

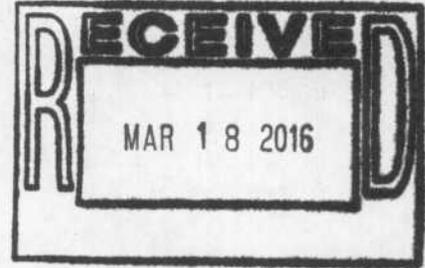
Laputka Law Office, LLC

Charles Laputka, Esq.
David C. Berger, Esq.
Albert Yacoub, Esq.

March 18, 2016

VIA MAIL DELIVERY

Bethlehem City Council
10 East Church Street
Bethlehem, PA 18018



RE: Cornerstone Pub, Inc. (Transferor) to
Tailgaters Pub & Grill, LLC (Transferee)
Restaurant Liquor License R-845; LID 65187

Dear Members of City Council:

Kindly be advised that this office represents Tailgaters Pub & Grill, LLC, which is requesting approval of an intermunicipal liquor license transfer from Cornerstone Pub, Inc. to Tailgaters Pub & Grill, LLC. The licensed premises shall be 1313 Center Street, City of Bethlehem, Northampton County, Pennsylvania.

Via this correspondence, I am requesting a public hearing to be scheduled on the matter. Enclosed is a check made payable to the City of Bethlehem in the amount of \$200.00 to cover the cost of legal advertising as well as a copy of the Application for Transfer of License.

I would like this matter listed on the Tuesday, April 5, 2016 Bethlehem City Council Meeting Agenda so that City Council can set a date for the future public hearing on this matter. Further, it is my intention to attend the April 5, 2016 Bethlehem City Council meeting to respond to any questions or issues arising out of this matter.

Thank you for your attention to this matter, should you have any questions regarding this correspondence, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Berger".

DAVID C. BERGER, ESQ.

w/ encls

cc: Thomas Barker

1344 West Hamilton Street • Allentown, PA 18102 • Phone 610-477-0155 • Fax 484-350-3581

25 East Broad Street • Hazleton, PA 18201 • Phone 570-606-0965 • Fax 484-350-3581

~Please send all correspondence to the Allentown office~

**APPLICATION FOR TRANSFER
OF
LICENSE AND PERMIT**

(SEE INSTRUCTIONS ON REVERSE)

I hereby agree to the transfer of my license and permits, if any, to the applicant named in Block 6 and to the premises shown in Block 8 and 9.
I guarantee to make no other attempt to transfer said license and permits until this application has been definitely acted upon.

INFORMATION AS TO PRESENT LICENSEE AND ADDRESS OF LICENSED PREMISES

1. NAME OF LICENSEE CORNERSTONE PUB, INC.		LID 65187	LICENSE NO. R-845	AMUSEMENT PERMIT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. TRADE NAME (IF ANY) CORNERSTONE PUB				
3. ADDRESS OF PREMISES 506 PENN STREET		(STREET, RURAL ROUTE, P.O. BOX NO.) BATH	(POST OFFICE) PA	(STATE) (ZIP) 18014
4. NAME OF MUNICIPALITY BATH		TYPE OF MUNICIPALITY <input type="checkbox"/> CITY <input checked="" type="checkbox"/> BORO <input type="checkbox"/> TWP. <input type="checkbox"/> INC. TOWN		COUNTY NORTHAMPTON

RESOLUTION

At a regular or special meeting held on FEBRUARY, 2016 by the licensed corporation, it was resolved that said application be filed with the Pennsylvania Liquor Control Board, and that ERVIN C. FETHERMAN, PRESIDENT and/or _____ is/are
(NAME/TITLE) (NAME/TITLE)

hereby authorized to execute said application, and any other papers required by the Board.

INFORMATION FOR APPLICANT AND ADDRESS OF PREMISES TO BE LICENSED

6. NAME OF APPLICANT <u>Tankers Pub & Grill</u>		IS AMUSEMENT PERMIT TO BE TRANSFERRED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
7. TRADE NAME (IF ANY)				
8. ADDRESS OF PREMISES <u>133 Center Street</u>		(STREET, RURAL ROUTE, P.O. BOX NO.) <u>Bethlehem</u>	(POST OFFICE) <u>PA</u>	(STATE) (ZIP) <u>18018</u>
9. NAME OF MUNICIPALITY <u>Bethlehem</u>		TYPE OF MUNICIPALITY <input checked="" type="checkbox"/> CITY <input type="checkbox"/> BORO <input type="checkbox"/> TWP. <input type="checkbox"/> INC. TOWN		COUNTY <u>Northampton</u>

I swear or affirm, subject to the penalties provided by 18 Pa. C.S. §4904 and 47 P.S. §4-403(h) and/or §4-436(j) and/or §5-504(b) and/or §7-704, that the foregoing answers and statements provided herein are true and complete to the best of my knowledge and belief.

SIGNATURE OF PRESENT LICENSEE <u>Ervin C Fetherman</u>		TITLE <u>Pres</u>
PRINT NAME OF PERSON SIGNING ERVIN C. FETHERMAN		DATE OF EXECUTION
HOME ADDRESS OF PRESENT LICENSEE <u>825 S Poplar St. Allentown PA 18103</u>		PHONE

This application for transfer must be accompanied by the following supporting papers and requisite fee(s):

- A. Application and other supporting documents as instructed on the accompanying application for type of license and permits desired.
- B. Check or money order made payable to the *PLCB* or the *Commonwealth of Pennsylvania* for license transfer fee of \$650 for person to person, or \$550 for place to place, or \$700 for BOTH person to person and place to place. This fee is not refundable.
- C. Additional fee of \$10.00 if the current Amusement Permit is to be transferred.
- D. If an inter-municipal transfer of a retail license, written approval from the governing body of the receiving municipality if the retail municipal quota is met or exceeded.
- E. If the transfer is for a retail liquor or retail malt beverage dispenser license from a city of the 1st class to a county of the 2nd class A or 3rd class designated as a Mixed-Use Town Center Development Project, the following is required:
 - 1. Municipal approval as described in "D."
 - 2. Resolution or Ordinance stating the municipality has designated the location a Mixed-Use Town Center Development Project.
 - 3. \$50,000 surcharge fee along with the transfer fee as described in "B."
 - 4. Intra-County Affirmation stating the applicant has exhausted reasonable means for obtaining a suitable license within the county.
 - 5. Affidavit from a real estate agent, license broker or other similar professional attesting to the unavailability of a liquor license at a relative market price.

DO NOT WRITE BELOW THIS LINE

LID _____ PM _____ CO/MNCP CODE _____ ZIP _____

APPLICATION FOR RETAIL LIQUOR OR RETAIL DISPENSER LICENSE AND PERMITS

(SEE INSTRUCTIONS PAGE 3)

(ANSWER ALL QUESTIONS)

The undersigned hereby applies for: NEW TRANSFER OF A

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> HOTEL LIQ. | <input type="checkbox"/> EATING PLACE RET. DISP. | <input type="checkbox"/> AIRPORT RESTAURANT LIQ. | <input type="checkbox"/> CONTINUING CARE RETIREMENT COMMUNITY RESTAURANT LIQ. |
| <input type="checkbox"/> HOTEL RET. DISP. | <input type="checkbox"/> OFF-TRACK WAGERING REST. LIQ. | <input type="checkbox"/> PRIVATELY-OWNED PUBLIC GOLF COURSE REST. LIQ. | <input type="checkbox"/> CONTINUING CARE RETIREMENT COMMUNITY EATING PLACE RET. DISP. |
| <input type="checkbox"/> BREWERY PUB | <input type="checkbox"/> MUNIC. GOLF COURSE LIQ. | <input type="checkbox"/> PRIVATELY-OWNED PUBLIC GOLF COURSE RET. DISP. | <input type="checkbox"/> GAMING RESTAURANT LIQ. |
| <input checked="" type="checkbox"/> RESTAURANT LIQ. | <input type="checkbox"/> MUNIC. GOLF COURSE RET. DISP. | | <input type="checkbox"/> GAMING EATING PLACE RET. DISP. |

1. NAME OF APPLICANT

Tailgaters Pub & Grill, LLC

2. TRADE NAME (IF ANY)

3. ADDRESS OF PREMISES

1313 Center Street Bethlehem PA 18018
(STREET, RURAL ROUTE, P.O. BOX NO.) (POST OFFICE) (STATE) (ZIP)

4. NAME OF MUNICIPALITY TYPE OF MUNICIPALITY COUNTY
Bethlehem CITY BORO TWP. INC. TOWN Northampton

5. AMUSEMENT PERMIT

WILL YOU PERMIT DANCING, PROVIDE FLOOR SHOWS, OR ANY OTHER ENTERTAINMENT? YES NO

6. SUNDAY SALES PERMIT (PERMIT IS NOT NECESSARY FOR CONTINUING CARE RETIREMENT COMMUNITY APPLICANTS)

WILL YOU SELL LIQUOR AND/OR MALT OR BREWED BEVERAGES ON SUNDAY? YES NO

7. EXTENDED HOURS FOOD LICENSE

WILL YOU SERVE FOOD UNTIL 7:00 A.M. OF ANY DAY? YES NO

8. IS THE APPLICATION TO BE CONSIDERED FOR PRIOR APPROVAL? YES NO

9. HAS THE APPLICANT PREVIOUSLY FILED AN APPLICATION FOR ANY OTHER PLCB LICENSE? YES NO IF "YES", WHEN AND WHERE?

10. IS A CURRENT HEALTH LICENSE POSTED ON THE PREMISES? YES NO IF "YES", WHEN DOES IT EXPIRE? GIVE MONTH, DAY, YEAR.

11. NAME OF CURRENT OWNER OF PREMISES DEED BOOK VOLUME NO. PAGE NO./INSTRUMENT NO.
JAMA Properties, LLC

ADDRESS OF CURRENT OWNER OF PREMISES LEASE EXPIRATION DATE
1007 Prospect Avenue Bethlehem, PA 18018

11(A). NAME OF OFFICERS, DIRECTORS, SHAREHOLDERS, PARTNERS OR MEMBERS OF PROPERTY OWNER. (ATTACH SEPARATE SHEET IF NECESSARY) TITLE

Thomas Barker Member

Jama Barker Member

12. ECONOMIC DEVELOPMENT (NEW LICENSE APPLICATION ONLY)

ARE YOU APPLYING FOR A NEW RESTAURANT LIQUOR OR EATING PLACE RETAIL DISPENSER ON THE BASIS OF ECONOMIC DEVELOPMENT? YES NO

IF YES, ARE YOU APPLYING ON THE BASIS OF (A), (B), OR (C)? CHECK ONE:

A. THE PROPOSED PREMISES IS LOCATED WITHIN A KEYSTONE OPPORTUNITY ZONE. YES NO

B. THE PROPOSED PREMISES IS LOCATED WITHIN AN AREA DESIGNATED AS AN ENTERPRISE ZONE. YES NO

C. THE GOVERNING BODY OF THE MUNICIPALITY HAS APPROVED THE APPLICANT FOR LOCAL ECONOMIC DEVELOPMENT. YES NO

DO NOT WRITE BELOW THIS LINE

NEW APPL: CO/MNCP _____ ZIP _____

13. IF THE PREMISES TO BE LICENSED IS IN A PA GAMING FACILITY:

- A. WHO IS THE GAMING LICENSE ISSUED TO? _____
- B. GAMING LICENSE NUMBER _____
- C. NAME OF THE GAMING FACILITY _____
- D. ARE THERE ANY OTHER PLCB LICENSES ISSUED FOR THIS PREMISE? IF YES, WHAT ARE THE PLCB LICENSE NUMBERS?

14. COMPLETE IN DETAIL - ATTACH SEPARATE SHEET, IF NECESSARY.

NAME OF INDIVIDUAL APPLICANT, PARTNERS, MEMBERS, OR OFFICERS & DIRECTORS	TITLE	HOME ADDRESS	DATE AND PLACE OF BIRTH	LENGTH OF RESI- DENCE IN PA.	U.S. CITIZEN?	
					YES	NO
A. NAME Thomas Barker	Member	1007 Prospect Avenue Bethlehem, PA 18018	12/24/1962 Allentown, PA	53yr	✓	
B. NAME						
C. NAME						
D. NAME						
E. NAME						
F. NAME						

15. FOR CORPORATIONS AND LIMITED LIABILITY COMPANIES ONLY

A. REGISTERED AS: PROFIT NONPROFIT

REGISTERED NAME	INCORPORATED/ORGANIZED		IF FOREIGN CORPORATION GIVE DATE OF CERTIFICATE OF AUTHORITY OR IF FOREIGN LLC GIVE DATE REGISTERED IN PA
	PLACE	DATE	

B. RESOLUTION

TYPE OF PERMIT TO BE GRANTED NEW LICENSE TRANSFER OF LICENSE

At a regular or special meeting held on _____ March _____, 20 16 by the applicant, it was resolved that said application be filed with the Pennsylvania Liquor Control Board, and that _____ Thomas Barker, Member _____ and/or _____ is/are hereby _____ (NAME/TITLE) (NAME/TITLE) authorized to execute said application, and any other papers required by the Board.

16. FOR CORPORATIONS ONLY

LIST ALL STOCKHOLDERS - ATTACH SEPARATE SHEET, IF NECESSARY.

NAME OF STOCKHOLDER	HOME ADDRESS	DATE & PLACE OF BIRTH	U.S. CITIZEN?		NO. OF SHARES OF STOCK HELD
			YES	NO	
A. NAME					
B. NAME					
C. NAME					
D. NAME					
E. NAME					
F. NAME					

**APPLICATION FOR
RETAIL LIQUOR OR RETAIL DISPENSER
LICENSE AND PERMITS**

17. Is a management company employed or otherwise contracted to operate, manage or otherwise supervise all or part of the operation?

YES NO

If yes, list the name and address of the entity: _____

18. NAME OF MANAGER	HOME ADDRESS	DATE & PLACE OF BIRTH	U.S. CITIZEN?	
			YES	NO
NAME Thomas Barker	1007 Prospect Avenue Bethlehem, PA 18018	Allentown, PA 12/24/62	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. CONVICTION RECORD: The following is a record of all felony and misdemeanor convictions of the individual owner, all partners, all members, the manager and all corporate officers, directors and stockholders. (Attach separate sheet, if necessary.)

If there have been no such convictions, check here: No such convictions

NAME	DATE OF CONVICTION	CHARGE	DISPOSITION	LOCATION OF COURT (COUNTY AND STATE)

20. Neither the applicant nor any member, officer, director, stockholder, agent or employee has any financial interest, either directly or indirectly, in any other class of license or permit issued by this Board, or in the ownership, leasehold, or equipment, of any property used by such other licensee or permittee, or mortgage lien against the same, nor have they loaned any money, or given credit, or anything of value, for equipping, maintaining or conducting an establishment used in such other license or permit, except as follows:

No exceptions

21. No person having any financial interest as an individual, or as a member, officer, director, stockholder, agent or employee in another class of license or permit issued by this Board will be in any manner interested, either directly or indirectly, in the business proposed to be licensed under this application, or in the ownership or leasehold of the property or equipment to be used in the operation of the said business, or any mortgage lien against the same, nor have they loaned any money, or given credit, or anything of value, to the applicant, or any member, officer, director, stockholder, servant, agent or employee of said applicant, for equipping, maintaining or conducting this business, except as follows:

No exceptions

22. None of the applicants hold any public office involving the enforcement of penal laws, or penal ordinances or resolutions, except as follows:

No exceptions

23. The building to be licensed is not located within 300 feet of any church, school, hospital, public playground or charitable institution, except as follows:

Bethlehem Area School District High School Stadium

No exceptions

24. If an application for continuing care retirement facility, list the number of residents over the age of 62, _____ and the total number of residents _____.

