

RESOLUTION 2021 - 2

A RESOLUTION OF THE TOWN COUNCIL OF THE MUNICIPALITY OF KINGSTON, A HOME RULE MUNICIPALITY OF THE COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF PLCB LICENSE NO. E4802 INTO THE MUNICIPALITY OF KINGSTON FROM FORTY FORT, LUZERNE COUNTY, PENNSYLVANIA

WHEREAS, Act 141 of 2000, hereinafter the "Act", which amends the Commonwealth of Pennsylvania'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, as in the Municipality of Kingston, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the receiving municipality to issue a resolution approving the inter-municipal transfer of the liquor license from outside the receiving municipality to within its borders prior to submission of an application for such transfer to the Pennsylvania Liquor Control Board; and

WHEREAS, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one (1) Hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of the 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 the liquor license into the municipality.

NOW, THEREFORE, BE IT RESOLVED that, Shree Om Ganesha, Inc. has properly requested the approval of the Town Council of the Municipality of Kingston, Luzerne County, Pennsylvania for the proposed transfer of Pennsylvania Liquor License Number E4802 by Shree Om Ganesha, Inc. to facilities within the Municipality of Kingston to be located at 632 Wyoming Avenue, Kingston, Luzerne County, Pennsylvania from Beer Deli, Inc., located at 175 Welles Street, Forty Fort, Luzerne County, Pennsylvania; and

BE IT FURTHER RESOLVED that, the Town Council of the Municipality of Kingston Luzerne County, Pennsylvania has held a Public Hearing to receive comments on the proposed liquor license transfer and, after consideration of the issues, finds that the transfer of Pennsylvania Liquor License E4802 into the Municipality of Kingston by Shree Om Ganesha, Inc. will result in job creation and revenue enhancement for the residents of the Municipality of Kingston, all of which will substantially benefit the local economy and residents; and

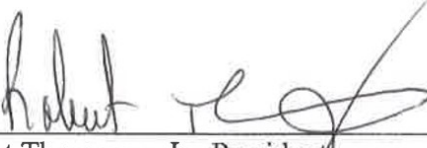
BE IT FURTHER RESOLVED that, the Town Council of the Municipality of Kingston approves, by adoption of and for the reason stated in this Resolution, the proposed transfer of Pennsylvania Liquor License No. E4802 into the Municipality of Kingston by Shree Om Ganesha, Inc.; and

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

BE IT FURTHER RESOLVED that, this approval is conditioned upon final approval of the transfer application of Shree Om Ganesha, Inc. by the Pennsylvania Liquor Control Board.

ADOPTED at a regular meeting of the Town Council of the Municipality of Kingston, Luzerne County, Pennsylvania held virtually pursuant to Act 15 of 2020 during the COVID 19 pandemic on the 4th day of January, 2021.

FOR THE TOWN COUNCIL




Robert Thompson, Jr., President

ATTEST:



Julie Norton, Secretary

APPROVED:



Paul J. Roberts, Jr., Mayor

Date 1-4-2021