

PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING MINUTES

LISTEN TO THE RECORDING

WEDNESDAY, JANUARY 26, 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*

Pledge of Allegiance to the Flag

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

OLD BUSINESS..... *Secretary Stark*

A. Motion to approve previous Board Meeting Minutes of the January 12, 2022 meeting.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

Chairman Holden apologized for the technical difficulties that had occurred at the beginning of the session.

PUBLIC COMMENT ON AGENDA ITEMS

There were no public comments or questions on the printed agenda items.

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NEW BUSINESS

From the Office of Chief CounselRodrigo Diaz, Chief Counsel

(1) **Gali, LLC** Request for Rescission of Conditional
R-8448 (LID No. 101422) Licensing Agreement.
115-117 East Third Street
Bethlehem, North Hampton County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve request for rescission of conditional licensing agreement.

(2) **Blogg, LLC** Request for Rescission of Conditional
t/a Blogg Licensing Agreement.
R-10715 (LID No. 70641)
21 East Tioga Street
Tunkhannock, Wyoming County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve request for rescission of conditional licensing agreement.

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

(1) **Johnstown Beer and Eats, LLC** Person-to-Person Transfer –
t/a Country Garden 6-Pak Featuring Red’s Texas Restaurant
BBQ
R-18176 (LID No. 106095) Case No. 21-9053
3116 Elton Road
Richland Township
Johnstown, Cambria County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Hold for Conditional Licensing Agreement.

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- (2) **Juniata Brewing Company**
(LID No. 109459)
491 Municipal Drive
Allegheny Township
Duncansville, Blair County
- New & Requests for Interior Connections with Other Businesses & to Conduct Other Businesses on the Licensed Premises – Brewery Storage
- Motion Made:** Board Member Negra
Seconded: Board Member Isenhour
- Board Decision:** Unanimously agreed (3-0 vote) to approve new brewery storage location and request for interior connections with other businesses and to conduct other businesses on the licensed premises.
- (3) **KC & GH, LLC**
t/a Backwoods Beer
D-3200 (LID No. 72779)
14457 Main Street
Wattsburg, Erie County
- Extension of License & Request for an Interior Connection with Another Business - Distributor
- 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 connection with another business.
- (4) **KSL Camelback Management, LLC**
t/a Camelback Aquatopia
(LID No. 99561)
193 Resort Drive, P. O. Box 168
Pocono Township
Tannersville, Monroe County
- New & Requests for Secondary Service Area, Interior Connections with Other Businesses & to Conduct Another Business on the Licensed Premises – Hotel
- Motion Made:** Board Member Negra
Seconded: Board Member Isenhour
- Board Decision:** Unanimously agreed (3-0 vote) to approve new license and request for secondary service area, interior connections with other businesses and to conduct another business on the licensed premises.
- (5) **Maize Cantina, Inc.**
t/a Maize Mexican Cantina
R-9196 (LID No. 94429) Case No. 21-9037
605 Richmond Drive, Suite 109
Manheim Township
Lancaster, Lancaster County
- Appointment of Manager - Restaurant

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Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

(6) **Totem Pole Development, LLC**
t/a Tic Toc Foods
(LID No. 102459) Case No. 21-9018
4112 Ellwood Road
Slippery Rock Township
New Castle, Lawrence County

Auction License –
New & Request for Interior
Connections with Another
Business - Restaurant

Motion Made: Board Member Negra

Chairman Holden asked if anyone representing the licensee was present or on the teleconference line. Attorney Ellen Freeman called in, noting that she represents licensee; however, she had no questions or comments regarding Board Member Negra’s motion to refuse renewal of the license.

Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to refuse new license.

(7) **Ace and Summer, Inc.**
t/a Getaway Bar & Grille
R-3483 (LID No. 66687) Case No. 2021-66687
711 West Main Street
Sharpsville, Mercer 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 renewal with a new conditional licensing agreement.

(8) **Benno JTB Enterprises, L.L.C.**
t/a R Bar and Grille
R-17345 (LID No. 64991) Case No. 2020-64991
418 16th Street, P. O. Box 530
North Apollo, Armstrong County

Renewal – District 6

HOLD – 11/10/21 SESSION

Motion Made: Board Member Negra

Chairman Holden asked if anyone representing the licensee was present or on the teleconference line. There was no response as it relates to this agenda item.

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Seconded: Board Member Isenhour

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

- (9) **Chief's Café, Inc.** Conditional Licensing Agreement
R-9630 (LID No. 32793) Case No. 2021-32793 Renewal – District 5
305-307 North Craig Street
Pittsburgh, Allegheny County

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.

- (10) **Cibo & Amici, Inc.** Conditional Licensing Agreement
R-15423 (LID No. 68492) Case No. 2020-68492 Renewal – District 8
395 South Main Street
Wilkes Barre, Luzerne County

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.

- (11) **Joseph Danzuso** Renewal – District 5
t/a Mount Troy Inn
R-4318 (LID No. 68923) Case No. 2021-68923
2021 Mount Troy Road
Reserve Township
Pittsburgh, Allegheny County

Board Member Negra wanted to pause a moment and make a comment because there are a couple more similar cases. He noted that he was conflicted because it involves the Governor's mandate, but he wanted to make the point before he made his motion. He believes this business had paid their dues. He admitted that he thinks they did make a mistake; however, he believes that they paid for it and on that, he made a motion to approve the renewal of their license.

Motion Made: Board Member Negra moved to approve renewal.

Board Member Isenhour said she was not going to second the motion made by Board Member Negra. She stated that people who violated the Governor's Orders should face the consequences, in fairness to people who followed the mandates and who adjusted their businesses in the interest of public safety. Those that didn't do that should face the consequences.

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

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Seconded: Chairman Holden

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

- (12) **Double LL Bar and Grille, LLC** Renewal – District 1
R-17966 (LID No. 82943) Case No. 2021-82943
901 North Spring Street
Everett, Bedford County

Motion Made: Board Member Negra moved to approve renewal, referencing his discussion points on the previous agenda item (#11).

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

- (13) **Farnan, Inc.** Renewal – District 5
t/a The Village Inn
R-8767 (LID No. 54147) Case No. 2021-54147
823 Miller Avenue
Clairton, Allegheny County

Motion Made: Board Member Negra

Seconded: Board Member Isenhour

Board Decision: Hold for conditional licensing agreement.

- (14) **Food Express Beer & Deli, Inc.** Conditional Licensing Agreement
t/a Food Express Beer & Deli Renewal – District 8
R-15319 (LID No. 84097) Case No. 2020-84097
1545 West Front Street
Berwick, Columbia County **HOLD – 12/1/21 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.

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- (15) **Mifflin RRT Corporation** Renewal – District 5
R-8161 (LID No. 53891) Case No. 2021-53891
Duquesne Village Shopping Center
1840 Homeville Road
West Mifflin, Allegheny County
- Motion Made:** Board Member Negra
Seconded: Board Member Isenhour
- Board Decision:** Hold for conditional licensing agreement.
- (16) **Nobles Corner Bar, Inc.** Renewal – District 5
R-12933 (LID No. 70018) Case No. 2021-70018
1635 Nobles Lane
Pittsburgh, Allegheny County
- Motion Made:** Board Member Negra
Seconded: Board Member Isenhour
- Board Decision:** Hold for an amended conditional licensing agreement.
- (17) **Puzzlers Restaurant and Lounge, LLC** Renewal – District 5
R-14511 (LID No. 72007) Case No. 2021-72007
2714 Walnut Street
McKeesport, Allegheny County
- Motion Made:** Board Member Negra moved to approve renewal.
Board Member Isenhour declined to second the motion and made a new motion.
- Motion Made:** Board Member Isenhour moved to hold for a conditional licensing agreement.
Seconded: Chairman Holden
- Board Decision:** Hold for conditional licensing agreement (2-1 vote).
- (18) **Rockwells Restaurant, Inc.** Conditional Licensing Agreement
t/a Rockwell’s Restaurant Renewal – District 4
R-19688 (LID No. 48446) Case No. 2020-48446
120 Gravel Pike
Green Lane, Montgomery County **HOLD – 12/1/21 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.

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(19) Vinne 1204, Inc. Renewal – District 6
t/a Nero’s Bar
R-7063 (LID No. 12525) Case No. 2020-12525
1204 Seventh Avenue
Beaver Falls, Beaver County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: 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 16 personnel actions presented for consideration.

- (1) Lisa Albrecht – Removal**
- (2) Georgette Birmelin – Affirm Removal**
- (3) Heidi Book – Affirm Removal**
- (4) Suzanne Foster – Affirm Removal**
- (5) Shacora Johnson – Demotion**
- (6) Dina Jordan - Removal**
- (7) Cortez King – Removal**
- (8) Nicole Mitchell – Removal**
- (9) Troy Montgomery - Removal**
- (10) Olivia Orczyk – Affirm Removal**
- (11) Lillian Reese – Affirm Removal**
- (12) Kevin Ryan – Affirm Removal**
- (13) Alexis Staley – Affirm Removal**
- (14) Dinita Toney – Affirm Removal**
- (15) Veronica Westover – Affirm Removal**
- (16) Libby Williams – Affirm 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:

- 1) **Radio Frequency Gun Maintenance for Fine Wine & Good Spirits Stores** – Provide annual maintenance to cover repairs, including parts, labor and a web-based repair request system for PLCB’s use, to keep Radio Frequency guns in Fine Wine & Good Spirits Stores in good operating condition.

Procured via IFB #260372 - VENDOR: **Supply Chain Services, LLC** - TERM: One Year - **\$140,035.00 estimated cost.**

- 2) **Hearing Examiner Services Renewal** – 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 PO 63021027 Option Year – VENDOR: **Thomas R. Miller, Esquire** – TERM: One year for period 4/1/2022 through 3/31/2023 – **\$250,000.00 estimated cost.**

- 3) **Microsoft Enterprise Azure** – Additional funds required to pay for services through the end of May 2022. Due to current burn rate of our Azure Synapse (data analytics) and E-Commerce infrastructure, additional funds are required to cover costs through the end of the period of performance.

Procured via DGS Contract #4400018548 – VENDOR: **CDW-G** – TERM: Four months for period 2/1/2022 through 5/31/2022 - **\$268,572.80 estimated cost.**

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

Inter-Agency Charges:

None

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

None

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

VENDOR – ITEM NAME

BOARD ACTION REQUESTED

Various
Various

1. Regular New Items Accepted
2. Regular Recommended Delist

1. Regular New Items Accepted

BRAND NAME AND SIZE

REASON

Cape Classics Inc

Jam Jar Sweet Blush 750 mL

14, 19

North Wales Wines

Black Box Brilliant Collection Cabernet Sauvignon 3 L

1, 2, 3

Black Box Brilliant Collection Chardonnay 3 L

1, 2, 3

Black Box Brilliant Collection Pinot Grigio 3 L

1, 2, 3

Southern Glazers Wine and Spirits of PA

Liquid Light Sauvignon Blanc 750 mL

10

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

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2. Regular Recommended Delist

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>Sutter Home Winery</u>	
Sutter Home Cabernet Sauvignon 3 L	909
Sutter Home Chardonnay 3 L	910
Sutter Home Pinot Grigio 3 L	911

EFFECTIVE DATE: The transference to closeout will become effective

Board Secretary Stark noted that agenda item **#2. Regular Recommended Delist** was inadvertently added to the agenda. The Board would only be voting on one board action: **#1. Regular New Items Accepted.**

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

OTHER ISSUES

Caller Tracy McCarthy wanted to clarify what a conditional licensing agreement meant regarding LID No. 106095, Johnstown Beer and Eats, LLC. Chief Counsel Rod Diaz informed her that when there is a hold for a conditional licensing agreement, it is so that the Board and the licensee can come to an agreement that is acceptable to both parties, that would remove the objections to the renewal in exchange for putting certain conditions on the license that would address Licensing's concerns.

He went on to say that following today's meeting, an attorney from the Chief Counsel's office would reach out to the licensee with the terms that they can consider for resolving the matter. The licensee would then make a decision on whether these terms are acceptable or whether the licensee wants the Board to vote yes or no on the matter at a subsequent meeting.

Ms. McCarthy asked if it would take a long time and Chief Counsel Diaz responded that a letter should go out within a day or two, and then it's just a matter of how long it takes for the licensee to reach an agreement, followed by the conditional licensing agreement being presented at the next Board meeting.

CITIZEN COMMENT/BUSINESS FROM THE FLOOR

None

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, February 9, 2022 beginning at 9:00 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.

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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