosed a sample Resolution for consideration by the Milford Borough Council. If you need any additional information, applications or filing fees, please contact me at (412) 325-0693 and I will see that you receive an immediate response.

Very truly yours,

/s/ *Charles L. Caputo*
Charles L. Caputo

Enclosure
CLC/kmm

**MILFORD BOROUGH
RESOLUTION NO. _____**

**A RESOLUTION OF THE MILFORD BOROUGH COUNCIL
APPROVING THE TRANSFER OF PENNSYLVANIA RESTAURANT
LIQUOR LICENSE NO. R-16922 INTO MILFORD BOROUGH FROM
SHOHOLA TOWNSHIP**

WHEREAS, Act 141 of 2000 (“the Act”), which amended the Commonwealth’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 sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

WHEREAS, amendments to the Liquor Code stipulate that prior to adoption of a resolution by the receiving municipality, at least one public hearing is held for the purpose of permitting interested parties to state their concerns regarding the transfer of a Restaurant Liquor License into the 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 a restaurant liquor license into the receiving municipality.

NOW THEREFORE, BE IT RESOLVED, Forest Hall, Inc. has requested the approval of the Milford Borough Council for the proposed transfer of Pennsylvania Restaurant Liquor License R-16922, currently owned by TVM, Inc., to its facilities within Milford Borough at 401 Broad Street, Milford Borough, PA 18337, with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the Milford Borough Council held a public hearing pursuant to public notice on _____, 2023.

BE IT FURTHER RESOLVED, that the Milford Borough Council approves, by adoption of this Resolution, the proposed inter-municipal liquor license transfer of Pennsylvania Restaurant Liquor License No. R-16922 from TVM, Inc., 231 Rte. 590, Greeley, PA 18425, to Forest Hall, Inc. for use at 401 Broad Street, Milford, PA 18337.

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

I HEREBY CERTIFY that this Resolution was adopted by the Milford Borough COUNCIL at its public meeting held on the ____ day of _____, 2023.

ATTEST:

MILFORD BOROUGH COUNCIL

Secretary

President

Appendix II – Authorized Official Resolution

Be it RESOLVED, that the Borough of Milford of Pike County hereby request a Greenways, Trails, and Recreation Program (GTRP) grant of \$250,000 from the Commonwealth Financing Authority for Phase II Improvements to Ann Street Park.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Joseph Dooley, Council President and Maria Farrell, Council Vice President to execute all documents and agreements between the Borough of Milford and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Francesca Lombardo, duly qualified Secretary of the Borough of Milford, Pike County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Milford Borough Council at a regular meeting held May 22nd, 2023, and said Resolution has been recorded in the Minutes of the Borough of Milford and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Borough of Milford, this 22nd day of May, 2023.

Borough of Milford
Pike County, PA

Francesca Lombardo, Secretary/Treasurer