

RESOLUTION NO. 2023-010

HONESDALE BOROUGH, WAYNE COUNTY

A RESOLUTION OF BOROUGH COUNCIL OF THE BOROUGH OF HONESDALE, COUNTY OF WAYNE AND COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R-5041 INTO HONESDALE BOROUGH FROM HAWLEY BOROUGH, PA.

WPIEREAS, Act 141 of 2000 ("the Act") 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, as in Honesdale Borough, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the inter-municipal transfer of the liquor license prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding applicant's intent to transfer a liquor license into the receiving 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 liquor license into the municipality.

NOW, THEREFORE, BE IT RESOLVED, that D&H Brewery OP LLC, has requested the approval of Honesdale Borough for the proposed transfer of Pennsylvania restaurant liquor license no. R-5041 by D&H Brewery OP LLC., to a restaurant facility within Honesdale Borough to be located at 2 Chapel Street, Honesdale, Honesdale Borough, Wayne County, Pennsylvania, 18431, from Settlers Hospitality Group LLC, 8 Silk Mill Drive, Hawley, Hawley Borough, Wayne County, Pennsylvania, 18428-1483 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 Honesdale Borough Council has held a properly advertised public hearing pursuant to the notice provisions of Section I02 of the Liquor Code to receive comments on the proposed liquor license transfer; and

BE IT FURTHER RESOLVED that Honesdale Borough approves, by adoption of this Resolution, the proposed inter-municipal transfer of restaurant liquor license no. R-5041 into Honesdale Borough by D&H Brewery OP LLC; and

BE IT FURTHER RESOLVED that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

Duly adopted this 28th day of February, 2023, by the Borough Council of the Borough of Honesdale, Wayne County, Pennsylvania, in lawful session duly assembled.

HONESDALE BOROUGH COUNCIL

Michael Augello
Council President

Attest:

Judith Poltania
Borough Secretary

Councilor Jason Newbon: Jason Newbon
Councilor Michael Augello: Michael Augello
Councilor James Hamill: James Hamill
Councilor James Jennings: James Jennings
Councilor William McAllister: W. McAllister
Councilor David Nilsen: D. Nilsen
Councilor Eric Cooley: E. Cooley