

PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING AGENDA

WEDNESDAY, JANUARY 15, 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 January 15, 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 December 18, 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) **3001 Castor, LLC** Resolution of Appeal Pending in the Court
3001 Castor Avenue of Common Pleas of Philadelphia County
Philadelphia, PA 19134-6303
License No. R-9527
LID 56341

- (2) **Hearing Examiner Regina Blewitt Aposhian** Second Year Contract Extension Option

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

- (1) **Bald Eagle Fuel & Tire, Inc.** Extension of License – Restaurant
t/a Snappy’s
R-4034 (LID No. 81786) Case No. 24-9045
14543 Clearfield Shawville Highway
Lawrence Township
Clearfield, Clearfield County

- (2) **Capital Wine & Spirits Company, LLC** Request to Sell Other Items – Broker
t/a Breakthru Beverage Pennsylvania Company Permit
BA-47960 (LID No. 107589)
129 Hartman Road
North Wales, Montgomery County

- (3) **Capital Wine & Spirits Company, LLC** Request to Sell Other Items –
I-716 (LID No. 49405) Importer
129 Hartman Road
Montgomery Township
North Wales, Montgomery County

- (4) **Capital Wine & Spirits Company, LLC** Request to Sell Other Items -
I-46601 (LID No. 105427) Importer
129 Hartman Road
North Wales, Montgomery County

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|---|---|
| <p>(5) Capital Wine & Spirits Company, LLC
t/a Breakthru Beverage PA
IZ-46600 (LID No. 105200)
600A Seco Road
Monroeville, Allegheny County</p> | <p>Request to Sell Other Items –
Importer’s Warehouse</p> |
| <p>(6) Galli Beer Distributing Co., Inc.
t/a Galli Beer Distributing Company
ID-808 (LID No. 8630)
800 Anderson Street
New Kensington, Westmoreland County</p> | <p>Request to be Engaged in Another
Business – Importing Distributor</p> |
| <p>(7) The Giant Company, LLC
R-35594 (LID No. 86292) Case No. 24-9062
700 Nutt Road
Phoenixville, Chester County</p> | <p>Appointment of Manager –
Restaurant</p> <p>HOLD – 10/30/24 SESSION</p> <p>Conditional Licensing Agreement</p> |
| <p>(8) Juliack, Inc.
t/a McArdles Pub & Inn
H-2385 (LID No. 48153) Case No. 24-9006
1634 Moselem Springs Road
Richmond Township
Hamburg, Berks County</p> | <p>Renewal – Hotel</p> |
| <p>(9) Matelot, LLC
t/a Matelot
G-52087 (LID No. 108717) Case No. 24-9030
2155 Castor Avenue
Philadelphia, Philadelphia County</p> | <p>Renewal – Brewery</p> |
| <p>(10) The Sawmill Group, LLC
t/a The Sawmill Restaurant
R-20089 (LID No. 106303) Case No. 24-9080
32873 Route 66
Farmington Township
Leeper, Clarion County</p> | <p>Appointment of Manager –
Restaurant</p> |
| <p>(11) TA Operating, LLC
t/a IHOP/TravelCenters of America
R-42677 (LID No. 98073)
4050 Depot Road
Harborcreek Township
Erie, Erie County</p> | <p>Extension of License & Requests for
Interior Connections with Other
Businesses & to Sell Other Items on
the Licensed Premises – Restaurant</p> |

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- (12) **1836 Saloon, Inc.** Renewal – District 9
R-20211 (LID No. 72929) Case No. 2023-72929
2605 Milford Road
Smithfield Township
Marshalls Creek, Monroe County
HOLD 10/16/24 SESSION
Conditional Licensing Agreement
- (13) **5136 Torresdale, LLC** Renewal – District 10
R-89 (LID No. 65640) Case No. 2023-65640
2116 East Tioga Street
Philadelphia, Philadelphia County
- (14) **Alina, Inc.** Renewal – District 11
R-10927 (LID No. 83912) Case No. 2023-83912
60 East Baltimore Avenue
Clifton Heights, Delaware County
- (15) **Back Street Tiki Bar & Grille LLC** Renewal – District 9
t/a Back Streets Tiki Bar & Grille
R-14559 (LID No. 97674) Case No. 2023-97674
2225 Jackson Street
Scranton, Lackawanna County
HOLD 10/16/24 SESSION
Conditional Licensing Agreement
- (16) **Blue Town Tavern, Inc.** Renewal – District 7
t/a Blue Town Tavern
R-4754 (LID No. 72854) Case No. 2023-72854
5609 Route 66
Redbank Township
New Bethlehem, Clarion County
HOLD 9/11/24 SESSION
- (17) **CDRP, Inc.** Renewal – District 7
t/a Infusion Nite Club & Grill
R-14817 (LID No. 93912) Case No. 2023-93912
518-522 Main Street
Clarion, Clarion County
HOLD 9/11/24 SESSION
- (18) **Gino's Grille, LLC** Renewal – District 3
t/a Gino's Grille
R-14135 (LID No. 84721) Case No. 2023-84721
2233 Lancaster Pike
Cumru Township
Shillington, Berks County
HOLD 11/13/24 SESSION
Conditional Licensing Agreement

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- (19) **Jacobrea, LLC**
R-15283 (LID No. 86407) Case No. 2023-86407
636 Main Street
Stroudsburg, Monroe County

Renewal – District 9
HOLD 10/30/24 SESSION
Conditional Licensing Agreement

- (20) **Kskells Carnegie Management, LLC**
R-5529 (LID No. 101873) Case No. 2023-101873
1201 Washington Avenue Extension
Scott Township
Carnegie, Allegheny County

Renewal – District 5
HOLD 2/28/24 SESSION
Conditional Licensing Agreement

- (21) **Lucky 2U, LLC**
R-575 (LID No. 70594) Case No. 2024-70594
6101 Harley Avenue
Philadelphia, Philadelphia County

Renewal – District 10
Conditional Licensing Agreement

- (22) **Off The Wall Tavern, Inc.**
t/a Off The Wall Tavern
R-14988 (LID No. 65424) Case No. 2023-65424
1137 East 11th Street
Erie, Erie County

Renewal – District 7
HOLD 11/13/24 SESSION
Conditional Licensing Agreement

- (23) **On The Road Convenience Store, Inc.**
D-3542 (LID No. 85211) Case No. 2023-85211
111 Pennsylvania Avenue
Matamoras, Pike County

Renewal – District 9

- (24) **Pocono Enterprise Co.**
R-14072 (LID No. 72244) Case No. 2023-72244
316-318 South Main Street
Shenandoah, Schuylkill County

Renewal – District 3
HOLD 3/20/24 SESSION

- (25) **Michael L. Thomas**
t/a Club 54
R-14045 (LID No. 52721) Case No. 2023-52721
100-102 West Centre Street
Mahanoy City, Schuylkill County

Renewal – District 3
HOLD 3/20/24 SESSION

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

Personnel Actions

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*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:

- (1) **HP 660 G11 Laptops & Accessories** – This is the second laptop order for Fiscal year 24-25. These laptops are for normal lifecycle replacements of older laptops that are at the end of their lifespan. We replace the laptops before they start losing data and causing loss of work for the people using them. Along with the laptops, this order will include HP E24 G5 FHD Monitors, HP Thunderbolt Dock 120W G4 (ProBook, Elitebook, Elite X2), HP Wired 320MK Combo USB Mouse & Keyboard and HP 15.6” top Load Case (ProBook, EliteBook, ZBookG4, X360G3, EliteX2G4).

Procured via DGS Contract #4400017908 – VENDOR: **HP Inc. - \$148,400.00 estimated cost** (100 @ \$1,484.00 each).

- (2) **Waste & Corrugated Cardboard Removal Renewal** – This request is to continue with hand pick-up service to remove waste and corrugated cardboard for approximately 160 FWGS stores in Philadelphia, Bucks, Chester, Delaware, and Montgomery counties.

Procured via BPA #63020779 Option Year – VENDOR: **Modern Recycling Services, LLC - TERM: One year for period 3/1/2025 through 2/28/2026 - \$797,240.00 estimated cost.**

- (3) **Philadelphia Police Department Services Renewal** – Provide uniformed police officers, driving distinctively-marked Philadelphia Police Department patrol cars, to randomly drive by and enter specific PLCB Fine Wine & Good Spirits stores throughout Philadelphia on a daily basis in order to have a more effective and meaningful crime deterrent environment.

Procured via PO 63019484 90-Day Extension – VENDOR: **Philadelphia City – TERM: 90-days for the period 1/1/2025 through 3/31/2025 - \$387,233.26 estimated cost.**

- (4) **SUSE Subscription and Support Renewal** – This is for the Software Subscription and Support Renewal for several SUSE packages. This allows the LCB to obtain any patches or updates to the software as well as the ability to open tickets with support. These items are required for us to continue to use the software.

Procured via DGS Contract # 4400020751 – VENDOR: **Insight Public Sector – TERM: 02/01/2025 through 01/31/2026 - \$412,951.71 estimated cost.**

- (5) **Amendment for Production Support and Associated Services for Oracle Cloud Enterprise Resource Planning (ERP) and Oracle Applications** – This amendment would allow for application development work and changes to some of the positions. This will allow for IT resources to be more flexible and respond better to the various business areas while they continue to learn the new system.

Procured via PO 80050710 to RFP Contract 20220912 – VENDOR: **Deloitte Consulting LLP - \$317,600.00 estimated cost.**

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Inter-Agency Charges:

(1) Department of General Services (DGS) Vehicle Leases (Job 35) – The billing of \$53,412.06 for October/2024 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

None

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

<u>VENDOR – ITEM NAME</u>	<u>BOARD ACTION REQUESTED</u>
Various	1. Regular New Items Accepted
Various	2. Regular New Items Accepted Revision
Various	3. Regular PA New Items Accepted
	4. Regular Recommended Delist

1. Regular New Items Accepted

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>Bronco Wine Company</u>	
Quail Oak Sauvignon Blanc 750ml	16
<u>Delicato Family Wines</u>	
Box Wize Sauvignon Blanc 3L	16
<u>Fetzer Vineyards</u>	
Bonterra Organic Pinot Gris 750 mL	5
Bonterra Organic Pinot Noir 750 mL	5

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

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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 New Items Accepted Revisions

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>Delicato Family Wines</u>	
Schmitt Sohne Blue Bottle Sweet Riesling 750 mL	3
NOTE: This item was sent to board 12-18-24 with incorrect size	
<u>Sazerac Company Inc</u>	
99 Whipped Liqueur 750 mL	3
NOTE: This item was sent to Board 12-18-24 with incorrect unit cost and retail	
<u>Southern Glazers Wine and Spirits of PA</u>	
The Pale Rose by Sacha Lichine 750 mL	13
NOTE: This item was sent to board on 12-18-24 with incorrect retail	

RECOMMENDED ACTION: We recommend the Board approve this action

3. Regular PA New Items Accepted

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>WSC LLC DBA Navy Hill</u>	
Navy Hill Tequila Soda Blood Orange 4x355 mL Cans	16
Navy Hill Tequila Soda Grapefruit 4x355 mL Cans	16
Navy Hill Tequila Soda Lime 4x355 mL Cans	16
Navy Hill Tequila Soda Variety Pack 6x355 mL Cans	16

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Nomad Distilling Co

Nomad Distilling Miner's Root Beer Cocktail 4x355 mL Cans	16
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Oxbow Rum Distillery

False Rve Small Batch Spiced Rum 750 mL	16
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BRAND NAME AND SIZE

REASON

Oxbow Barrel Aged Straight Rum 750 mL	16
Oxbow Rhum Louisiana 750 mL	16
Oxbow Small Batch Rum 750 mL	16

Triage Distilling

Shifty Hard Seltzer Variety Pack 8x355 mL Cans	16
Shifty Rose Lemonade Vodka Cocktail 4x355 mL Cans	16
Triage Premium Select Gin 1 L	16
Triage Premium Select Rum 1 L	16
Triage Premium Select Vodka 1 L	16

RECOMMENDED ACTION: We recommend the Board approve this action

4. Regular Recommended Delist

BRAND NAME AND SIZE

CODE

Capital Wine and Spirits

Arado Rose Mendoza 750 mL	97058
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The Wine Group

Creative Juice Chardonnay 1.5L	98850
Creative Juice Merlot 1.5L	98851
Cupcake Cava 750 mL	97008
Outspoken Sparkling Rose Can 375 mL	549

EFFECTIVE DATE: The transference to closeout will become effective February 15, 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>July 31, 2024</u>	<u>July 31, 2023</u>
ASSETS		
Current assets:		
Cash	\$ 48,867,457	\$ 92,690,190
Investments - short term	237,656,098	233,220,321
Accounts and claims receivable, net	1,662,859	6,358,179
Due from other funds - Note 9	-	-
Merchandise inventories, net	220,502,309	190,942,692
Operating supplies	475,570	733,756
Prepaid expenses	<u>2,302,652</u>	<u>2,101,779</u>
Total current assets	<u>511,466,945</u>	<u>526,046,917</u>
Non-current assets:		
Non-depreciable capital assets:		
Land	322,973	322,973
Depreciable or amortizable capital assets:		
Building	10,837,326	10,923,350
Leasehold improvements	209,134	209,134
Machinery and equipment	45,232,646	57,380,966
Intangible - internally generated software	82,269,138	70,250,070
Intangible - right to use leases - Note 10	454,723,492	399,942,660
Intangible - right to use IT subscriptions - Note 11	<u>20,835,288</u>	<u>16,554,170</u>
Less: accumulated depreciation or amortization	<u>321,240,654</u>	<u>259,562,415</u>
Net depreciable or amortizable capital assets	<u>292,866,370</u>	<u>295,697,935</u>
Total non-current capital assets	<u>293,189,343</u>	<u>296,020,908</u>
Total assets	<u>\$ 804,656,288</u>	<u>\$ 822,067,825</u>
Total deferred outflows of resources - Notes 5, 6	\$ 194,022,674	\$ 259,824,628
LIABILITIES		
Current liabilities:		
Trade accounts payable	\$ 290,016,971	\$ 298,125,992
Other accounts payable	24,057,889	19,462,094
Accrued expenses	29,990,594	26,035,886
OPEB - Note 6	-	-
Self-insurance, workers' compensation - Note 7	4,767,807	4,795,551
Due to other funds - Note 9	8,220,903	5,357,548
Due to fiduciary funds - Note 9	4,518,775	3,880,885
Due to other governments - Note 9	1,330,510	1,101,424
Right to use liabilities - Note 10	<u>63,633,423</u>	<u>61,520,393</u>
Total current liabilities	<u>426,536,872</u>	<u>420,279,773</u>
Non-current liabilities:		
OPEB - Note 6	315,931,000	407,797,000
Self-insurance, workers' compensation - Note 7	42,729,790	43,795,622
Net pension liability - Note 5	539,434,115	570,640,930
Compensated absences - Note 1	26,266,236	24,484,695
Right to use liabilities - Note 10	<u>177,692,657</u>	<u>180,512,075</u>
Total non-current liabilities	<u>1,102,053,798</u>	<u>1,227,230,322</u>
Total liabilities	<u>\$ 1,528,590,670</u>	<u>\$ 1,647,510,095</u>
Total deferred inflows of resources - Notes 5, 6	\$ 204,925,967	\$ 215,489,926
NET POSITION		
Net investment in capital assets	\$ 51,863,263	\$ 53,988,440
Deficit	<u>(786,700,938)</u>	<u>(835,096,008)</u>
Total net position	<u>\$ (734,837,675)</u>	<u>\$ (781,107,568)</u>

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 July 31, 2024 and July 31, 2023
(Unaudited)**

	<u>2024-25</u>	<u>2023-24</u>
Sales net of taxes	\$ 203,682,473	\$ 196,120,658
Cost of goods sold	<u>(137,609,745)</u>	<u>(132,287,966)</u>
Gross profit from sales	66,072,728	63,832,692
Operating (expenses):		
Wholesale	(2,647,538)	(2,140,114)
Retail	(37,465,867)	(31,457,666)
E-Commerce	(198,537)	(251,299)
Regulatory	(1,411,455)	(1,117,362)
Enterprise	(7,845,494)	(8,209,296)
Commonwealth provided services - Note 2	<u>(1,601,830)</u>	<u>(1,605,736)</u>
Total	<u>(51,170,721)</u>	<u>(44,781,473)</u>
Operating profit/(loss)	14,902,007	19,051,219
Other operating revenues (expenses):		
Enforcement fines	15,937	1,289
License fees	2,366,860	2,218,922
Miscellaneous income	<u>168,562</u>	<u>202,539</u>
Total	<u>2,551,359</u>	<u>2,422,750</u>
Total operating income/(loss)	17,453,366	21,473,969
Miscellaneous revenues (expenses):		
Interest income (expense)	655,008	934,801
Other	<u>82,924</u>	<u>-</u>
Total	<u>737,932</u>	<u>934,801</u>
Income/(Loss) before operating transfers	18,191,298	22,408,770
Operating transfers out:		
PSP enforcement - Note 3	(3,815,168)	(2,158,894)
Net Income/(Loss) from operations	<u>14,376,130</u>	<u>20,249,876</u>
Statutory Transfers:		
General fund - Note 4	-	-
Drug and alcohol programs - Note 4	-	-
Total	<u>-</u>	<u>-</u>
Change in net position	14,376,130	20,249,876
Total net position - beginning	<u>(749,213,805)</u>	<u>(801,357,444)</u>
Total net position - ending	<u>\$ (734,837,675)</u>	<u>\$ (781,107,568)</u>
Liquor tax	35,051,655	36,492,634
State Sales Tax	13,890,479	14,321,311
Local Tax	910,149	959,160
Taxes remitted to Dept.of Revenue PTD	<u>\$ 49,852,283</u>	<u>\$ 51,773,105</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, February 5, 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.