

PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING MINUTES

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WEDNESDAY, FEBRUARY 23, 2022

NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA 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](#)

PUBLIC MEETING – 11:00 A.M

CALL TO ORDER *Chairman Holden*

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

Pledge of Allegiance to the Flag

OLD BUSINESS..... *Secretary Stark*

A. Motion to approve previous Board Meeting Minutes of the February 9, 2022 meeting,

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

B. Announcement by the Chairman for Ratification of a Board Action.

The following Board Action approved on February 15, 2022 was decided by Notational Voting after the adjournment of the Board's last public meeting on February 9, 2022. This project is scheduled to commence on February 22, 2022, which is a day prior to the next scheduled Board meeting on February 23, 2022.

Act 39 of 2016 allows special orders of alcohol to be delivered by licensed importers and licensed vendors without having those items come to rest at a Fine Wine & Good Spirits store or licensee service center. However, the PLCB is currently not capable of processing such Special Order direct deliveries. Chairman Holden, Member Negra and Member Isenhour agreed (3-0 vote) to approve Change Order No. 8 to existing contract 20140325 with Deloitte Consulting, LLP at a cost not to exceed \$610,000. In accordance with the terms of the existing contract, this Change Order sets forth the tasks, deliverables, timeline and costs to develop, build, test and implement a Special Order direct delivery solution for licensees through existing Special Order Portal and Licensee Online Order Portal (LOOP) platforms.

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In this particular case, Act 29 of 2020 had amended how certain licensees which have interior connections to other businesses could process sales. This delegation is being amended so that if you are a business with an interior connection to another business that is 10,000 square feet* or less and the licensed premises occupies no more than 90 percent of the entire building and you otherwise meet the requirements under the Liquor Code, the Bureau of Licensing is authorized to approve those applications.

Currently the requirement is that the licensed business cannot occupy more than 50 percent of the building, so the change is applicable for businesses in smaller locations that use 50 to 90 percent of the area that is subject to the license.

The other change in this delegation was clarification that had to do with managers of licensed businesses. Licensing can approve the request to appoint a manager if the manager is available at least 35 hours per week on the licensed premises. There was some confusion about managers who managed a licensed business that had an interior connection to another business being allowed to manage both businesses. This delegation clarifies that the 35 hours per week that managers need to be available applies to both the licensed business and the other business with the interior connection. If they are physically there, the 35 hours per week counts.

In addition, Licensing, under the Liquor Code, has the authority to object to the renewal of certain licenses using specific criteria. It doesn't need the Board's approval, but on occasion Licensing will bring the objection criteria to a public meeting so that the public knows what criteria the Director of Licensing is using when Licensing is objecting to the renewal of a license.

In this case, they are making an amendment to the objection criteria that has to do with licensees who have been cited for violating COVID-19 rules during the State of Emergency. Currently Licensing objects to anyone who has one or more citations for violating the rules during the COVID-19 pandemic. The new criteria will be if a licensee has one citation involving three or more dates or two separate citations. The intent being to object to those licensees who are showing a pattern, not just an inadvertent mistake which led to a citation.

Board Member Negra indicated that he had a question. He stated that Chief Counsel Diaz had said Act 29 applied to businesses with 10,000 square feet or less. He wanted clarification whether it was 10,000 or 11,000 square feet.

*Chief Counsel Diaz corrected himself and said it was in fact 11,000 square feet or less.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to accept the change in delegation to the Director of Regulatory Affairs.

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

(1) **Amina Restaurant & Lounge, LLC** Double Transfer - Restaurant
R-4994 (LID No. 105161) Case No. 21-9070
104 South Chestnut Street
Philadelphia, Philadelphia County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the transfer.

(2) **Disobedient Spirits, LLC** Limited Distillery Additional
AL-16 (LID No. 68664) Board-Approved Location &
30 South Main Street Requests for an Interior
Homer City, Indiana County Connection with Another
Business & Dual
Employment – Limited Distillery

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the additional location and the requests for an interior connection with another business and dual employment.

(3) **Hampat Specialty Foods, LLC** New – Economic Development
t/a Hamir’s Indian Fusion Restaurant Restaurant
(LID No. 103973) Case No. 21-9059
24 South George Street
York, York County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the new application.

(4) **Insectarium and Butterfly Pavilion, Inc.** Double Transfer & Request to
t/a Philadelphia Insectarium and Butterfly Pavilion Conduct Another Business on the
R-13762 (LID No. 104729) Licensed Premises - Restaurant
8046 Frankford Avenue
Philadelphia, Philadelphia 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 the transfer and the request to conduct another business on the licensed premises.

- (5) **Metzgar Enterprise, LLC** Return (Release) from
t/a Trailhead Brewing Company Safekeeping & Requests to
G-48596 (LID No. 107507) De-License Areas, for an Interior
402 Main Street Connection with Another
Rockwood, Somerset County Business & for Dual
Employment – Brewery

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the return/release from safekeeping and requests to de-license areas, for an interior connection with another business, and for dual employment.

- (6) **William Callahan (Deceased)** Conditional Licensing
t/a Buffalo Bill's Roadhouse Agreement
R-11071 (LID No. 34215) Case No. 2020-34215 Renewal – District 6
2301 Freeport Road
New Kensington, Westmoreland County **HOLD – 12/1/21 SESSION**

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

- (7) **Candygirl Ent., LLC** Conditional Licensing
t/a Hop's Place Agreement
R-16540 (LID No. 82396) Case No. 2021-82396 Renewal – District 5
3037 Shadeland Avenue
Pittsburgh, Allegheny County **HOLD – 12/15/21 SESSION**

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

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- (8) **Double D's, LLC** Renewal – District 7
t/a Double D's
R-10881 (LID No. 61843) Case No. 2021-61843
4020 Route 27, P. O. Box 81
Pittsfield Township
Garland, Warren County

Motion Made: Board Member Negra made a motion to approve the renewal.

Board Member Isenhour stated that she would not second Board Member Negra's motion.

Motion Made: Board Member Isenhour moved to hold for a conditional licensing agreement.

Seconded: Chairman Holden

Board Decision: (2-1 vote) Hold for conditional licensing agreement.

- (9) **Doug's Den, Inc.** Renewal – District 5
t/a Doug's Den
R-12642 (LID No. 42585) Case No. 2021-42585
2301-03 Brownsville Road
Pittsburgh, Allegheny County

Motion Made: Board Member Negra

Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to hold for conditional licensing agreement.

- (10) **Heights Saxon Inn** Renewal – District 5
R-18606 (LID No. 98703) Case No. 2021-98703
1210 Saxonburg Road
Harrison Township
Natrona Heights, Allegheny County

Motion Made: Board Member Negra

Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the renewal.

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- (11) **The Legion Home Association of Lock Haven PA** Renewal – District 7
CC-4199 (LID No. 3616) Case No. 2021-3616
20 South Grove Street, P. O. Box 1
Lock Haven, Clinton County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to hold for conditional licensing agreement.

- (12) **Pocono Enterprise Co.** Conditional Licensing Agreement
R-14072 (LID No. 72244) Case No. 2021-72244
316-318 South Main Street
Shenandoah, Schuylkill County
Renewal – District 3

HOLD – 1/12/22 SESSION

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

- (13) **Take A Peek Inn, Inc.** Renewal – District 7
t/a Linger-In Tavern
R-15038 (LID No. 68259) Case No. 2021-68259
7 Locust Street, P. O. Box 507
Beech Creek, Clinton County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the renewal.

- (14) **Tiftam, Inc.** Conditional Licensing Agreement
t/a Walkers Pub
H-1345 (LID No. 38566) Case No. 2021-38566
2024 Sarah Street
Pittsburgh, Allegheny County
Renewal – District 5

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

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(15) Wagon Wheel Bar & Grill, Inc.
R-18237 (LID No. 64515) Case No. 2021-64515
12711 Route 19 South
Waterford Township
Waterford, Erie County

Conditional Licensing
Agreement
Renewal – District 7

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the renewal with 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) Jacob Bedillion – Affirm Removal**
- (2) Teresa Carr – Affirm Removal**
- (3) Joy Christian – Affirm Removal**
- (4) Philip Drula – Affirm Removal**
- (5) Darcy Gray – Affirm Removal**
- (6) Derek Herman - Affirm Removal**
- (7) Eric Hoehl – Affirm Removal**
- (8) Arthur Huff – Affirm Removal**
- (9) Joyce Maurer – Affirm Removal**
- (10) Melissa Miller – Removal**
- (11) Anthony Moody - Removal**
- (12) Demetrius Pitts – Removal**
- (13) Karissa Weiss– Removal**
- (14) John Zawoiski - Removal**
- (15) Samantha Ziegler - Removal**

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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 & PurchasingMichael Demko, Executive Director
Koppolu Ravindraraj, Director, Bureau of Accounting & Purchasing
Mike Freeman, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

None

Inter-Agency Charges:

- (1) **Office of Comptroller Operations** – Billing of \$1,821,795.40 for the second quarter of FY 2021-22 from the Office of Comptroller Operations. The billing for actual October, November and December services was \$176,422.30 less (-8.8%) than the billing for last year’s Q2 services. FY 2021-22 YTD billings total \$2.814 million or \$106 thousand (-3.6%) less than last year.

- (2) **Office of Administration – IT Shared Services** – Billing of \$1,386,350 for the FY 2021-22 Q3 billing for OA’s IT Enterprise Technology Essential Services. This billing is for enterprise-wide infrastructure, network, security, enterprise data center (EDC) and service desk costs. The PLCB’s charge represents 2.1% of the total \$66.2M OA- IT Shared Services billing. The FY 2021-22 billings for Q1-Q3 total \$2.95 million and are \$1.53 million (107%) more than last year.

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

Board Member Negra noted that he moves to accept Item #1 (Office of Comptroller Operations) but, due to a lack of information, moves to again hold on Item #2 (Office of Administration – IT Shared Services) as they did at the last Board Meeting. He went on to say that the Board can hopefully get the information they need soon so that they can vote on it at a forthcoming meeting.

Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve item #1 (Office of Comptroller Operation) and hold on item #2 (Office of Administration – IT Shared Services).

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From the Office of Retail Operations.....Michael Demko, Executive Director

- (1) #0228 – Edgewood Towne Centre, 1749 South Braddock Avenue, Pittsburgh
Amendment
- (2) #0502 – 600 Main Street, Saxton
Amendment

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

From the Bureau of Product SelectionTom Bowman, Director of Product Selection

VENDOR – ITEM NAME

BOARD ACTION REQUESTED

- | | |
|---------|---|
| Various | 1. Regular New Items Accepted |
| Various | 2. Regular PA New Items Accepted |
| Various | 3. Regular Recommended Delist February 2022 |
| Various | 4. Regular Recommended Delist March 2022 |

1. Regular New Items Accepted

BRAND NAME AND SIZE

REASON

Jim Beam Brands Co

- | | |
|--------------------------------------|----|
| Sauza Hacienda Tequila Gold 1.75 L | 18 |
| Sauza Hacienda Tequila Silver 1.75 L | 18 |

Treasury Wine Estates

- | | |
|---------------------------------|------------|
| 19 Crimes Martha’s Chard 750 mL | 1, 2, 3, 7 |
|---------------------------------|------------|

RECOMMENDED ACTION: We recommend the Board approve this action

2. Regular PA New Items Accepted

BRAND NAME AND SIZE

REASON

Doan Gang Distillery LLC

- | | |
|---|----|
| Doan Distillery Quakerade Classic Lemon Vodka 4x355 mL Cans | 16 |
| Doan Distillery Quakerade Mango Vodka 4x355 mL Cans | 16 |

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Doan Distillery Quakerade Peach Vodka 4x355 mL Cans	16
Doan Distillery Quakerade Pink Grapefruit Vodka 4x355 mL Cans	16
Doan Distillery Quakerade Strawberry Vodka 4x355 mL Cans	16

Hewn Spirits LLC

Denali Vodka 750 mL	16
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Hidden Still Inc

Hidden Still Spirits Vodka 750 mL	16
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RECOMMENDED ACTION: We recommend the Board approve this action

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 February 2022

BRAND NAME AND SIZE

CODE

Sazerac Company Inc

Drinkworks 12 Days of Cocktails Sampler Pack 12x50 mL	97615
Drinkworks Brunch Cocktails 12x50 mL Sampler Pack	98455
Drinkworks Classic Collection Cosmopolitan 36 Proof 4x50 mL	98253
Drinkworks Classic Collection Cuban Daiquiri 95 Proof 4x50 mL	98277
Drinkworks Classic Collection Long Island Iced Tea 44 Proof 4x50 mL	98254
Drinkworks Classic Collection Margarita 33 Proof 4x50 mL	98252
Drinkworks Classic Collection Mojito 33 Proof 12x50 mL	98839
Drinkworks Classic Collection Mojito 33 Proof 4x50 mL	98255
Drinkworks Classic Collection Moscow Mule 34 Proof 12x50 mL	98840

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Drinkworks Classic Collection Moscow Mule 34 Proof 4x50 mL	98247
Drinkworks Classic Collection Old Fashioned 40 Proof 12x50 mL	98838
Drinkworks Classic Collection Old Fashioned 40 Proof 4x50 mL	98256
Drinkworks Classic Collection Paloma 40 Proof 4x50 mL	97390
Drinkworks Classic Collection Whiskey Sour 44 Proof 4x50 mL	98249
Drinkworks Classic Collection White Russian 18 Proof 4x50 mL	98248
Drinkworks Deep Eddy 12x50 mL Day Drink Variety Pack	97269
Drinkworks Fireside Collection 12x50 mL Sampler Pack	98881
Drinkworks Fireside Collection Version 2 12x50 mL Sampler Pack	97611
Drinkworks Home Bar Sampler Pack 16x50 mL	98358
Drinkworks Jack Daniels Cocktails 12x50 mL Sampler Pack	97612
Drinkworks Large Pour Margaritas Variety Pack 11 Proof 4x100 mL	97214
Drinkworks Lynchburg Lemonade 39 Proof 4x50 mL	98483
Drinkworks Paradise Collection Mai Tai 38 Proof 4x50 mL	98250
Drinkworks Paradise Collection Margarita 34 Proof 4x50 mL	98251
Drinkworks Paradise Collection Rum Punch 39 Proof 4x50 mL	97163
Drinkworks Paradise Collection Strawberry Margarita 35 Proof 4x50 mL	98257
Drinkworks Pomegranate Elderflower Spritzer 28 Proof 4x50 mL	97164
Drinkworks Signature Maple Rye Manhattan 46 Proof 4x50 mL	98447
Drinkworks Signature Series Chambord Royale 32 Proof 4x50 mL	98961
Drinkworks Signature Series Chocolate Negroni 48 Proof 4x50 mL	98446
Drinkworks Signature Series Midtown Martini 47 Proof 4x50 mL	98448
Drinkworks Simply Refreshing Collection Gin and Tonic 42 Proof 4x50 mL	98239
Drinkworks Simply Refreshing Collection Vodka Lemonade 37 Proof 4x50 mL	98243
Drinkworks Simply Refreshing Collection Vodka Soda with Lime 34 Proof 4x50 mL	98242
Drinkworks Simply Refreshing Collection Whiskey Cola 38 Proof 4x50 mL	98241
Drinkworks Spring Sippers 12x50 mL Sampler Pack	97134
Drinkworks Spring Sippers Collection Violet Cosmo 37 Proof 4x50 mL	97391
Drinkworks Summer Solstice Cocktails 12x50 mL Sampler Pack	98540
Drinkworks Top Shelf Collection Absolut Pineapple Martini 36 Proof 4x50 mL	97613
Drinkworks Top Shelf Collection Chambord French Martini 36 Proof 4x50 mL	98828
Drinkworks Top Shelf Collection Elijah Craig Old Fashioned 50 Proof 4x50 mL	98882
Drinkworks Top Shelf Collection Gentleman Jack Manhattan 50 Proof 4x50 mL	98829
Drinkworks Top Shelf Collection Herradura Margarita 36 Proof 4x50 mL	98830
Drinkworks Top Shelf Collection Kahlua Espresso Martini 36 Proof 4x50 mL	97614
Drinkworks Wandering Vine Collection Lemon Bubbly 33 Proof 4x50 mL	98240
Drinkworks Wandering Vine Collection Peach Sangria 37 Proof 4x50 mL	98244
Drinkworks Wandering Vine Collection Red Sangria 40 Proof 4x50 mL	98245
Drinkworks Wandering Vine Collection Rose Spritzer 22 Proof 4x50 mL	98246
Drinkworks Wandering Vine Collection Variety Pack 67 Proof 12x50 mL	97215

EFFECTIVE DATE: The transference to closeout will become effective February 28, 2022

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4. Regular Recommended Delist March 2022

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>Hidden Still Inc</u>	
Hidden Still Mad Crayfish Vodka 750 mL	1544
<u>North Wales Wines</u>	
New Amsterdam Red Berry Vodka 375 mL	8498
<u>Southern Glazers Wine and Spirits of PA</u>	
Bully Hill Vineyards Growers Blush 1.5 L	4030
<u>Sutter Home Winery</u>	
Bandit Pinot Grigio 500 mL	3458
Sutter Home Pinot Noir 1.5 L	7216

EFFECTIVE DATE: The transference to closeout will become effective March 25, 2022

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

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

None

OTHER ISSUES

Transfer to General Fund.....*Michael Demko, Executive Director*

The Office of Budget requests a transfer of \$85.1 million dollars (\$85,100,000) in the month of March 2022 from the State Stores Fund to the General Fund. The Finance team will schedule when this transfer will occur.

This transfer of this prescribed amount of \$85,100,000 will be processed as authorized in Expenditure Symbol Notification Number 21-033.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the authorization request to transfer funds.

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CITIZEN COMMENT/BUSINESS FROM THE FLOOR

None

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, March 9, 2022 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 Negra, seconded by Board Member Isenhour, the meeting was adjourned.

The foregoing actions are hereby officially approved.

Chairman

Member

Member

ATTEST:
