

PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING AGENDA

WEDNESDAY, MAY 14, 2025
NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA
MICROSOFT TEAMS MEETING

Darrell Clarke, Chairman
Randy Vulakovich, Board Member
Vacant, Board Member
Rodrigo Diaz, Executive Director
Michael Vigoda, Board Secretary

[Office of Chief Counsel](#)
[Bureau of Licensing](#)
[Bureau of Human Resources](#)
[Bureau of Accounting & Purchasing](#)

[Office of Retail Operations](#)
[Bureau of Product Management](#)
[Financial Report](#)
[Other Issues](#)

Notice: Anyone who wishes to comment on a printed agenda item prior to official action being taken must make that known to the Chairman or the Board Secretary in advance. Board Secretary Michael Vigoda can be reached by phone at 717-787-8896 or email at mvigoda@pa.gov

Details for the Microsoft Teams meeting on May 14, 2025 can be found on the PLCB public website.

EXECUTIVE SESSIONS

In accordance with section 708 of the Sunshine Act, 65 Pa. C.S. § 708, on the morning of and/or the day immediately preceding the Public Meeting set forth herein, the Pennsylvania Liquor Control Board will be holding a closed Executive Session or Sessions in the Northwest Office Building for the following purposes: to discuss personnel matters; to consider the purchase or lease of real property prior to an option being obtained or prior to an agreement of purchase; to consult with its legal counsel regarding litigation and similar issues; to review and discuss agency business, which, if conducted in public, would violate lawful privilege or lead to the disclosure of information confidentially protected by law, including quasi-judicial deliberations; and to engage in non-deliberative informational discussions regarding various actions and other matters which have been approved at previous public meetings.

PUBLIC MEETING – 11:00 A.M

CALL TO ORDER *Chairman Clarke*

Pledge of Allegiance to the Flag

OLD BUSINESS..... *Secretary Vigoda*

A. Motion to approve previous Board Meeting Minutes of the April 30, 2025 meeting.

ANNOUNCEMENT OF EXECUTIVE SESSIONS

As explained in the printed Meeting Agenda, certain matters being presented for “official action” at today’s meeting have been discussed during Executive Sessions held prior to today’s meeting as permitted by the Sunshine Act.

Note: This agenda is complete at the time of issuance but other issues may be added and others stricken without further notice.

PUBLIC COMMENT

The Board has reserved 10 minutes for public comment.

NEW BUSINESS

From the Office of Chief Counsel Jason Worley, Chief Counsel

- (1) **Galmarini Enterprise, Inc.** Request for Recission of Conditional
223 Grove City Road Licensing Agreement
Slippery Rock, PA 16057-8532
License No. E-2949
LID 68330

- (2) **Flip and Bailey’s, LLC** ALJ Appeal
902-904 Conestoga Road
Rosemont, PA 19010
License No. R-2431
LID 56307
Citation No. 22-0742

- (3) **The Bear Pen, Inc. t/a Dilly’s** ALJ Appeal
12807 Dunnings Highway
Claysburg, PA 16625-9709
License No. R-10990
LID 58949
Citation No. 24-0049

- (4) **Pocono Enterprise Co.** Resolution of Appeal Pending in the
316-318 Main Street Court of Common Pleas of
Shenandoah, Pennsylvania 17976-2341 Schuylkill County
License No. R-14072
LID 72244

*From the Bureau of Licensing Tisha Albert, Director of Regulatory Affairs
Andrew Stuffick, Director, Bureau of Licensing*

- (1) **35 Hospitality Way, LLC** Renewal – Hotel
H-6263 (LID No. 81884) Case No. 24-9164
35 Hospitality Way
Kidder Township
Lake Harmony, Carbon County

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- (2) **Carversville Inn Libation Co.**
t/a Carversville Inn
R-20759 (LID No. 104328) Case No. 24-9125
6205 Fleecydale Road
Solebury Township
Carversville, Bucks County

Request for Hearing to Extend
Safekeeping Period – Restaurant

- (3) **DeAngelis Bar, Inc.**
R-15470 (LID No. 33402) Case No. 24-9115
2300 Duss Avenue
Ambridge, Beaver County

Appointment of Manager –
Restaurant

- (4) **Hillcrest Distributing, LLC**
t/a Hillcrest Distributing
D-1292 (LID No. 70739) Case No. 24-9153
Rear Basement 3245 Leechburg Road
Lower Burrell, Westmoreland County

Notice of Change in Business
Structure – Distributor

- (5) **Jefferson Democratic Club**
C-1850 (LID No. 1098) Case No. 24-9110
1002 Linden Street
Bethlehem, Northampton County

Renewal with Notice of Change in
Officers – Club

- (6) **Miller Sips, LLC**
R-7498 (LID No. 120757) Case No. 24-9137
5605 Chew Avenue
Philadelphia, Philadelphia County

Double Transfer – Restaurant

- (7) **Shadyside Mex, LP**
t/a Mad Mex
R-12636 (LID No. 112985) Case No. 24-9178
220 South Highland Avenue
Pittsburgh, Allegheny County

Temporary Outdoor Extension of
Premises – Restaurant

- (8) **South Side Sin City, Inc.**
R-7110 (LID No. 56285) Case No. 24-9143
219 Atwood Street
Pittsburgh, Allegheny County

Request for Hearing to Extend
Safekeeping Period – Restaurant

- (9) **Carrick Beer 4 Less, Inc.**
t/a Carrick Beer 4 Less
D-2327 (LID No. 58018) Case No. 2023-58018
2300-2302 Brownsville Road
Pittsburgh, Allegheny County

Renewal – District 5

Note: This agenda is complete at the time of issuance but other issues may be added and others stricken without further notice.

- (10) **Finski, Inc.** Renewal – District 5
R-14504 (LID No. 65078) Case No. 2025-65078
5440-45 Walnut Street
Pittsburgh, Allegheny County
HOLD 10/16/24 SESSION
Conditional Licensing Agreement
- (11) **I. B. P. O. E. W. Cyrene Lodge No. 169** Renewal – District 2
CC-1692 (LID No. 3187) Case 2024-3187
140 Frank S Brown Boulevard
Steelton, Dauphin County
- (12) **Joela, Inc.** Renewal – District 10
E-4219 (LID No. 62192) Case No. 2024-62192
220 North Broad Street
Philadelphia, Philadelphia County
Conditional Licensing Agreement
- (13) **Johnstown Beer And Eats, LLC** Renewal – District 1
t/a Country Garden 6 Pak Featuring Red's- Texas
BBQ
R-18176 (LID No. 106095) Case No. 2023-106095
3116 Elton Road
Richland Township
Johnstown, Cambria County
- (14) **Lightstreet Beer Express, LLC** Renewal – District 8
R-21082 (LID No. 83694) Case No. 2024-83694
3 Fowlersville Road
Scott Township
Orangeville, Columbia County
HOLD 3/19/25 SESSION
Conditional Licensing Agreement
- (15) **Mofonlounge, LLC** Renewal – District 8
t/a Mofonlounge
R-15416 (LID No. 107705) Case No. 2024-107705
120 Academy Street
Wilkes-Barre, Luzerne County
- (16) **Sassamansville Fire Co. No. 1** Renewal – District 4
CC-5382 (LID No. 3912) Case No. 2024-3912
1865 Hoffmanville Road
New Hanover Township
Sassamansville, Montgomery County

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(17) **Tri Entertainment, Inc.**
R-11430 (LID No. 58244) Case No. 2025-58244
1510-14 East Carson Street
Pittsburgh, Allegheny County

Renewal – District 5

HOLD 10/16/24 SESSION

Conditional Licensing Agreement

*From the Bureau of Human Resources Jason Lutcavage, Director of Administration
Jennifer Haas, Director, Bureau of Human Resources*

Personnel Actions

*From the Bureau of Accounting & Purchasing Rodrigo Diaz, Executive Director
Tammy Wenrich, Chief, Purchasing & Contracting Administration
Ijeoma Ezekoye, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

- 1) **Aprons for PLCB Regions** – This procurement action is the replenish the brown and green apron supply for the Fine Wine & Good Spirits store employees in Regions 1, 2 and 3.

Procured via DGS Contract 440004306 – VENDOR: UniqueSource Products & Services:
\$55,492.50, estimated cost

- 2) **Steel Shelving** – This procurement is to provide steel shelving for all Fine Wine & Good Spirits Stores.

VENDOR: Storfex Holdings, Inc, CPA #70000005: **\$600,000.00, estimated cost**

- 3) **Essential** - 12 months renewal for netback up platform base complete with flexible licensing XPLAT 1 front end TB plus on premise standard perpetual license.

Procured via DGS Contract 4400028357 - VENDOR – Veritas - **\$56,164.56 estimated cost** |

Inter-Agency Charges:

- 1) **Department of General Services (DGS) Vehicle Purchases (Job 66)** – Billing of \$56,596.00 to reimburse DGS for the purchase of 1 Ford Transit 250 vehicle for the PLCB.
- 2) **Office of Administration – IT Shared Services** – Billing of \$1,008,375.00 for the FY 2024-25 Q4 “estimated” billing for OA’s IT Enterprise Technology Essential Services. This billing is for enterprise-wide infrastructure, network, security, enterprise data center (EDC) and service desk costs. The LCB’s charge represents 1.1% of the total \$89.6M OA- IT Shared Services billing.
- 3) **Office of Comptroller Operations** – Billing of \$1,650,389.51 for the third quarter’s actual expenses represent January, February and March from the Office of Comptroller Operations.

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- 4) **Office of Comptroller Operations** - Billing of \$1,414,013.89 for the fourth quarter’s “estimated” expenses from the Office of Comptroller Operations. The invoice supports the fiscal year “over-head” charges for portions of BAFM and BOA directors and Payables unit costs.
- 5) **Office of Unemployment Compensation** – The billing of \$126,336.81 for reimbursement of Unemployment Compensation from FY24-25, January (\$31,030.88), February (\$42,631.76) and March (\$52,674.17).
- 6) **Department of General Services (DGS) Vehicle Leases (Job 35)** – The billing of \$56,452.80 for February/2025 to reimburse DGS vehicle leases in accordance with Management Directive 615.3. This billing is for the 101 vehicles leased by the PLCB and includes the monthly lease costs for Telematic (GPS) devices.

The Bureau of Financial Management and Analysis has reviewed these charges and determined that they are reasonable based on billing methodology and previous experience.

From the Office of Retail Operations..... Rodrigo Diaz, Executive Director

- 1. **#0245 – The Waterfront, 280 East Waterfront Drive, Homestead
Exercise Option**
- 2. **#0932 – Valley Square Shopping Center, 1115 N. Main Street, Warrington
Exercise Option**
- 3. **#1510 – Barley Station Shopping Center, 2715 E. Lincoln Highway, Coatesville
Exercise Option**
- 4. **#3622 – Shoppes at Kissel Village, 1036 Lititz Pike, Lititz
Exercise Option**
- 5. **#5134 – 32 South Second Street, Philadelphia
Exercise Option**
- 6. **#0222 – 98 Vanadium Road, Bldg. D, Bridgeville
Amendment – Licensee Service Center**
- 7. **#0615 – Douglassville Shopping Center, 180 Old Swede Road, Ste. 6, Douglassville
Amendment**
- 8. **#3701 – 2656 Ellwood Road, New Castle
Amendment**

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From the Bureau of Product Management.....Megan Painter, Director of Product Management

VENDOR – ITEM NAME

BOARD ACTION REQUESTED

“These items went to Board for the public meeting without pricing”

Various	1. Regular New Items Accepted
Various	2. Regular Recommended Delist

1. Regular New Items Accepted

BRAND NAME AND SIZE

REASON

Republic National

XXL Blackberry Moscato 750 mL	18
XXL Blueberry Moscato 750 mL	18
XXL Mango Moscato 750 mL	18

RECOMMENDED ACTION: We recommend the Board approve this action

**New Items – Recommended Listings
Reason Codes**

1. Strong marketing support
2. High brand recognition
3. Line/Size extension of successful brand
4. Trade up opportunity
5. Growing category
6. Growing segment
7. National rollout
8. Niche item / Limited distribution
9. High dollar profit potential
10. Trade out
11. High quality for the value
12. Innovative product/flavor
13. High sales through other PLCB channels (Luxury, Online, SLO)
14. Underrepresented category/segment
15. Hole in selection – consumer/store requests
16. PA Spirits
17. PA Wines
18. Licensee only
19. Probationary listing

2. Regular Recommended Delist

BRAND NAME AND SIZE

CODE

Delicatto Vineyards LLC

Schmitt Sohne Relax Pink Rose 750 mL	98077
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EFFECTIVE DATE: The transference to closeout will become effective May 19, 2025

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FINANCIAL REPORT *Michael J. Burns, Comptroller Operations, Office of Budget*

**Commonwealth of Pennsylvania
Pennsylvania Liquor Control Board
State Stores Fund
Comparative Statement of Net Position
(Unaudited)**

	<u>January 31, 2025</u>	<u>January 31, 2024</u>
<u>ASSETS</u>		
Current assets:		
Cash	\$ 41,891,170	\$ 49,807,947
Investments - short term	240,716,908	292,840,728
Accounts and claims receivable, net	1,885,023	8,077,858
Due from other funds - Note 9	-	-
Merchandise inventories, net	237,936,397	152,564,869
Operating supplies	821,665	1,061,604
Prepaid expenses	1,793,754	2,057,821
Total current assets	525,044,917	506,410,827
Non-current assets:		
Non-depreciable capital assets:		
Land	-	322,973
Depreciable or amortizable capital assets:		
Building	2,365,799	10,935,291
Leasehold improvements	209,134	209,134
Machinery and equipment	43,644,599	65,428,898
Intangible - internally generated software	74,049,785	82,252,935
Intangible - right to use leases - Note 10	478,735,857	428,522,934
Intangible - right to use IT subscriptions - Note 11	23,590,414	16,337,949
Less: accumulated depreciation or amortization	342,534,594	296,986,460
Net depreciable or amortizable capital assets	280,060,994	306,700,681
Total non-current capital assets	280,060,994	307,023,654
Total assets	\$ 805,105,911	\$ 813,434,481
Total deferred outflows of resources - Notes 5, 6	\$ 198,256,874	\$ 252,265,228
<u>LIABILITIES</u>		
Current liabilities:		
Trade accounts payable	\$ 327,905,553	\$ 270,550,444
Other accounts payable	5,156,304	19,277,732
Accrued expenses	21,593,723	31,347,112
OPEB - Note 6	-	-
Self-insurance, workers' compensation - Note 7	4,767,807	4,795,551
Due to other funds - Note 9	9,605,774	8,241,233
Due to fiduciary funds - Note 9	2,607,590	4,855,821
Due to other governments - Note 9	753,874	1,327,435
Right to use liabilities - Note 10	63,964,451	62,903,688
Total current liabilities	436,355,076	403,299,016
Non-current liabilities:		
OPEB - Note 6	307,081,000	358,495,000
Self-insurance, workers' compensation - Note 7	45,729,790	46,795,622
Net pension liability - Note 5	549,330,515	579,500,530
Compensated absences - Note 1	26,266,236	24,484,695
Right to use liabilities - Note 10	172,025,745	175,504,672
Total non-current liabilities	1,100,433,286	1,184,780,519
Total liabilities	\$ 1,536,788,362	\$ 1,588,079,535
Total deferred inflows of resources - Notes 5, 6	\$ 194,337,767	\$ 223,352,926
<u>NET POSITION</u>		
Net investment in capital assets	\$ 44,070,798	\$ 68,615,294
Deficit	(771,834,142)	(814,348,046)
Total net position	\$ (727,763,344)	\$ (745,732,752)

Note: This agenda is complete at the time of issuance but other issues may be added and others stricken without further notice.

**Commonwealth of Pennsylvania
 Pennsylvania Liquor Control Board
 State Stores Fund
 Comparative Statements of Revenues, Expenses, and Changes in Net Position
 For the Month Ending January 31, 2025 and January 31, 2024
 (Unaudited)**

	2024-25	2023-24
Sales net of taxes	\$ 172,418,667	\$ 171,308,199
Cost of goods sold	(119,996,401)	(119,756,589)
Gross profit from sales	52,422,266	51,551,610
Operating (expenses):		
Wholesale	(3,016,854)	(3,351,025)
Retail	(38,173,140)	(36,664,166)
E-Commerce	(166,600)	(166,301)
Regulatory	(1,513,363)	(1,339,919)
Enterprise	(8,137,468)	(8,810,227)
Commonwealth provided services - Note 2	(2,146,444)	(1,476,946)
Total	(53,153,869)	(51,808,584)
Operating profit/(loss)	(731,603)	(256,974)
Other operating revenues (expenses):		
Enforcement fines	38,450	181,049
License fees	2,867,566	2,580,216
Miscellaneous income	237,282	225,149
Total	3,143,298	2,986,414
Total operating income/(loss)	2,411,695	2,729,440
Miscellaneous revenues (expenses):		
Interest income (expense)	528,048	1,051,245
Other	-	-
Total	528,048	1,051,245
Income/(Loss) before operating transfers	2,939,743	3,780,685
Operating transfers out:		
PSP enforcement - Note 3	(3,515,203)	(2,304,038)
Net Income/(Loss) from operations	(575,460)	1,476,647
Statutory Transfers:		
General fund - Note 4	-	-
Drug and alcohol programs - Note 4	-	-
Department of Agriculture - Note 4	-	-
Total	-	-
Change in net position	(575,460)	1,476,647
Total net position - beginning	(727,187,884)	(747,209,399)
Total net position - ending	\$ (727,763,344)	\$ (745,732,752)

Liquor tax	30,906,420	29,824,902
State Sales Tax	12,246,238	11,830,120
Local Tax	849,120	812,953
Taxes remitted to Dept.of Revenue YTD	\$ 44,001,778	\$ 42,467,975

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**Commonwealth of Pennsylvania
 Pennsylvania Liquor Control Board
 State Stores Fund
 Comparative Statements of Revenues, Expenses, and Changes in Net Position
 For the Seven Months Ending January 31, 2025 and January 31, 2024
 (Unaudited)**

	<u>2024-25</u>	<u>2023-24</u>
Sales net of taxes	\$ 1,542,438,188	\$ 1,528,630,247
Cost of goods sold	<u>(1,046,163,369)</u>	<u>(1,035,680,122)</u>
Gross profit from sales	496,274,819	492,950,125
Operating (expenses):		
Wholesale	(19,952,493)	(18,360,389)
Retail	(267,114,863)	(244,413,223)
E-Commerce	(1,400,985)	(1,388,428)
Regulatory	(9,921,839)	(8,456,676)
Enterprise	(68,639,959)	(63,255,958)
Commonwealth provided services - Note 2	<u>(13,851,886)</u>	<u>(11,256,254)</u>
Total	<u>(380,882,025)</u>	<u>(347,130,928)</u>
Operating profit/(loss)	115,392,794	145,819,197
Other operating revenues (expenses):		
Enforcement fines	578,513	697,083
License fees	24,654,195	18,673,566
Miscellaneous income	<u>1,222,936</u>	<u>1,338,866</u>
Total	<u>26,455,644</u>	<u>20,709,515</u>
Total operating income/(loss)	141,848,438	166,528,712
Miscellaneous revenues (expenses):		
Interest income (expense)	4,589,502	7,496,430
Other	<u>(433,969)</u>	<u>17,008</u>
Total	<u>4,155,533</u>	<u>7,513,438</u>
Income/(Loss) before operating transfers	146,003,971	174,042,150
Operating transfers out:		
PSP enforcement - Note 3	(22,553,510)	(18,417,458)
Net Income/(Loss) from operations	<u>123,450,461</u>	<u>155,624,692</u>
Statutory Transfers:		
General fund - Note 4	(100,000,000)	(100,000,000)
Drug and alcohol programs - Note 4	-	-
Department of Agriculture - Note 4	(2,000,000)	-
Total	<u>(102,000,000)</u>	<u>(100,000,000)</u>
Change in net position	21,450,461	55,624,692
Total net position - beginning	<u>(749,213,805)</u>	<u>(801,357,444)</u>
Total net position - ending	<u>\$ (727,763,344)</u>	<u>\$ (745,732,752)</u>
Liquor tax	271,060,112	269,627,794
State Sales Tax	107,333,272	106,443,129
Local Tax	6,907,167	7,178,113
Taxes remitted to Dept.of Revenue YTD	<u>\$ 385,300,551</u>	<u>\$ 383,249,036</u>

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OTHER ISSUES

None

PUBLIC COMMENT

The Board has reserved 10 minutes for public comment.

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, June 4, 2025 beginning at 11:00 A.M. Prior to the public meeting, an Executive Session or Sessions will be held for the specific purposes as regularly set forth in the printed Board Agenda.

ADJOURNMENT

Informational Statements to be included in the Public Meeting Agenda

For ALJ Cases:

These cases are appeals taken from adjudications rendered by an Administrative Law Judge (ALJ) in citation proceedings initiated by the Pennsylvania State Police, Bureau of Liquor Control Enforcement in accordance with section 471 of the Liquor Code, 47 P.S. § 4-471.

In all of these matters, an administrative hearing has already been held before an ALJ during which the parties were given the opportunity to present sworn testimony and other evidence, as well as to make legal arguments, in support of their respective positions.

The Board must affirm the ALJ unless the ALJ's decision is an error of law, an abuse of discretion or is not supported by substantial evidence. In some instances where noted, it may also be necessary for the Board to remand the matter back to the ALJ for additional action to be taken. In that the Board is acting in its quasi-judicial (appellate) capacity, deliberations on these matters may have already occurred during authorized executive sessions.

The reasoning for any final decision by the Board on these matters will be set forth in a publicly issued written opinion which will be released immediately after the Board session. Any party aggrieved by the Board's decision has the right to pursue an appeal to the applicable county court of common pleas in accordance with the Liquor Code.

For Application Matters such as New Licenses, Transfers of Existing License, or Extension of Premises:

In all of these matters, an administrative hearing - open to the public - has already been held before a Board-assigned hearing examiner. All interested parties, including the applicant, the Bureau of Licensing, and valid protesters and/or intervenors, were given the opportunity to present sworn testimony and other evidence, as well as to make legal arguments, in support of their respective positions. The Board has reviewed the administrative record created before the hearing examiner along with any briefs submitted by the parties, as well as the recommendations made by the assigned hearing examiner and the Board's legal counsel. In that the Board is acting in its quasi-judicial capacity, deliberations on these matters may have already taken place during authorized executive sessions.

In each case, the Board may either vote to approve the application outright, vote to approve the application subject to a conditional licensing agreement setting forth specific conditions agreed upon by the parties and which are reasonably intended to address specific concerns made part of the record, or vote to refuse the application its entirety. For any case in which the Board would like additional time to review the record prior to making its decision, the Board reserves the right to place a hold on such matter in which case "official action" will not be taken until a future Board meeting.

Any party aggrieved by the Board's decision has the right to pursue an appeal to the applicable county court of common pleas in accordance with the Liquor Code, or, in certain circumstances, directly to the Commonwealth Court. In the event that an appeal is filed, the Board, as required by the Liquor Code, will file a written opinion setting forth the specific reasoning for its decision.

For License Renewal Cases:

These cases involve applications for renewal of licenses to which the Bureau of Licensing has raised objections. In all of these matters, an administrative hearing - open to the public - has already been held before a Board-assigned hearing examiner. The parties were given the opportunity to present sworn testimony and other evidence, as well as make legal arguments. The Board has reviewed the administrative record created before the hearing examiner along with any briefs submitted by the parties, as well as the recommendations made by the assigned hearing examiner and the Board's legal counsel. In that the Board is acting in its quasi-judicial capacity, deliberations on these matters may have already taken place during authorized executive sessions.

In each case, the Board may either vote to approve renewal of the license outright, vote to approve renewal of the license subject to a conditional licensing agreement setting forth specific conditions agreed upon by the parties and which are reasonably intended to address the operational issues of the licensee, or vote to refuse renewal of the license in its entirety. For any case in which the Board would like additional time to review the record prior to making its decision, the Board reserves the right to place a hold on such matter in which case "official action" will not be taken until a future Board meeting.

An applicant aggrieved by the Board's decision has the right to pursue an appeal to the applicable county court of common pleas in accordance with the Liquor Code. In the event that an appeal is filed, the Board, as required by the Liquor Code, will file a written opinion setting for the specific reasoning for its decision.

For Noise Exemption Cases:

These matters involve municipal petitions for exemptions from the Liquor Code provisions dealing with amplified sound. In all of these matters, an administrative hearing – open to the public - has already been held before a Board-assigned hearing examiner during which the parties were given the opportunity to present sworn testimony and other evidence, as well as to make legal arguments, in support of their respective positions.

The Board has reviewed the administrative record created before the hearing examiner along with any briefs submitted by the parties, as well as the recommendations made by the assigned hearing examiner and the Board's legal counsel. In that the Board is acting in its quasi-judicial capacity, deliberations on these matters may have already taken place during authorized executive sessions.

In each case, the Board may either vote to approve the municipal petition for noise exemption outright, vote to limit its approval to a more defined area of the municipality than what is being requested, or vote to refuse the petition in its entirety. The Board must act upon a municipal petition for noise exemptions within 60 days of receiving such petition.

Any party aggrieved by the Board's decision has the right to pursue an appeal to the applicable county court of common pleas in accordance with the Liquor Code. In the event that an appeal is filed, the Board will file a written opinion setting for the specific reasoning for its decision as required by the Liquor Code.

For All Matters in Which the Board is Acting in its Quasi-Judicial Capacity

No additional testimony or evidence may be presented by the parties during the Board's public meeting. While the Board reserves the right to allow comments to be made by the public concerning any particular case, this is being done so with the understanding that such comments are not the equivalent of sworn testimony and, thus, will not be given any weight by the Board when rendering its decision. Additionally, the Board is not required to respond to any public comments offered, nor is it required to answer any questions concerning these matters.