

PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING MINUTES

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WEDNESDAY, SEPTEMBER 25, 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 Management](#)
[Financial Report](#)
[Other Issues](#)

PUBLIC MEETING – 11:00 A.M

CALL TO ORDER *Chairman Holden*

Board Secretary Michael Vigoda 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 Vigoda*

A. Motion to approve previous Board Meeting Minutes of the September 11, 2024 meeting.

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve previous Board Meeting Minutes of the September 11, 2024 meeting.

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 reserved 10 minutes for public comment.

No public comments were offered.

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- (5) **Adoption of Advisory Notice No. 9 (15th Revision) and Advisory Notice No. 10 (10th Revision)** Amendment of Advisory Notices
- Motion Made:** Board Member Vulakovich
Seconded: Board Member Clarke
- Board Decision:** Unanimously agreed (3-0 vote) to adopt Advisory Notice No. 9, 15th revision and Advisory Notice No. 10, 10th revision as drafted by the Office of Chief Counsel.

- (6) **Nittany Oil Co., Inc.** Appeal to Commonwealth Court
1135 Main Street
Coalport, PA 16627
License No. R-17604
LID 106432
- Motion Made:** Board Member Vulakovich
Seconded: Board Member Clarke
- Board Decision:** Unanimously agreed (3-0 vote) to not pursue an appeal to Commonwealth Court.

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

- (1) **C & R Garrett Pub, Inc.** Request for Hearing – *Nunc Pro Tunc*
R-7519 (LID No. 92023) Case No. 23-9114 – Renewal – Restaurant
2310-12 Garrett Road
Upper Darby Township
Drexel Hill, Delaware County
- Motion Made:** Board Member Vulakovich
- Chairman Holden asked if anyone in the audience wished to speak on behalf C & R Garrett Pub, Inc. There was no response.
- Seconded:** Board Member Clarke
- Board Decision:** Unanimously agreed (3-0 vote) to refuse request for Nunc Pro Tunc relief.
- (2) **Gatti Holdings, LLC** Request for Hearing to Extend
R-19900 (LID No. 69989) Case No. 24-9043 Safekeeping Period – Restaurant
6817 Route 202
Solebury Township
New Hope, Bucks County
- Motion Made:** Board Member Vulakovich

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

Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to deny licensee's request for an additional free year of safekeeping but also agreed that the licensee would be given 30-days from today's date to submit an application for extension of safekeeping along with the required fee.

(3) **Giant Penn, LLC**
R-10484 (LID No. 120826)
4100 Grandview Drive
Richland Township
Gibsonia, Allegheny County

Requests for Interior Connections with
Another Business & Sell Other Items
on the Licensed Premises – Restaurant

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve the licensee's request for an interior connection with another business and approve the licensee's request to sell other items from the licensed premises but only to the extent those items have already been approved by the Board through Advisory Notice 28. The request should be denied in all other respects.

(4) **Romeos Restaurant, LLC**
R-12937 (LID No. 103682) Case No. 24-9019
705 Brushton Avenue
Pittsburgh, Allegheny County

Appointment of Manager & Request to
Retain Other Employment –
Restaurant

HOLD - 7/10/24 SESSION

Conditional Licensing Agreement

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve appointment of manager and request to retain other employment with a conditional licensing agreement.

(5) **Shutters Inn, LLC**
H-2276 (LID No. 57032) Case No. 24-9013
200 Memorial Drive
Elmhurst Township
Moscow, Lackawanna County

Appointment of Manager – Hotel

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Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

- (6) **WSA II, LLC** Request for Hearing After
R-9578 (LID No. 48792) Case No. 23-9130 Administrative Cancellation –
411 Swedeland Road Appointment of Management
Building 23 Company – Restaurant
Upper Merion Township
King of Prussia, Montgomery County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of WSA II, LLC. Francis X. O’Brien spoke on behalf of licensee.

Mr. O’Brien indicated that the licensee, a large development firm, is encountering significant challenges in resolving its outstanding tax liabilities, which were exacerbated by the pandemic. He formally requested an extension of three to six months for the application process to allow sufficient time to address the tax issues.

Chairman Holden then recognized Chief Counsel Jason Worley for further input. Mr. Worley noted that the PLCB had already afforded considerable flexibility to resolve the matter, yet a management agreement had not been submitted. He advised the Board to move forward procedurally but emphasized that the final decision rests within the Board’s discretion. He also expressed his belief that holding the matter for another three to six months is not really reasonable, but that the Board may wish to hold the matter until the next meeting, if it is inclined to allow any additional time for the outstanding issues to be resolved.

Motion Made: Chairman Holden

Seconded: Board Member Clarke

Motion Withdrawn: Board Member Vulakovich withdrew his motion to refuse the application for appointment of management company.

Unanimously agreed (3-0 vote) to hold this issue until the October 16, 2024 Board Meeting.

- (7) **Gordon Grill, Inc.** Renewal – District 4
E-1885 (LID No. 59852) Case No. 2024-59852
429 Gordon Street
Allentown, Lehigh County

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Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

- (8) **Northern Tier Beverage, Inc.** Renewal – District 9
D-819 (LID No. 26889) Case No. 2023-26889
133 North Main Street **HOLD 7/31/24 SESSION**
Mansfield, Tioga County **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.

- (9) **Pizzaioli, Inc** Renewal – District 5
t/a Il Pizzaiolo
R-8514 (LID No. 48106) Case No. 2023-48106 **HOLD 5/1/24 SESSION**
703 Washington Road **Conditional Licensing Agreement**
Mount Lebanon Township
Pittsburgh, Allegheny County

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.

- (10) **R.A.M. Rodney Corner, Inc.** Renewal – District 6
t/a Rodney Corner Café
R-17107 (LID No. 96509) Case No. 2022-96509 **HOLD 3/20/24 SESSION**
595 Clay Pike Road
Mount Pleasant Township
Acme, Westmoreland County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of R.A.M. Rodney Corner, Inc. There was no response.

Seconded: Board Member Clarke

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

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(11) Resort Beverage Co., Inc. Renewal – District 9
ID-639 (LID No. 8587) Case No. 2023-8587
Route 611 P O Box 143
Pocono Township
Tannersville, Monroe County
HOLD 6/26/24 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.

(12) South Point, LLC Renewal – District 2
t/a District Bar & Lounge
R-4876 (LID No. 57918) Case No. 2024-57918
1014 North 3rd Street
Harrisburg, Dauphin 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 9 personnel actions presented for consideration.

- (1) Royce Brooks – Removal**
- (2) Michael Davies - Removal**
- (3) Muhammad Haleem – Affirm Removal**
- (4) Kymire Harding – Affirm Removal**
- (5) Philip Lubsen - Removal**
- (6) Natasha Martin – Affirm Removal**
- (7) Phillip Natividad - Removal**
- (8) Ashley Sulinski – Removal**
- (9) Ramona Williams - Removal**

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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.

*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) **Renewal for Contract 20220912 for Services with Deloitte Consulting, LLP, for Production Support and Associated Services for Oracle Cloud Enterprise Resource Planning (ERP) and Oracle Applications** – Engagement to have Deloitte Consulting, LLP, continue to perform the ERP “hypercare” duties (i.e.; post-go-live production support and maintenance and associated knowledge transfer) after Oracle’s roll-off.

Procured via PO 80050710 Option 6-Month to RFP Contract 20220912 – **VENDOR: Deloitte Consulting LLP** – **TERM:** Six months for period 11/01/2024 through 4/30/25 – **\$ 1,246,261.50 estimated cost.**

Inter-Agency Charges:

- (1) **Office of Administration – HR Shared Services** – Billing of \$998,650. for the FY 2024-25 Q1 the LCB’s allocated share of OA’s HR-Enterprise Services (HR service center, training, labor relations, employee benefits, SEAP, etc.). The billing is \$28,450 (+3.0%) more than last year. The billing is allocated based on the agency’s number of benefit eligible employees (BEEs). The LCB’s Q1 charges represents only 3.5% of the total OA charge of \$28.9 million which grew (+16.0%) over last year.
- (2) **Department of General Services (DGS) Employee Liability Insurance (Job 31)** – Billing of \$106,401.80 for FY 2024-25 annually to reimburse DGS for employee liability insurance premiums. The billing represents the PLCB’s share of the insurance premiums based on personnel complements (25%) and 10-year claim loss experience (75%). The charge to the PLCB represents approximately 1.3% of the Commonwealth’s total employee liability premium cost of \$8.0 million and has remained flat.
- (3) **Department of General Services (DGS) TORT CLAIMS (Job 24)** – Billing of \$72,743.67 for FY 2024-25 annually to reimburse DGS for tort insurance premiums. The billing represents the PLCB’s share of the insurance premiums based on tort claims The charge to the PLCB represents approximately 7.3% of the Commonwealth’s total tort liability premium cost of \$1.0 million.

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

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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

None

From the Bureau of Product Management..... Vacant, Director of Product Management

VENDOR – ITEM NAME

BOARD ACTION REQUESTED

“These items went to Board for the public meeting without pricing”

Various

1. Regular Recommended Delist

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BRAND NAME AND SIZE

CODE

Luxco Inc

Rebel Straight Bourbon 50 mL

2233

Majestic W S USA Inc

Rancho La Gloria Margarita Wine Cocktail 750 mL

469

Southern Glazers Wine and Spirits of PA

Seagram's Escapes Jamaican Me Happy Wine Cooler 4x335 mL

3505

Seagram's Escapes Strawberry Daiquiri Wine Cooler 4x335 mL

4919

EFFECTIVE DATE: The transference to closeout will become effective October 25, 2024

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

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

None

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OTHER ISSUES

2025 Board Meeting Schedule.....Secretary Vigoda

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 or virtually, members of the public, the media and others can find instructions on the PLCB public website to join the meeting.

2025 PLCB Board Meeting Schedule

- January 15, 2025
- February 5, 2025
- February 26, 2025
- March 19, 2025
- April 9, 2025
- April 30, 2025
- May 14, 2025
- June 4, 2025
- June 25, 2025
- July 16, 2025
- August 6, 2025
- August 27, 2025
- September 17, 2025
- October 1, 2025
- October 15, 2025
- November 6, 2025
- November 19, 2025
- December 17, 2025

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve the 2025 Board Meeting schedule.

PUBLIC COMMENT

The Board reserved 10 minutes for public comment.

No comments were offered.

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, October 16, 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.

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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