

# PENNSYLVANIA LIQUOR CONTROL BOARD

## MEETING AGENDA

WEDNESDAY, DECEMBER 18, 2024

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](#)

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*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](mailto:mvigoda@pa.gov)*

*Details for the Microsoft Teams meeting on December 18, 2024 can be found on the PLCB public website.*

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### 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 December 4, 2024 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) **Hampden Township**  
**Case No. 24-NE-14** Municipal Petition for Exemption  
from Liquor Code Statute  
Regarding Amplified Sound
  
- (2) **4311 Main License, LLC**  
4311 Main Street Request for Modification of  
Philadelphia, PA 19127-1538 Conditional Licensing Agreement  
License No. R-8136  
LID 83480

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

- (1) **Berks Lodge No. 47 I B P O E**  
C-490 (LID No. 605) Case No. 24-9014  
235-237 Walnut Street  
Reading, Berks County  
Renewal with Notice of Change in  
Officers – Club
  
- (2) **Colebrookdale Railroad Preservation Trust**  
P-157 (LID No. 71312) Case No. 23-9104  
4020 Prospect Hill Lane  
Lower Pottsgrove Township  
Pottstown, Montgomery County  
Extension of License – Public  
Service
  
- (3) **Gatti Holdings LLC**  
R-19900 (LID No. 69989) Case No. 24-9043  
6817 Route 202  
Solebury Township  
New Hope, Bucks County  
Request for Hearing to Extend  
Safekeeping Period – Restaurant

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| <p>(4) <b>MLT Entertainment, LLC</b><br/>R-10874 (LID No. 80545) Case No. 23-9120<br/>226 Meyran Avenue<br/>Pittsburgh, Allegheny County</p>  | <p>Request for Hearing After<br/>Revocation – Restaurant</p>  |
| <p>(5) <b>MSR Management, LLC</b><br/><b>t/a Magnolia Streamside Resort</b><br/>(LID No. 116657) Case No. 23-9131<br/>2518 Route 390<br/>Barrett Township<br/>Canadensis, Monroe County</p> | <p>New &amp; Request for an Interior<br/>Connection with Another Business –<br/>Hotel</p>                         |
| <p>(6) <b>Salem Beverage, Inc.</b><br/><b>t/a Salem Beverage</b><br/>D-3490 (LID No. 127875)<br/>804 East 5<sup>th</sup> Street<br/>Salem Township<br/>Berwick, Luzerne County</p>          | <p>Double Transfer &amp; Request for<br/>Interior Connections with Another<br/>Business – Distributor</p>         |
| <p>(7) <b>Broomall Beer, LLC</b><br/>D-3747 (LID No. 67662) Case No. 2023-67662<br/>2056 Sproul Road<br/>Marple Township<br/>Broomall, Delaware County</p>                                  | <p>Renewal – District 11<br/><br/><b>HOLD 9/11/24 SESSION</b><br/><br/><b>Conditional Licensing Agreement</b></p> |
| <p>(8) <b>Goofy’s Eatery &amp; Spirits, Inc.</b><br/>R-17886 (LID No. 24401) Case No. 2024-24401<br/>5965 York Road<br/>North Codorus Township<br/>Sprint Grove, York County</p>            | <p>Renewal – District 2<br/><br/><b>HOLD 10/30/24 SESSION</b><br/><br/><b>Conditional Licensing Agreement</b></p> |
| <p>(9) <b>Gordon Grill, Inc.</b><br/>E-1885 (LID No. 59852) Case No. 2024-59852<br/>429 Gordon Street<br/>Allentown, Lehigh County</p>  | <p>Renewal – District 4<br/><br/><b>HOLD 9/25/24 SESSION</b><br/><br/><b>Conditional Licensing Agreement</b></p>  |
| <p>(10) <b>MC 6901 Frankford, Inc.</b><br/>R-3187 (LID No. 56803) Case No. 2022-56803<br/>6901 Frankford Avenue<br/>Philadelphia, Philadelphia County</p>                                   | <p>Renewal – District 10<br/><br/><b>HOLD 5/15/24 SESSION</b><br/><br/><b>Conditional Licensing Agreement</b></p> |

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- (11) Michael’s Lounge 2, LLC**  
**t/a Michael’s Lounge**  
R-10035 (LID No. 108202) Case No. 2023-108202  
331 Singer Avenue  
McKees Rocks, Allegheny County

Renewal – District 5  
**HOLD 7/10/24 SESSION**  
**Conditional Licensing Agreement**
  
- (12) Poonam, Inc.**  
E-211 (LID No. 66468) Case No. 2024-66468  
4346 Frankford Avenue  
Philadelphia, Philadelphia County

Renewal – District 10  
**Conditional Licensing Agreement**
  
- (13) Second Base Restaurant & Lounge, Inc.**  
R-4694 (LID No. 67019) Case No. 2022-67019  
123-131 West Broad Street  
Hazleton, Luzerne County

Renewal – District 8  
**HOLD 10/16/24 SESSION**  
**Conditional Licensing Agreement**
  
- (14) Solkim, LLC**  
R-5092 (LID No. 100136) Case No. 2023-100136  
1505 East Carson Street  
Pittsburgh, Allegheny County

Renewal – District 5  
**HOLD 5/15/24 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  
Josh Greene, Acting Chief, Purchasing & Contracting Administration  
Ijeoma Ezekoye, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

None

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Inter-Agency Charges:

**(1) Department of General Services (DGS) Property Costs (JOB 7)** – Billing of \$111,428.44 comprises of \$118,691.38 expense with a \$7,262.94 true-up credit for the first quarter of FY 2024-25 for Commonwealth property costs. This is for the property costs for the Northwest Office Building (NWOB), which includes direct costs paid by DGS (electricity charges), as well as prorated expenses for Capital Police services, City of Harrisburg Fire Protection.

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. **#0244 – 739 Monongahela Avenue, Glassport  
Amendment**
2. **#2506 – Corry Plaza, 350 West Columbus Avenue, Corry  
Amendment**
3. **#4605 – Melrose Shopping Center, 103 West Cheltenham Avenue, Cheltenham  
Amendment**
4. **#5408 – Sharp Mountain Plaza, 888 Gordon Nagle Trail, Pottsville  
Amendment**
5. **#4646 – 50 Greenfield Avenue, Suite 62, Ardmore  
Exercise Option**
6. **#5412 – 515 Dock Street, Schuylkill Haven  
Exercise Option**
7. **#9705 – 935-37 North Third Street, Harrisburg  
Parking Agreement**
8. **#14XX – 1536 North Atherton Street, State College  
New Store (to replace #1405)**
9. **#2605 – 213 Penn Street, Point Marion  
Closing**

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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  
Various

1. Regular New Items Accepted
2. Regular Recommended Delist

**1. Regular New Items Accepted**

**BRAND NAME AND SIZE**

**REASON**

**Bacardi USA Inc**

Angel's Envy Straight Bourbon 100 mL 2, 3

**Boston Beer Company**

Dogfish Head Bar Cart Cocktail 8x355 mL Variety Pack Cans 2, 5

Dogfish Head Bar Cart Tropical 8x355 mL Cans Variety Pack 2, 5

Sun Cruiser Classic Iced Tea 4x355 mL Cans 10

Sun Cruiser Iced Tea and Vodka 8x355 mL Variety Pack Cans 4, 5

**Brown Forman Corporation**

Jack Daniels and Coca Cola Variety Pack 6x355 mL 2, 4, 5

**Campari America**

Howler Head Banana Bourbon 50 mL 3

Miraval Cotes de Provence Rose 750 mL 13

Wild Turkey Rare Breed Rye 750 mL 2, 3

**Capital Wines and Spirits**

Cali Cocktails by Snoop Long Beach Lemonade 4x355 mL Cans 1, 2, 5, 12

Cali Cocktails by Snoop Smokin' Strawberry Margarita 4x355 mL Cans 1, 2, 5, 12

Carpano Antica Formula Vermouth 750 mL 4, 5, 3

Cognac Park Carte Blanche VS 700 mL 10

Cutwater Long Island Iced Tea 4x355 mL Cans 5, 9

Cutwater Mango Margarita 4x355 mL Cans 5, 6, 9

Cutwater Tequila Paloma 4x355 mL Cans 5, 6, 9

SunnyD Vodka Seltzer 8x355 mL Variety Pack Cans 2, 7, 5

te Pa Marlborough Pinot Gris 750 mL 11, 14

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Two Chicks Craft Cocktails Variety Pack 8x355 mL Cans 4, 5

**Capital Wines and Spirits**

Zing Zang Bloody Mary Cocktail 4x355 mL Cans 14

**Constellation Brands**

Fresca Mixed Vodka Spritz 8x355 mL Variety Pack Cans 2, 4, 5

**C Jacquin Et Cie Inc**

Bartender's Trading Company Horchata 750 mL 3

**Diageo Americas Inc**

Smirnoff Smash Vodka Soda 8x355 mL Variety Pack Cans 2, 4, 5

Baileys Non-Dairy Irish Oat Coffee Toffee Liqueur 750 mL 3, 12

**Delicato Family Wines**

Schmitt Sohne Blue Bottle Sweet Riesling 500 mL 3

**DV Spirits LLC**

Empress 1908 Cucumber Lemon Gin 750 mL 12

**The Edrington Group**

The Macallan Highland Single Malt Scotch Sherry Oak Cask  
18 Year Old 750 mL 2, 3

**Heaven Hill Distilleries Inc**

Lunazul Tequila Anejo 750 mL 10

Lunazul Tequila Blanco 375 mL 3

**Irokos Group**

Swear Jar Canadian Whiskey 750 mL 9

**Jim Beam Brands Co**

196 Vodka Seltzer Variety Pack 8x355mL Cans 10

Cruzan Aged Light Rum 1.75 L 4

Maker's Mark 46 Straight Bourbon 1.75 L 2, 3

On The Rocks Lemon Drop Martini Cocktail 375 mL 2, 3, 5

**Juice and Dirt Beverage Company LLC**

Villa M Berry Semi Sweet Rose 750 mL 4, 5

**Majestic W S USA Inc**

Hearst Ranch Winery Three Sisters White Cuvee 750 mL 5

**Mast-Jagermeister US Inc**

Teremana Reposado Tequila 1.75 L  
  
3

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**MHW Ltd**

Ketel One Botanical Spritz 8x355 mL Variety Pack Cans 2, 5, 15

**Monsieur Touton Selection**

Volante Italian Peach Bellini Nonvintage 750 mL 4, 5

**North Wales Wines**

High Noon Day Pack Variety 8x355 mL Cans 2, 3, 4, 5

High Noon Lake Pack Variety 8x355 mL Cans 2, 3, 4, 5

High Noon Tequila Grapefruit Seltzer 4x355 mL Cans 2, 3, 6

High Noon Tequila Lime Seltzer 4x355 mL Cans 2, 3, 6

High Noon Vodka Iced Tea Peach 4x355 mL Cans 2, 3

High Noon Vodka Iced Tea Original 4x355 mL Cans 2, 3

New Amsterdam Tangerine Vodka 750 mL 12

Nobilo Silver 80 Calorie Sauvignon Blanc 750 mL 3

Rumchata Pineapple Cream Liqueur 750 mL 3

Smith & Hook Cabernet Sauvignon 750 mL 5, 10

Smith & Hook Sauvignon Blanc 750 mL 5

**Northern Wine and Spirits**

Ballotin Chocolate Peanut Butter Cream 750 mL 3

**Oasis Wine and Spirits LLC**

Compass Box Nectarosity Blended Scotch Whisky 750 mL 11

Fosforo Mezcal Ensemble 750 mL 3, 5

Sea Isle Spike Iced Tea Variety Pack 8x355 mL 5, 12

Cantine Francesco Montagna Sangue di Giuda 750 mL 4, 5

**Palm Bay International**

Bottega Fragolino Rosso Italy 750 mL 4, 5

**Park Street Imports LLC**

Meili Vodka 750 mL 13

Shanky's Whip Black Spirits Liqueur 750 mL 13

**Paterno Imports Ltd**

Wairau River Pinot Gris Marlborough 750 mL 11, 14

**Pernod Ricard USA**

Absolut Espresso Martini Cocktail 750 mL 2, 6

Absolut Ocean Spray Variety Pack 12x355 mL cans 2, 4, 5

Malibu Rum Punch Tetra Pack 1000 mL 5

**Piedmont Distillers Inc**

Midnight Moon Apple Pie Moonshake 750 mL 3

**Proximo Spirits Inc**

400 Conejos Joven 750 mL 5



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Jose Cuervo Authentic White Peach Light Margarita 1.75 L	2, 3, 6
Jose Cuervo Tradicional Cristalino 750 mL	3

**Remy Cointreau USA Inc**

Cointreau Liqueur 1.75 L	3
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**Sazerac Company Inc**

99 Whipped Liqueur 750 mL	3
Buffalo Trace Bourbon Cream 750 mL	13
Buzzballz Chillers Biggie Chocolatini Wine Cocktail 1.5 L	18
Buzzballz Biggies Tequila 'Rita 1.75 L	3
BuzzBallz Cocktails Tequila 'Rita 200 mL	5, 13
BuzzBallz Cocktails Choc Tease 200 mL	5, 13
BuzzBallz Cocktails Cran Blaster 200 mL	5, 13
BuzzBallz Cocktails Lotta Colada 200 mL	5, 13
BuzzBallz Cocktails PeachBallz 200 mL	5, 13
BuzzBallz Cocktails Strawberry 'Rita 200 mL	5, 13

**Southern Glazers Wine and Spirits of PA**

Amarula Cream Liqueur 750 mL	13
Bunnahabhain Single Malt Scotch 12 Year Old 750 mL	13
Fiero Serrano Tequila Blanco 750 mL	10
Mamitas Tequila Hard Seltzer Variety Pack 8x355 mL Cans	4, 5
Ole Smoky Salty Caramel Tennessee Whiskey 1.75 L	2, 3
Revanche Cognac 750 mL	3
Speyburn Single Malt Scotch 10 Year 750 mL	2, 11
The Pale Rose by Sacha Lichine 750 mL	13
WhistlePig 12 Year World Wine Cask Finished Rye 750 mL	2, 3
Hampton Water Languedoc Rose 750 mL	13

**Sweet Grace Distilling Co LLC**

Stateside Surfside Black Cherry Lemonade and Vodka 4x355 mL Cans	2, 3, 5
Stateside Surfside Raspberry Lemonade and Vodka 4x355 mL Cans	2, 3, 5
Stateside Surfside Strawberry Lemonade and Vodka 4x355 mL Cans	2, 3, 5

**The Copper Can LLC**

The Copper Can Peach Moscow Mule 4x355mL Cans	5, 12
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**Vintage Imports Inc**

Morgan Sauvignon Blanc Arroyo Seco 750 mL	5
St Supery Estate Sauvignon Blanc Napa Valley 750 mL	5

RECOMMENDED ACTION: We recommend the Board approve this action

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**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**

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
 <b><u>Capital Wine and Spirits</u></b>	
Cognac Park Carte Blanche VS 750 mL	96563
 <b><u>Heaven Hill Distilleries Inc</u></b>	
Burnett's Sweet Tea Vodka 1.75 L	98799
 <b><u>North Wales Wines</u></b>	
LIQS Kamikaze Wine Cocktail Shot 4x50 mL	838
LIQS Lemon Drop Wine Cocktail Shot 4x50 mL	839
LIQS Margarita Wine Cocktail Shot 4x50 mL	840
 <b><u>Palm Bay Imports Inc</u></b>	
Confetti Sweet Pink Rose 750 mL	97802
 <b><u>Southern Glazers Wine and Spirits of PA</u></b>	
Severo Tequila Anejo 750 mL	97747

RECOMMENDED ACTION: We recommend the Board approve this action.

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

None

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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, January 15, 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.