

# PENNSYLVANIA LIQUOR CONTROL BOARD

## MEETING MINUTES

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WEDNESDAY, FEBRUARY 28, 2024

NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA  
MICROSOFT TEAMS MEETING

Tim Holden, Chairman  
Randy Vulakovich, Board Member  
Darrell Clarke, Board Member  
Rodrigo Diaz, Executive Director  
Michael Vigoda, 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

Board Secretary Michael Vigoda indicated that a quorum of the Board was present and Chairman Holden called the meeting to order.

**OLD BUSINESS**..... *Secretary Vigoda*

A. Motion to approve previous Board Meeting Minutes of the February 14, 2024 meeting.

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

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

### **ANNOUNCEMENT OF EXECUTIVE SESSIONS**

As explained in the printed Meeting Agenda, certain matters being presented for “official action” at today’s meeting have been discussed during Executive Sessions held prior to today’s meeting as permitted by the Sunshine Act.

### **PUBLIC COMMENT**

The Board has reserved 10 minutes for public comment.

No public comments were offered.

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

**NEW BUSINESS**

*From the Office of Chief Counsel.....Jason Worley, Chief Counsel*

- (1) **MORGAN HILLS, INC.** ALJ Appeal Consolidated for Purposes  
**t/a Morgan Hills Golf Course** of Hearing  
219 Hunlock Harveyville Road  
Hunlock Creek, PA 18621-9736  
License No. R-19911/LID 51484  
Citation Nos. 20-1146, 21-0122, 21-0130, 21-0136,  
21-0137, 21-0339, 21-0407, 21-0424, 21-0459, and  
21-0564

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ’s decision and remand for action.

- (2) **GetGo Operating, LLC** Request for Rescission of Conditional  
663 New Castle Road Licensing Agreement  
Butler, Pennsylvania 16001  
Restaurant Liquor License No. R-12379  
LID 120938

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to conditionally rescind the conditional licensing agreement in effect on license number R-12379 (LID number 70745) upon approval of the pending intermunicipal double transfer.

- (3) **JEEVANDEEP1, LLC** Request for Rescission of Conditional  
0-6 Coal Street Licensing Agreement  
Port Carbon, Pennsylvania 17965-1805  
Distributor Liquor License No. D-225  
LID 120697

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to conditionally rescind the conditional licensing agreement in effect on license number D-225 (LID 72504) upon approval of the pending double transfer.

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*From the Bureau of Licensing ..... Tisha Albert, Director of Regulatory Affairs  
Andrew Stuffick, Director, Bureau of Licensing*

(1) **Garfield Thomas Jr. Veterans of Foreign Wars Home Assn.** Renewal with Notice of Change in Officers – Catering Club  
CC-4763 (LID No. 3739) Case No. 23-9085  
120 West Sample Street  
Ebensburg, Cambria County

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal and change in officers.

(2) **GRP of Selinsgrove, LLC** Renewal – Restaurant  
**t/a Garfields Restaurant & Pub**  
R-21121 (LID No. 88266) Case No. 23-9067  
1 Susquehanna Valley Mall Drive  
Suite B-1  
Monroe Township  
Selinsgrove, Snyder County

**Motion Made:** Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of 3001 GRP of Selinsgrove, LLC. There was no response.

**Seconded:** Board Member Clarke

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

(3) **JLP Bar & Grill, LLC** Appointment of Manager – Restaurant  
R-20913 (LID No. 71035) Case No. 23-9064  
1018 Myers Road  
Penn Township  
Muncy Valley, Lycoming County

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to approve the appointment of manager.

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- (4) **Debra E. Lewis** Renewal – Restaurant  
**Ernest L. Lewis**  
**t/a Rock Hotel**  
R-11799 (LID No. 15161) Case No. 22-9172  
892 Rock Road  
Washington Township  
Pine Grove, Schuylkill County

**Motion Made:** Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of Debra E. or Ernest L. Lewis. There was no response.

**Seconded:** Board Member Clarke

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

- (5) **MB Beer, LLC** Person-to-Person Transfer –  
Importing Distributor  
ID-822 (LID No. 117097) Case No. 23-9105  
646 Elm Street  
Tionesta Borough  
Tionesta, Forest County

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

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

- (6) **No. 8 Enterprises, LLC** Renewal – Restaurant  
**t/a No. 8 Tavern**  
R-9417 (LID No. 103808) Case No. 23-9066  
4 Grove Street  
Kline Township  
McAdoo, Schuylkill County

**Motion Made:** Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of No. 8 Enterprises, LLC. There was no response.

**Seconded:** Board Member Clarke

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

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- (7) **Ruby D LLC** Request for Hearing after  
R-6472 (LID No. 61111) Case No. 23-9101 Revocation – Restaurant  
112 South 18<sup>th</sup> Street  
P.O. Box 2373  
Philadelphia, Philadelphia County

**Motion Made:** Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of Ruby D LLC. There was no response.

**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to deny request to reinstate the license and that the license remain revoked.

- (8) **St. Meachel Arch Angel Beneficial & Protective Assn.** Request for Hearing after  
C-934 (LID No. 763) Case No. 23-9027 Revocation – Club  
623 Long Run Road  
McKeesport, Allegheny County

**Motion Made:** Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of St. Meachel Arch Angel Beneficial & Protective Association. There was no response.

**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to deny request to reinstate the license and that the license remain revoked.

- (9) **TM and MM, LLC** Notice of Change in Business  
R-1763 (LID No. 104448) Case No. 22-9189 Structure – Restaurant  
1028 Broadway  
Fountain Hill, Lehigh County

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

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

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- (10) **Union Beverage, Inc.** Double Transfer & for Permission to  
**t/a Union Beverage** Retain Other Employment –  
D-479 (LID No. 115424) Case No. 23-9056 Distributor  
746 North New Street  
Bethlehem, Northampton County

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to approve the transfer and permission to retain other employment.

- (11) **1805 East Carson Street Corporation** Renewal – District 5  
**t/a Fat Head’s South Shore Saloon**  
R-3949 (LID No. 30207) Case No. 2023-30207  
1805-1809 East Carson Street  
Pittsburgh, Allegheny County

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

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

- (12) **Bongo, Inc.** Renewal – District 3  
R-969 (LID No. 9716) Case No. 2023-9716  
563 South 1st Avenue  
South Coatesville  
Coatesville, Chester County

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

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

- (13) **Italian American Democratic Club** Renewal – District 3  
C-3247 (LID No. 1556) Case No. 2023-1556  
243 Chestnut Street  
West Reading  
Reading, Berks County

**HOLD 1/10/24 SESSION**

**Conditional Licensing Agreement**

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

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

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**(14) Kskells Carnegie Management, LLC** Renewal – District 5  
R-5529 (LID No. 101873) Case No. 2023-101873  
1201 Washington Avenue Extension  
Scott Township  
Carnegie, Allegheny County

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

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

**(15) Rylanco, Inc.** Renewal – District 5  
**t/a The Fort Pitt Inn**  
R-1242 (LID No. 32978) Case No. 2023-32978  
7780 Steubenville Pike 1  
North Fayette Township  
Oakdale, Allegheny County

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to hold 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 5 personnel actions presented for consideration.

- (1) Matthew Dean – Affirm Removal**
- (2) Amber Durrett – Removal**
- (3) Benjamin Grant – Affirm Removal**
- (4) James Lee – Removal**
- (5) Amy Salazar – Removal**

**Motion Made:** Board Member Vulakovich

**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to approve the proposed personnel actions received from the Bureau of Human Resources.

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*From the Bureau of Accounting & Purchasing ..... Rodrigo Diaz, Executive Director  
Melinda John, Chief, Purchasing & Contracting Administration  
Ijeoma Ezekoye, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

- (1) Furniture for Store #0214** – Wall units for Fine Wine & Good Spirits Store #0214 in Pittsburgh.

Procured via DGS Contract #4400021466 – VENDOR: **TC Millwork - \$94,811.55 estimated cost.**

- (2) NWOB HVAC Maintenance and Repair Contract Increase** – This contract increase is needed due to the return fan on AHU 2 being currently inoperable due to catastrophic failure of the fan shaft. The shaft was damaged due to a bearing failure late in 2023. Our HVAC service contractor had a machine shop make a repair to fix the damaged shaft and replaced the bearings. The fan operated normally for a week or two at which time the shaft failed catastrophically completely breaking into 2 pieces at the previous repair. The machine shop attempted to remove the old shaft from the fan but was unsuccessful due to the age or the fan and shape of the interior portion of the shaft. Fortunately, we have been able to maintain the temperature on the north end of the building without the supply fan operating for most of the winter. Come cooling season, that will no longer be the case as heating the building is easier than cooling it. We are proposing to replace the 1960's fan with a new modern fan wall system. This project will benefit us in many ways moving forward. We will be replacing an irreparable fan system, removing 20+ year old electrical components, adding a new fan system that will reduce energy consumption and allow for better control of the building airflow and adding a variable speed drive to the return fan to allow both systems to work in harmony.

Procured via PO 80000951 Change Order – VENDOR: **Ainsworth Inc. - \$268,600.00 estimated cost.**

- (3) Store Server Refresh Project** – The LCB is looking to replace our 14-year-old server investiture at each store with new, modern edge servers. The current HP servers are failing more frequently, causing disruption of sales as we cannot rebuild and replace them fast enough. This new server infrastructure will not only bring new server hardware, but new uninterrupted power supplies and power distribution to combat power outages and keep the store servers from shutting down. With this new hardware, the Backoffice application as well as the future XStore/ XOffice application will be virtual, giving us more freedom to update, backup, and recover in the event of an issue.

Procured via DGS Contract #4400025326 – VENDOR: **MJM Systems Inc. - \$3,504,328.00 estimated cost.**

Inter-Agency Charges:

- (1) Department of General Services (DGS) Vehicle Leases (Job 35)** – The November/2023 billing to reimburse DGS \$50,302.20 for vehicle leases in accordance with Management Directive 615.3. This billing is for the 101 vehicles leased by the PLCB and includes the monthly lease costs for Telematic (GPS) devices. The monthly lease billing from DGS is commonly under \$50,000 so this charge normally appears on the Executive Director memo of inter-agency charges.



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- (2) **Department of General Services (DGS) Property Costs (Job 7)** – The estimated billing of \$109,080.08 for FY 2023-24 2<sup>nd</sup> Qtr. for Commonwealth property costs. This is for the property costs for the Northwest Office Building (NWOB), which includes direct costs paid by DGS (electricity charges), as well as prorated expenses for Capital Police services, City of Harrisburg Fire Protection. This billing includes a \$13,357.62 credit for the true-up from FY 2022-23’s actual charges. The estimated quarterly charges for FY 2023-24 decreased \$7,362.19 or (-6.7%).
- (3) **Department of General Services (DGS) Procurement Services (Job 917)** – Billing of \$258,732.14 for DGS procurement service costs in FY 2023. The invoicing is allocated based on agency usage of DGS’s state-wide contracts and purchasing card usage over the last year and includes an \$18,812.21 true-up credit for the prior year’s estimated billing.

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 Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to approve the procurement actions and inter-agency charges received from the Bureau of Accounting and Purchasing.

*From the Office of Retail Operations..... Rodrigo Diaz, Executive Director*

- 1. #17XX- 555 Spring Street, Houtzdale  
New Lease
- 2. #1003- 608 Moraine Pointe Plaza, Butler  
Amendment
- 3. #2213- 3775 Peter Mountain Rd. Halifax  
Amendment
- 4. #2513- 828 E. Sixth St, Erie  
Exercise Option
- 5. #4613- 935 Old York Rd, Jenkintown  
Exercise Option
- 6. #5121- 8705 Germantown Ave, Philadelphia  
Exercise Option

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to approve the proposed actions received from the Office of Retail Operations with the exception of lease action number one. The Board decided to hold lease action number one for further review.

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*From the Bureau of Product Selection ..... Tom Bowman, Director of Product Selection*

<u>VENDOR – ITEM NAME</u>	<u>BOARD ACTION REQUESTED</u>
Various	1. Regular New Items Accepted
Various	2. Regular PA New Items Accepted
Various	3. Regular Recommended Delist

**1. Regular New Items Accepted**

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>SMT Acquisitions</u>	
Pfaffl Vom Haus Zweigelt 750 mL	14, 19
<u>Southern Glazers Wine and Spirits of PA</u>	
Gekkeikan Sake 3.7 L	2, 10

RECOMMENDED ACTION: We recommend the Board approve this action

**2. Regular PA New Items Accepted**

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>Nomad Distilling Co</u>	
Nomad Distilling Co Litty Lemonade Cocktail 4x355 mL Cans	16
<u>Pine Creek Spirits LLC</u>	
Pine Creek Spirits Apple Whiskey 750 mL	16
Pine Creek Spirits Black Cherry Whiskey 750 mL	16
Pine Creek Spirits Notorious Gin 750 mL	16
Pine Creek Spirits Nutorious Peanut Butter Whiskey 750 mL	16
Pine Creek Spirits Peach Whiskey 750 mL	16
<u>Ponfeigh Distillery LLC</u>	
Ponfeigh Westsylvania Straight Rye 750 mL	16

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

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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>
<b><u>Mast Jagermeister US Inc</u></b> Teremana Tequila Blanco 1 L	96402
<b><u>Pine Creek Spirits</u></b> Pine Creek Spirits Pear Spiked Seltzer 4x355 mL Pine Creek Spirits Strawberry Lemonade Spiked Seltzer 4x355 mL Cans	97341 97342
<b><u>Southern Glazers Wine and Spirits of PA</u></b> Gekkeikan Sake 3 L	8163

EFFECTIVE DATE: The transference to closeout will become effective March 29, 2024

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to approve the recommendations received from the Bureau of Product Selection.

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

None

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**OTHER ISSUES**

***Transfer to General Fund.....Rodrigo Diaz, Executive Director***

The Office of Budget requests a transfer of \$85.1 million dollars (\$85,100,000) in the month of March 2024 from the State Stores Fund to the General Fund. The Finance team will schedule when this transfer will occur.

The transfer of this prescribed amount of \$85,100,000 will be processed as authorized in Expenditure Symbol Notification Number 23-013.

**Motion Made:** Board Member Vulakovich  
**Seconded:** Board Member Clarke

**Board Decision:** Unanimously agreed (3-0 vote) to approve the profit transfer of \$85.1M to the General Fund.

Chairman Holden noted that a total of \$185.1M has been transferred this year.

***Stop-and-Go Legislative Task Force.....Rodrigo Diaz, Executive Director***

Act 49 of 2023 amended the Liquor Code to add section 218, which establishes the “Stop-and-Go Legislative Task Force.” As prescribed by the statute, this task force shall include one ex officio member from the Pennsylvania Liquor Control Board (“PLCB”) to serve in a non-voting capacity along with the other voting members appointed to the task force.

Who does the Board wish to designate to serve as the PLCB’s ex officio member on the task force?

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

**Board Decision:** Agreed (2-0 vote with Board Member Clarke abstaining) to appoint Board Member Darrell L. Clarke to serve as the PLCB’s ex officio member to the Legislative Stop-and-Go Task Force

**PUBLIC COMMENT**

The Board has reserved 10 minutes for public comment.

No comments were offered.

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**NEXT BOARD MEETING**

**The next meeting of the PLCB will be a formal meeting on Wednesday, March 20, 2024 beginning at 11:00 A.M. Prior to the public meeting, an Executive Session or Sessions will be held for the specific purposes as regularly set forth in the printed Board Agenda.**

**ADJOURNMENT**

On a motion by Board Member Vulakovich and seconded by Board Member Clarke, the meeting was adjourned.

The foregoing actions are hereby officially approved.

\_\_\_\_\_

Chairman

\_\_\_\_\_

Member

\_\_\_\_\_

Member

ATTEST:

\_\_\_\_\_

Secretary