

# PENNSYLVANIA LIQUOR CONTROL BOARD

## MEETING MINUTES

**WEDNESDAY, AUGUST 19, 2020**  
**TELEPHONE CONFERENCE MEETING**

Tim Holden, Chairman  
Mike Negra, Board Member  
Mary Isenhour, Board Member  
Michael Demko, 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](#)

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### **PUBLIC MEETING – 11:00 A.M**

**CALL TO ORDER** ..... *Chairman Holden*

Pledge of Allegiance to the Flag

Chairman Holden made an opening statement thanking everyone for their continued cooperation and understanding as the PLCB is dealing with COVID-19 and the need to meet in this telephonic fashion. Chairman Holden stated that we still face a very serious health crisis. As of today, approximately 122,000 Pennsylvanians have been infected and sadly, approximately 7,499 have passed away.

Chairman Holden welcomed the PLCB’s new Executive Director, Michael Demko. Mr. Demko has been with the PLCB for approximately two years, during which time he has served in the capacity of Chief Financial Officer and Chief Operating Officer. Mr. Demko brings thirty years of experience in retail and wholesale operations to the PLCB. Chairman Holden welcomed Mr. Demko and expressed that the Board looks forward to working with him in his new role.

**OLD BUSINESS**..... *Secretary Stark*

A. Motion to approve the previous Board Meeting Minutes of the August 5, 2020 meeting.

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve previous Board Minutes.

### **PUBLIC COMMENT ON AGENDA ITEMS**

The Board has reserved 10 minutes for Public Comment on printed agenda items.

The teleconference moderator confirmed that there were no callers with comments.

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**NEW BUSINESS**

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

- (1) **City of Allentown** Municipal Petition for Exemption  
Case No. 20-NE-06 from Liquor Code Statute  
Regarding Amplified Sound

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve noise exemption from August 19, 2020 to August 19, 2021.

- (2) **City of Pottsville** Municipal Petition for Exemption  
Case No. 20-NE-13 from Liquor Code Statute  
Regarding Amplified Sound

**Motion Made:** Board Member Isenhour

Board Member Isenhour stated this is one of two requests for the City of Pottsville in which the City is requesting specific areas to be exempted from amplified sound each for a five-year period.

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve noise exemption from August 19, 2020 to August 19, 2025.

- (3) **City of Pottsville** Municipal Petition for Exemption  
Case No. 20-NE-14 from Liquor Code Statute  
Regarding Amplified Sound

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve noise exemption from August 19, 2020 to August 19, 2025.

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

- (1) **Burnham Beer Super Store, LLC** Extension of License & Request  
D-35587 (LID No. 86152) for Interior Connections with  
207 West Freedom Avenue Another Business - Distributor  
Burnham, Mifflin County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve extension of license and request for interior connection with another business.

- (2) **The Hershey Company** Double Transfer & Request to  
**t/a Hershey's Chocolate World** Conduct Other Businesses on the  
R-21048 (LID No. 101543) Licensed Premises - Restaurant  
101 Chocolate World Way  
Derry Township  
Hershey, Dauphin County

**Motion Made:** Board Member Isenhour  
**Seconded:** Chairman Holden

**Board Decision:** Hold for conditional license agreement.

- (3) **Luminary Distilling, LLC** Place-to-Place Transfer &  
AL-75 (LID No. 73311) Request to Conduct Another  
8270 Peach Street, Suite 100 Business on the Licensed  
Summit Township Premises – Limited Distillery  
Erie, Erie County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve place-to-place transfer and request to conduct another business on the licensed premises.

- (4) **5600 Lansdowne, Inc.** Renewal – District 10  
R-4271 (LID No. 69702) Case No. 2018-69702  
5600 Lansdowne Avenue  
Philadelphia, Philadelphia County **HOLD – 6/24/20 SESSION**

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**Motion Made:** Board Member Isenhour

Board Member Isenhour made a motion to refuse the renewal application.

Chairman Holden asked if there was anybody on the line representing 5600 Landsdowne, Inc.

The teleconference moderator confirmed that there were no callers.

At Board Member Negra's request, Director of Regulatory Affairs, Tisha Albert, stated this is a nonrenewal matter which was originally presented to the Board during the June 24, 2020 Board Meeting, at which time the Board decided to hold this agenda item for a conditional licensing agreement with terms of an offer-in-compromise. The terms included that the license must be sold to an independent third party and moved out of its current location. The Licensee was not in agreement with those terms; therefore, it is being re-presented to the Board.

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to refuse renewal.

- (5) **GAJEJ, LLC** Conditional Licensing Agreement  
**t/a Gametime** Renewal – District 5  
R-3654 (LID No. 72534) Case No. 2019-72534  
1620-22 Spring Garden Avenue  
Pittsburgh, Allegheny County **HOLD – 4/29/20 SESSION**

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve renewal with conditional licensing agreement.

- (6) **KWLT, LLC** Renewal – District 4  
**t/a Platinum Plus**  
R-4008 (LID No. 64796) Case No. 2018-64796  
1251 Airport Road  
Allentown, Lehigh County

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Hold for an amended conditional licensing agreement.

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- (7) **Rum Runners Saloon, Inc.** Conditional Licensing Agreement  
R-6802 (LID No. 68481) Case No. 2019-68481 Renewal – District 5  
3385 Babcock Boulevard  
Ross Township **HOLD – 1/29/20 SESSION**  
Pittsburgh, Allegheny County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve renewal with conditional licensing agreement.

- (8) **Shooters Grill & Bar, LLC** Renewal – District 7  
R-7202 (LID No. 65854) Case No. 2019-65854  
14 North Main Street **HOLD – 6/24/20 SESSION**  
Port Allegany, McKean County

**Motion Made:** Board Member Isenhour

Board Member Isenhour made a motion to refuse the renewal application.

Chairman Holden asked if there was anyone on the line representing Shooters Grill & Bar, LLC.

The teleconference moderator confirmed that there were no callers.

At the request of Board Member Negra, Director of Regulatory Affairs, Tisha Albert, stated this is a nonrenewal matter which was originally presented to the Board during the June 24, 2020 Board Meeting. In 2018, the Licensee breached its conditional licensing agreement and subsequently the Bureau of Licensing objected. A hearing was held, testimony was taken, and pursuant to the Board's action on June 24, 2020, Licensing made several attempts to negotiate an offer-in-compromise with Licensee and its counsel. That offer-in-compromise would require the Licensee to sell the license to a third party. No agreement could be reached; therefore, it is being re-presented to the Board for decision.

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to refuse renewal.

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

Personnel Actions ---There were 7 personnel actions presented for consideration.

- (1) **Heather Auer – Removal**
- (2) **Mark Brown – Demotion**
- (3) **Stephanie Godin - Demotion**
- (4) **Erick Hermann – Removal**
- (5) **Anthony Hinton – Removal**
- (6) **Nathanael Proulx – Affirm Removal**
- (7) **Randi Trantham – Affirm Removal**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Negra

**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) **Hearing Examiner Services** – Represent the Board in the capacity of a Hearing Examiner for administrative hearings conducted in the Commonwealth of Pennsylvania regarding matters which the Board shall adjudicate as required by law.

Procured via Sole Source – VENDOR: **John A. Mulroy** – TERM: One year for period September 1, 2020 through August 31, 2021 – **\$150,000.00 estimated cost.**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve procurement action.

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Inter-Agency Charges:

- (1) **Office of Administration – HR Shared Services (Job 73)** – Billing of \$365,325.00 for the first quarter (Q1) of FY 2020-21 for OA’s HR-Enterprise Services (labor relations, employee benefits, training, etc.) for July, August and September.

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 Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve the inter-agency charge.

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

- 1. #3611.....1575 S. Market St., Suite 109, Elizabethtown, PA 17022  
**Amendment**
- 2. #3701.....2656 Ellwood Road, New Castle, PA 16101-6299  
**Amendment**
- 3. #4202.....124 Fraley St., Kane, PA 16735  
**Amendment**

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve all Retail Operations actions.

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

**VENDOR – ITEM NAME**

**BOARD ACTION REQUESTED**

Various  
Various  
Various  
Various

- 1. Regular New Items Accepted
- 2. Regular PA New Item Accepted
- 3. Regular Recommended Delist
- 4. Regular Recommended Delist Revision

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**1. Regular New Items Accepted**

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<b><u>Majestic W S USA Inc</u></b>	
Paua Rock Pinot Noir Central Otago 750 mL	18
Paua Rock Pinot Noir Marlborough 750 mL	18
Paua Rock Sauvignon Blanc Marlborough 750 mL	18
<b><u>North Wales Wines</u></b>	
The Headliner by Press Play Wines Cabernet Sauvignon 750 mL	18
The Headliner by Press Play Wines Pinot Grigio 750 mL	18
The Headliner by Press Play Wines Red Blend 750 mL	18
<b><u>Paterno Imports LTD</u></b>	
Terlato Vineyards Pinot Grigio Friuli Colli Orientali 750 mL	10, 19
<b><u>Pip Imports and Domestic LLC</u></b>	
Amity Vineyards White Pinot Noir Willamette Valley 750 mL	3, 4, 5
<b><u>Southern Glazers Wine and Spirits of PA</u></b>	
Stella Rosa L'Originale Blueberry 750 mL	2, 3, 12, 19
<b><u>Sutter Home Winery Inc</u></b>	
California Roots Cabernet Sauvignon 1.5 L	18
California Roots Moscato 1.5 L	18
California Roots Pinot Grigio 1.5 L	18
California Roots Red Blend 1.5 L	18
California Roots Rose 1.5 L	18
<b><u>Vintage Imports</u></b>	
Bucks Crossing Cabernet Sauvignon 750 mL	18
Bucks Crossing Chardonnay 750 mL	18
Bucks Crossing Pinot Noir 750 mL	18

RECOMMENDED ACTION: We recommend the Board approve this action

**2. Regular PA New Item Accepted**

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<b><u>Leadership Brands LLC</u></b>	
Hidden Still Spiced Rum 70 Proof 750 mL	16

RECOMMENDED ACTION: We recommend the Board approve this action



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**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>Millstone Spirits Group LLC</u> Dreadnought White Rum 90 Proof 750 mL	2158
<u>Pip Imports and Domestics LLC</u> Christopher Michael Red Blend Washington 750 mL	98118

EFFECTIVE DATE: The transference to closeout will become effective September 18, 2020

**4. Regular Recommended Delist Revision**

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>RESCIND</u>	
<u>Majestic W S USA Inc</u> Josh Cellars Cabernet Sauvignon Paso Robles Reserve 750 mL	166

**Note: This was sent to Board August 5, 2020**

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RECOMMENDED ACTION: We recommend the Board approve this action

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve all Product Selection actions.

**OTHER ISSUES**

***2021 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. If a meeting is conducted telephonically, members of the public, the media and others can find instructions on the PLCB public website to listen to the meeting.

- Wednesday, January 13, 2021
- Wednesday, January 27, 2021
- Wednesday, February 10, 2021
- Wednesday, February 24, 2021
- Wednesday, March 10, 2021
- Wednesday, March 24, 2021
- Wednesday, April 14, 2021
- Wednesday, April 28, 2021
- Wednesday, May 12, 2021
- Wednesday, June 2, 2021
- Wednesday, June 23, 2021
- Wednesday, July 14, 2021
- Wednesday, August 4, 2021
- Wednesday, August 18, 2021
- Wednesday, September 1, 2021
- Wednesday, September 22, 2021
- Wednesday, October 6, 2021
- Wednesday, October 27, 2021
- Wednesday, November 10, 2021
- Wednesday, December 1, 2021
- Wednesday, December 15, 2021

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Negra

**Board Decision:** Unanimously agreed (3-0 vote) to approve the 2021 Board Meeting schedule.

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**CITIZEN COMMENT/BUSINESS FROM THE FLOOR**

The teleconference moderator confirmed that there were no callers with comments.

**NEXT BOARD MEETING**

**The next meeting of the PLCB will be a formal meeting on Wednesday, September 2, 2020 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.**

**ADJOURNMENT**

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

The foregoing actions are hereby officially approved.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST:

\_\_\_\_\_  
Secretary