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

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

Pledge of Allegiance to the Flag

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

A. Motion to approve the previous Board Meeting Minutes of the December 6, 2017 meeting.

**Motion Made:** Board Member Negra

**Seconded:** Board Member Newsome

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

**PUBLIC COMMENT ON AGENDA ITEMS**

There was no public comment on the printed agenda items.

**NEW BUSINESS**

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

(1) **HALIFAX TOWNSHIP**

Case No. 17-NE-16

Municipal Petition for Exemption from the Statute Regarding Amplified Sound
Note: Board Minutes are not officially approved until all required signatures are affixed.

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Noise Exemption for a Period from January 15, 2018 to January 15, 2023.

(2) BOROUGH OF EDGEWORTH
Case No. 17-NE-17

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Noise Exemption for a Period from January 18, 2018 to January 18, 2021.

(3) Emerald Isle Hospitality, LLC
506 State Street
Erie, Pennsylvania 16501-1108
Restaurant Liquor License No. R-21200
LID 49075

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Request to Rescind Conditional Licensing Agreement.

(4) Turkey Hill, L.P.
1242 East Market Street
York, Pennsylvania 17403
Restaurant Liquor License No. R-172
LID 87747

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Request to Rescind Conditional Licensing Agreement.
(5) **Turkey Hill, L.P.**  
726 North 15th Street  
Allentown, Pennsylvania 18102-1224  
Restaurant Liquor License No. R-13972  
LID 86296  

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

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Request to Rescind Conditional Licensing Agreement.

(6) **Chintu, Inc.**  
349 South Main Street  
Scranton, Pennsylvania 18504-2564  
Restaurant Liquor License No. R-14880  
LID 84025  

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

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Request to Rescind Conditional Licensing Agreement.

(7) **DBK 88, Inc.**  
5819 Rising Sun Avenue  
Philadelphia, PA 19120  
Restaurant Liquor License No. R-1850  
LID 70108  
Citation No. 17-0627  

Michelle Fox, Executive Deputy Chief Counsel, was asked to explain this matter.

Ms. Fox explained the matter as follows:

In May 2017, the Pennsylvania State Police, Bureau of Liquor Control Enforcement (“BLCE”) issued a citation to Licensee setting forth two counts. The first count charged Licensee with engaging in illegal sales of alcohol for off-premises consumption. The second count charged Licensee with not having a serving area of at least 400 square feet.

Licensee submitted a waiver admitting to the violations and waiving its right to a hearing. The Administrative Law Judge (“ALJ”) accepted the waiver as to the first count of the citation and imposed a fine. However, the ALJ rejected the waiver as to the second count and dismissed that count without holding a hearing.
Note: Board Minutes are not officially approved until all required signatures are affixed.

The BLCE filed a timely application for reconsideration of the ALJ’s dismissal of the second count, which was accepted by the ALJ. The ALJ issued a new opinion and order reaching the same conclusion, and the BLCE filed a timely appeal of that decision with the Board.

On appeal, the BLCE argues that the ALJ misinterpreted the square footage requirements under the Liquor Code by considering the total square footage of both the serving and storage areas, instead of just the square footage of the serving areas.

Ms. Fox indicated that the Office of Chief Counsel (“OCC”) agrees with the BLCE and that it has consistently been the agency’s position that only the serving areas are to be considered when determining whether the minimum square footage requirements under the Liquor Code have been satisfied. Ms. Fox noted that despite there being a requirement in the Board’s Regulations that a hearing must be held if a waiver is rejected, no hearing was held in this instance. Rather, the ALJ appears to have considered information outside of the record. Because no record was created by the ALJ, the Board is unable to decide whether Licensee had enough square footage for its serving areas. Accordingly, the OCC recommends that the Board vacate the second count of the ALJ’s decision and remand the matter for the ALJ to hold a hearing to accept evidence on the square footage issue.

Board Member Negra questioned whether there is any indication of why a hearing was not held in this matter.

Ms. Fox responded that it is unclear why no hearing was held.

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome  
**Board Decision:** Unanimously agreed (3-0 vote) to Vacate Count Two of the ALJ’s Decision and Remand the Matter for the ALJ to Hold a Hearing.

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

*Barbara Peifer, Director, Bureau of Licensing*

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(1) **4 Kids Rock, Inc.**  
t/a Pitstop Pizza Sunoco & Café  
E-5099 (LID No. 83425) Case No. 17-9018  
5556 State Route 982  
Derry Township  
Derry, Westmoreland County  
Request to Conduct Another Business on the Licensed Premises – Eating Place Malt Beverage  
**HOLD – 6/28/17 SESSION**
**Note:** Board Minutes are not officially approved until all required signatures are affixed.

<table>
<thead>
<tr>
<th>Motion Made:</th>
<th>Board Member Negra</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seconded:</td>
<td>Board Member Newsome</td>
</tr>
</tbody>
</table>

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Request to Conduct Another Business on the Licensed Premises.

(2) **Greater Latrobe Beverage Company**  
D-1533 (LID No. 85240) Case No. 17-9064  
117 Lloyd Avenue  
Latrobe, Westmoreland County

<table>
<thead>
<tr>
<th>Motion Made:</th>
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<tbody>
<tr>
<td>Seconded:</td>
<td>Board Member Newsome</td>
</tr>
</tbody>
</table>

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Transfer and Requests for Dual Employment.

(3) **Hawkeye Distributors, Inc.**  
D-3787 (LID No. 85404) Case No. 17-9049  
1150 South Main Street  
Hanover Township  
Hanover Township, Luzerne County

<table>
<thead>
<tr>
<th>Motion Made:</th>
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</thead>
<tbody>
<tr>
<td>Seconded:</td>
<td>Board Member Newsome</td>
</tr>
</tbody>
</table>

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connection with Another Business.

(4) **Organization for Rebirth of Ukraine t/a O D W U Ukrainian Homestead**  
CC-5634 (LID No. 4018) Case No. 17-9060  
1476 Blakeslee Boulevard Drive West  
Mahoning Township  
Lehighton, Carbon County

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<tbody>
<tr>
<td>Seconded:</td>
<td>Board Member Newsome</td>
</tr>
</tbody>
</table>

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Transfer.
(5) **Poindexter, Inc. t/a Pizza City**
R-14614 (LID No. 56951) Case No. 17-9053
270 Susquehanna Avenue
Lock Haven, Clinton County

**Notice of Change in Business Structure – Restaurant**

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome  
**Board Decision:** Unanimously agreed (3-0 vote) to Approve Notice of Change in Business Structure.

(6) **2936 Nite Life, Inc.**
R-3916 (LID No. 41756) Case No. 2016-41756
2936-38 Kensington Avenue
Philadelphia, Philadelphia County

**Conditional Licensing Agreement Renewal – District 10**

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome  
**Board Decision:** Unanimously agreed (3-0 vote) to Approve Renewal with Conditional Licensing Agreement.

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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 10 personnel actions presented for consideration.

1. **Harry Alexander – Removal**
2. **Lenora Core – Removal**
3. **Schneequa Douett – Affirm Removal**
4. **Jodi Geiter – Removal**
5. **Jeff Gourley – Affirm Removal**
6. **Stewart Humphries – Removal**
(7) Evan Kreisher – Removal

(8) Samuel Rago – Removal

(9) Daniel Seese – Demotion

(10) Serena Stokes – Affirm Removal

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve all Personnel Actions.

From the Bureau of Accounting & Purchasing ................................................. Oren Bachman, Director of Finance
Koppolu Ravindraraj, Director, Bureau of Accounting & Purchasing
Mike Freeman, Director, Bureau of Financial Management & Analysis

Procurement Actions:

(1) Security Systems – Provide Salient Security Systems for 34 Fine Wine & Good Spirits stores to ensure both customer and employee safety. The surveillance systems act as a deterrent for retail theft as well as a resource to provide law enforcement with court admissible video evidence to aid in prosecution.

Procured via Request for Quote (RFQ) #20171128 against DGS Statewide ITQ Contract #4400013746 – VENDOR: Johnson Controls Inc. – $299,640.00 estimated cost which includes servers ($158,728.00), hard drives ($10,353.00), licenses ($130,559.00) for each store. All qualified suppliers on the DGS ITQ Contract were solicited for quotes. The selection criteria is based on a Best Value Determination and Johnson Controls Inc. was selected as the best value for the agency quoting the lowest cost.

(2) Security Cameras – Provide Bosch Cameras for 34 Fine Wine & Good Spirits stores to ensure both customer and employee safety. The surveillance cameras act as a deterrent for retail theft as well as a resource to provide law enforcement with court admissible video evidence to aid in prosecution.

Procured via RFQ #20171127 against DGS Statewide ITQ Contract #4400013746 – VENDOR: Siemens Industry Inc. – $174,539.60 estimated cost which includes Flexidome ($44,354.00) and Analog ($130,185.60) cameras for each store. All qualified suppliers on the DGS ITQ Contract were solicited for quotes. The selection criteria is based on a Best Value Determination and Siemens Industry Inc. was selected as the best value for the agency quoting the lowest cost.

(3) Database Administrator Staff Augmentation Renewal – Provide database assistance to support the ERP and POS environments. This position has over 30 years of experience supporting Oracle databases and application servers as well as EBS, Oracle Merchandising Operations Management (Retail) and POS systems. A key initiative for this extension will be project assistance for a data center migration/move from the PennDOT Disaster Recovery site on Cameron St to OA’s Enterprise Data Center (EDC).
Note: Board Minutes are not officially approved until all required signatures are affixed.

Procured via DGS Statewide Contract #6100030999 – VENDOR: OST, Inc. – TERM: Six (6) months for period 1/2/18 through 6/30/18 – $90,233.01 estimated cost.

Motion Made: Board Member Negra
Seconded: Board Member Newsome

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

Inter-Agency Charges:

(1) Office of Comptroller Operations – FY 2017-18 first quarter billing of $1,222,203.32 from the Office of Comptroller Operation. This billing includes $1,010,784.71 for first quarter charges, which is $5,110.20 (-0.5%) less than FY 2016-17’s first quarter billing. The billing also includes $211,418.61 for the “true-up” for the estimated billing for FY 2016-17 fourth quarter services.

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
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve all Inter-Agency Charges.

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

1. #0271 – 3408 Main Street, Munhall
   Amendment

2. #0925 – Crossroads Plaza, 800 Bustleton Pike, Richboro
   Amendment

3. #6314 – 980 Jefferson Avenue, Washington
   Amendment

4. #4004 – 1492 Highway 315, Wilkes-Barre
   New Store / Relocation of Licensee Service Center #4015

Motion Made: Board Member Negra
Seconded: Board Member Newsome

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

1. Regular New Items Accepted

<table>
<thead>
<tr>
<th>BRAND NAME AND SIZE</th>
<th>REASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diageo Americas Inc</td>
<td></td>
</tr>
<tr>
<td>Ciroc Mango Vodka 750 ML</td>
<td>3</td>
</tr>
</tbody>
</table>

| Park Street Imports               |        |
| Conncullin Irish Gin 750 ML       | 8      |

RECOMMENDED ACTION: We recommend the Board approve this action

2. Regular PA Spirits New Item

<table>
<thead>
<tr>
<th>BRAND NAME AND SIZE</th>
<th>REASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Majestic W S USA Inc</td>
<td></td>
</tr>
<tr>
<td>Hidden Still “David E” Premium Straight Bourbon 750 ML</td>
<td>8</td>
</tr>
</tbody>
</table>

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
3. Regular Recommended Delist January 2018

**BRAND NAME AND SIZE**

<table>
<thead>
<tr>
<th>BRAND NAME AND SIZE</th>
<th>CODE</th>
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<tbody>
<tr>
<td>Palm Bay Imports Inc</td>
<td></td>
</tr>
<tr>
<td>Darnley's View London Dry Gin 80 Proof 750 ML</td>
<td>9066</td>
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<tr>
<td>Park Street Imports LLC</td>
<td></td>
</tr>
<tr>
<td>Kinsey Cask Strength 7 Year Old Whiskey 115 Proof 750 ML</td>
<td>1023</td>
</tr>
<tr>
<td>Kinsey Cask Strength Rye Whiskey 115 Proof 750 ML</td>
<td>1024</td>
</tr>
<tr>
<td>William Grant Sons Inc</td>
<td></td>
</tr>
<tr>
<td>Art In The Age Root Liqueur 750 ML</td>
<td>5039</td>
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</tbody>
</table>

**EFFECTIVE DATE:** The transference to closeout will become effective January 22, 2018

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome  
**Board Decision:** Unanimously agreed (3-0 vote) to Approve all Bureau of Product Selection/Marketing Actions.

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

None

**OTHER ISSUES**

*Employee Recognition*  
*Chairman Holden*

Chairman Holden, along with Board Members Negra and Newsome, recognized John Stark, Board Secretary, for his 25 years of service to the Commonwealth. Mr. Stark was presented with a commemorative certificate from the Board.

**CITIZEN COMMENT/BUSINESS FROM THE FLOOR**

None.

**NEXT BOARD MEETING**

The next meeting of the PLCB will be a formal meeting on Wednesday, January 17, 2018 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

Immediately prior to adjournment, Chairman Holden, Board Member Negra, and Board Member Newsome expressed their well wishes for a merry Christmas and a safe and happy New Year.

On a motion by Board Member Negra, seconded by Board Member Newsome, the meeting was adjourned. The foregoing actions are hereby officially approved.

__________________________________________
Chairman

__________________________________________
Member

__________________________________________
Member

ATTEST:

__________________________________________
Secretary