

PENNSYLVANIA LIQUOR CONTROL BOARD
MEETING MINUTES

WEDNESDAY, JULY 31, 2019

NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA

Tim Holden, Chairman
Mike Negra, Board Member
Mary Isenhour, Board Member
Charlie Mooney, Executive Director
John Stark, Board Secretary

[Office of Chief Counsel](#)
[Bureau of Licensing](#)
[Bureau of Human Resources](#)
[Bureau of Accounting & Purchasing](#)

[Office of Retail Operations](#)
[Bureau of Product Selection](#)
[Financial Report](#)
[Other Issues](#)

PUBLIC MEETING – 11:00 A.M

Board Secretary John K. Stark indicated that a quorum of the Board was present and Chairman Holden called the meeting to order.

CALL TO ORDER *Chairman Holden*

Pledge of Allegiance to the Flag – Nicole Belicic, Executive Secretary to Board Member Negra

OLD BUSINESS.....*Secretary Stark*

A. Motion to approve the previous Board Meeting Minutes of the July 17, 2019 meeting.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Previous Board Minutes.

PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment on the printed agenda items.

NEW BUSINESS

From the Office of Chief Counsel*Rodrigo Diaz, Chief Counsel*

(1) Proposed Policy Change

On-Premises Consumption of Beer
and Wine

Note: Board Minutes are not officially approved until all required signatures are affixed.

Motion Made: Chairman Holden
Seconded: Board Member Isenhour

The question presented is whether the Board should adopt a policy that requires R licensees to sell wine and malt or brewed beverages for on-premises consumption.

Chief Counsel Rodrigo Diaz explained that the potential policy change in question arose in part as a result of cases involving Sheetz, Inc. The Pennsylvania Supreme Court ruled that eating place liquor (E) licensees that sell malt and brewed beverages for off-premises consumption must also sell malt and brewed beverages for on-premises consumption. Chief Counsel Diaz further explained that the Board has never adopted a policy that would extend to restaurant liquor (R) licensees the Supreme Court's on-premises sales requirement for E licensees. With the advent of wine expanded permits, more R licensees have inquired about requirements for on-premises consumption, which is generally conceded to be a "grey area" of the law since the specific issue is not addressed in the Liquor Code, the PLCB's Regulations or by case law. It was noted that Advisory Opinions have been issued stating that R licensees are not legally required to have on-premises consumption.

Board Member Negra stated he believes it is not within the Board's purview to demand on-premises consumption and that doing so could give rise to situations which may affect public safety. Board Member Negra also advocated for allowing market conditions to prevail in this matter. Board Member Negra made a motion to not require on-premises consumption for R license holders and indicated that he would prefer to allow licensees the ability to create their own policies. That motion was not seconded.

Chairman Holden moved to require R licensees to sell for on-premises consumption the same alcohol products that are sold for off-premises consumption. Chairman Holden stated that there have been enforcement issues related to the lack of clarity regarding this matter, which statement which was verified by Major Scott Miller of the Bureau of Liquor Control Enforcement. Major Miller noted that there have been seven adjudications in the past year against R licensees for not offering on-premises consumption.

Chief Counsel Diaz indicated that licensees could use Advisory Opinions dedicated to on-premises consumption requirements as a defense in particular situations, although this has never actually occurred. Board Member Negra referred to grey areas associated with these citations and cases involving protests, citing the need for future discussions. Chairman Holden responded by affirming the necessity of handling such matters on a case-by-case basis.

Board Member Negra asked Chief Counsel Diaz to clarify the policy and provide more detail so that expectations are clear to licensees and the Bureau of Liquor Control Enforcement. Chief Counsel Diaz confirmed that his office would draft guidance related to an updated policy as necessary. Following comments from Board Member Isenhour that Act 39 should have given more options, she stated that there should be a reasonable presumption that an entity which obtains an R license will operate as a restaurant and acknowledged the responsibilities of the Bureau of Liquor Control Enforcement, Board Member Isenhour seconded the motion made by Chairman Holden. The discussion was concluded with an acknowledgement of two affirmative votes and one negative vote having been made.

Board Decision: Agreed (2-1 vote) to Approve Proposed Policy Change Concerning On-Premises Consumption.

Note: Board Minutes are not officially approved until all required signatures are affixed.

- (2) **Lower Windsor Township** Municipal Petition for Exemption
Case No. 19-NE-11 from the Liquor Code Statute
Regarding Amplified Sound

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Noise Exemption for a
Period from July 31, 2019 to July 31, 2020.

- (3) **City of Lock Haven** Municipal Petition for Exemption
Case No. 19-NE-12 from the Liquor Code Statute
Regarding Amplified Sound

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Noise Exemption for a
Period from July 31, 2019 to July 31, 2020.

- (4) **City of Franklin** Municipal Petition for Exemption
Case No. 19-NE-13 from the Liquor Code Statute
Regarding Amplified Sound

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Noise Exemption for a
Period from July 31, 2019 to July 31, 2020.

- (5) **Indian Café, Inc.** Appeal to Commonwealth Court
549 North 7th Street
Allentown, PA 18102-2801
License No. E-1614
LID No. 71294
Case No. 18-71294

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Not Pursue the Precautionary
Appeal.

Note: Board Minutes are not officially approved until all required signatures are affixed.

(6) Last Minit Mart, Inc. Request to Rescind Conditional Licensing Agreement
1010 Wilmington Road
New Castle, PA 16101
License No. R-2945
LID 96604

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Request to Rescind Conditional Licensing Agreement.

(7) World Transportation Incorporated Resolution of Litigation

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Chief Counsel Diaz indicated that the resolution being proposed is the result of a breach of contract which occurred when WTI walked off the job approximately twenty years ago and went into bankruptcy. Chief Counsel Diaz opined that WTI's \$725,000.00 settlement offer was a reasonable resolution after seventeen years of litigation.

Board Decision: Unanimously agreed (3-0 vote) to Approve Resolution of Litigation as presented.

*From the Bureau of Licensing Tisha Albert, Director of Regulatory Affairs
Barbara Peifer, Director, Bureau of Licensing*

(1) Blue Bell Market, LLC Extension of License & Request for Interior Connections with Another Business – Restaurant
R-18420 (LID No. 73179)
1301 Skippack Pike
Whitpain Township
Blue Bell, Montgomery County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Extension of License and Request for Interior Connections with Another Business.

(2) Brandon's Beverage Stop, LLC Request to Conduct Another Business on the Licensed Premises - Distributor
D-3293 (LID No. 82209)
2795 Mt. Rose Avenue
Springettsbury Township
York, York County

Note: Board Minutes are not officially approved until all required signatures are affixed.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Chairman Holden asked if there was anyone present from Brandon's Beverage Stop, LLC. There was no response.

Board Decision: Unanimously agreed (3-0 vote) to Refuse Request to Conduct Another Business on the Licensed Premises.

- (3) **Cairn Club, LLC** Request for Hearing After
CC-6273 (LID No. 92643) Case No. 18-9124 Administrative Cancellation –
1005 Cathedral Road Double Transfer – Catering Club
Bryn Athyn, Montgomery County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Chairman Holden asked if there was anyone present from Cairn Club, LLC. There was no response.

Board Decision: Unanimously agreed (3-0 vote) to Affirm Request for Hearing After Administrative Cancellation / Refuse Transfer.

- (4) **Chicken Hill Distillery & Brewing, LLC** Request to Sell Other Items
AL-38623 (LID No. 93247) on the Licensed Premises –
277 Fairview Road Limited Distillery
Fox Township
Kersey, Elk County **HOLD – 6/26/19 SESSION**

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Chairman Holden asked if there was anyone present from Chicken Hill Distillery & Brewing, LLC. There was no response.

Board Decision: Unanimously agreed (3-0 vote) to Refuse Request to Sell Other Items Not Previously Approved for Retail Licenses.

- (5) **Country Fair, Inc.** Extension of License & Request
R-40104 (LID No. 95443) for Interior Connections with
5838 Wattsburg Road Another Business - Restaurant
Millcreek Township
Erie, Erie County

Note: Board Minutes are not officially approved until all required signatures are affixed.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Extension of License and Request for Interior Connections with Another Business.

- (6) **Giant Eagle, Inc.** Auction License – New &
(LID No. 98048) Request for Interior Connections
1 Beaver Valley Mall Boulevard with Another Business –
Center Township Restaurant
Monaca, Beaver County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve New License and Request for Interior Connections with Another Business.

- (7) **Giant Eagle, Inc.** “Intermunicipal” Double
R-11440 (LID No. 97887) Transfer & Request for Interior
100 Warrendale Road Connections with Another
Adams Township Business - Restaurant
Mars, Butler County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve New License and Request for Interior Connections with Another Business.

- (8) **Giant Eagle, Inc.** Extension of License & Request
R-17495 (LID No. 62003) for Interior Connections with
6204 Route 30 Another Business - Restaurant
Hempfield Township
Greensburg, Westmoreland County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Extension of License and Request for Interior Connections with Another Business.

Note: Board Minutes are not officially approved until all required signatures are affixed.

- (9) **Giant Food Stores, LLC**
(LID No. 97952)
1000 Scott Town Center
Scott Township
Bloomsburg, Columbia County
- Auction License – New &
Request for Interior Connections
with Another Business –
Restaurant

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve New License and Request for Interior Connections with Another Business.

- (10) **North 9th Business Ventures, LLC**
R-12105 (LID No. 95013) Case No. 19-9023
39 North 9th Street
Lebanon, Lebanon County
- Double Transfer - Restaurant

Motion Made: Board Member Negra
Seconded: Chairman Holden

Board Decision: Unanimously agreed (3-0 vote) to Approve Transfer.

- (11) **Sheetz, Inc.**
t/a Sheetz #65
(LID No. 95622) Case No. 19-9001
1000 Broad Street
Johnstown, Cambria County
- Auction License – New &
Request for Interior Connections
with Another Business –
Restaurant

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve New License and Request for Interior Connections with Another Business.

- (12) **Sheetz, Inc.**
t/a Sheetz #146
(LID No. 96382)
1408 Main Street
Brockway, Jefferson County
- Exchange of License Type from
Eating Place Malt Beverage to
Restaurant & Request for
Interior Connections with
Another Business

Note: Board Minutes are not officially approved until all required signatures are affixed.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Exchange of License Type and Request for Interior Connections with Another Business.

(13) **Sheetz, Inc.**
t/a Sheetz #169
(LID No. 96751)
8711 Woodbury Pike
Freedom Township
East Freedom, Blair County

Exchange of License Type from Eating Place Malt Beverage to Restaurant & Request for Interior Connections with Another Business

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Exchange of License Type and Request for Interior Connections with Another Business.

(14) **Sheetz, Inc.**
t/a Sheetz #289
R-20959 (LID No. 98209)
4661 Penn Avenue
Lower Heidelberg Township
Sinking Spring, Berks County

Double Transfer & Request for Interior Connections with Another Business - Restaurant

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Hold

(15) **Sheetz, Inc.**
t/a Sheetz #327
(LID No. 95076)
2100 Mosside Boulevard
Monroeville, Allegheny County

Exchange of License Type from Eating Place Malt Beverage to Restaurant & Request for Interior Connections with Another Business

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Exchange of License Type and Request for Interior Connections with Another Business.

Note: Board Minutes are not officially approved until all required signatures are affixed.

(16) **Sheetz, Inc.**
t/a Sheetz #335
R-10477 (LID No. 98096)
499 Evans City Road
Butler Township
Butler, Butler County

“Intermunicipal” Double
Transfer & Requests for Interior
Connections with Another
Business & Dual Employment –
Restaurant

Motion Made: Board Member Negra
Seconded: Chairman Holden

Board Decision: Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connections with Another Business and Dual Employment.

(17) **Sheetz, Inc.**
t/a Sheetz #337
R-8588 (LID No. 97529)
16590 Conneaut Lake Road
Vernon Township
Meadville, Crawford County

“Intermunicipal” Double
Transfer & Request for Interior
Connections with Another
Business - Restaurant

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connections with Another Business.

(18) **Sheetz, Inc.**
t/a Sheetz #463
R-14877 (LID No. 97428)
551 State Route 93
Sugarloaf Township
Sugarloaf, Luzerne County

“Intermunicipal” Double
Transfer & Request for Interior
Connections with Another
Business - Restaurant

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connections with Another Business.

(19) **Sheetz, Inc.**
t/a Sheetz #478
R-19016 (LID No. 97788)
891 East Main Street
Ephrata Township
Ephrata, Lancaster County

“Intermunicipal” Double
Transfer & Request for Interior
Connections with Another
Business - Restaurant

Note: Board Minutes are not officially approved until all required signatures are affixed.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connections with Another Business.

(20) **Sheetz, Inc.**
t/a Sheetz #522
R-11631 (LID No. 92898) Case No. 18-9064
3501 Nazareth Road
Palmer Township
Easton, Northampton County

Double Transfer & Request for Interior Connections with Another Business – Restaurant

HOLD – 4/17/19 SESSION

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connections with Another Business.

(21) **Sheetz, Inc.**
t/a Sheetz #553
R-20622 (LID No. 97662)
45 Antrim Commons Drive
Antrim Township
Greencastle, Franklin County

“Intermunicipal” Double Transfer & Request for Interior Connections with Another Business - Restaurant

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connections with Another Business.

(22) **Souderton Food Services, LLC**
(LID No. 91871) Case No. 19-9021
Souderton Development
600 Block of East Broad Street
Souderton, Montgomery County

Request for Hearing After Administrative Cancellation – New – Economic Development Restaurant

HOLD – 7/17/19 SESSION

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Note: Board Minutes are not officially approved until all required signatures are affixed.

Board Decision: Unanimously agreed (3-0 vote) to Approve Economic Development Restaurant License Pending Receipt of Additional Information.

(23) TH Minit Markets, LLC “Intermunicipal” Double
t/a Turkey Hill Minit Market #324 Transfer & Request for Interior
R-9340 (LID No. 97915) Connections with Another
168 Toddy Drive Business - Restaurant
East Earl Township
East Earl, Lancaster County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connections with Another Business.

(24) Alibis Spirits & Eatery, Inc. Renewal – District 1
R-17096 (LID No. 68710) Case No. 2019-68710
10 North Pitt Street
Carlisle, Cumberland County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Hold by Member Negra for a Conditional Licensing Agreement.

(25) Ralph N. Cialella, Jr. Renewal – District 6
R-15584 (LID No. 68465) Case No. 2018-68465
423 West Washington Street
New Castle, Lawrence County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Hold by Member Negra for Conditional Licensing Agreement (Offer in Compromise).

(26) Francesco D’Ottavio Renewal – District 1
t/a D’Ottavio’s Italian House II
E-3720 (LID No. 56776) Case No. 2019-56776
1302 Pennsylvania Avenue
Tyrone, Blair County

Note: Board Minutes are not officially approved until all required signatures are affixed.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Hold by Member Negra for a Conditional Licensing Agreement (Offer in Compromise).

- (27) **Fraternal Order of Eagles Conemaugh Aerie No. 1811** Renewal – District 1
C-1394 (LID No. 928) Case No. 2019-928
261 Greeve Street
East Conemaugh, Cambria County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Hold by Member Negra for a Conditional Licensing Agreement.

- (28) **Haines & Stackfield American Legion** Conditional Licensing Agreement
Post 826 Home Association Renewal – District 1
C-5271 (LID No. 2430) Case No. 2019-2430
148 West Penn Street, P. O. Box 298
Carlisle, Cumberland County

HOLD – 6/5/19 SESSION

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Renewal with a Conditional Licensing Agreement.

- (29) **Kung Fu Necktie, LLC** Renewal – District 10
t/a Kung Fu Necktie
R-14347 (LID No. 59089) Case No. 2018-59089
1248-50 North Front Street
Philadelphia, Philadelphia County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Chairman Holden asked if there was anyone present from Kung Fu Necktie, LLC. There was no response.

Board Decision: Unanimously agreed (3-0 vote) to Refuse Renewal.

Note: Board Minutes are not officially approved until all required signatures are affixed.

(30) L.F.C. Incorporated Conditional Licensing Agreement
R-12516 (LID No. 15584) Case No. 2018-15584 Renewal – District 10
4043 Lancaster Avenue
Philadelphia, Philadelphia County
HOLD – 7/17/19 SESSION

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Renewal with a New Conditional Licensing Agreement.

(31) TJ Land, Inc. Renewal – District 7
t/a Hootinanny
R-13716 (LID No. 55961) Case No. 2017-55961
226 Market Street
St. Marys, Elk County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Hold by Member Negra for a Conditional Licensing Agreement.

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

Personnel Actions

There were 15 personnel actions presented for consideration.

- (1) Melissa Aviles – Affirm Removal**
- (2) Annette Eberhardt – Removal**
- (3) Kimberly Gmys – Removal**
- (4) Mercedes Goodwin - Removal**
- (5) Margaret Gorko – Removal**
- (6) Alexis Green – Affirm Removal**
- (7) Jared Ludy – Removal**
- (8) Joseph Marcus – Affirm Removal**

Note: Board Minutes are not officially approved until all required signatures are affixed.

- (9) **Tracy McCarrell - Removal**
- (10) **Jami Pastin – Affirm Removal**
- (11) **Fermin Sam – Affirm Removal**
- (12) **Sarah Taylor – Affirm Removal**
- (13) **Tyrone Thompson - Removal**
- (14) **Heather Wahl – Rescind Removal**
- (15) **Lexa Zaffuto – Affirm Removal**

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve all Personnel Actions.

*From the Bureau of Accounting & Purchasing Michael Demko, Director of Finance
Koppolu Ravindraraj, Director, Bureau of Accounting & Purchasing
Mike Freeman, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

- (1) **657 HP Standard ProBook 600 G4 Microtower PCs with Monitors** – This is for scheduled store PC hardware refresh for FY 19-20 to replace PCs older than six years old that run Windows 7, a soon to be unsupported operating system. This hardware refresh includes contracted services to install the new systems and remove obsolete systems for surplus.

Procured via DGS Contract #4400017908 – VENDOR: **HP Inc. - \$734,975.80 estimated cost** (647 @ \$1,121.40 unit cost includes contracted services and 10 @ \$943.00 unit cost without contracted services).

- (2) **Microsoft Azure Cloud Subscription Services** – True-up of usage of cloud services. These cloud hosted services provide advanced analytics infrastructure replacing our legacy end of life reporting components such as gift card services, RDW, DevOps tools for project management, testing, and Go-Live.

Procured via DGS Contract #4400018548 – VENDOR: **CDW-G** – TERM: Three months - **\$116,112.40 estimated cost.**

Note: Board Minutes are not officially approved until all required signatures are affixed.

(3) Legal Services – Provide specialized legal advice regarding complex labor issues.

Procured via Emergency Procurement and Sole Source Contract– **VENDOR: Duane Morris LLP** –
TERM: Two years– not to exceed \$150,000.00 per year estimated cost.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Accept all Procurement Actions.

Inter-Agency Charges:

- (1) Civil Service Commission (SCSC) Services (Job 46)** – Billing of \$218,471.60 for SCSC services for July – December 2019. The billing was based on the PLCB’s average filled salary and wage position headcount (5,027) for the six month period of November/2018 through April/2019.

The Bureau of Financial Management and Analysis has reviewed these charges and determined that they are reasonable based on billing methodology and previous experience.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve all Inter-Agency Charges.

From the Office of Retail Operations..... Carl Jolly, Director of Retail Operations

- 1. #3702 – 729 Lawrence Avenue, Ellwood City
Amendment**
- 2. #3616 – 1190 Dillerville Road, Lancaster
Additional Space (Lancaster County Licensee Center)**
- 3. #1002 – Northgate Plaza, 115 Perry Highway, Suite 158, Harmony
New Store (relocation in same center)**
- 4. #25XX – 4058 Buffalo Road, (US Route 20), Erie
New Store (replacing #2509)**

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Retail Operations
Actions 1 and 2 and to Hold Retail Operations Actions 3 and 4.

Note: Board Minutes are not officially approved until all required signatures are affixed.

*From the Bureau of Product SelectionDale Horst, Director of Marketing & Merchandising
Tom Bowman, Director, Bureau of Product Selection*

1. Regular New Items Accepted

| <u>BRAND NAME AND SIZE</u> | <u>REASON</u> |
|---|----------------------|
| <u>Bacardi USA Inc</u> | |
| St Germain Elderflower Liqueur 200 ML | 18 |
| <u>JNY Corp</u> | |
| Chum Churum Apple Soju 375 ML | 3, 5 |
| Chum Churum Peach Soju 375 ML | 3, 5 |
| Chum Churum Strawberry Soju 375 ML | 3, 5 |
| <u>Majestic WS USA Inc</u> | |
| Day Owl Rose California 375 ML | 18 |
| <u>Moet Hennessy USA Inc</u> | |
| Moet and Chandon Ice Imperial Rose Champagne 750 ML | 1, 2, 3 |
| <u>Pernod Ricard</u> | |
| The Glenlivet Single Malt Scotch Whisky 14 Year Old 750 ML | 10 |
| <u>Philadelphia Distilling</u> | |
| Bluecoat American Dry Gin 50 ML | 18 |
| <u>R Wine Cellar</u> | |
| R Wine Cellar Diamond White Wine 750 ML | 17 |
| <u>Sazerac Company Inc</u> | |
| Torada Gold Tequila 1 L | 18 |
| <u>Sazerac North America Inc</u> | |
| Chi Chi's Long Island Iced Tea Cocktail 187 ML | 18 |
| Chi Chi's Margarita Cocktail 187 ML | 18 |
| Chi Chi's Peach Margarita Cocktail 187 ML | 18 |
| Chi Chi's Pineapple Margarita Cocktail 187 ML | 18 |
| Chi Chi's Ruby Red Margarita Cocktail 187 ML | 18 |
| Chi Chi's Skinny Margarita Cocktail 187 ML | 18 |
| <u>Southern Wine Spirits PA</u> | |
| Luc Belaire Luxe Sparkling Wine 750 ML | 1, 2, 3, 9 |
| On the Rocks Cocktails Knob Creek Bourbon Old Fashioned 200 ML | 18 |
| Pommery Brut Royal Champagne 750 ML | 2, 10, 11, 13, 19 |

Note: Board Minutes are not officially approved until all required signatures are affixed.

Sutter Home Winery Inc

| | |
|---------------------------------|------------|
| Pomelo Rose 375 ML | 1, 2, 5, 6 |
| Pomelo Sauvignon Blanc 375 ML | 1, 2, 5, 6 |
| Sutter Home Pinot Grigio 500 ML | 1, 2 |
| Sutter Home Rose 500 ML | 1, 2 |

The Wine Group Inc

| | |
|--|------|
| Ava Grace Chardonnay California 750 ML | 1, 7 |
| Ava Grace Pinot Grigio California 750 ML | 1, 7 |
| Ava Grace Rose California 750 ML | 1, 7 |

The Wine Guy LLC

| | |
|--|----|
| Bellissima Prosecco Brut DOC Sparkling Wine Italy 750 ML | 18 |
| Bellissima Zero Sugar Sparkling Wine Italy 750 ML | 18 |

Treasury Wine Est Amer Co

| | |
|--|-----------------|
| Cavaliere D'Oro Gabbiano Pinot Grigio 750 ML | 2, 3, 10, 19 |
|--|-----------------|

RECOMMENDED ACTION: We recommend the Board approve this action

2. Regular PA Preferred New Items Accepted

| <u>BRAND NAME AND SIZE</u> | <u>REASON</u> |
|---|----------------------|
| <u>Allegro Winery</u> | |
| Allegro Apple Cinnamon Wine 750 ML | 17 |
| Allegro Rave Harmony Carbonated Wine 375 ML | 17 |
| Allegro Rave Punk Carbonated Wine 375 ML | 17 |
| <u>Arundel Cellars Inc</u> | |
| Arundel Cellars Double Play Rose 750 ML | 17 |
| Arundel Cellars Soulmates Blush Wine 750 ML | 17 |
| Arundel Cellars Sweet Kiss Concord 1.5 L | 17 |
| High Key Dry Rose 750 ML | 17 |
| <u>Benignas Creek Winery</u> | |
| Benigna's Sunshine White Wine 1.5 L | 17 |
| <u>Courtyard Wineries LLC</u> | |
| Courtyard Winery First Kiss Rose Wine 1.5 L | 17 |
| Courtyard Winery Twisted Red 1.5 L | 17 |
| <u>Franklin Hill Vineyards Inc</u> | |
| Franklin Hill Vineyards Passion Strawberry Kiwi White Grape Wine 750 ML | 17 |
| <u>MHW LTD</u> | |
| Holla Cherry It Vodka 750 ML | 16 |

Note: Board Minutes are not officially approved until all required signatures are affixed.

Midnight Madness Distilling

Faber Cold Brew Flavored Vodka 750 ML 16
Faber Vodka 1.75 L 16

Moon Dancer Vineyards and Winery

Moon Dog Cellars Ryan’s Raspberry Red Wine 750 ML 17

Mount Nittany Vineyard and Winery

Mount Nittany Vineyard and Winery Mountain Sunset Blush
Wine 750 ML 17

Novosel LLC

Relaxation Red Blend 750 ML 17

Rowhouse Spirits LLC

Rowhouse Spirits Nordic Akvavit Aquavit 750 ML 16

Sandhill Winery LLC

Greendance Winery Chardonnay 750 ML 17

Shade Mountain Winery and Vineyards

Shade Mountain Vineyards Anniversary White 750 ML 17
Shade Mountain Vineyards Shade Mountain Blush 750 ML 17

Shadow Vineyard and Winery

Shadow Vineyard and Winery Simple Pleasure Red 750 ML 17

Spitzenburg Cider House LLC

Stony Run Chambourcin 750 ML 17
Stony Run Gruner Veltliner 750 ML 17
Stony Run Semi Sweet Vidal Blanc 750 ML 17

SpringGate Vineyard

SpringGate Vineyard Indian Summer Catawba 750 ML 17
SpringGate Vineyard Sweet White Wine 750 ML 17

Tolino Vineyards

Tolino Vineyards Mama’s Rose 750 ML 17
Tolino Vineyards Next Generation Rose 750 ML 17
Tolino Vineyards Papa’s Red 750 ML 17

Webb Winery LLC

Webb Winery Fredonia Sweet Red Wine 750 ML 17
Webb Winery Spiced Apple Sweet Wine 750 ML 17

Wilhelm Winery Inc

Wilhelm Winery Pink Catawba 750 ML 17

RECOMMENDED ACTION: We recommend the Board approve this action

Note: Board Minutes are not officially approved until all required signatures are affixed.

**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
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

3. Regular Recommended Delist

| <u>BRAND NAME AND SIZE</u> | <u>CODE</u> |
|---|--------------------|
| <u>Pernod Ricard USA</u> | |
| The Glenlivet Nadurra Single Malt Scotch 750 ML | 9056 |
| <u>The Wine Group</u> | |
| Flip Flop Chardonnay 750 ML | 6190 |
| Flip Flop Pinot Grigio 750 ML | 6197 |
| Flip Flop Pinot Noir 750 ML | 6202 |
| <u>Treasury Wine Est Amer Co</u> | |
| Stellina di Notte Pinot Grigio 750 ML | 1649 |

EFFECTIVE DATE: The transference to closeout will become effective August 30, 2019

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve all Bureau of Product Selection/Marketing Actions.

Note: Board Minutes are not officially approved until all required signatures are affixed.

FINANCIAL REPORT *Michael J. Burns, Comptroller Operations, Office of Budget*

None

OTHER ISSUES

2020 Board Meeting Schedule.....*Secretary Stark*

The public meetings will be held in Harrisburg, PA and will commence at 11:00 a.m. in the Northwest Office Building, Conference Room 117.

- Wednesday, January 15, 2020
- Wednesday, January 29, 2020
- Wednesday, February 12, 2020
- Wednesday, February 26, 2020
- Wednesday, March 11, 2020
- Wednesday, March 25, 2020
- Wednesday, April 15, 2020
- Wednesday, April 29, 2020
- Wednesday, May 13, 2020
- Wednesday, June 3, 2020
- Wednesday, June 24, 2020
- Wednesday, July 15, 2020
- Wednesday, August 5, 2020
- Wednesday, August 19, 2020
- Wednesday, September 2, 2020
- Wednesday, September 23, 2020
- Wednesday, October 7, 2020
- Wednesday, October 28, 2020
- Wednesday, November 18, 2020
- Wednesday, December 2, 2020
- Wednesday, December 16, 2020

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Executive Director Charles Mooney indicated that the presentation of the proposed 2020 Board Meeting Schedule represents the earliest approval of public meeting dates for an upcoming year.

Board Decision: Unanimously agreed (3-0 vote) to Accept 2020 Board Meeting Schedule as Presented.

Note: Board Minutes are not officially approved until all required signatures are affixed.

*Alcohol Education Grants..... Tisha Albert, Director of Regulatory Affairs
Corinne Dinoski, Director, Bureau of Alcohol Education*

The Bureau of Alcohol Education is requesting approval to award up to \$150,000 to various police departments throughout the commonwealth for the purpose of reducing underage and dangerous drinking through enforcement related activities.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to Approve Award up to \$150,000.00 to Various Police Departments Throughout the Commonwealth.

CITIZEN COMMENT/BUSINESS FROM THE FLOOR

Mark Kozar, Flaherty & O’Hara, spoke on behalf of the recently-adopted Policy Change. Mr. Kozar represents Sheetz and a lot of other convenience stores. Mr. Kozar noted that many municipalities prefer that convenience stores not sell for On-Premise consumption. He has told his clients they should limit sales to two-beers per person or also require sales of food with alcohol. Mr. Kozar noted the issue under the new policy becomes – what hours must they serve, how much, what product, as well as other issues. Mr. Kozar asked how will the policy be enforced? Mr. Kozar feels the policy is a step in the wrong direction.

Chairman Holden thanked Mr. Kozar for his comments and noted they will be recorded into the record.

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, August 21, 2019, beginning at 11:00 A.M. Prior to the public meeting, there will be an Executive Session to discuss matters of personnel and to engage in non-deliberative informational discussions, some of which are regarding actions and matters which have been approved at previous public meetings.

Note: Board Minutes are not officially approved until all required signatures are affixed.

ADJOURNMENT

On a motion by Board Member Negra, seconded by Board Member Isenhour, the meeting was adjourned.

The foregoing actions are hereby officially approved.

Chairman

Member

Member

ATTEST:

Secretary