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May 12, 2010

Ms. Cynthia Biedenkopf
City Clerk
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

RE: Request Intermunicipal Liquor License Transfer
Steel Mill Grill & Bar, LLC
322 3rd Street, Bethlehem, PA

Dear Ms. Biedenkopf:

Please consider this correspondence as my client's request for an Intermunicipal transfer of liquor license into the City of Bethlehem at the above location, pursuant to 47 P.S. § 4-461(b.3). Under this statute, please note that a public hearing must be held by the municipal governing body for the purpose of receiving comments and recommendations of interested individuals residing within the municipality relative to my client's application. In my experience, the hearings have been conducted as a legislative forum to ascertain whether moving the license into the City at a particular location would adversely affect the welfare, health, peace and morals of the municipality. Typically, the hearings have not been specially listed at their own times, but have been specially listed agenda items of regular City business. Would it be possible to get on the Council agenda for May 19, 2010?

The proposed site has already been approved as a restaurant and is currently operating. I welcome City Council

L A W O F F I C E S
S T E V E N B. M O L D E R, E S Q U I R E

Ms. Cynthia Biedenkopf

May 11, 2010

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to review zoning records in this regard. Should you have any questions or concerns please do not hesitate to contact me. Lastly, enclosed is a copy of the proposed Resolution approving the transfer.

Sincerely,



Steven B. Molder

SBM/tak

Enclosure

pc: Mr. Howard Leiberman, Bethlehem Department of
Community & Economic Development

**CITY OF BETHLEHEM
NORTHAMPTON COUNTY, PENNSYLVANIA
RESOLUTION NO. _____**

**A RESOLUTION APPROVING THE REQUEST OF
STEEL MILL GRILL & BAR, LLC
TO TRANSFER LIQUOR LICENSE NO. R-19674**

WHEREAS, Section 461 of the Pennsylvania Liquor Code (47 P.S. 4-461, hereinafter "Code") authorizes, among other things, the Pennsylvania Liquor Control Board (hereinafter "PLCB") to approve the transfer of liquor licenses across municipal boundaries within the same County and under certain conditions to issue restaurant and eating place retail dispenser licenses without regard to quota restrictions for the purpose of economic development; and

WHEREAS, subsection (b.3) of Section 461 requires that an intermunicipal transfer or issuance of a new license for economic development must, under certain conditions, first be approved by the governing body of the receiving municipality; and;

WHEREAS, that subsection also requires that a receiving municipality issue a resolution approving or disapproving the intermunicipal transfer or issuance of a new liquor license prior to submission of an application for such transfer to the PLCB; and

WHEREAS, that subsection mandates that, prior to adoption of such a resolution, at least one hearing be held for the purpose of receiving comments and recommendations from interested individuals residing within the receiving municipality concerning the intent to transfer the license into the municipality or the issuance of an economic development license; and

WHEREAS, Steel Mill Grill & Bar, LLC (hereinafter "Applicant"), leases property located at 322 3rd Street, Bethlehem, Northampton County, Pennsylvania and operates a restaurant at such location; and

WHEREAS, on May 12, 2010, and pursuant to Section 461, the Applicant filed a request for approval by City Council, City of Bethlehem, Northampton County (hereinafter "Council") of a

proposed, intermunicipal transfer of Restaurant Liquor License No. R-19674 owned by My Little Gypsy Rose, Inc., formerly licensed to conduct business at 1600 N. Delaware Dr., Forks Township, Northampton County, Pennsylvania to Steel Mill Grill & Bar, LLC, located at 322 3rd Street, Bethlehem, Northampton County, Pennsylvania; and

WHEREAS, on _____, 2010, and in accordance with Section 461 (b.3) Council held a public hearing on the proposed liquor license transfer; and

WHEREAS, the purpose of this Resolution is to comply with Code Section 461 (b.3).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bethlehem, Northampton County, Pennsylvania as follows:

1. Applicant seeks approval of an intermunicipal transfer of Restaurant Liquor License R-19674, owned by My Little Gypsy Rose, Inc., formerly licensed to conduct business at 1600 N. Delaware Dr., Forks Township, Northampton County, Pennsylvania to Steel Mill Grill & Bar, LLC, 322 3rd Street, Bethlehem, Northampton County, Pennsylvania, pursuant to Code Section 461.
2. Applicant operates a restaurant at the aforescribed location.
3. The Applicant's proposal is consistent with current zoning regulations.
4. The Applicant's restaurant is located in a non-residential City of Bethlehem zoning district.
5. There is no evidence that the proposed, intermunicipal transfer will adversely affect the welfare, health, peace and morals of this City or the residents hereof.
6. Council hereby approves the Applicant's request for an intermunicipal transfer of Pennsylvania Liquor License No. R-19674 pursuant to Code Section 461 (b.3.).
7. The transfer of the Liquor License contemplated hereby is subject to final approval by the PLCB.

